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Towards A Responsive Legal Framework For Sustainable Tourism: Integrating Green And Circular Entrepreneurship In Local Economic Development

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ABSTRACT

This study examines the development of a responsive legal framework for sustainable tourism through the integration of green entrepreneurship and circular economy in strengthening local economic development, with a contextual focus on Desa Wisata Alamendah, Rancabali District, Bandung Regency, West Java. The growing urgency of sustainable tourism highlights the limitations of conventional legal frameworks that remain insufficiently adaptive to socio-economic and environmental dynamics at the local level. This research aims to analyze the extent to which existing legal frameworks support sustainable tourism practices and to propose a more adaptive and inclusive regulatory model. The study employs a socio-legal approach, combining normative legal analysis with empirical insights derived from secondary data, including academic literature, policy documents, and documented case studies. The findings indicate that the current legal framework remains largely formalistic and not fully responsive, particularly in accommodating innovation, stakeholder participation, and sustainability-oriented practices. In Desa Wisata Alamendah, local initiatives in community-based tourism, environmentally friendly practices, and circular economy potential have emerged but remain insufficiently supported by an integrated regulatory framework. Regional policies, including halal tourism regulation, provide opportunities for strengthening sustainability, although implementation remains limited. This study proposes a responsive legal framework emphasizing regulatory flexibility, collaborative governance, and integration of green and circular economy principles to bridge the gap between legal norms and practice while promoting inclusive and sustainable tourism development.

Keywords: *sustainable tourism, responsive law, green entrepreneurship, circular economy*

1. INTRODUCTION

Sustainable tourism has emerged as one of the dominant paradigms in global development, particularly in balancing economic growth with environmental protection and social well-being. In this context, the tourism sector is no longer perceived merely as an economic activity, but as a strategic instrument for promoting inclusive and sustainable regional development. In Indonesia, tourism contributes significantly to Gross Domestic Product (GDP) and serves as a major source of foreign exchange, thereby exerting broad implications for both national and regional economies. However, conventional tourism development models, which tend to be exploitative, have generated various challenges, including environmental degradation, economic inequality, and the marginalization of local communities. This condition has driven a paradigm shift toward more sustainable approaches through the integration of *sustainable tourism* and green economy concepts [1], [2]. These approaches emphasize a balance between economic growth, environmental preservation, and social welfare as the foundation of modern tourism development, further supported by recent empirical findings indicating that sustainability has become a key determinant of global tourism competitiveness [3], [4].

One of the approaches that has gained increasing attention in the literature is *community-based tourism* (CBT), which positions local communities as the main actors in the management and development of tourism destinations. CBT emphasizes active community participation in planning, decision-making, and the distribution of economic benefits derived from tourism activities. Studies have shown that CBT can enhance community welfare, strengthen local cultural identity, and support environmental sustainability through community-based resource management [5], [6].

Moreover, this approach fosters more harmonious interactions between tourists and local communities, resulting in more authentic and sustainable tourism experiences. In the Indonesian context, the implementation of CBT has evolved as a strategic mechanism to strengthen local economies, particularly through the development of tourism villages as drivers of regional economic growth [7].

Along with the evolution of sustainable tourism concepts, the emergence of *green tourism* and *green entrepreneurship* highlights the importance of environmentally responsible business practices within the tourism sector. *Green entrepreneurship* encourages business actors, particularly small and medium enterprises (SMEs), to develop products and services that not only generate economic value but also contribute to environmental conservation. In practice, this concept involves the utilization of local resources, the adoption of eco-friendly materials, and sustainable waste management practices. Studies indicate that integrating *green entrepreneurship* into tourism can enhance destination competitiveness while strengthening local economic resilience [8], [9]. Nevertheless, its implementation still faces several challenges, particularly related to limited entrepreneurial capacity, restricted access to green technologies, and insufficient policy support.

In a broader context, the concept of the *circular economy* has become increasingly relevant in supporting the sustainability of the tourism sector. The *circular economy* emphasizes resource efficiency through the principles of *reduce, reuse, recycle,* and *regenerate*, thereby minimizing waste and environmental impact [1], [10]. Recent studies demonstrate that the application of this model in tourism can improve resource efficiency while reinforcing local economic sustainability [10], [11]. However, its implementation continues to face structural constraints, including limited infrastructure, low environmental awareness, and the lack of integrated cross-sectoral policies, thus requiring adaptive and responsive regulatory support.

Previous studies have examined the relationship between sustainable tourism, CBT, and local community empowerment. Research indicates that the success of sustainable tourism implementation is highly dependent on the integration of *green tourism*, CBT, and community empowerment [7]. In addition, collaborative governance among stakeholders plays a crucial role in ensuring tourism sustainability [12]. On the other hand, studies on the implementation of the *circular economy* in tourism reveal persistent institutional and policy-related barriers [10]. These findings suggest that the primary challenges are not merely technical but are also closely related to governance structures and the legal frameworks governing tourism development.

Despite these developments, a significant research gap remains in the existing literature. Most studies tend to focus on economic, social, or environmental aspects in isolation, without integrating these dimensions within a legal analytical framework. Furthermore, sustainable tourism studies are predominantly dominated by economic and managerial perspectives, while legal approaches, particularly the *socio-legal* perspective remain limited. More importantly, there is still a lack of research examining how legal frameworks can evolve into a *responsive legal framework* capable of accommodating the integration of *green entrepreneurship* and *circular economy* within local tourism development [13]. This gap highlights the need for an interdisciplinary approach that bridges legal analysis with the practical dynamics of sustainable tourism.

Based on the above discussion, this study offers a novel contribution by proposing the reconstruction of a responsive tourism legal framework through the integration of *sustainable tourism*, *green entrepreneurship*, and *circular economy* within the context of local economic development. This research not only analyzes community-based tourism practices but also evaluates the extent to which existing regulations are capable of adapting to sustainability demands. Employing a *socio-legal* approach, this study aims to formulate a *responsive legal framework* that can balance economic interests, environmental protection, and social justice, thereby serving as a foundation for more inclusive, adaptive, and sustainable tourism policies.

Furthermore, this study is contextualized through an empirical reference to tourism development practices in Desa Wisata Alamendah, an emerging rural tourism destination characterized by its integrated natural, agro-based, and cultural tourism potential. The village demonstrates initial initiatives in developing community-based and environmentally conscious tourism practices, although it continues to face challenges related to governance, policy integration, and regulatory support. This context provides an important empirical lens to examine how legal frameworks operate in practice and how a responsive legal approach can be formulated to address local challenges in sustainable tourism development.

2. LITERATURE REVIEW

The development of legal studies within the context of sustainable development reflects a shift from rigid normative approaches toward more adaptive and contextual frameworks. In this regard, the *responsive law theory* proposed by Philippe Nonet and Philip Selznick positions law as an instrument that must be capable of responding to social dynamics and societal needs. Law is no longer understood merely as a set of formal rules (*law in books*), but also as a social practice (*law in action*) shaped by values, interests, and interactions among actors [12]. Over time, this theory has been widely applied in public policy and environmental law studies, particularly in explaining the importance of flexibility, participation,

and substantive justice in achieving sustainability goals [13]. Accordingly, in this study, *responsive law* is positioned as the grand theoretical foundation for constructing an adaptive and sustainability-oriented tourism legal framework.

Within the tourism context, the concept of *sustainable tourism governance* serves as a crucial framework for bridging the gap between regulation and implementation. The literature indicates that the success of sustainable tourism is largely determined by the quality of governance, which involves collaboration among government institutions, the private sector, and local communities [6], [10]. This approach is rooted in the concepts of *multi-level governance* and *network governance*, emphasizing cross-sector coordination and public participation in decision-making processes [4], [11]. Furthermore, recent studies highlight that effective governance depends not only on formal institutional structures but also on the capacity of local actors and inclusive collaborative mechanisms. In this research, *sustainable tourism governance* is positioned as a middle-range theoretical framework that explains how stakeholder interactions influence the effectiveness of sustainable tourism policies.

In parallel, the concept of *green entrepreneurship* has emerged as an approach that integrates economic and environmental objectives within tourism-related business activities. As developed by Boyd Cohen and Monica Winn, this concept emphasizes that entrepreneurship can act as a driver of sustainable innovation by exploiting opportunities arising from environmental challenges [3]. Recent studies demonstrate that the application of *green entrepreneurship* in tourism enhances destination competitiveness while strengthening local economic resilience, particularly through environmentally oriented small and medium enterprises (SMEs) [5], [8]. Moreover, the integration of green innovation within tourism value chains contributes to the creation of sustainable economic value [9]. However, the effectiveness of this approach is highly dependent on policy support, access to resources, and the existence of a conducive legal framework. In this study, *green entrepreneurship* is positioned as part of the applied theoretical framework, explaining sustainability practices at the business level.

In addition, the *circular economy* approach has gained increasing attention as a model for improving resource efficiency within the tourism sector. This concept emphasizes the principles of *reduce, reuse, recycle,* and *regenerate* within economic cycles, thereby minimizing waste and environmental impacts [1], [7]. In practice, the implementation of the *circular economy* in tourism affects not only environmental sustainability but also economic efficiency and value chain resilience [2], [10]. Recent studies suggest that integrating circular models into tourism destinations can foster innovation, improve resource efficiency, and strengthen community-based local economies [8], [11]. Nevertheless, various studies also reveal persistent structural barriers, including regulatory limitations, lack of policy integration, and insufficient capacity among business actors. Therefore, in this research, the *circular economy* is also positioned as part of the applied theoretical framework, complementing the analysis of sustainability practices in tourism.

Despite the growing body of literature on sustainable tourism from economic, social, and environmental perspectives, a significant gap remains in integrating these dimensions within a comprehensive legal framework. Most studies focus on implementation or governance aspects without explicitly examining how law can evolve into a responsive framework capable of addressing sustainability challenges. Furthermore, the integration of *green entrepreneurship* and *circular economy* within a legal perspective remains relatively underexplored, particularly in the context of community-based local tourism development. Therefore, this study positions *responsive law* as the primary normative framework, integrated with *sustainable tourism governance*, *green entrepreneurship*, and *circular economy*, to construct a *responsive legal framework*. This approach is expected to bridge the gap between legal norms and practical realities, while also contributing theoretically to the development of a more adaptive, inclusive, and context-sensitive sustainable tourism legal system [2], [11], [12].

3. METHOD

This study employs a *socio-legal* approach that integrates normative legal analysis with empirical insights derived from secondary data. The *socio-legal* approach is selected as it enables a comprehensive examination of the interaction between legal norms and their implementation in society. In this framework, law is not merely understood as a set of formal rules (*law in books*), but also as a social practice (*law in action*) shaped by social, economic, and institutional factors [12]. This approach is consistent with the theoretical framework adopted in this study, particularly the concept of *responsive law*, which emphasizes the need for legal systems to adapt to social dynamics in achieving sustainability goals [11], [13].

The normative component of this research focuses on analyzing the legal framework governing sustainable tourism, environmental protection, and local economic development. This includes national legislation, regional regulations, and international policy guidelines relevant to *sustainable tourism*, *green entrepreneurship*, and *circular economy*. Key legal sources include Law Number 10 of 2009 on Tourism, environmental regulations, and government policies related to the development of tourism villages. In addition, the analysis incorporates regional regulations, including the Bandung Regency Regional Regulation Number 6 of 2020 on the Implementation of Halal Tourism, as part of the local legal framework that reflects the government's effort to integrate social, cultural, and economic values into

tourism development. This normative analysis aims to assess the extent to which the existing legal framework reflects the principles of *responsive law*, particularly in terms of flexibility, inclusiveness, and sustainability orientation [9], [10].

The empirical dimension of this study is based on secondary data obtained from academic literature, institutional reports, and documented case studies related to sustainable tourism practices. Data sources include reputable journal articles (Q1–Q4 and Sinta 1–2), international conference proceedings, and reports from national and international organizations. These empirical data are used to identify patterns, challenges, and best practices in the implementation of *green entrepreneurship* and *circular economy* within the tourism sector. By relying on documented evidence without conducting field interviews, this study maintains methodological rigor while allowing for broader and comparative analytical coverage [2], [8].

Data collection techniques are conducted through a *systematic literature review* and document analysis. The selection of sources is based on criteria of relevance, credibility, and recency, with priority given to publications from the last five years, except for foundational works of enduring significance. The analytical technique employed is *qualitative content analysis*, which involves categorizing, comparing, and interpreting data to identify key themes and relationships between legal frameworks and sustainability practices. This method enables the study to systematically reveal the interconnections between normative legal structures and empirical realities in tourism governance [1], [6].

To ensure analytical coherence, this study adopts an integrative framework that connects *responsive law* as the normative foundation (grand theory), *sustainable tourism governance* as the analytical framework (middle-range theory), and *green entrepreneurship* alongside *circular economy* as operational approaches (applied theory). The analysis is conducted in three main stages: (1) normative evaluation of the existing legal framework, (2) empirical assessment of implementation practices based on secondary data, and (3) synthesis of findings to formulate a *responsive legal framework* model. This stepwise approach enables a systematic evaluation of the alignment between legal norms and implementation practices, thereby strengthening the validity and depth of the research findings [3], [7], [12].

As part of strengthening the empirical context, this study incorporates a case study of Desa Wisata Alamendah as an illustration of sustainable tourism practices at the local level. Administratively located in Rancabali District, Bandung Regency, West Java Province, this village is situated in a highland area characterized by tea plantations, forest landscapes, and abundant natural resources. These characteristics have contributed to its development as a nature-based and ecotourism destination integrated with local community activities. The selection of this site is based on its strategic position as an emerging rural tourism destination, reflecting the growing trend of *community-based tourism* development in Indonesia [5], [9].

Empirically, Desa Wisata Alamendah offers a variety of tourism attractions that reflect the potential for sustainable tourism, including tea plantation landscapes and its proximity to leading destinations such as Kawah Putih and Situ Patenggang, which are integral parts of the tourism landscape of Bandung Regency. Furthermore, the development of tourism villages in this area is supported by national and regional policies, including Law Number 10 of 2009 on Tourism and government programs promoting tourism villages as pillars of sustainable tourism development. At the local level, the Bandung Regency Regional Regulation Number 6 of 2020 on the Implementation of Halal Tourism also forms part of the regulatory framework shaping tourism development in the region. However, the management of these destinations continues to face challenges in governance, policy integration, and regulatory support [9], [11].

Furthermore, Desa Wisata Alamendah represents a broader pattern of rural tourism transformation in Indonesia, where local initiatives often develop more rapidly than the regulatory frameworks governing them [1], [2]. This condition provides an important analytical entry point to assess how legal systems respond to community-based innovations in sustainable tourism, particularly in strengthening *green entrepreneurship* and implementing *circular economy* principles. Therefore, the selection of this site is not merely illustrative but also strategic in supporting the study's objective to formulate a contextual, adaptive, and applicable *responsive legal framework* for sustainable tourism development at the local level.

4. FINDINGS AND DISCUSSION

The findings indicate that the legal framework governing sustainable tourism in Indonesia remains predominantly characterized by a normative-formal approach that has not fully adapted to the dynamic realities of implementation. Existing regulations, in principle, have incorporated key elements of sustainability, including environmental protection, local community empowerment, and regional economic development. However, the operationalization of these principles continues to encounter structural and institutional constraints that hinder their effectiveness. From the perspective of *responsive law*, this condition reflects a legal system that is still situated within the paradigm of *autonomous law*, which tends to be rigid, formalistic, and insufficiently adaptive to evolving social dynamics [12]. This rigidity is evident in the limited capacity of regulatory instruments to

accommodate emerging practices such as *green entrepreneurship* and *circular economy* within the tourism sector. Consequently, a significant gap persists between *law in books* and *law in action*, ultimately weakening the effectiveness of sustainable tourism policies.

Furthermore, the analysis reveals that the core challenges extend beyond the substance of legal norms to encompass deficiencies in governance structures. Within the framework of *sustainable tourism governance*, policy effectiveness is highly contingent upon the synergy among key stakeholders, including government institutions, private sector actors, and local communities. In practice, however, cross-sectoral coordination remains fragmented and lacks systematic integration. Policy fragmentation across institutions has resulted in regulatory overlaps, inconsistencies, and inefficiencies at the regional level. This condition aligns with previous studies emphasizing that weak inter-actor collaboration constitutes a major barrier to sustainable tourism development [6], [11]. Therefore, strengthening collaborative governance mechanisms emerges as a critical prerequisite for building an inclusive and sustainable tourism system.

In the context of local economic development, the findings highlight that *green entrepreneurship* possesses significant potential to drive the transition toward sustainable tourism. Micro, small, and medium enterprises (MSMEs) have increasingly adopted environmentally responsible practices, including the use of local resources, waste reduction strategies, and sustainability-oriented product innovation. These practices not only generate economic value but also contribute to environmental conservation and the reinforcement of local cultural identity. Nonetheless, the advancement of *green entrepreneurship* continues to face considerable challenges, such as limited access to green financing, insufficient technical capacity, and the absence of adequate policy incentives. This indicates that the existing legal framework has yet to establish a supportive ecosystem for the growth of environmentally oriented enterprises. These findings are consistent with prior research demonstrating that the success of *green entrepreneurship* is strongly influenced by enabling regulatory and policy environments [3], [5].

In addition, the implementation of the *circular economy* concept within the tourism sector demonstrates a complex and evolving dynamic. Conceptually, the *circular economy* offers a comprehensive solution to environmental challenges by promoting resource efficiency and sustainable waste management through the principles of *reduce, reuse, and recycle*. However, in practice, its application remains constrained by several factors, including inadequate supporting infrastructure, low levels of awareness among business actors, and the absence of specific regulatory frameworks governing its implementation in tourism. This suggests that the integration of *circular economy* principles into the legal system remains partial and unsystematic. These findings corroborate existing studies indicating that the successful implementation of circular economy models depends heavily on integrated and adaptive policy support [1], [2], [7].

These broader findings are concretely reflected in the development dynamics of Desa Wisata Alamendah, located in Rancabali District, Bandung Regency, West Java, which serves as the empirical reference of this study. The village demonstrates emerging local initiatives in developing *community-based tourism (CBT)*, characterized by active community participation in destination management and the utilization of local resources. Additionally, there are early indications of sustainability-oriented practices, including environmentally conscious business activities and efforts to preserve natural landscapes as tourism assets. However, these initiatives remain fragmented and have not yet been systematically integrated into a comprehensive regulatory framework. This condition exemplifies the persistent gap between innovative local practices and the legal support available, reinforcing the distinction between *law in action* and *law in books*.

From a governance perspective, tourism development in Desa Wisata Alamendah also reveals challenges related to stakeholder coordination. While local government and community actors are actively involved, cross-sectoral policy integration, particularly among tourism, environmental, and creative economy sectors remains suboptimal. This limitation hinders the effective implementation of *sustainable tourism governance*, which ideally requires strong collaboration, participation, and synergy among stakeholders. Moreover, limited regulatory support for local business actors, particularly in advancing *green entrepreneurship*, constrains the potential for sustainable economic transformation. This reinforces the broader finding that the current legal

framework has not yet become fully responsive to local needs and dynamics.

The presence of Peraturan Daerah Kabupaten Bandung Nomor 6 Tahun 2020 tentang Penyelenggaraan Pariwisata Halal provides an additional regulatory dimension that is relevant to the development of sustainable tourism in the region. This regulation introduces principles of halal tourism that emphasize cleanliness, environmental sustainability, ethical business practices, and community welfare. Substantively, these principles are compatible with the broader objectives of sustainable tourism, particularly in promoting responsible resource management and inclusive economic participation. However, the implementation of this regulation has not yet been fully integrated with sustainability-oriented frameworks such as *green entrepreneurship* and *circular economy*. As a result, its potential contribution to strengthening a holistic sustainable tourism model remains underutilized.

In the context of the *circular economy*, Desa Wisata Alamendah possesses considerable potential due to its reliance on natural resources and community-based activities. Nevertheless, the institutionalization of circular principles, such as waste reduction, reuse, and recycling remains limited. This is largely due to infrastructural constraints, insufficient environmental awareness, and the absence of targeted regulatory incentives at the village level. This condition further supports the argument that local innovations often evolve more rapidly than the regulatory frameworks designed to govern them. Consequently, a more adaptive and responsive legal approach is required to both accommodate and promote sustainability-oriented practices at the grassroots level.

More broadly, the analysis identifies weak integration among environmental, tourism, and local economic policies as a fundamental challenge in sustainable tourism development. Existing policies tend to be formulated in a sectoral manner, without adequately considering intersectoral linkages. This results in suboptimal policy implementation due to regulatory misalignment and lack of synchronization. From a sustainable development perspective, such a fragmented approach is no longer adequate, as sustainability inherently requires cross-sectoral integration. Therefore, policy reformulation based on a holistic and integrative framework becomes essential, reinforcing the importance of *multi-level governance* in sustainable tourism development.

On the other hand, the role of local communities as primary actors in sustainable tourism remains insufficiently optimized. Although the concept of *community-based tourism* has been widely adopted, its implementation is often symbolic rather than substantive. Community participation is frequently limited to the implementation phase, while decision-making and planning processes remain dominated by external actors. This condition contradicts the principles of *responsive law*, which emphasize meaningful public participation in both legal formation and implementation. Therefore, strengthening the role of local communities is a critical component in developing a responsive and inclusive legal framework.

Based on these findings, this study underscores the urgent need to reconstruct a more adaptive and responsive legal framework for sustainable tourism development. Within the *responsive law* paradigm, law should function not only as a regulatory instrument but also as a facilitator of social and economic transformation. This requires regulatory approaches that are flexible, context-sensitive, and participatory. The integration of *responsive law*, *sustainable tourism governance*, *green entrepreneurship*, and *circular economy* constitutes a strategic foundation for addressing sustainability challenges in a comprehensive manner.

As a primary contribution, this study proposes a *responsive legal framework* model built upon three core pillars: regulatory flexibility, strengthened collaborative governance, and the integration of green and circular economic principles. Regulatory flexibility is essential to accommodate innovation and local dynamics, while collaborative governance ensures synergy among stakeholders in policy implementation. The integration of green and circular economy principles serves as the foundation for creating a tourism system that is both ecologically sustainable and economically resilient. This model is not only relevant to the Indonesian context but also adaptable to other developing countries facing similar challenges in achieving sustainable tourism development.

5. CONCLUSIONS

This study demonstrates that the legal framework governing sustainable tourism development in Indonesia remains in a transitional phase, where sustainability principles have been normatively adopted but have not yet been effectively operationalized in responding to local dynamics. The persistent gap between *law in books* and *law in action* emerges as a central finding, indicating

that a predominantly formalistic and sectoral legal approach is insufficient to accommodate the integration of *green entrepreneurship* and *circular economy* as strategic instruments for strengthening sustainable local economies. From the perspective of *responsive law theory*, this condition reflects the need for a transformation from *autonomous law* toward a more adaptive, participatory, and context-sensitive *responsive law* framework that is capable of addressing societal needs and sustainability-driven innovations.

The findings further reveal that the challenges are not limited to regulatory substance but also extend to weaknesses in collaborative governance, which should serve as the foundation of *sustainable tourism governance*. Policy fragmentation, weak cross-sectoral coordination, and limited support for local business actors constitute significant barriers to effective policy implementation. These challenges are empirically reflected in the case of Desa Wisata Alamendah, located in Rancabali District, Bandung Regency, which demonstrates emerging local initiatives in *community-based tourism*, environmentally oriented business practices, and the potential application of circular economy principles. However, these initiatives remain insufficiently integrated into an adaptive and coherent legal framework. The existence of Bandung Regency Regional Regulation Number 6 of 2020 on Halal Tourism Implementation provides a normative opportunity to reinforce sustainable tourism development, although its practical implementation still requires deeper integration with sustainability principles.

In addressing the research problem and objectives, this study offers a conceptual contribution through the reconstruction of a *responsive legal framework* for sustainable tourism development, grounded in three core pillars: regulatory flexibility, strengthened collaborative governance, and the integration of *green entrepreneurship* and *circular economy* principles. This framework functions not only as a regulatory instrument but also as an enabling mechanism for fostering innovation, enhancing community participation, and promoting sustainable local economic transformation. Accordingly, this study concludes that sustainable tourism development cannot rely solely on declarative legal norms but requires a responsive, adaptive, and integrative legal design capable of balancing economic interests, environmental sustainability, and social justice within both local and national contexts.

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