

Empowering the Tri Hita Karana Paradigm for the Community: As an Effort to Prevent and Combat Environmental Crime

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ABSTRACT

This article explores the integration of Tri Hita Karana, a Balinese philosophical framework emphasizing harmony among humans, nature, and the divine, as a paradigm of community empowerment in addressing environmental crimes. Environmental crimes, such as illegal logging, pollution, and land degradation, not only threaten ecological sustainability but also undermine social justice and cultural values. Conventional law enforcement often encounters limitations in ensuring compliance and fostering ecological justice, especially when community participation is weak. This study argues that Tri Hita Karana can function as a cultural-legal tool to strengthen collective awareness, enhance preventive measures, and support restorative approaches in environmental law enforcement. By adopting normative legal research and conceptual analysis, the article highlights how the principles of Tri Hita Karana can be integrated into legal frameworks and community-based practices, thereby reinforcing environmental governance. Ultimately, the integration of Tri Hita Karana promotes ecological justice by balancing punitive measures with values of harmony, sustainability, and community empowerment. The findings indicate that incorporating Tri Hita Karana values into environmental law enforcement enhances community participation, encourages environmentally responsible behavior, and provides a restorative dimension to legal practices. This integration not only contributes to more effective prevention and mitigation of environmental crimes but also reinforces the pursuit of ecological justice.

KEYWORDS: *Community Empowerment; Ecological Justice; Environmental Crimes; Tri Hita Karana.*

1. INTRODUCTION

The deterioration of our environment presents a significant challenge for contemporary

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society. The extensive exploitation of natural resources through human activities, including illegal logging, water and air pollution, and the degradation of ecosystems, has precipitated a worldwide ecological crisis.¹ In Indonesia, the alarming rate of forest destruction and environmental pollution underscores the notion that development initiatives frequently compromise ecological sustainability. Data from the Ministry of Environment and Forestry (KLHK) indicates that Indonesia encountered more than 3,000 instances of environmental law violations in 2023, encompassing forest fires, industrial pollution, and the degradation of conservation areas. The data indicate that ecological offences lead not only to a decline in biodiversity but also inflict social and economic hardships on the communities in proximity.²

The phenomenon of environmental degradation in Bali is an unavoidable consequence of its status as a global tourist hub. The influence of tourism activities represents a significant risk to the Bali region. The Central Statistics Agency has documented a series of increases in the extent of damage observed in the province of Bali.³ The Central Statistics Agency has documented notable escalations in both water and air pollution across multiple rivers within the province of Bali. During the four years from 2016 to 2020, various rivers, including Tukad Ayung, Tukad Ho, Tukad Saba, Tukad Daya, and Tukad Balian, experienced a deterioration in their pollution levels, transitioning from a classification of “light to moderate” to “moderate to severe.” The precipitation observed in various regions of Bali Province is classified as acid rain, with a pH level ranging from 4.63 to 5.50, whereas the acceptable range is pH 6 to 9. In summary, the water quality index in Bali Province has declined by 1.00 points, now standing at 64.33.⁴

Furthermore, Bali Province has encountered a deterioration in air quality. The Central

¹ Arie Afriansyah, Anbar Jayadi, and Angela Vania, ‘Fighting the Giants: Efforts in Holding Corporation Responsible for Environmental Damages in Indonesia’, *Hasanuddin Law Review*, 4.3 (2018), pp. 325 – 338, doi:10.20956/halrev.v4i3.1626.

² Jia Yen Lai, Sam Staddon, and Alistair Hamilton, ‘Technical Experts’ Perspectives of Justice-Related Norms: Lessons from Everyday Environmental Practices in Indonesia’, *Land Use Policy*, 102 (2021), p. 105234, doi:https://doi.org/10.1016/j.landusepol.2020.105234.

³ Arsyad Aldyan and others, ‘Local Wisdom-Based Environmental Management Policy in Indonesia: Challenges and Implementation’, *Journal of Law, Environmental and Justice*, 2.3 (2024), pp. 332–54, doi:10.62264/jlej.v2i3.100.

⁴ Arsyad Aldyan and others, ‘Legal Pluralism in Environmental Management: Evidence from Bali, Indonesia’, *Journal of Law, Environmental and Justice*, 3.2 (2025), pp. 229–67, doi:10.62264/jlej.v3i2.131.

Statistics Agency documented a notable increase in various detrimental air pollutants in 2021, compared to the preceding year. This includes: Particulate 10, which surged by 176% to 102 $\mu\text{g}/\text{Nm}^3$, exceeding the safe threshold of 150 $\mu\text{g}/\text{Nm}^3$; Carbon Monoxide, which saw an 18% increase to 4,642 $\mu\text{g}/\text{Nm}^3$, remaining below the safe limit of 10,000 $\mu\text{g}/\text{Nm}^3$; Sulphur Dioxide, which escalated by 33% to 40 $\mu\text{g}/\text{Nm}^3$, well within the safe limit of 365 $\mu\text{g}/\text{Nm}^3$; Hydrogen Nitride, which rose by 22% to 33 $\mu\text{g}/\text{Nm}^3$, also under the safe limit of 150 $\mu\text{g}/\text{Nm}^3$; and Hydrocarbons, which increased by 33% to 40 $\mu\text{g}/\text{Nm}^3$, again below the safe limit of 365 $\mu\text{g}/\text{Nm}^3$.⁵

Environmental offences represent a unique category of crime due to their complex and far-reaching consequences. Indonesia's legal framework, as established by Law No. 32 of 2009 concerning Environmental Protection and Management, provides a structured basis for enforcing environmental law. Nevertheless, the efficacy of stringent law enforcement measures in deterring environmental crimes frequently falls short. The primary deficiency lies in the community's insufficient engagement and the failure to incorporate indigenous wisdom into the current legal framework.⁶ Consequently, the enforcement of environmental criminal law necessitates a novel strategy that embodies inclusivity and is deeply rooted in the community's cultural values. Within this framework, the indigenous philosophy of Tri Hita Karana, which has emerged in Bali, presents a distinctive paradigm.⁷

Within the framework of Balinese philosophy, the attainment of genuine happiness (hita) is realised through the intricate equilibrium of three essential relationships (karana): the connection with the divine (Parahyangan), the bond with fellow human beings (Pawongan), and the relationship with the natural environment (Palemahan). Tri Hita Karana underscores the importance of harmonious relationships among individuals, the

⁵ Aldyan and others, 'Legal Pluralism in Environmental Management: Evidence from Bali, Indonesia'; Aldyan and others, 'Local Wisdom-Based Environmental Management Policy in Indonesia : Challenges and Implementation'.

⁶ Truly Santika and others, 'Community Forest Management in Indonesia: Avoided Deforestation in the Context of Anthropogenic and Climate Complexities', *Global Environmental Change*, 46 (2017), pp. 60–71, doi:<https://doi.org/10.1016/j.gloenvcha.2017.08.002>.

⁷ Lastuti Abubakar and Tri Handayani, 'The Environmental Fund Management Model in Indonesia: Some Lessons in Legal Regulation and Practice', *Environmental Policy and Law*, 53.2–3 (2023), pp. 205 – 217, doi:10.3233/EPL-230013.

divine, and the natural world, highlighting the interconnectedness of these three realms. This principle can act as a moral cornerstone for fostering ecological consciousness, while simultaneously serving as an instrument for enhancing community empowerment. The incorporation of Tri Hita Karana into an environmental criminal law framework is anticipated to function not merely as a social norm but also to rectify the deficiencies present in current legal mechanisms, which their legalistic and repressive nature has historically characterised.

The Tri Hita Karana philosophy, which underscores the interconnectedness of humanity, nature, and the divine, presents a comprehensive framework for environmental conservation and sustainable development. The application of this approach in environmental education has significantly enhanced community awareness and engagement in conservation initiatives. In the realm of tourism, the principles of Tri Hita Karana can be effectively applied to safeguard sacred sites, foster collaborative efforts among stakeholders, and promote responsible environmental stewardship.⁸ The concept has been integrated into coral reef conservation efforts, combining traditional knowledge with modern techniques to enhance ecological resilience and encourage community engagement. Moreover, the principles of Tri Hita Karana have been effectively applied in the realm of renewable energy management, as evidenced by the Suana Solar Power Plant in Nusa Penida. This initiative not only mitigates carbon emissions but also enhances community engagement through the preservation of cultural heritage, the promotion of economic empowerment, and the dissemination of clean energy education.⁹

Previous research indicates a notable scarcity of studies that thoroughly incorporate local wisdom, specifically Tri Hita Karana, within the context of environmental criminal law, with a particular emphasis on prevention and community empowerment. Nonetheless, this methodology possesses the capacity to profoundly enhance the establishment of ecological justice, which underscores not merely punitive measures but

⁸ PutuAstawa and others, 'Performance of Microfinance Institution in Harmony Cultural Perspective in Bali'.

⁹ Santika and others, 'Community Forest Management in Indonesia: Avoided Deforestation in the Context of Anthropogenic and Climate Complexities'.

also the importance of harmony, consciousness, and shared accountability.¹⁰

This research presents a unique perspective by framing Tri Hita Karana not only as a form of local wisdom, but also as a legal framework capable of serving as an instrument for societal empowerment in the prevention and management of environmental offenses. This research provides a conceptual framework while also introducing a model that harmonises local values with a more inclusive and sustainable contemporary legal system.¹¹ This study enriches the academic discourse by presenting a novel perspective on environmental criminal law grounded in cultural values, while also fostering practical implications through the promotion of community engagement and a more compassionate approach to law enforcement. Ultimately, the incorporation of Tri Hita Karana is anticipated to strengthen the foundations of ecological justice, harmonizing the interests of legal frameworks, societal needs, and environmental considerations sustainably.¹²

To illustrate the originality of this research, the author meticulously catalogued prior pertinent studies, encompassing: Initially, a scholarly article titled "Advancing Ecological Justice through the Integration of Eco-Religion in Criminal Law Reform". The findings of this research suggest that the rapidly intensifying global ecological crisis has revealed the shortcomings of anthropocentric and utilitarian frameworks inherent in traditional environmental criminal law. This article advocates for the incorporation of eco-religion. This spiritual perspective perceives nature as sacred and interconnected with human ethical obligations, as a pivotal basis for advancing ecological justice and legal reform. By integrating perspectives from Islamic, Christian, Hindu-Buddhist, and indigenous environmental ethics, this study posits that spiritual values can enrich normative frameworks and offer cultural legitimacy, facilitating a shift in criminal law from a punitive approach to one that emphasises restoration and justice. This paper employs a normative legal methodology, enhanced by conceptual, comparative, and forward-looking perspectives, to examine significant international practices from Ecuador, Bhutan, France,

¹⁰ Samadhi, 'Making Cosmo-Religious Landscapes: The Design of a Balinese Town's Civic Center (Bali, Indonesia)'.

¹¹ I Wayan Koko Suryawan and Chun-Hung Lee, 'Community Preferences in Carbon Reduction: Unveiling the Importance of Adaptive Capacity for Solid Waste Management', *Ecological Indicators*, 157 (2023), p. 111226, doi:<https://doi.org/10.1016/j.ecolind.2023.111226>.

¹² Alexandra Law and others, 'Transitioning to a Green Economy: The Case of Tourism in Bali, Indonesia', *Journal of Cleaner Production*, 111 (2016), pp. 295–305, doi:<https://doi.org/10.1016/j.jclepro.2014.12.070>.

and Uganda, while investigating their relevance to the Indonesian context. The research illustrates that the integration of eco-religious values can enhance the legal status of nature, reconceptualize environmental offenses as ethical violations, and bolster local knowledge alongside foundational constitutional principles, such as Pancasila and the 1945 Constitution. Ultimately, this integration presents a model of legal reform that is deeply embedded in cultural values and ethical considerations, redefining environmental harm as a transgression against life systems and advocating for accountability, restoration, and justice across generations.¹³

Secondly, the document entitled "Environmental Harm and Decriminalisation of Traditional Slash-and-Burn Practices in Indonesia". The findings of this research suggest that the practice of traditional slash-and-burn agriculture for land clearing is permitted and not classified as a criminal offense in Indonesia. Nonetheless, this exemption should not be construed as an indication that all conventional slash-and-burn methods are sustainable. Transformations in habitat, alongside shifts in sociocultural and economic conditions, may render this previously sustainable practice inadequate in specific contexts and environments. This discourse regarding the environmental detriment associated with conventional slash-and-burn methodologies does not advocate for an outright prohibition of the practice, nor does it imply that stringent criminal law enforcement is necessary. This discourse aims to elucidate the practices that warrant protection and those that necessitate intervention, employing diverse methodologies to mitigate adverse effects. Such approaches ought to recognise the local Indigenous communities as victims of ecological discrimination, rather than as agents of environmental degradation.¹⁴

Third, the document entitled "Ecocides as a Serious Human Rights Violation: An Examination of River Pollution Caused by the Palm Oil Industry in Indonesia". This research seeks to examine ecocides as a significant infringement of human rights, utilising a case study of river pollution perpetrated by palm oil corporations in Indonesia. This article stands apart from doctrinal legal research due to its unique methodological

¹³ Zico Junius Fernando and others, 'Advancing Ecological Justice through the Integration of Eco-Religion in Criminal Law Reform', *Journal of Law, Environmental and Justice*, 3.2 (2025), pp. 160–200, doi:10.62264/jlej.v3i2.133.

¹⁴ Rika Fajrini, 'Environmental Harm and Decriminalization of Traditional Slash-and-Burn Practices in Indonesia', *International Journal for Crime, Justice and Social Democracy*, 11.1 (2022), pp. 28–43, doi:10.5204/ijcjsd.2034.

approach, particularly through an extensive literature review. There exist three principal justifications for integrating environmental issues as a distinct category of ecocide within the framework of serious human rights violations, particularly in relation to the actions of various palm oil corporations in Indonesia. Firstly, the integrity of the environment is fundamental to human existence and underpins human dignity. Secondly, addressing environmental concerns and crimes as extraordinary offences serves as a necessary reaction to the inadequacies of both national and international environmental legislation. Lastly, it is imperative to guarantee restitution, rehabilitation, and compensation for all individuals affected by ecocide.¹⁵

In light of the aforementioned research description, the author ultimately asserts that this paper presents a novel contribution by employing the Tri Hita Karana paradigm as a foundational approach to the prevention and eradication of environmental crimes. Within Indonesia's environmental legal framework, it is evident that traditional and cultural approaches have not been thoroughly integrated. This novel approach warrants thorough examination, as the ramifications of environmental crimes are progressively instigating disorder within society.

2. RESEARCH METHODS

This research was meticulously crafted, employing a normative legal research methodology that emphasizes the examination of legal norms and concepts pertinent to the prevention and regulation of environmental offenses.¹⁶ This approach was selected because the matter at hand transcends the mere technical application of rules; it also addresses the need for a novel framework that can incorporate local wisdom values, especially Tri Hita Karana, within the environmental criminal law system.¹⁷ This study employs both a conceptual framework and a statutory analysis. The theoretical framework is used to examine the notions and philosophical structures surrounding Tri Hita Karana

¹⁵ Joko Setiyono and Aga Natalis, 'Ecocides as a Serious Human Rights Violation: A Study on the Case of River Pollution by the Palm Oil Industry in Indonesia', *International Journal of Sustainable Development and Planning*, 16.8 (2021), pp. 1465–71, doi:10.18280/ijstdp.160807.

¹⁶ Januar Rahadian Mahendra, Supanto, and Devi Triasari, 'The Role of Victim Trust Funds in Addressing Unpaid Restitution Human Trafficking: Lessons US and Europe', *Indonesian Journal of Crime and Criminal Justice*, 1 (2025), pp. 89–107, doi:10.62264/ijccj.v1i1.123.

¹⁷ M Zaid, M Musa, and Bianglala Asmarasari, "'Novum" in Indonesian Criminal Justice: Problems and Legal Reform', *Indonesian Journal of Crime and Criminal Justice*, 1 (2025), pp. 54–88, doi:10.62264/ijccj.v1i1.121.

as a model for community empowerment.¹⁸ This study examines the complex concept of harmony among humans, the divine, fellow individuals, and the natural world, positioning it as a core value essential for preventing and controlling environmental offenses. Furthermore, the conceptual framework is employed to elucidate the interconnections among environmental criminal law, ecological consciousness, and ecological justice, thereby establishing a more holistic theoretical structure. The Statute Approach serves as a methodical framework for analysing pertinent legislation, including Law No. 32 of 2009 regarding Environmental Protection and Management, the Criminal Code (KUHP), and additional related regulations, as well as regional statutes that integrate local wisdom values. A thorough examination of these regulations is undertaken to assess the degree to which current positive legal instruments can incorporate the principles of Tri Hita Karana or reveal normative deficiencies.¹⁹ This research utilised a variety of data sources, including primary legal materials comprising pertinent legislation and international legal instruments.²⁰ Additionally, secondary legal materials were incorporated, which included literature, scientific journals, prior research findings, and established legal doctrines.²¹ Tertiary legal materials, such as legal dictionaries and encyclopaedias, were also employed to enhance conceptual clarity. The analysis of data was performed through descriptive-qualitative methods, specifically by elucidating, interpreting, and correlating legal norms, doctrines, and the Tri Hita Karana concept to construct a thorough legal argument. The analysis' findings were subsequently used to

¹⁸ Eli Jamilah Mihardja and others, 'Forest Wellness Tourism Destination Branding for Supporting Disaster Mitigation: A Case of Batur UNESCO Global Geopark, Bali', *International Journal of Geoheritage and Parks*, 11.1 (2023), pp. 169–81, doi:<https://doi.org/10.1016/j.ijgeop.2023.01.003>.

¹⁹ Mihardja and others, 'Forest Wellness Tourism Destination Branding for Supporting Disaster Mitigation: A Case of Batur UNESCO Global Geopark, Bali'; Suryawan and Lee, 'Community Preferences in Carbon Reduction: Unveiling the Importance of Adaptive Capacity for Solid Waste Management'.

²⁰ Rian Saputra, Willy Naresta, and Vincent Ariesto, 'Post-Mining Land Use Regulations and Practices in the United States of America : Lesson for Indonesia', *Journal of Law, Environmental and Justice*, 3.1 (2025), pp. 104–33, doi:10.62264/jlej.v3i1.118; Willy Naresta Hanum and Muhamad Nafi Uz Zaman, 'Existence of Human Rights Protection in Land and Mining Conflicts : Evidence from Indonesia', *Journal of Law, Environmental and Justice*, 2.3 (2024), pp. 285–306, doi:10.62264/jlej.v2i3.107.

²¹ Itok Dwi Kurniawan and others, 'Formal Requirements for Class Action Lawsuits in Environmental Cases in Indonesia : Problems and Solutions', *Journal of Law, Environmental and Justice*, 3.1 (2025), pp. 79–103, doi:10.62264/jlej.v3i1.114; Nilam Firmandayu and Ayman Alameen Mohammed Abdalrhman, 'Spatial Policy Regarding Carbon Trading for Climate Change Mitigation in Indonesia : Environmental Justice Perspective', *Journal of Law, Environmental and Justice*, 3.1 (2025), pp. 1–29, doi:10.62264/jlej.v3i1.113.

formulate a model that incorporates Tri Hita Karana values into environmental criminal law, providing a strategic approach for prevention and empowering communities in their pursuit of ecological justice.²²

3. RESULTS AND DISCUSSION

Integrating Tri Hita Karana Values in Environmental Crime Prevention: Strategies for Raising Ecological Awareness in the Community

The philosophy of Tri Hita Karana embodies the essence of life for the Balinese people, emphasising the significance of sustaining equilibrium in the relationships between humanity and the divine (parahyangan), among individuals (pawongan), and with the natural world (palemahan).²³ This philosophy serves not only as a perspective on existence but also as a framework for ethical, social, and cultural conduct that shapes everyday practices. Within the realm of environmental discourse, Tri Hita Karana provides a philosophical framework that positions the conservation of nature as a crucial component of cosmic harmony. Initially, the Parahyangan dimension emphasizes the notion that nature is a divine creation, deserving of reverence and protection. Environmental degradation constitutes not merely a breach of legal statutes but also represents a profound spiritual transgression that erodes the sacred bond between humanity and the divine. This viewpoint promotes an understanding that safeguarding the environment is integral to human reverence and commitment to the Creator.²⁴

Secondly, the Pawongan dimension highlights the importance of solidarity and harmony among individuals in environmental stewardship. The overexploitation of natural resources often leads to social discord, inequitable resource allocation, and distress

²² M. Zaid, Rikcy Ricky, and Rakotoarisoa M H Sedera, 'Blue Carbon Regulations and Implementation in Several Countries : Lessons for Indonesia', *Journal of Law, Environmental and Justice*, 3.1 (2025), pp. 30–78, doi:10.62264/jlej.v3i1.117; L. Yes Esty Pratiwi and others, 'In-Depth Review : Legal Review on Human Rights Enforcement in the ASEAN and EU Context', *Journal of Law, Environmental and Justice*, 1.3 (2023), pp. 202–24, doi:10.62264/jlej.v1i3.16.

²³ Dik Roth, 'Environmental Sustainability and Legal Plurality in Irrigation: The Balinese Subak', *Current Opinion in Environmental Sustainability*, 11 (2014), pp. 1–9, doi:https://doi.org/10.1016/j.cosust.2014.09.011.

²⁴ David Moriarty, 'Chapter 4.4 - The Water Temples of Bali1–3', in *Designing and Managing Complex Systems*, ed. by David Moriarty (Academic Press, 2023), pp. 211–13, doi:https://doi.org/10.1016/B978-0-323-91609-7.00016-0.

among local populations. The principle of Pawongan, as articulated by Tri Hita Karana, posits that achieving environmental sustainability is contingent upon a shared consciousness, collaborative efforts, and the active involvement of the community in the stewardship of ecosystems. Consequently, interpersonal connections serve as a crucial mechanism for mitigating conflict.²⁵

The dimension of Palemahan intricately governs the interplay between humanity and the natural world. From this perspective, nature should be regarded not merely as a resource for economic gain, but as a vibrant entity possessing inherent value. The principle of palemahan elucidates the importance of maintaining equilibrium in the utilisation of natural resources, advocating for the extraction of only what is essential while preserving the integrity of the ecosystem's sustainability. This principle, when applied to environmental offences, emphasizes that such transgressions against the environment fundamentally constitute breaches of a universal order that adversely affect humanity as a whole.²⁶

The synthesis of these three dimensions renders Tri Hita Karana a pertinent philosophical framework within the environmental discourse. It functions not merely as an ethical guideline but also as a foundation for the formulation of more inclusive and human-centered regulatory frameworks and legal strategies. Examining the realm of environmental criminal law, the principles of Tri Hita Karana can foster a proactive approach by embedding ecological consciousness rooted in spiritual, social, and environmental tenets. Consequently, Tri Hita Karana can function as both a normative and philosophical basis for attaining environmental justice, which emphasises the harmonious balance among nature, humanity, and spiritual values.²⁷

When connected to contemporary environmental philosophy, Tri Hita Karana shares

²⁵ Margaretha Hanita, Febby Dt. Bangso, and Mukti Aprian, 'Beyond Attraction: Unveiling Bali's Cultural Community's Role in Bolstering Tourism Resilience amidst the COVID-19 Pandemic', *Journal of Destination Marketing & Management*, 34 (2024), p. 100953, doi:<https://doi.org/10.1016/j.jdmm.2024.100953>.

²⁶ Tyas Ismi Trialfhianty, Claire Helen Quinn, and Maria Beger, 'Engaging Customary Law to Improve the Effectiveness of Marine Protected Areas in Indonesia', *Ocean & Coastal Management*, 261 (2025), p. 107543, doi:<https://doi.org/10.1016/j.ocecoaman.2025.107543>.

²⁷ I Made Geria and others, 'Built Environment from the Ancient Bali: The Balinese Heritage for Sustainable Water Management', *Heliyon*, 9.11 (2023), p. e21248, doi:<https://doi.org/10.1016/j.heliyon.2023.e21248>.

a foundational principle with ecocentrism, which prioritises nature in ethical considerations and acknowledges the inherent worth of the environment. Both dismiss the perspective that positions humanity as the ultimate authority over the natural world. Ecocentrism posits that ecological justice necessitates the safeguarding of all elements within the ecosystem, aligning with the principle of *palemahan* as articulated in *Tri Hita Karana*.²⁸

Moreover, the principles of *Tri Hita Karana* align seamlessly with the notion of sustainable development as articulated in *Our Common Future* (1987) by the Brundtland Commission. Sustainable development emphasizes the importance of meeting the needs of the current generation while ensuring that future generations are not disadvantaged. This viewpoint aligns with the principle of equilibrium found in *Tri Hita Karana*, wherein sustainability transcends mere economic objectives, embodying a harmonious relationship among spirituality, society, and the environment. In essence, *Tri Hita Karana* enhances the notion of sustainable development by introducing a profound religious and cultural perspective, which is frequently lacking in contemporary frameworks that lean towards a technocratic approach.²⁹

Consequently, the philosophical underpinnings of *Tri Hita Karana* possess not only local significance but also the potential to enrich the global conversation surrounding environmental ethics.³⁰ Incorporating these principles into the structure of environmental criminal law can enhance approaches for averting environmental offences while fostering ecological justice aimed at achieving a harmonious balance among cosmic, social, and

²⁸ I Gusti Agung Ayu Rai Asmiwyati and others, 'Recognizing Indigenous Knowledge on Agricultural Landscape in Bali for Micro Climate and Environment Control', *Procedia Environmental Sciences*, 28 (2015), pp. 623–29, doi:<https://doi.org/10.1016/j.proenv.2015.07.073>.

²⁹ Putu Devi Rosalina and others, 'Rural Tourism Resource Management Strategies: A Case Study of Two Tourism Villages in Bali', *Tourism Management Perspectives*, 49 (2023), p. 101194, doi:<https://doi.org/10.1016/j.tmp.2023.101194>.

³⁰ I Gede Hendrawan and others, 'Characteristics and Distribution of Stranded Plastic Pollution in Bali Conservation Areas', *Marine Pollution Bulletin*, 197 (2023), p. 115770, doi:<https://doi.org/10.1016/j.marpolbul.2023.115770>; Stroma Cole, 'A Political Ecology of Water Equity and Tourism: A Case Study From Bali', *Annals of Tourism Research*, 39.2 (2012), pp. 1221–41, doi:<https://doi.org/10.1016/j.annals.2012.01.003>.

environmental dimensions.³¹

Table: Comparison of Tri Hita Karana, Ecocentrism, and Sustainable Development Concepts

Aspect	Tri Hita Karana	Ecocentrism	Sustainable Development
Philosophical Basis	Balinese philosophy emphasizes harmony between humans and God (<i>Parahyangan</i>), fellow humans (<i>Pawongan</i>), and nature (<i>Palemahan</i>).	Modern environmental ethics that place nature at the center of morality, recognizing the intrinsic value of ecosystems.	The concept of sustainable development (Brundtland Report, 1987) that balances economic, social, and environmental aspects.
Value Orientation	Religious, cultural, and ecological (spirituality as a moral basis).	Ecological and ethical (the environment is seen as having intrinsic rights).	Socio-economic-ecological (balance between the needs of current and future generations).
Human-Nature Relationship	Harmonious relationships and mutual care; nature is not merely an object, but part of the cosmos.	Rejecting anthropocentrism; nature has moral rights equal to those of humans.	Humans as managers who must be responsible for maintaining environmental balance.
Practical Implications	The guidelines for Balinese society in rituals, social life, and natural resource management can be adopted into legal strategies based on local wisdom.	A global ethical impetus for ecosystem protection and ecological justice-based policies	International policy frameworks (SDGs, Paris Agreement, etc.) for sustainable development.
Advantages	Providing spiritual and cultural dimensions that strengthen the ecological awareness of local communities.	Providing a strong moral basis for rejecting excessive exploitation of nature.	Becoming an applicable global standard for development policies.
Limitations	It is still local in nature and needs to be integrated into positive	More normative-philosophical, difficult to apply in the context of practical policy.	Tends to be technocratic and economy-centric, paying little attention

³¹ I Gusti Ayu Purnamawati, Ni Ketut Sari Adnyani, and I Nengah Suastika, 'The Conservation of Perang Pandan Tradition for the Socio- Economic Life of Adat Community in Tenganan Pagringsingan Bali', *Procedia - Social and Behavioral Sciences*, 211 (2015), pp. 135–41, doi:<https://doi.org/10.1016/j.sbspro.2015.11.020>.

law to be more
operational.

Source: created by Authors

The concepts of Tri Hita Karana, Ecocentrism, and Sustainable Development intersect in their pursuit of establishing an ethical framework and environmentally equitable policies, though they adopt distinct methodologies.³² Tri Hita Karana emphasizes the importance of spiritual, cultural, and ecological harmony, thereby fostering community consciousness grounded in local values.³³ Ecocentrism establishes a comprehensive moral framework by recognising nature as a subject endowed with inherent rights, thus challenging the anthropocentric viewpoint.³⁴ In the meantime, Sustainable Development presents a pragmatic global policy framework for advancing sustainability; however, it often exhibits a technocratic nature and lacks spiritual considerations.³⁵

Consequently, the amalgamation of these three frameworks can enhance one another: Tri Hita Karana establishes the cultural and spiritual foundation,³⁶ Ecocentrism imparts global ethical legitimacy, and Sustainable Development supplies practical policy instruments.³⁷ The synergy among all three parties is essential for fortifying environmental criminal law,³⁸ thereby advancing sustainable ecological justice that is

³² Dwi Haryanti and others, 'Coral-Killing and Competitive Sponges in Nusa Dua, Bali, Indonesia', *Regional Studies in Marine Science*, 80 (2024), p. 103921, doi:<https://doi.org/10.1016/j.rsma.2024.103921>.

³³ Hendrawan and others, 'Characteristics and Distribution of Stranded Plastic Pollution in Bali Conservation Areas'.

³⁴ Hendrawan and others, 'Characteristics and Distribution of Stranded Plastic Pollution in Bali Conservation Areas'.

³⁵ Sidra Fatima and others, 'Sustainable Forestry and Environmental Impacts: Assessing the Economic, Environmental, and Social Benefits of Adopting Sustainable Agricultural Practices', *Ecological Frontiers*, published online 2024, doi:<https://doi.org/10.1016/j.ecofro.2024.05.009>.

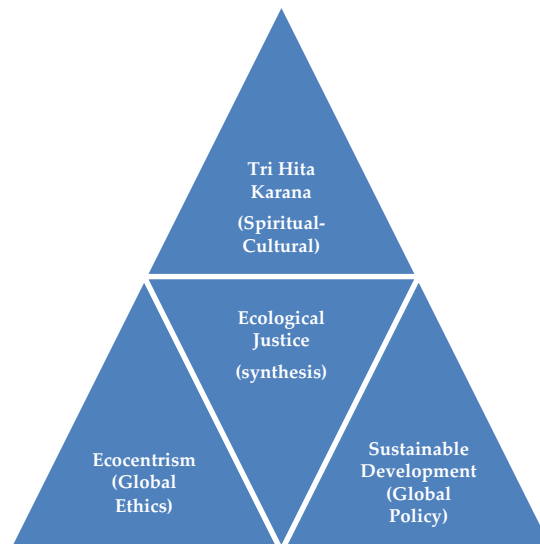
³⁶ PutuAstawa and others, 'Performance of Microfinance Institution in Harmony Cultural Perspective in Bali'; Dewa Agung Gede Agung and others, 'Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia', *Social Sciences & Humanities Open*, 9 (2024), p. 100827, doi:<https://doi.org/10.1016/j.ssaho.2024.100827>.

³⁷ Haryanti and others, 'Coral-Killing and Competitive Sponges in Nusa Dua, Bali, Indonesia'; Hendrawan and others, 'Characteristics and Distribution of Stranded Plastic Pollution in Bali Conservation Areas'.

³⁸ Gregorius Widiartana, Vincentius Patria Setyawan, and Ariesta Wibisono Anditya, 'Ecocide as an Environmental Crime: Urgency for Legal Reform in Indonesia', *Journal of Law, Environmental and Justice*, 3.2 (2025), pp. 268–308, doi:10.62264/jlej.v3i2.129; Fransisco Tarigan and others, 'The Rights of Victims of Environmental Crimes in Indonesia: Challenges for Legal Reform', *Journal of Law, Environmental and Justice*, 3.2 (2025), doi:10.62264/jlej.v3i1.130.

grounded in both local principles and global benchmarks.³⁹

Figure
Illustrative Diagram of the Relationship between Tri Hita Karana, Ecological Justice, Ecocentrism, and Sustainable Development Goals



Source: created by Authors

The diagram presents a synthesis of Tri Hita Karana (spiritual–cultural dimension), Ecocentrism (global ethics), and Sustainable Development (international policy framework), all converging at the pivotal concept of Ecological Justice. This illustrates that the attainment of ecological justice is contingent upon the harmonious interplay of these three dimensions: a) Tri Hita Karana establishes a spiritual and cultural foundation grounded in indigenous knowledge; b) Ecocentrism presents a universal ethical framework that acknowledges the inherent worth of the natural world; c) Sustainable Development creates a practical and institutional structure for global implementation. Through the mutual supplementation of each other's deficiencies, these frameworks establish a more comprehensive basis for environmental law, guaranteeing that ecological justice transcends mere normative aspiration to become a culturally rooted, ethically

³⁹ Aldyan and others, 'Legal Pluralism in Environmental Management: Evidence from Bali, Indonesia'; Aldyan and others, 'Local Wisdom-Based Environmental Management Policy in Indonesia : Challenges and Implementation'.

substantiated, and practically implementable reality.⁴⁰

The punitive methodology employed in the enforcement of environmental criminal law predominantly centres on the imposition of penalties after the occurrence of an environmental offence. This perspective is frequently interpreted as a mechanism of "law enforcement via punitive measures," in which individuals responsible for environmental pollution or degradation receive criminal sanctions intended to dissuade future offences. Nevertheless, this exclusively punitive strategy presents several constraints that warrant careful consideration, as outlined below. Initially, it is essential to note that the focus is on remediation rather than prevention: the enforcement of criminal law is activated solely in response to the occurrence of environmental harm. Nonetheless, ecological degradation frequently results in irreversible consequences, exemplified by the decline in biodiversity and the contamination of groundwater. This indicates that, regardless of the consequences faced by the perpetrator, the ecological ramifications cannot be entirely remedied.⁴¹

Furthermore, constraints on the capabilities of law enforcement officials: Cases of environmental crime tend to be intricate, necessitating specialized knowledge, significant financial resources, and thorough investigations. Law enforcement agencies frequently encounter limitations due to insufficient human resources, inadequate infrastructure, and challenges in inter-agency coordination. Consequently, numerous environmental cases fail to progress to the judicial decision phase or are halted during the administrative enforcement process.⁴² Thirdly, the Deterrent Effect is notably weak: numerous judicial rulings in environmental matters impose minimal penalties that fail to correspond adequately to the severity of the damage inflicted. This reduces the discouragement faced by corporations or individuals who engage in such offences. In certain instances, the penalties levied are less than the gains accrued by the offenders from their illicit actions,

⁴⁰ Diyono Diyono and others, 'Empowering Off-River Pumped Hydro Energy Storage: An Economic and Environmental Analysis of Renewable Energy Production - Storage Systems', *Energy Reports*, 14 (2025), pp. 310–19, doi:<https://doi.org/10.1016/j.egyr.2025.06.026>.

⁴¹ Mohammad Basyuni and others, 'Mangrove Aboveground Biomass Estimation Using UAV Imagery and a Constructed Height Model in Budeng–Perancak, Bali, Indonesia', *Ecological Informatics*, 86 (2025), p. 103037, doi:<https://doi.org/10.1016/j.ecoinf.2025.103037>.

⁴² Luca Tacconi, Rafael J Rodrigues, and Ahmad Maryudi, 'Law Enforcement and Deforestation: Lessons for Indonesia from Brazil', *Forest Policy and Economics*, 108 (2019), p. 101943, doi:<https://doi.org/10.1016/j.forpol.2019.05.029>.

thereby rendering environmental crimes persistently viewed as “lucrative.”⁴³

Fourth, Overlooking Community Engagement: Authoritarian strategies often adopt a hierarchical perspective, perceiving communities solely as passive victims or informants. Indeed, communities possess significant capacity to avert environmental offences by means of vigilant observation, educational initiatives, and the application of indigenous knowledge. The enforcement of environmental criminal law is rendered incomplete and ineffective in the absence of community engagement.⁴⁴ Five, Failing to Address the Core Issue: Environmental degradation is typically instigated by foundational elements such as economic disparity, insufficient governmental regulation, and a lack of public consciousness regarding ecological concerns. An approach that solely penalises individual offenders or corporations fails to address the fundamental issues at hand. Consequently, environmental offences persist due to the stagnation of the socio-economic framework and the prevailing legal ethos.⁴⁵

Six, in opposition to the tenets of Restorative Justice: within the framework of progressive legal discourse, the role of law enforcement extends beyond mere punishment to encompass restoration as well.⁴⁶ Repressive methodologies often overlook the imperative of ecosystem restoration and the well-being of impacted communities. Indeed, the restoration of ecological and social losses constitutes a crucial element in the pursuit of environmental justice.⁴⁷

The constraints inherent in a repressive strategy for mitigating environmental offences reveal that criminal law cannot function independently as a mechanism for addressing

⁴³ Ismu Gunadi Widodo and others, ‘Constraints on Enforcement of Environmental Law Against Corporate Defendants’, *Environmental Policy and Law*, 49.1 (2019), pp. 76–83, doi:10.3233/EPL-190129.

⁴⁴ Marulak Pardede and others, ‘Perspectives of Sustainable Development vs. Law Enforcement on Damage, Pollution and Environmental Conservation Management in Indonesia’, *Journal of Water and Climate Change*, 14.10 (2023), pp. 3770–90, doi:10.2166/wcc.2023.417.

⁴⁵ Sismawati and Kurnia Dewi Anggraeny, ‘Law Enforcement of Forest and Land Fires in Rokan Hilir Regency of Riau Province’, *AIP Conference Proceedings*, 2706 (2023), doi:10.1063/5.0120357.

⁴⁶ Trisno Raharjo, Laras Astuti, and Susan Dwi Saputri, *Implementation of Restorative Justice for Misdemeanor Offenders with the Bajanjang Naik Batanggo Turun Customary Approach*, 25.3 (2025), doi:10.30595/kosmikhukum.v25i3.26759.

⁴⁷ Widodo and others, ‘Constraints on Enforcement of Environmental Law Against Corporate Defendants’; Tacconi, Rodrigues, and Maryudi, ‘Law Enforcement and Deforestation: Lessons for Indonesia from Brazil’.

environmental degradation. Criminal law should be enhanced through preventive measures, participatory strategies, and community-oriented approaches. The incorporation of the Tri Hita Karana principles—highlighting the balance among humanity, the divine, interpersonal relationships, and the natural world—presents a viable framework that tackles the fundamental issues at hand while enhancing community empowerment. Consequently, the emphasis of the law ought to extend beyond merely penalizing transgressors; it should also prioritize the cultivation of a shared ecological consciousness and the attainment of environmental equity.⁴⁸

Tri Hita Karana, the guiding philosophy of the Balinese people, represents a framework of existence that prioritises balance as an essential prerequisite for sustainability. Within the framework of environmental considerations, Tri Hita Karana establishes a moral foundation asserting that the degradation of nature constitutes a form of discord that disrupts the equilibrium of the cosmos. Consequently, Tri Hita Karana possesses a robust philosophical basis that can serve as a deterrent for environmental offenses. In contrast to the punitive nature of criminal law, which imposes penalties after a violation, Tri Hita Karana advocates for a proactive strategy that emphasizes the internalization of values within everyday existence. For instance, via religious ceremonies and traditional rituals, the community is motivated to uphold the sanctity of water, land, and forests as a demonstration of their reverence for Sang Hyang Widhi. Thus, the pursuit of environmental protection is undertaken with intentionality and steadfastness, driven not by the fear of repercussions but rather by deeply held ethical and spiritual convictions.⁴⁹

In contrast to the punitive nature of criminal law, which responds to transgressions post-factum,⁵⁰ Tri Hita Karana advocates for a forward-thinking strategy that emphasises

⁴⁸ Fajrini, 'Environmental Harm and Decriminalization of Traditional Slash-and-Burn Practices in Indonesia'; Daswanto Daswanto and others, 'Authority of the Ministry of Environment in the Investigation of Money Laundering from Environmental Crimes', *Journal of Law, Environmental and Justice*, 3.2 (2025), pp. 309–41, doi:10.62264/jlej.v3i2.134.

⁴⁹ I Gusti Ngurah Parikesit Widiatedja, 'The Regulatory Failure of Spatial Planning and Its Environmental Impact: A Case Study of Hotel Projects in Bali, Indonesia', *Journal of Property, Planning and Environmental Law*, 14.1 (2022), pp. 25–44, doi:https://doi.org/10.1108/JPEL-10-2021-0048.

⁵⁰ Krzysztof Szczucki, 'Ethical Legitimacy of Criminal Law', *International Journal of Law, Crime and Justice*, 53 (2018), pp. 67–76, doi:https://doi.org/10.1016/j.ijlcj.2018.03.002.

the integration of values into daily practices. For instance, via religious ceremonies and traditional rituals, the community is motivated to uphold the sanctity of water, land, and forests as an expression of their veneration for Sang Hyang Widhi. Consequently, environmental protection is undertaken with a sense of awareness and commitment, driven not by the fear of repercussions but by deeply held ethical and spiritual convictions. Tri Hita Karana operates as a societal mechanism, uniting individuals within the framework of the community. In Pawongan, the community actively engages in mutual oversight and guidance regarding behaviours that may harm the environment, including the prohibition of littering and adherence to customary regulations concerning illegal logging. In Palemahan, nature is regarded as a kind, thus the overexploitation of its resources is deemed unacceptable.⁵¹ Consequently, Tri Hita Karana serves as a vehicle for embedding ecological values that are vibrant and deeply ingrained in the collective awareness of the community.

Tri Hita Karana can be implemented in various tangible ways as a proactive measure: 1) Normative-Cultural: established conventions (*awig-awig*) that govern the utilisation of natural resources in accordance with sustainable principles; 2) Rituals and Ceremonies: religious observances imbued with ecological significance (e.g., *tumpek uduh* or ceremonies of plant veneration) that enhance communal consciousness; 3) Community Participation: Indigenous communities engage directly in the oversight of environmental exploitation activities, thus assuming the role of vigilant guardians. 4) Social and Customary Sanctions: While not universally formalised, customary sanctions have demonstrated significant efficacy in establishing a deterrent effect, often commanding greater respect than their formal criminal counterparts.⁵²

The framework of environmental criminal law in Indonesia fundamentally adheres to the principle of *ultimum remedium*, wherein criminal sanctions are employed only as a last resort, after the ineffectiveness of administrative and civil remedies.⁵³ Nevertheless, a significant limitation of this methodology lies in the preeminence of its repressive

⁵¹ Roth, 'Environmental Sustainability and Legal Plurality in Irrigation: The Balinese Subak'.

⁵² Asmiwyati and others, 'Recognizing Indigenous Knowledge on Agricultural Landscape in Bali for Micro Climate and Environment Control'.

⁵³ Olivia Anggie Johar, Edi Setiadi, and Dini Dewi Heniarti, 'Reforming Environmental Criminal Law: A Comparative Study of the United States, the Netherlands, India, and Indonesia', *Kosmik Hukum*, 25.2 (2025), doi:10.30595/kosmikhukum.v25i2.26167.

elements over its preventive features.⁵⁴ The incorporation of Tri Hita Karana values enhances the preventive aspect of environmental criminal law by cultivating ecological consciousness rooted in local wisdom, ensuring that the law is not merely reactive to damage but actively works to avert harmful actions from the beginning.

The efficacy of regulation in legal theory is contingent upon its alignment with the living law that exists within society. Tri Hita Karana represents a tangible manifestation of living law, evolving from indigenous knowledge and actively practiced within Balinese society. Consequently, incorporating Tri Hita Karana into strategies aimed at preventing environmental offences enhances the law's contextual relevance, applicability, and community acceptance. The efficacy of environmental criminal law is frequently undermined by its repressive nature, bureaucratic complexities, and susceptibility to concessions with economic interests. Tri Hita Karana aims to address that deficiency by enhancing the ethical, spiritual, and communal dimensions of environmental stewardship. The internalisation of Tri Hita Karana values leads individuals to adhere not only to state law but also to a more profound “moral law,” thereby integrating ecological behaviour into the fabric of social habitus.⁵⁵

The incorporation of Tri Hita Karana values into the framework of environmental criminal law may manifest in various ways: Initially, the approach involves articulating environmental offences that highlight not merely economic detriment but also breaches of ecological balance. For instance, highlighting the imperative to rehabilitate the environment as an integral component of penal measures. Furthermore, in the application of justice, judges may take into account local wisdom values, such as Tri Hita Karana, as a foundation for achieving ecological fairness in their decisions. Third, the enforcement mechanism involves the application of environmental criminal sanctions, which are manifested through community service aimed at ecological restoration, such as reforestation, river restoration, or forest conservation initiatives. Fourth, integrating Tri Hita Karana values into legal education and public awareness initiatives is essential for fostering a society where compliance stems from a moral consciousness rather than solely

⁵⁴ Widiartana, Setyawan, and Anditya, ‘Ecocide as an Environmental Crime: Urgency for Legal Reform in Indonesia’.

⁵⁵ Porro, ‘Criminal Blame, Exclusion and Moral Dialogue’, *Criminal Law and Philosophy*, 15.2 (2021), pp. 223–35.

from fear of punitive measures.⁵⁶

The incorporation of Tri Hita Karana aligns with the principles of green criminology, which perceives environmental offences as fundamental moral transgressions and jeopardies to the planet's sustainability. Tri Hita Karana enhances this framework by incorporating local nuances, ensuring that environmental criminal law in Indonesia is deeply intertwined with the cultural values of its society. Green criminology represents an evolution of critical criminology, emphasizing environmental crimes not only as breaches of established legal frameworks but also as fundamental moral transgressions that jeopardize the existence of humanity and the integrity of global ecosystems. This framework regards environmental degradation—encompassing deforestation, pollution, and the overexploitation of natural resources—as a form of ecological injustice that necessitates redress not solely via legal mechanisms but also through transformations in social, cultural, and ethical paradigms.⁵⁷

In this context, Tri Hita Karana functions as a supplementary tool that introduces a local perspective and enhances the framework of green criminology, which is often grounded in Western intellectual traditions. The dimensions of Tri Hita Karana are intricately linked to the three fundamental pillars of green criminology: Initially, the concepts of ecological ethics and spirituality (Parahyangan): Green criminology highlights environmental crime as a fundamental moral transgression, while Tri Hita Karana introduces a religious and spiritual perspective, suggesting that harming nature constitutes a violation of divine intent and disturbs the equilibrium of the universe. This enhances the ethical foundation for enforcing environmental criminal law. Furthermore, ecological social justice (Pawongan) examines the repercussions of environmental degradation on marginalised communities and the well-being of future generations. Tri Hita Karana emphasizes the importance of social solidarity, underscoring that environmental sustainability constitutes a shared responsibility towards the collective welfare.

⁵⁶ Zelia A Gallo, 'Punishment, Authority and Political Economy: Italian Challenges to Western Punitiveness', *Punishment and Society*, 17.5 (2015), pp. 598 – 623, doi:10.1177/1462474515615695.

⁵⁷ Nasir Sultan and others, 'The Nexus of Environmental Crimes and Money Laundering/Terrorist Financing: Effectiveness of the FATF Recommendations against Green Criminology in Developing Jurisdictions', *Journal of Money Laundering Control*, 28.3 (2025), pp. 485 – 503, doi:10.1108/JMLC-08-2024-0142.

Thirdly, the concept of pure ecological justice (Palemahan) posits that nature possesses intrinsic value, transcending its mere role as an object for human exploitation. This viewpoint is further supported by Tri Hita Karana, which regards nature as a “sibling” deserving of care, suggesting that environmental consequences should extend beyond merely penalising the offender to encompass the restoration of ecosystems (restorative ecological justice).⁵⁸ Tri Hita Karana not only enhances but also expands the scope of green criminology. Green criminology often emphasizes a broad, critical theoretical framework. In contrast, Tri Hita Karana offers practical, local insights that can enhance the efficacy of environmental criminal law in Indonesia, aligning with the principles of living law and the public's consciousness.

Community Empowerment in Eradicating Environmental Crime through the Tri Hita Karana Paradigm

The Tri Hita Karana paradigm, founded on the principles of harmony among humans and the divine (Parahyangan), among individuals (Pawongan), and between humanity and the natural world (Palemahan), serves as a valuable framework for community empowerment in addressing environmental offences. This notion advocates for a departure from purely repressive measures, highlighting that the efficacy of addressing environmental crimes is contingent upon community engagement and the integration of indigenous wisdom and values. Addressing environmental crime through community empowerment necessitates a multifaceted approach that transcends mere reliance on formal legal frameworks. It is imperative to cultivate local wisdom and values that enhance public awareness, foster solidarity, and encourage active participation. Tri Hita Karana serves as a comprehensive approach, as it weaves together the interconnected spiritual, social, and ecological facets.⁵⁹

Firstly, the Parahyangan-based Strategy (Harmony with God) embodies significant meaning. Enhancing the Principles of Spiritual Ecological Ethics. Environmental

⁵⁸ Kurnia Dewi Anggraeny and Petrus Kanasius Kristiaga, ‘The Relevance of Restorative Justice in Reducing Overcapacity in Correctional Institutions for Male and Female Prisoners’, *Kosmik Hukum*, 25.1 (2025), p. 160, doi:10.30595/kosmikhukum.v25i1.23779.

⁵⁹ Dewa Agung Gede Agung and others, ‘Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia’, *Social Sciences & Humanities Open*, 9 (2024), p. 100827, doi:https://doi.org/10.1016/j.ssaho.2024.100827.

education is intricately connected to spiritual principles that uphold the sanctity of nature as an essential component of reverence and ethical responsibility. Spiritual ecological ethics underscores that the connection between humanity and the natural world transcends mere functional and economic considerations, encompassing profound religious and moral aspects as well. Integrating environmental education with religious teachings will enhance understanding that the preservation of nature constitutes a manifestation of worship and adherence to the core values of faith. For instance, within Islam, one encounters the principle of *khalifah fil ardh*, which emphasises the role of humans as stewards of the earth, alongside the prohibition of *fasad*, or destruction. Similarly, Hinduism presents the teaching of *Tri Hita Karana*, which advocates for harmony among humans, the divine, and the natural world.⁶⁰

The incorporation of spiritual values within educational frameworks, whether in formal school settings or informal community environments, elevates environmental concerns beyond mere technical or legal considerations, framing them as integral to our moral obligations.⁶¹ This fortifies the ethical framework, which holds that any act of undue exploitation, pollution, or environmental degradation fundamentally constitutes a violation of divine trust. Consequently, spiritual ecological ethics serves as a guiding principle that fosters a profound understanding of sustainability in environmental matters.

The subsequent topic is the Religious Socialisation Movement. Engaging religious, traditional, and cultural leaders in initiatives aimed at curbing pollution and overexploitation is essential for fostering community awareness that harming the environment constitutes a profound spiritual transgression⁶². Preventing environmental crimes necessitates the implementation of socialisation strategies that engage moral and cultural authorities. Religious leaders, traditional leaders, and cultural figures possess significant social legitimacy, which facilitates the acceptance and adherence to their

⁶⁰ Widiatedja, 'The Regulatory Failure of Spatial Planning and Its Environmental Impact: A Case Study of Hotel Projects in Bali, Indonesia'.

⁶¹ Dave Pritchard, '16 - Human Culture and Its Evolving Place in the Ramsar Convention', in *Ramsar Wetlands*, ed. by Peter A Gell, Nick C Davidson, and C Max Finlayson (Elsevier, 2023), pp. 417–46, doi:<https://doi.org/10.1016/B978-0-12-817803-4.00005-X>.

⁶² Gede Agung and others, 'Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia'.

messages within society. Environmental conservation values can be integrated into spiritual obligations through religious lectures, sermons, dharma wacana, and traditional forums.

The process of religious socialisation may manifest through public campaigns, thematic sermons, and eco-friendly initiatives rooted in places of worship such as mosques, temples, churches, or monasteries. Additionally, it can involve partnerships between traditional institutions and local governments aimed at promoting environmental advocacy.⁶³ This perspective perceives environmental degradation not merely as a breach of statutory regulations but also as a profound spiritual transgression that engenders a collective moral failing. This approach proves to be more efficacious in enhancing preventive consciousness, as the community is driven not solely by the prospect of legal repercussions but also by ethical and spiritual ramifications.

Subsequently, we encounter the internalisation of the intrinsic value associated with the sanctity of nature. Traditional and religious rituals emerged as a collective means to cultivate reverence for nature, functioning as a preventive mechanism of social control against harmful behaviours. Conventional and spiritual practices significantly contribute to fostering a shared consciousness regarding the sacredness of the natural world. Traditional ceremonies that honour rivers, forests, mountains, and the sea serve as profound expressions of the inherent sacredness of nature, which must be preserved and protected from destruction.⁶⁴ The *tumpek wariga* tradition in Bali and *sedekah bumi* in Java exemplify a profound respect for natural resources, recognising them as integral to the divine bounty bestowed upon us.

The assimilation of nature's inherent value functions as a mechanism for social regulation. Holding the conviction that harming the natural world is akin to desecrating the sacred, the community will cultivate a careful, respectful, and sustainability-focused mindset. The execution of these rituals enhances social cohesion, as they are performed collectively, fostering a shared obligation to safeguard the environment.⁶⁵ Within the

⁶³ Cole, 'A Political Ecology of Water Equity and Tourism: A Case Study From Bali'.

⁶⁴ Gede Agung and others, 'Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia'.

⁶⁵ Ananya Roy Chowdhury and Achintya Das, 'Chapter 8 - Sustainable Water Allocation and Water Footprints', in *Water Footprints and Sustainable Development*, ed. by Suhaib A Bandh and Fayaz A Malla,

context of environmental criminal law, these values may evolve into a form of social capital that enhances the efficacy of prevention through heightened local awareness.

Secondly, the strategy is centred on community engagement and fostering harmonious relationships with others. Embodies significance: Enhancing Collective Cohesion. Forming community groups dedicated to environmental awareness that engage in monitoring, reporting, and advocating for legal action against environmental offences. The concept of social solidarity serves as a crucial underpinning in fostering a collective consciousness aimed at safeguarding the environment.⁶⁶ This approach can be actualized through the establishment of environmentally aware community organizations or watchdog groups that serve the purposes of monitoring, reporting, and advocating against environmental offenses. These organisations serve as both the observant guardians of the community, identifying potential environmental threats, and as catalysts for transformation, empowering residents with knowledge regarding the significance of nature conservation. Through robust unity, communal efforts can effectively mitigate the undue exploitation perpetrated by individuals and corporations. Furthermore, this sense of unity fosters a collective responsibility, instilling in the community a moral imperative to safeguard the environment, rather than relegating this duty solely to governmental or law enforcement entities.

The subsequent topic concerns the community's engagement in law enforcement activities. Engagement of the community can be fostered through the promotion of participation in environmentally focused restorative justice frameworks, wherein the impacted community plays a pivotal role in addressing environmental criminal matters. The Pawongan approach emphasizes the importance of actively engaging the community in law enforcement mechanisms, particularly through environmentally focused restorative justice practices.⁶⁷ This model prioritises not merely the punishment of those who commit environmental crimes, but also underscores the importance of rehabilitating

Current Directions in Water Scarcity Research (Elsevier, 2024), VIII, pp. 119–33, doi:<https://doi.org/10.1016/B978-0-443-23631-0.00008-X>.

⁶⁶ Gede Agung and others, 'Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia'.

⁶⁷ Kurnia Dewi Anggraeny and Petrus Kanasius Kristiaga, 'The Relevance of Restorative Justice in Reducing Overcapacity in Correctional Institutions for Male and Female Prisoners', *Kosmik Hukum*, 25.1 (2025), p. 160, doi:[10.30595/kosmikhukum.v25i1.23779](https://doi.org/10.30595/kosmikhukum.v25i1.23779).

damaged ecosystems and reinstating the rights of impacted communities.⁶⁸ Engagement from the community ensures that the perspectives of victims, whether singular or collective, are acknowledged within the legal framework, thereby ensuring that the resolution of cases transcends mere procedural elements and delves into the realm of substantive justice. Communities impacted by pollution possess the capacity to influence the nature of compensation or the environmental restoration initiatives that offenders are required to undertake. Consequently, environmental criminal law acquires social legitimacy through the active participation of the community at every phase of the process.

Furthermore, there exists the enhancement of communal legal proficiency. Through comprehensive training, education, and legal empowerment, communities will gain a profound understanding of their rights and the confidence to challenge environmentally destructive practices perpetrated by corporations or individuals. Pawongan encompasses an aspect of empowerment, emphasising the necessity for communities to possess sufficient legal capacity, thereby preventing them from becoming vulnerable entities when confronted with large corporations or influential individuals. This approach can be implemented through educational programs, advisory services, legal assistance initiatives, and community-based advocacy efforts.⁶⁹ A comprehensive grasp of legal principles empowers communities to recognise their entitlements concerning environmental matters, comprehend the procedural avenues available in instances of ecological harm, and possess the fortitude to report or pursue justice. Furthermore, the legal empowerment of communities has the potential to enhance their negotiating leverage in various negotiations or legal proceedings, thereby reducing the likelihood of being unduly influenced by entities possessing superior capital or authority.

Thirdly, the strategy centred on Palemahan emphasises a harmonious relationship with the natural world. Encompasses the significance of the Community Ecological Restoration Program. Engaging the community in reforestation, conservation, and ecosystem restoration as an integral component of a sustainable prevention strategy. Palemahan

⁶⁸ PutuAstawa and others, 'Performance of Microfinance Institution in Harmony Cultural Perspective in Bali'.

⁶⁹ Samadhi, 'Making Cosmo-Religious Landscapes: The Design of a Balinese Town's Civic Center (Bali, Indonesia)'.

underscores the intricate and balanced connection that exists between humanity and the natural world. The incorporation of this approach within the framework of environmental crime prevention can be effectively achieved via community-driven ecological restoration initiatives. The activities encompass reforestation, biodiversity conservation, land restoration, and river basin rehabilitation.⁷⁰ The community engages not merely as labourers but also as stewards and overseers of the rehabilitated ecosystem. Community-oriented ecological restoration yields dual advantages simultaneously: 1) Preventive, as the community develops a profound sense of stewardship over the restored ecosystem, thereby complicating efforts by outsiders to inflict harm; 2) Transformative, since the community acquires enhanced ecological knowledge and skills that bolster sustainable environmental consciousness. Consequently, community ecological restoration transcends a mere technical endeavour; it serves as a strategy for empowerment that fortifies the ecological identity of local communities.

The subsequent topic is Community-Based Resource Management. Advocating for a model of natural resources management that is rooted in community engagement, wherein local populations are entrusted with the stewardship of forests, rivers, and land, guided by the tenets of sustainability. The strategy grounded in Palemahan underscores the importance of equitable, sustainable, and community-oriented management of natural resources. The CBNRM model positions local communities as the primary stakeholders in the stewardship of forests, rivers, land, and coastal regions. This holds significant value as communities coexisting with ecosystems possess local wisdom, traditional knowledge systems, and a vested interest in the preservation of nature. The execution of Community-Based Natural Resource Management (CBNRM) may encompass: 1) The allocation of management rights to communities over designated areas (including customary forests, communal lands, and village coastlines); 2) Establishment of regulations aimed at sustainable utilisation, such as restrictions on logging, implementation of crop rotation systems, or promotion of environmentally sustainable fishing practices; 3) Engaging communities in participatory monitoring to oversee and report instances of excessive exploitation and violations. This mechanism empowers communities to transcend the role of passive observers in environmental policy, positioning them as proactive agents who

⁷⁰ Mihardja and others, 'Forest Wellness Tourism Destination Branding for Supporting Disaster Mitigation: A Case of Batur UNESCO Global Geopark, Bali'.

actively mitigate the risk of environmental offences.⁷¹

Furthermore, one must consider Ecological Sanctions. Advocate for the implementation of sanctions aimed at restoration, specifically ecological restorative justice, which entails obligating offenders of environmental transgressions to engage in nature rehabilitation alongside the community. The Palemahan strategy may also be implemented through advancements in environmental criminal law, particularly in the realm of ecological sanctions. Rather than solely focusing on traditional punitive measures such as incarceration or monetary penalties, the legal framework could be oriented towards an ecological approach to restorative justice. This methodology requires individuals responsible for environmental offenses to undertake the restoration of ecosystems that have suffered degradation. Instances of its implementation encompass: 1) Corporations that pollute rivers are mandated to restore these waterways, cultivate supportive vegetation, and furnish clean water facilities for impacted communities; 2) Individuals or collectives that devastate forests are obligated to replant and nurture the trees until they reach maturity; 3) Offenders of marine habitat degradation are required to cultivate coral reefs or establish new conservation zones. This methodology serves not only as a deterrent but also reinstates ecological equilibrium and cultivates a sense of accountability among those who have caused harm.⁷²

Examining Tri Hita Karana through a socio-legal lens reveals that it transcends mere philosophical contemplation, serving instead as a normative and practical framework that intricately weaves together state law, customary law, and religious principles. Consequently, it serves as a mechanism for achieving ecological justice, a form of justice that harmonises human interests with the sustainability of ecosystems and the inherent rights of nature. Tri Hita Karana serves as a comprehensive framework to address the deficiencies of positive law, which frequently becomes ensnared in a human-centered perspective. The amalgamation of Parahyangan, Pawongan, and Palemahan establishes a comprehensive socio-legal framework that is holistic, intertwining spirituality, social dimensions, and ecological considerations. b. Engaging: creating substantial opportunities for indigenous peoples, religious leaders, and local communities to be involved in law

⁷¹ Roth, 'Environmental Sustainability and Legal Plurality in Irrigation: The Balinese Subak'.

⁷² Geria and others, 'Built Environment from the Ancient Bali: The Balinese Heritage for Sustainable Water Management'.

enforcement. c. Restorative: highlighting the importance of re-establishing balance rather than focusing solely on retribution. d. Transformative: advocating for a fundamental shift in the environmental law paradigm from a human-centered perspective to one that prioritises ecological considerations. Therefore, Tri Hita Karana serves not merely as a form of local wisdom, but has the potential to evolve into a contemporary socio-legal instrument pertinent to the advancement of environmentally equitable environmental law.

4. CONCLUSION

The integration of Tri Hita Karana into the realms of environmental crime prevention and law enforcement presents a groundbreaking framework that harmonises cultural principles, legal structures, and community engagement. Tri Hita Karana, a Balinese philosophy grounded in the principles of harmony between humanity, nature, and the divine, serves not only as a moral compass but also as a strategic framework for enhancing ecological consciousness and empowering communities. This methodology confronts the fundamental constraints of traditional punitive frameworks by integrating preventive, restorative, and participatory elements into the realm of environmental governance. Through the promotion of equilibrium, sustainability, and shared accountability, Tri Hita Karana fortifies societal resilience in the face of ecological transgressions, including illegal logging, pollution, and land degradation. It promotes environmental justice not merely by alleviating damages but also by nurturing environmentally conscious practices and fostering community cohesion. The incorporation of Tri Hita Karana embodies a culturally rooted yet progressive framework that deepens legal practice, promotes ecological responsibility, and guarantees that environmental justice is sought in alignment with social and spiritual principles.

5. CONFLICTING INTEREST STATEMENT

The authors state that there is no conflict of interest in the publication of this article.

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- —, and others, 'Local Wisdom-Based Environmental Management Policy in Indonesia : Challenges and Implementation', *Journal of Law, Environmental and Justice*, 2.3 (2024), pp. 332–54, doi:10.62264/jlej.v2i3.100
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