

Research on the Protection of Residents' Rights and Interests in Rural Tourism Destinations from the Perspective of Tourism Space Justice

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ABSTRACT

With the rapid development of globalization and tourism, the issue of spatial justice has gradually come to the fore, becoming an important factor restricting the sustainable development of tourism. Based on the theory of spatial justice in tourism, this paper systematically sorted out the status quo, challenges and countermeasures for the protection of residents' rights and interests in the development of rural tourism through the method of literature analysis. After the study, it is found that the rights and interests protection problems of residents in rural tourism mainly focus on economic rights and interests: uneven distribution of tourism income, social and cultural rights and interests: protection of traditional lifestyle and culture, environmental rights and interests: impact of tourism activities on the natural environment, participation in decision-making: the role and power of residents in tourism management of these four aspects, so as to put forward the activation of tourism easement contract mechanism to protect the interests of villagers in the right to use the land, the implementation of the tourism attraction rights of the shareholding system to achieve a fair distribution of tourism revenue, Strengthening community participation and capacity building to enhance villagers' bargaining power and participation, and establishing a policy support and legal framework to protect the system.

KEYWORDS

Spatial Justice; Tourism Spatial Justice; Residents' Rights and Interests

1. INTRODUCTION

With the deepening of globalization and the vigorous rise of the tourism industry, travel has become an indispensable part of people's lives. The development of the tourism industry has not only greatly promoted economic growth but also provided an important platform for cultural exchange and social integration. However, as the tourism industry rapidly develops, issues of spatial justice in tourism are becoming increasingly prominent, posing significant constraints on the sustainable development of the tourism sector. In the actual operation of tourism, spatial production dominated by capital and power is the primary reason for the emergence of unjust spatial structures and social changes. Governments, tourism enterprises, and residents are all principal stakeholders in tourist spaces, acting as producers of tourism space and competitors for spatial resources. However, residents often find themselves in a marginalized position in the process of spatial production in tourism, subjected to spatial exploitation by power elites and external capital (Tao Yuxia, 2009). They find it difficult to enjoy the positive externalities of tourism development, while bearing the negative externalities such as waste, environmental pollution, and spatial overcrowding in tourist destinations. To varying degrees, they also endure deprivation of their tourism space (Deller, 2010) and face a series of issues including land expropriation, cultural shocks, and environmental degradation. These problems not

only harm the interests of local residents but also restrict the healthy development of the tourism industry. Therefore, the issue of safeguarding the rights and interests of residents in tourist destinations is a complex and urgent matter. From the perspective of tourism spatial justice, it is necessary to focus on the protection of the rights and interests of local residents, analyze the causes and influencing factors of the issues, and propose effective protection strategies and recommendations. This not only helps enhance the quality of life of local residents but also promotes the sustainable development of the tourism industry and the harmonious stability of local society. This research aims to deeply explore the issue of safeguarding the rights and interests of residents in tourist destinations within the context of tourism spatial justice, providing theoretical support and practical guidance for relevant policies and planning.

2. LITERATURE REVIEW

2.1. Spatial Justice

Spatial justice is a discourse on justice from the perspective of critical spatial theory. The earliest discussions on spatial justice can be traced back to the 1990s, with Pirie introducing the concept of "spatial justice" in his 1983 work "On Spatial Justice," where he stated, "If space is viewed as absolute, as the container for events and the evolution of social relations, then spatial justice is a simple abbreviation for social justice in space." Soja (2010) argued that spatial justice concerns the equitable distribution of geographic resources and services; He Xiying (2018) highlighted that Marx proposed four dimensions of spatial justice to critique the capitalization of space: production spatial justice, power spatial justice, distribution spatial justice, and value spatial justice. Dikeç (2001) advanced the dialectic of justice in space, arguing that spatial justice critiques systematic exclusion, power domination, and political oppression, aiming to cultivate a new sensitivity that connects various injustices embedded in space and its dynamics, with the goal of elucidating the ideological discourse on (in)justice in spatiality. It is evident that spatial justice was initially proposed by Western scholars in response to various urban spatial issues arising from the deconstruction and reconstruction processes within Western countries. Essentially, it is based on the vast disparities (injustices) in the distribution of spatial resources, spatial rights, and spatial goods, aiming to achieve equitable distribution of urban spatial resources and equal sharing of urban spatial rights.

Domestic scholars have conducted extensive discussions on the issue of spatial justice in urban governance, considering the complex contextual realities of urban development and urban management from three perspectives: the urban-rural dual system, unbalanced urban development policies, and urban class differentiation. Wang Zhigang (2012) conducted an in-depth study of spatial justice from the perspective of subjects, proposing that "spatial justice is a form and a relationship that aligns with the ethical spirit of subjects." Gao Xiaoxi and Dong Hui (2012) defined spatial justice as "fairness and justice in the processes of spatial production and consumption." Kong Ming'an (2013) asserted that "spatial justice refers to spatial power, which includes both the power of domination and distribution, as well as the legitimacy of the right to spatial existence and the justice of its protection rights. It is the result of various spatial power struggles." Gao Chunhua and Sun Xilei (2011) interpreted spatial justice through the lens of equality, subjectivity, and diversity of urban space, proposing that "the equality of urban space is the primary ethical demand of spatial justice; the subjectivity of urban space reflects the cultural orientation of urban production and consumption; the diversity of urban space is both the nature of the city and the source of vitality for urban spaces." Yuan Fangcheng and Wang Tingting (2017) believed that spatial justice is about different social subjects equally enjoying opportunities for spatial production and distribution. Ye Chao (2019) viewed society and space within spatial justice as a unified whole, deriving strategies for achieving spatial justice by revealing the differences in various spatial scales and domains (resources, land, environment, gender, etc.) during the social production of space, and the spatial inequalities they trigger. The concept of spatial justice, proposed by Ren Ping (2006), refers to ensuring social fairness

and justice for citizens' rights in spatial production and resource allocation, including the justice of the production, ownership, utilization, exchange, and consumption of spatial resources and products, is currently widely recognized in the country.

In summary, scholars both domestically and internationally have made certain achievements in the research of spatial justice, establishing a theoretical framework and system. However, much of this research has predominantly focused on urban spatial perspectives, with comparatively little attention given to rural spaces. Spatial injustice is at the root of rural poverty, and rural space should be included within the scope of spatial justice.

2.2. Tourism Space Justice

In the context of tourism space, 'space' is not only a physical concept but also a social and cultural space. Currently, domestic scholars have conducted discussions on tourism spatial justice, focusing primarily on the following five aspects:

The concept of tourism spatial justice: Guo Wen (2014) argues that spatial justice essentially refers to the equal enjoyment of tourism rights and the sharing of tourism benefits by different subjects. Li Chuangxin (2017) contends that the spatial justice of tourist destinations pertains to the practices of distribution, recognition, and participation among stakeholders related to tourism resources and the environment; this process involves social justice aimed at achieving the coordinated development of economic, social, and spatial rights in 'tourism spatial practices.'

The role of spatial justice in the tourism process: Guo Wen (2017) posits that the concept of spatial justice is inextricably linked to spatial practice; to address the phenomenon of spatial injustice in tourism development, it is essential to engage with other disciplines for collaboration and communication to genuinely resolve tourism spatial injustices. Hu Daping (2017) asserts that discussing spatial justice within the realm of spatial production studies is crucial, arguing that issues such as governance of tourism order, local quality shaping, safeguarding spatial rights, and creating living environments are closely related to spatial justice.

Spatial Justice of Different Entities: Liu Jun (2017) pointed out that the purpose of exploring spatial justice in tourism is to achieve coordinated development between tourism space and socioeconomic, political spaces. This requires not only focusing on tourists and the government, but also taking into account residents and new stakeholders such as external capital; Huang Xiubo and Sun Jiu Xia (2017) argued that the development of rural tourism in conjunction with village conservation is the fundamental reason challenging the equity of spatial rights for village subjects; Li Jiangmin (2019) identified the government, capital, culture, and subject identity as the main factors affecting spatial justice, and accordingly proposed strategic suggestions to balance tourism development and resident needs; Huang Ailian (2018) believed that tourism space is influenced by multiple entities and suggested moving beyond the traditional three-dimensional framework of tourists, tourism operators, and tourist destinations to study the impact of different entities on spatial justice at tourist sites.

Capital Power and Spatial Justice: Wang Leilei (2019) explored the impact of capital embedding on the physical and socio-cultural spaces of tourism under the guidance of spatial justice theory, aiming to promote fairness and justice in the spatial production of traditional national settlements in tourism; Wang Weiyan (2018) systematically explained the powers of spatial reproduction regarding easements, their spatial power production, and spatial justice. By analyzing multiple rural tourism cases, she constructed a conceptual model for the power of spatial reproduction of tourism easements and the realization of spatial justice, seeking legal pathways for achieving spatial justice in China's rural tourism; Yi Yan (2017) examined the issue of land development rights in rural tourism development from the perspectives of field and spatial justice, contemplating the land development rights issues in rural tourism planning from a deeper ethical dimension, so that the interest game within tourism space conforms to the ethical order of 'spatial justice.'

Tourism Destination Construction and Spatial Justice: An Chuanyan et al. (2019) studied the spatial justice of comprehensive tourism, providing a practical interpretation of tourism spatial justice and highlighting the challenges and opportunities for achieving spatial justice in comprehensive tourism development; Zheng Jiuliang (2020) believed that only by concurrently improving governance from multiple layers such as the methods of spatial production in tourism, social relationships, development concepts, and driving mechanisms can we construct a desirable order of tourism space aligned with the vision of a beautiful life; Zhuang Shurong et al. (2020) investigated the spatial justice in tourism poverty alleviation communities and pointed out that due to the unequal distribution of resources, loss of residents' decision-making power, and marginalization of classes, community residents face income inequality, unequal participation opportunities in tourism, and lack of professional tourism skills, hindering their perception of spatial justice in tourism poverty alleviation; Li Chuangxin (2017) posited that the roots of spatial injustice in tourism development lie in the logic of capital and the driving force of economic interests, with deeper causes stemming from a lack of ethical and institutional development.

In conclusion, tourism spatial justice is a multidimensional concept that encompasses various aspects such as economics, society, culture, and the environment. Researchers have explored the connotation, measurement methods, and practical applications of tourism spatial justice from different research perspectives and theoretical frameworks. These studies provide valuable theoretical and practical guidance for understanding and addressing spatial injustice issues in tourism activities. However, current research on stakeholders is relatively scarce, particularly regarding the spatially vulnerable groups—residents, who receive even less attention. Spatial justice, whose justice? In fact, justice predominantly pertains to the disadvantaged groups that are governed by capital power within the space. Therefore, residents, the subjects within the space, should be included as a focus in the research of spatial justice, with particular attention to whether their rights are safeguarded after their habitual living spaces are reshaped by absolute power and capital, and whether their living and production spaces are deprived.

3. ANALYSIS OF THE CURRENT SITUATION AND ISSUES REGARDING THE PROTECTION OF RESIDENTS' RIGHTS IN RURAL TOURISM AREAS

3.1. Economic Rights: Uneven Distribution of Tourism Revenue

In rural tourism, despite the rapid development of the tourism industry bringing significant economic benefits to the local area, residents often find themselves in a disadvantaged position regarding the distribution of tourism revenue. The majority of tourism gains flow to external investors, tourism companies, and local governments, while local residents engaged in providing tourism services receive a relatively small share. This imbalanced revenue distribution model leads to dissatisfaction among residents towards tourism development, as they feel that their economic rights are not adequately protected. This issue is particularly pronounced for residents with fewer tourism resources or skills, who find it difficult to directly benefit from tourism development, thereby exacerbating economic disparities.

3.2. Social and Cultural Rights: Protection of Traditional Lifestyles and Cultures

With the increase in tourism activities, the traditional lifestyles and cultures of some villages are at risk of commercialization. The influx of foreign cultures and the display of 'pseudo-folklore' to cater to tourist demands threaten the authenticity and integrity of the indigenous culture. Residents' control over their cultural heritage has weakened, and the protection and transmission of traditional culture have become pressing issues. Moreover, the surge of visitors during peak tourist seasons disrupts the daily lives of residents, impacting their quality of life and social cultural rights.

3.3. Environmental Rights: The Impact of Tourism Activities on the Natural Environment

The prosperity of rural tourism inevitably exerts pressure on the natural environment of traditional villages. The surge in visitor numbers has led to an increase in waste, greater consumption of water resources, and damage to natural landscapes. For instance, excessive commercial development projects may harm the existing natural ecosystems and disrupt the ecological balance of the area. Residents, who directly depend on these natural resources, find their environmental rights compromised, which is evident in the deterioration of fundamental living conditions such as clean air and clean water, as well as a reduction in spaces for leisure and relaxation.

3.4. Participation in Decision-Making: The Role and Power of Residents in Tourism Management

In most rural tourism villages that are developing, the level of resident participation in the tourism decision-making process is relatively low, reflecting a lack of participatory justice. Many tourism development plans and projects are dominated by higher-level governments or external investors, and local residents often passively accept decisions made after the fact, lacking sufficient voice and influence. This situation leads to a significant gap between residents' expectations for tourism development and the actual outcomes, making it difficult for them to guide and adjust tourism activities according to their own needs and visions. The absence of effective communication mechanisms and participation platforms further undermines residents' central role in tourism management, affecting their sense of identification and satisfaction with tourism development.

4. PATHS AND STRATEGIES FOR ENHANCING RESIDENTS' RIGHTS AND TOURISM SPATIAL JUSTICE

4.1. Activate the Mechanism of Travel Easement Contracts

The easement in the Civil Code refers to "the easement holder has the right, in accordance with the contract, to utilize another person's real estate in order to enhance their own real estate rights." The tourism easement, as a type of property right, allows the easement holder to utilize another person's real estate (Tourist destination) to enhance their own real estate (the tourism dominant estate) according to the contract, and it includes a purchase/compensation mechanism that enables both the rights holder of the tourism servient estate and the easement holder to achieve spatial justice through cooperative negotiation (Wang Weiyan, 2018). In simple terms, this means forming a legal agreement to clarify the rights and obligations between land users (typically tourism enterprises or the government) and landowners (local residents) in tourism development. In practice, this can be achieved by setting reasonable easement fees, specifying the scope and duration of land use, and stipulating environmental protection measures to ensure that residents' land rights are not infringed upon while receiving fair economic compensation. This mechanism helps to balance the relationship between tourism development and residents' rights, allowing villagers to benefit from the tourism use of land resources while also ensuring the rational development and protection of land resources, thereby achieving a certain level of fairness and justice in social space.

4.2. The Pathway of Shareholding System for Tourist Attractions

By establishing a tourism attraction rights joint-stock system, the tourism operating rights can be partially or fully converted into equity, allowing local residents to participate directly in the distribution of tourism profits as shareholders. This means that villagers can not only directly engage in tourism operations by renting out houses, providing dining and accommodation, but they can also share in indirect income from scenic area entrance tickets and the sale of tourism products.

Implementing a shareholding reform can ensure that tourism revenue benefits the local community in a more transparent and equitable manner, enhancing residents' support and participation in tourism development, thereby creating a positive cycle of tourism development and increased income for residents.

4.3. Enhance Community Engagement and Capacity Building

Strengthening community participation means granting villagers greater rights to be informed, to participate, and to supervise in various aspects of tourism planning, decision-making, and management. This includes establishing tourism advisory committees with resident representatives, holding regular community meetings, and publicly sharing relevant information about tourism projects. Additionally, through capacity-building initiatives such as professional training in tourism management, marketing, and financial management, the overall quality and capacity of residents to engage in tourism development can be enhanced. This facilitates villagers in better expressing their needs, actively participating in tourism activities, and safeguarding their rights.

4.4. Improvement of Policy Support and Legal Framework

Establishing a comprehensive policy and legal framework is fundamental to ensuring justice in tourism space. Xia Yang (2016) pointed out that legal systems adjust social relationships through the allocation of rights and obligations, and the position of social relationships within legal adjustments is determined by economic factors. Only when citizens achieve their fair share economically can social relations move towards balance, which reflects 'fairness' in legal terms. Therefore, the government should implement relevant policies that clarify the principles for protecting residents' rights in tourism development, such as setting minimum profit-sharing ratios and establishing standards for assessing the environmental and cultural impacts of tourism development. Simultaneously, it is essential to revise and improve related laws and regulations to ensure that tourism development activities are conducted under strict legal supervision. For instance, creating specific rural tourism laws or regulations can provide legal protections for residents' rights. Furthermore, establishing and improving complaint and mediation mechanisms is crucial for providing residents with channels to safeguard their rights, resolving disputes that arise during tourism development in a timely manner, and ensuring the effective realization of justice in tourism space.

REFERENCES

- [1] Cai Xiaomei, Zou Xiaodan, Liu Meixin, et al. The Subjective Game and Negotiation of Rural Spatial Justice under the Background of Tourism Development - A Case Study of Shiwuxincun in Guangzhou [J]. *Geographic Science*, 2022, 42(05): 885-895.
- [2] Du Zongbin, Su Qin. Research on the relationship between community participation in rural tourism, residents' perception of tourism impacts, and sense of community belonging: A case study of rural tourism in Anji, Zhejiang [J]. *Journal of Tourism Studies*, 2011, 26(11): 65-70.
- [3] Gao Chunhua, Sun Xilei. The Ethical Perspective of the Absence of Spatial Justice in Urban Areas of Our Country [J]. *Studies and Exploration*, 2011(03): 21-24.
- [4] Guo Wen, Wang Li. 2015. Research on the Spatial Production and Identity of Cultural Heritage Tourism Destinations - A Case Study of Huishan Ancient Town in Wuxi [J]. *Geographic Science*, 35(06): 708-716.
- [5] He Xiying. The Thought of Spatial Justice in Marx and Its Contemporary Value [J]. *Theory Exploration*, 2018(03): 32-37.
- [6] Hu Daping. The Justice Dimension of Tourism Space [J]. *Tourism Research Journal*, 2017. (03): 4-5.
- [7] Hu Shiwen. A Study on the Sense of Social Equity Among Residents of Rural Tourist Destinations from the Perspective of Justice Theory [D]. Huaqiao University, 2018.
- [8] Huang Ailian. Spatial Justice and Sino-Vietnamese Cross-Border Tourism Cooperation [J]. *Journal of Tourism Studies*, 2017, 32(04): 5-6.

- [9] Huang Xiulin. Benefit to the Public and Fairness: The Ultimate Demands of Future Tourism Development. *Journal of China Soft Science*, 2011(03): 65-71.
- [10] Huang Xiubo, Sun Jiuxia. The Myths of Traditional Village Tourism Development: Subjective Claims and Spatial Justice [J]. *Tourism Forum*, 2017, 10(02): 18-26.
- [11] Kong Ming'an. A Critique of Spatial Justice and Its Limits. *Journal of Soochow University (Philosophy and Social Sciences Edition)*, 2013(04): 43-47.
- [12] Li Jiangmin, Gao Jie, Liu Jingjing. Perception of tourism impact of residents in rural heritage sites from the perspective of spatial justice: A case study of Nanjing Tulou [J]. *Development Research*, 2019(05):139-146.
- [13] Li Chuangxin. 2017. Reflection and counterattack beyond the just debate in tourism space [J]. *Tourism Journal*, 32(03):9-10.
- [14] Liu Jun. Justice in tourism space, whose justice? [J]. *Tourism Journal*, 2017, 32(03):8-9.
- [15] Ren Ping. The Justice of Space: The Basic Trend of Sustainable Urbanization in Contemporary China [J]. *Urban Development Research*, 2006(05): 1-4.
- [16] Shang Huidie. Spatial justice measurement and improvement path of heritage village tourism based on the perception of Xidi villagers [D]. *Yunnan Normal University*, 2024.
- [17] Wang Leilei, Zhang Heqing. The coupling effect of capital into tourism space practice from the perspective of "spatial justice"—A case study of Zhaoxing Dong Village [J]. *Journal of Xingyi Normal University for Nationalities*, 2019(05):34-39.
- [18] Wang Leilei, Zhang Heqing. The Coupling Effect of Capital Insertion into Tourism Space Practice from the Perspective of 'Spatial Justice' - A Case Study of Zhaoxing Dong Village [J]. *Journal of Xingyi National Normal University*, 2019(05):34-39.
- [19] Wang Weiyan. The Spatial Reproduction Rights and Its Realization Path to Spatial Justice in Rural Tourism - Multi-case Analysis from the Perspective of Easement [J]. *Human Geography*, 2018, 33(05):152-160.
- [20] Wang Zhigang. On the Basic Structure of Socialist Spatial Justice - From the Perspective of Subjectivity [J]. *Jiangxi Social Sciences*, 2012, 32(05):36-40.
- [21] Wei Lei, Qian Junxi, Zhu Hong. Whose Authenticity? - The Tourism Gaze and Local Identity at Lugu Lake [J]. *Tourism Journal*, 2015, 30(08): 66-76.
- [22] Xia Yang. 2016. The Economic Rationality of China's Legal Tradition, *Legal Studies*, 38(05): 191-208.
- [23] Ye Chao, Methodology of Spatial Justice and New Urbanization Research [J]. *Geographical Research*, 2019, 38(01): 146-154.
- [24] Yuan Chao, Liu Fangsi. Basic Dimensions of Urban Spatial Justice Theory Development in Our Country and Domain Changes [J]. *Urban Studies Journal*, 2023, 44(03): 60-66.
- [25] Yuan Fangcheng, Wang Tingting. Community Governance from the Perspective of Spatial Justice [J]. *Exploration*, 2017(01):134-139.
- [26] Yi Yan, Zhao Julian. Field Conflicts, Spatial Justice and Land Development Rights in Rural Tourism Development [J]. *Journal of Yichun University*, 2017, 39(11):30-33 95.
- [27] Zhang Yuangang, Hao Yameng, Guo Yingzhi, Dong Xiaoting, Chen Ran. Spatial Justice in Rural Tourism under the Perspective of Common Prosperity: Connotation Attributes and Research Framework [J]. *Economic Geography*, 2022, 42(11):195-203.
- [28] Zheng Jiuliang, Tang Shukun. Building a Cultural Tourism Spatial Order Anticipated in the Vision of a Beautiful Life—A Case Study of Tunxi Old Street in Huangshan, Anhui [J]. *Journal of South China University of Technology (Social Science Edition)*, 2020, 22(06): 89-97.
- [29] Zhuang Shurong, Du Fangjuan, Ye Shi'an. Research on Tourism Poverty Alleviation and Spatial Justice from a Multidimensional Poverty Perspective—A Case Study of the Community in the Shibing Karst World Heritage Site, Guizhou [J]. *Human Geography*, 2020, 35(02): 32-38.
- [30] Dikec M. Justice and the spatial imagination [J]. *Environment and Planning A: Economy and Space*, 2001, 33(10):1785-1805
- [31] Soja E. Seeking spatial justice [J]. *Minnesota: The University of Minnesota Press*, 2010:68-110.