

# EXCAVATION OF BUKIT KAPUR AS A TOURIST DESTINATION IN THE PERSPECTIVE OF MAQASID AL SHARI'AH

Sarkawi<sup>1</sup>  
Busro Karim<sup>2</sup>

<sup>1,2</sup>Universitas Trunojoyo Madura

e-mail: [rafaya\\_79@yahoo.co.id](mailto:rafaya_79@yahoo.co.id)

## ABSTRACT

Hill and mountain excavation for business purposes is currently a trend in several areas, including in Madura. This excavation of course has an impact not only on ecology but also impact on socio-economic life and the health of the surrounding community. The purpose of this paper is to find out how the existence of limestone excavations that are used as tourist destinations in the study of Maqasid al Syariah. Research methods use a qualitative approach. The data was obtained through interviews, and observations and analyzed using Miles and Huberman's analysis techniques. The results of this study show that the excavation of Bukit Kapur is still relevant to maqasid al Syariah even though the excavation of this limestone hill is still found damage to the environment. The large consideration of madharat and Maslahah becomes important in this discussion. This paper will contribute scientific in terms of Maqasid al Syariah and can be used as a reference in the study of hill excavations that are currently being done by many people.

**Keywords:** Hill Excavation, Tourism, Maqasid al Syariah

## 1) INTRODUCTION

Tourism is one of the sectors that are currently a concern of many countries, not only because it can contribute a lot of foreign exchange (Fayissa et al., 2008; Sugiyarto et al., 2003) but according to many predictions this tour will continue to increase its appeal so that not a few countries are starting to improve to be able to benefit from this moment (Dahlan-Taylor, n.d.).

Indonesia is one of the countries that also pay considerable attention to the development of this tourism (Hasballah Thaib, 2019). This can be seen from the many government policies made to be able to boost the world of tourism. This policy is in the form of legislation that can generally be divided into several themes such as tourism law related to tourist destinations, tourism law related to the tourism industry, tourism law relating to tourism institutions, tourism law related to tourism marketing, and so on.

In this tourism development process, Indonesia has several strategies, one of which is to establish 10 excellent destinations that are the focus of tourism development for the next few years. These 10 destinations are stipulated by the Letter of the Cabinet Secretariat Number B 652/Seskab/Maritim/2015 dated November 6, 2015, concerning the Presidential Directive of the Republic of Indonesia on Tourism and presidential directives at the Preliminary Cabinet Meeting of the Year on January 4, 2016. The destination also called the 10 new Bali is Mandalika, West Nusa Tenggara; Morotai Island, North Maluku; Tanjung Kelayang, Bangka Belitung Islands; Lake

Toba, North Sumatra; Wakatobi, Southeast Sulawesi; Borobudur, Central Java; Thousand Islands, DKI Jakarta; Tanjung Lesung, Banten; Bromo, East Java; and Labuan Bajo, East Nusa Tenggara (Agmasari, n.d.) . Thus, some areas that do not include the 10 destinations are also innovative to be able to develop the tourism potential they have, including Bangkalan Madura Regency.

Bangkalan Regency is the entrance gate of Madura Island which has several tourist potentials, one of which is Jaddih hill, a tourist destination that is the result of mining carbonate-based mineral materials namely limestone. When this exotic limestone hill sculpture becomes a tourist attraction, of course, more and more surrounding communities get "economic blessings" by selling in tourist locations and some become parking attendants (whose parking fees are relatively expensive). Not to mention wild levies from residents that force tourists to pay. But there is another side, the continuous excavation of limestone hills and very promising economically certainly brings a less good ecological impact.

In the study of Islamic law, when mixed two things one contains positive things and the other contains negative effects, it is necessary to study to know whether this is by the spirit of Islamic law or not. The results of this study will of course be very useful, especially for related tourism managers, because as it is known that the manager and the surrounding community are Muslims who must consider Islamic values in various aspects of their lives.

## **2) METHOD**

This research is a qualitative research process to understand social problems based on the creation of a holistic picture formed with words, reporting the views of informants in detail and arranged in a background (Silalahi, 2012). The data was taken with interview instruments and through direct observation, in this case, the interviewees were 10 Informants consisting of the community and Bukit Kapur tour manager.

In analyzing data obtained, we use 3 (three) phases under the theory of Miles and Huberman (Miles et al., 2014), namely interactive Analysis Model (1)The data reduction, in this phase the data will be filtered and focus on something important in this research (2) The data display, in this phase, the data will be displayed systematically (3)The Conclusion, in this phase the data will be verified and concluded.

## **3) RESULT**

Bukit Kapur tourism is one of the artificial tourist destinations in Bangkalan Regency, the entrance of Madura Island. This place can be said unintentionally to be used as a tourist destination. This limestone hill tour was originally a place where limestone excavations were carried out to meet the community's demand for limestone. The rest of this sculpture is then considered beautiful and exotic so that many people come and take goods. Seeing this potential, landowners finally polish this little place and make it a tourist destination (Rasyidi, personal communication, October 2021). But even though it has become a tourist destination, limestone hill excavation continues.

Excavation of limestone hills is done to meet the public demand for limestone, bedel, bricks, and beams that are commonly used for building materials. In the past, the results of this excavation were only done to meet the needs of the surrounding community, along with the many current requests of landowners on limestone hills consisting of 3 (three) people serving requests from many areas outside Madura (Mustofa, personal communication, November 4, 2021). Therefore it becomes very reasonable to dig this limestone hill that has reached more than 50 meters in depth. From this, you can imagine the depth of this former limestone hill excavation, the deepest part of the rest of this excavation becomes a sudden lake in the rainy season.

Excavation in Bukit Kapur can be classified as excavation group C is an excavation that does not belong to groups a and b. Based on Law No. 11 of 1967 Chapter II article 3 Paragraph 1 that

excavation materials can be classified into 3 groups, (a) group of strategic excavation materials, (b) group of vital excavation materials, and (c) groups of excavation materials that do not belong to groups a and b. Group A such as petroleum, natural gas, coal, and so on, group B such as Gold, Silver, Iron, Sulfur, and so on while group C such as lime, sand, marble, andesite gypsum, and so on.

Bukit Jaddih is in Parseh Village of Socah Subdistrict which is widely 94.8 ha and the area of land that has been exploited by 28 ha. The extent of the excavated land shows the amount of demand for limestone in this place. Based on documents owned by the Environment Agency of Bangkalan Regency several environmental impacts can occur in mining group C excavations, which in detail can be seen in the following table:

**Table 1. Environmental Impacts**

No	Source of Impact	Type of Impact	Impact Magnitude	Characteristic
<b>I Pre-Construction Properties</b>				
1	Proposing Mine-Worthy Areas	Endorsement of Activity Location	Small Impact	Positive
2	Land Acquisition	Wide certainty of business boundaries Certainty of the management that will be done	Small Impact	Positive
3	Community unrest	Comfort Disorders	Small Impact	Negative
<b>II Construction Stage</b>				
1	Construction and Operation of base camp	Increased Waste	Small Impact	Negative
		Decreased Environmental Sanitation		
2	The construction of the Stubble Road	Damage to Flora and Fauna Smoothing The Snnkutan Resigned	Small Impact	Negative
		Job Opportunities	Small Impact	Positive
3	Land Clearing	Damage to Flora and Fauna	Small Impact	Negative
		Damage to the Earth's Surface Resigned		
		Job Opportunities	Small Impact	Positive
4	Preparation of Mining equipment	Road Damage and Increased Congestion Decrease in Air Quality Increased noise Increased Work Accidents	Small Impact	Negative
<b>III Stage of Operation</b>				
1	Recruitment (Mobilization) of Employees	Additional Job Opportunities Increased Waste from Based Camp	Small Impact Small Impact	Positive Negative
2	Demolition	Damage to the Earth's Surface Increased erosion Landscape changes Decrease in Air Quality	Small Impact	Negative

		Increased noise		
		Soil Pollution		
		Increase in Work Accidents		
3	Loading	Decrease in Air Quality	Small Impact	Negative
		Increased Noise		
4	Marketing	Increased Congestion	Small Impact	Negative
		Increased Noise		
		Decrease in Air Quality		
		Road Damage		
		Increase in Regional Revenue (PAD)	Small Impact	Positive
<b>IV Mining Stage</b>				
1	Demobilization of Heavy Equipment	Increased noise	Small Impact	Negative
		Decrease in Air Quality		
		Increased Road Frequency		
2	Demobilization of Labor	Labor cuts	Small Impact	Negative
3	Reclamation	Repair of Former Mining Land	Small Impact	Positive

From this table, it can be seen that at each stage there is its impact that can occur, both positive and negative impact. What happened (impact) from the excavation of Bukit Kapur, we try to trace from the view of the community and the loss of what they feel like the impact of this limestone mining. Based on interviews with the surrounding community and landowners on this hill, the impact of the limestone hill excavations they feel is as follows:

1. There is noise from the use of heavy equipment used. As is well known that the results of limestone hill excavation are still being traded or the excavation process is still ongoing, and the excavation results are sent to several areas. Heavy transportation traffic makes noise and is quite disturbing to the surrounding community. Moreover, the passing of this heavy equipment makes the house on the roadside dirty quickly because of the dust carried by the heavy equipment, and this is quite a lot complained about by the surrounding community (Hosein, personal communication, October 2021).
2. The road to the limestone hill excavation site is quickly damaged because the structure of the road built is actually not a road prepared for heavy transportation equipment and this is also considered detrimental to the surrounding community because the damaged road will result in an increasing number of accidents (A. Fatah, personal communication, October 2021).
3. Some people also complain about the increasing scarcity of flora such as corn, beans, sesame, acacia, buckle, and cassava. The reduction of some agricultural products is certainly a concern for the community considering that some of these commodities become one of the staple foods of the local community such as Corn, Beans, and Cassava. But of course, the increasingly rare this fauna cannot be claimed entirely as a result of the excavation of this limestone hill, there could be other factors that cause it so.
4. There's air pollution. Based on several respondents interviewed that the excavation of limestone hills does cause changes in air quality, but so far this air pollution has not brought disease to the surrounding community.

From the explanation of the respondents above, it needs to be analyzed one by one from their opinions and it is also necessary to know the possibility of *Mudharat* in addition to its benefits. For example, the non-growth of some food plants that can provide "livelihood" for the surrounding community becomes one of the impacts that must be accepted. This statement about the impact was only conveyed by one respondent, but when there is recognition, needs to be noted

the possibility that this impact is caused by limestone hill excavation, although it can also be caused by other factors.

Air pollution, based on the answers of all respondents, is also considered to be a negative effect of the excavation of this limestone hill even though, according to them, this pollution does not affect the health of the surrounding community, the community only feels the change in air quality and this does not result in a certain disease.

In addition to the two things above, the negative impact of this limestone hill excavation is a change in landscape. This change occurs as a logical consequence of the continuous excavation of limestone hills. But so far this landscape change does not harm the surrounding community (Hosein, personal communication, October 2021; Rasyidi, personal communication, October 2021) although it could be later changes in the earth's surface on this high hill bring its problems for the surrounding community. However, the excavation site of this limestone hill is also quite far from the community settlement, about 1 kilometer the distance between this limestone hill excavation site and the community's residence so that even if something happens, this excavation will not harm the surrounding community.

Noise and damage to the road which is also a logical consequence of the excavation of limestone hills is something that is understood by the community, moreover, the traffic of heavy transportation equipment brings the results of excavations whose economic impact is also felt by the surrounding community. Damage to this road is not a crucial problem for them, noise is also not something that interferes with their daily lives so that from some of the above impacts it can be understood that the impact of the excavation of this limestone hill is still at a reasonable stage because public health and environmental damage are not at stake.

While on the other hand, it cannot be denied, some benefits can be taken from the excavation of limestone hills, one of which is the benefits obtained by the surrounding community from the sale of limestone. Based on interviews with chalk miners (Mr. Mustofa as the owner of the mine), the income obtained by the mine owner is 4-5 million per day, while workers get a wage of Rp 9,000, - per unit Kapur with a wholesale system while the selling power is Rp 20,000, - per unit. Of course, this will contribute economically to the local community (Jamaluddin, personal communication, October 2021).

In addition, the rest of this limestone hill excavation is used as a tourist destination that many tourists visit. This destination also contributes income to the community through new jobs that arise to meet the needs of tourists, for example, to sell food, drinks, and other needs. Based on interviews with several traders around the location, they averaged a profit of Rp 200,000, - up to Rp 500,000, - per day.

The problem of digging Bukit Kapur has both positive and negative impacts at once, so to find out whether this is contrary to Islamic law or not needs to be studied from the perspective of *Maqasid al Syariah* based on efforts to weigh its efficacy and health.

From the discussion above can be simplified the environmental impact of the excavation of limestone hills, namely changes in landscape and changes in air quality. These two things, as the results of interviews with the local community, do not have what impact on their survival. In the study of *fiqh Bi'ah*, prohibitions to damage the earth (including changing the landscape) because it is feared that the earth that is the source of human needs can no longer provide what humans need (Yafee, 2006), this is the *maqasid* of the prohibition. While what happens in an area full of rocks is only the use of the stone itself, there is no spring there that can be utilized by the surrounding community and there are not many plants that can be picked by the community. From

this point of view, according to the author, changes in the earth's surface due to the excavation of limestone hills are not contrary to the *core* of Islamic law, namely creating benefits and preventing harm.

About air quality, in the Qur'an, the air is called *Jaww al Sama'* which is an object that covers the top of the earth. This air also has something to do with the wind, which in the Qur'an is called *rihan tayyib* (clean, good, and unpolluted air). Islam prohibits a person from polluting the air because through this air one can breathe and live, meaning that if the air is polluted this will threaten human existence (Yafee, 2006). This is the *maqasid* of banning air pollution. What happened to the air quality in Parseh Jaddih Village, according to most respondents, is that there are only changes in air quality that do not interfere with their health at all. This means that this change in air quality is still said to be safe and does not harm humans. From these two analyses, it can be concluded that changes to the environment as a result of limestone hill excavation can still be said to be safe and permissible. But this will be different if the excavation is done exploitatively and has a significant impact on the community, especially on their health.

Based on the harm and benefit it causes, then some things should be thought of *first* that the landscape changes caused by this excavation do not have a negative influence on the community and also do not threaten the lives of the local community. While from the other hand, this excavation can provide economic benefits for the local community. From this can be weighed the magnitude of the *maslahah* and *mudharat*. Islam views social and individual well-being as two complementary, rather than competitive and antagonistic (Journal). Therefore, the excavation of limestone hills can still be tolerated because one of the principles of environmental ethics is justice was to achieve justice some aspects are also considered.

As for the impact of digging this limestone hill such as noise, damaged roads are also not a problem for the community, nor does it have an impact on the health of the surrounding community. Judging from the perspective of Fiqh Bi'ah, what is done on this limestone hill is something that violates or is not by fiqh bi'ah because there is damage to the environment. Nevertheless, as was stated at the beginning, this damage does not harm the surrounding community, while the essence of environmental preservation and the prohibition of damaging the environment is to keep humans away from things that can harm themselves. Therefore, according to the author, the excavation of limestone hills in Jaddih Village can still be tolerated with fiqh bi'ah analysis glasses with some of the above considerations.

Maqasid al Syariah is the purpose or core of sharia which is fed into 5 things namely *Hifdz Din* (keeping religion), *Hifdz Nafs* (guarding self), *Hifdz Nasl* (keeping descendants), *Hifdz Aql* (keeping the mind), and *Hifdz Mal* (guarding the treasures). The five safeguards when summarized more simply are the realization of benefits and avoidance of harm. Maslahat can be interpreted as something that can benefit humans, can lead humans to a better level such as eating, getting married, and so on. While mafsadat is something that can damage the above needs.

Excavation of limestone hills as mentioned above does bring some fewer good effects. To study with the perspective of maqasid al syariah, this impact needs to be studied through *maqasid al khamsah* above. For *Hifdz Din*, the impact of digging this limestone hill has no impact on the relationship between man and his god. For *Hifdz Nafs*, as stated earlier that the community is not harmed by the above-mentioned impact or the impact is not detrimental to the health and self of the community. From the angle of *Hifdz Nasl*, the impact of digging limestone hills also does not have a negative influence on the reproductive quality of the community. From the *angle of hifdz Aql* excavation of limestone hills also does not damage the brain of the community even though there are changes in the air as a result of excavation of this hill. And the last is *Hifdz Mal*, in this

perspective precisely the excavation of limestone hills can contribute economically through new jobs from the excavation itself and its tourist destinations.

From this, it can be concluded that in the study of sharia maqasid, the excavation of kaput hill does not damage *maqasid al khamsah* can even optimize *Hifdz Mal*. Muhammad Mujib Najjar, the author of *The Book of Maqasid al Syariah Ab'ad al Jadidab*, stated that with the empowerment in an effort it has shown one of the indicators that the business has been relevant to the spirit of maqasid al Syariah which in this case is specific to *Hifdz Mal* (Najjar, 2008). Therefore, the excavation of limestone hills in the village of Parseh Jaddih corresponds to maqasid al Syariah.

#### 4) DISCUSSION

Limestone hill excavation is not a new issue, let alone for the national level in Madura alone enough hills are dredged and excavated to fulfill the passion of human business. Research on the excavation of limestone hills is also increasingly in line with the urgency of the discussion. For example, in this study of Limestone Excavation from a legal perspective (Amarity, 2013), some studies try to correlate excavation with environmental impacts (Algunadi et al., 2016), and many other relevant studies.

The discussion of limestone hill excavation with a maqasid perspective becomes interesting because in this research locus there is not only excavation but also used as a tourist destination that then contributes a lot to the surrounding community. Therefore, the consideration of whether or not, bringing masalah does not necessarily require consideration of the aspect of the impact of excavation but also from the aspect of the tourism economy. From the above discussion it can be concluded that with some considerations, the excavation of limestone hills which are then used as tourist destinations in The Village of Parseh Bangkalan is not contrary to the spirit of maqasid al-Shariah, namely benefit and distance from sustainability.

The results of this study, of course, can generally also apply to other places with the same case, but specifically more research needs to be done so that this becomes space for other researchers. This research only examines from the perspective of Maqasid al-Shari'ah, other aspects such as socio-economic surrounding communities, fiqh bi'ah perspective and the like is also no less interesting to be used as a tool of analysis of excavation of this limestone hill.

#### 5) CONCLUSION

From the above explanation, it can be concluded that the excavation of limestone hills does not bring harmful negative impacts to the surrounding community. Of the various possible negative impacts that may occur, as has been released by the Environment Agency, experienced and felt by the community around this excavation site there are only 4 (four) that are the presence of noise as a result of excavation, the main road that is easily damaged due to the passage of heavy transportation equipment passing through, changes in landscape and changes in air quality. But all these impacts, according to the local community, are not something that needs to be questioned meaning that the community does not feel aggrieved by the excavation of this limestone hill. Especially after the rest of this excavation is used as a tourist destination, the community also gets new jobs from this tourist destination. With these two considerations, it can be said that the excavation of limestone hills that are used as tourist destinations is considered "safe" as long as there is no massive exploitation that harms the surrounding community.

#### REFERENCES

- Agmasari, S. (n.d.). *Apa Itu 10 Destinasi Wisata Prioritas? Tugas Lama untuk Wishnutama*. <https://travel.kompas.com/read/2019/10/23/104726127/apa-itu-10-destinasi-wisata-prioritas-tugas-lama-untuk-wishnutama?page=all>
- Algunadi, I. G., Astawa, I. B. M., & Sutarjo. (2016). Analisis Dampak Penambangan Batu Kapur terhadap Lingkungan di Kecamatan Nusa Penida. *Jurnal Pendidikan Geografi Undiksa*, 4(1).

- Amarity, I. (2013). PENGAWASAN SEBAGAI INSTRUMEN PENEGAKAN HUKUM DALAM PENGELOLAAN USAHA PENGGALIAN BATU KAPUR DI KABUPATEN BANYUMAS. *Jurnal Kosmik Hukum*, 13(2).
- Dahlan-Taylor, M. (n.d.). 'Good' food: Islamic food ethics beyond religious dietary laws. *Critical Research on Religion*, 16.
- Fatah, A. (2021, Oktober). *Dampak Penggalian Gunung Kapur Desa Jeddih* [Personal communication].
- Fayissa, B., Nsiah, C., & Tadasse, B. (2008). Impact of Tourism on Economic Growth and Development in Africa. *Tourism Economics*, 14(4), 807–818. <https://doi.org/10.5367/000000008786440229>
- Hosein. (2021, Oktober). *Perubahan di Lingkungan akibat Penggalian Bukit Kapur Desa Jeddih* [Personal communication].
- Jamaludiin. (2021, Oktober). *Dampak Penggalian Bukit Kapur terhadap Lingkungan* [Personal communication].
- Journal, M. P.-I. E., & 2015, undefined. (n.d.). Konsep Kesejahteraan Dalam Ekonomi Islam (Perspektif Maqasid Asy-Syari'ah). *Ejournal.Unida.Gontor.Ac.Id*.
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2014). *Qualitative data analysis: A methods sourcebook* (Third edition). SAGE Publications, Inc.
- Mustofa. (2021, November 4). *Sejarah Penggalian Bukit Kapur* [Personal communication].
- Najjar, A. M. (2008). *Al Maqasid al Shariah bi Ab'ad Jadidah*. Dar al Gharb al Islamy.
- Rasyidi. (2021, Oktober). *Dampak Penggalian Gunung Kapur Desa Jeddih* [Personal communication].
- Rida'i. (n.d.). *Dampak penggalian bukit Kapur* [Personal communication].
- Silalahi, U. (2012). *Metode Penelitian Sosial*. Refika Aditama.
- Sugiyarto, G., Blake, A., & Sinclair, M. T. (2003). Tourism and globalization. *Annals of Tourism Research*, 30(3), 683–701. [https://doi.org/10.1016/S0160-7383\(03\)00048-3](https://doi.org/10.1016/S0160-7383(03)00048-3)
- Yafee, A. (2006). *Merintis Fiqh Lingkungan Hidup*. Ufuk Press.