Maqashid al-Shariah

by Salahuddin Muh.

Maqashid al-Shariah, Social Dialogue, and Tourism Development in Lombok

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Abstract:

The study aims to describe the social dialogue in development of the tourism area in South Lombok. This study was strengthened by the concept of *maqashid sharia* as instrument of analysis to sharpen the theme studied. The Social dialogue was occurring when the local traditions (old values) meet a modernity (new values), and comes into the conflict. Indigenous people, local leader, government, investor are groups which are involved in the conflict. The conflict among groups was solved through social dialogue. Government bridged the interest of each group in dialogue process.

In the case of this qualitative research, data were collected by interviews, observation, and documentation. Related references on the *Sasak* studies and tourism were used to sharpen analysis the collected data. The result of this study found that the social dialogue is carried out due the conflict generated by the development of the tourism area which covers issues of land ownership, distribution of power, economic distribution, and the shifting of traditional values. By the empowerment model approach, the government could communicate, facilitated, and guaranteed the needs and interest of each group in order to continue the development of tourism area.

Keywords: social dialogue; maqashid al-shariah; social change; tourism development.

JEL Classification: J15; J18; J17; Z32.

Introduction

In the development process, the inclusiveness of society is extremely important. Inclusivism encompasses the political-legal, cultural-customary, social, educational, and security aspects of a society's social system. The aforementioned items are the "software" required to begin development. Legal protection, security guarantees, social security, business continuity, and other elements, although not included in pure economic studies, are essential for investment and launching physical development projects (hardware). This is where the inclusive mindset of society meets development.

The tourism industry's development is a frequently problematic aspect of Indonesia's development. The concept of development and local cultural value systems do not always coincide. Religion, tradition, and fundamental community values frequently serve as justifications for the local community's opposition to the concept of development. Due to the diverse ways in which local communities resist the concept of development, parties involved in the tourism planning process have a variety of communication and social relationships (Sari 2017).

One of the Indonesian islands, Lombok, is being transformed into a popular worldwide tourist destination (Bonang *et al.* 2022). By making natural resources as the primary destination, halal tourism, also known as Muslim-Friendly tourism, is distinct from other development tourism in Indonesia (Putri *et al.* 2022). By hosting the Motor Grand Prix (Moto GP) event, the development of the Special Mandalika Economic Zone in South Lombok

is exploited as a center for Lombok's tourism development (sport tourism). The creation of Special Economic Zones in South Lombok is interrupted by the locals' opposition to development planning. Maintaining tradition and religion reduces the damage to development (Winengan 2019). Many people said that the development of tourist hotspots that are similar to hedonistic lifestyles and are fundamentally incompatible with the religious values and customs of the Lombok people is also a cause of disasters there.

The development of South Lombok as a tourist area began in 1987, and then continued massively in 2009 with the existence of Law No. 39 of 2009 concerning Special Economic Zones; PP no. 52 of 2014 concerning the Mandalika Special Economic Zone; and Central Lombok Regent Decree no. 512 of 2014, Establishment of the Central Lombok Investment Board & Integrated Licensing Service as KEK Administrator. Prior to the development of special tourist areas, the construction of an international airport and infrastructure to serve the airport was the beginning of a social dialogue on tourism development in the South Lombok Region (Fallon 2001, 481-502). Land conflicts, distribution of power, the environment, religion, traditions, and several other issues were raised as dialogue items in the development of the South Lombok tourism industry.

In the above context, there is social dialogue that is entirely focused on the Sasak's existence as a community and the existence of others as members of a global society. By giving priority to the existence of their cultural values, the people of Sasak, as members of the global community (sub-system), take an active part in communication with the global community (supra-system). To simplify and reduce barriers in global communication, systems and regulations are needed at local, regional, and international levels (Salahuddin 2012). Communication is the beginning of social change, which will also have an impact on the rationalization of life in society (Habermas 1999) (Habermas 1999). Whatever the material and medium of communication in society, ideally it should be directed at positive social change that ensures the welfare of humanity as a whole. This is the essence of this article, describing social dialogue in the South Lombok community in the development of tourist areas.

1. Literature Review

1.1 Development

Development is the equitable distribution of economic resources (economic power) among community groups through activities to reduce poverty, unequal income distribution, the creation of new jobs, the expansion of agricultural lands and other production areas, among other things, in the context of boosting economic growth. Adam Smith believed that four factors - population, total capital stock, land area and natural resources, and technology employed - were necessary to determine economic growth. Ricardo's theory's major argument focused on Smith's attention to population size. The need for land increases with population, which also stimulates the economy. By focusing on creative and innovative activities, Schumpter highlights the contribution of the middle class (entrepreneurs) to economic progress.

The use of production methods, the discovery of fundamental materials, the opening of new markets, the use of management, and the use of marketing strategies are all The use of production methods, the discovery of fundamental materials, the opening of new markets, the use of management, and the use of marketing strategies are all manifestations of creativity and innovation of creativity and innovation (Schumpter 2016). According to Sombart, a society's organizational structure and theological foundation influence its level of economic progress.

According to Rostow, the development of a community's economy can be divided into five stages: traditional society; conditions for take-off; take-off; maturation; and the high consumption stage (Rostow 1990). High population growth rates, low standards of living, traditional agriculture, a lack of capital, inadequate agricultural infrastructure development, a lack of agricultural technology, and low productivity all affect economic growth and development in developing and undeveloped nations. All of the points above are in Indonesia, especially in NTB. It's just a different level. What is unique is that poverty and underdevelopment in NTB are not due to a lack of resources. From this reality, experts categorize poverty into two categories: cultural poverty and structural poverty. Cultural poverty is closely related to the values held by the community, while structural poverty is related to the system in a certain social order.

1.2 Social Dialogue and Development

The purpose of dialogue is to create new relations between diverse realities in order to maintain points of agreement. Due to the many interests involved, it is impossible to prevent differences and conflicts during the development process. From this perspective, Hegel's thesis merits examination, as the essential truth of reality is relative. Hypothesis, thesis, antithesis, and synthesis are academic processes that must be completed through

dialogue and the discovery of a mutual understanding of disagreements in different realities. In Hegel's dialectic, the truth of one object depends on the truth of another object.

The logic of Hegel's thought can be utilized in a discourse between diverse perspectives and interests in development. Development in human history is not a linear change, but rather a cyclical development that naturally conforms to the Hegelian model of hypothesis, theses, antitheses, and synthesis. In line with this, development should always find something new, which Schumpter's theory refers to as innovation, specifically something that benefits the people (Schumpter 2016). According to the logic of systems theory, innovation is only possible if there is a strong correlation and interaction between the realities of society's existing system. The collective agreement of these systems, with their different truths, creates something new (emergence properties) and provides a fresh perspective for addressing social and development issues.

Hubermas argues that the change resulted from multiple realities. Therefore, a renewal that represents the existing reality is required. Hubermas refers to it as "emancipatory communication." Empowerment is a development model consistent with Hubermas' theory, which emphasizes liberation and engages stakeholders in the planning, design, and implementation of development. This paradigm is utilized to minimize the potential for conflict during the development process. In the development process, there is room for debate, negotiation of space and roles, and a sense of ownership. Government, as the center of policy and transformation, is not the single act that determines the development map. Additionally, investors and local communities are crucial to the development process. Both sociologically and culturally, people have resources and power that are recognized by the community. This also illustrates that the state as a system is constituted of various subsystems that are able to influence and affect one another inside a system unit. Hubermas classifies the system as a "big society" and says it is connected to components or subsystems of community. This interaction between system components is known as dialogues or, in systems theory, well known as emergent properties (Muadz 2016).

Social dialogue as an agent of development, according to (Ratnam and Tomoda 2005) are as the following Figure 1 is related. The core of development is social change in which several groups utilize their individual or group interests. In the process of social change, the interests of each group were considered.

Figure 1. Actors in social dialogue in public service reform
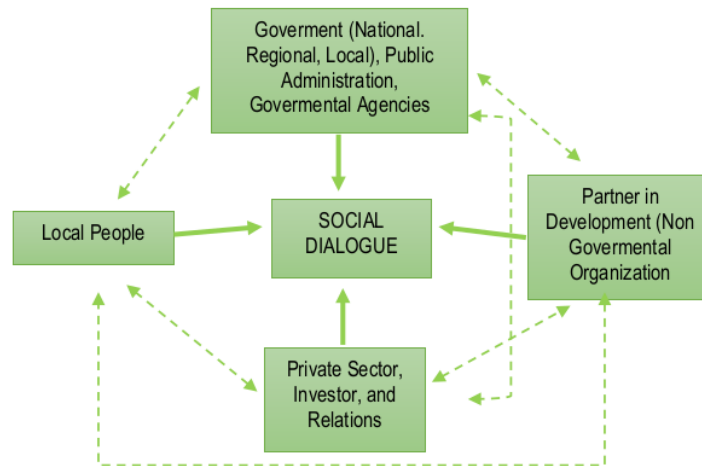
1.3 Local Cultural Existence and Development

Existence is a psychological process that awakens the individual and collective power and ability. Existence is essentially an evolved concept that is constantly active. The evolution might be either slow or quick. Additionally, it can shift from negative to positive or vice versa. Existence, however, appears inside the framework of being (to be), so the concept of learning how to learn is suggested. This idea requires social interaction between individuals, groups, or subsystems in a community (Pattison 2005).

Kierkegaard divides the processes of society and individual existence into three stages: the aesthetic stage, the ethical stage, and the religious stage (Pattison 2005). The above categorization of individuals and societies may not always be linear. They are often fairly flexible, affect one another, and are frequently influenced at each level by external factors (Armawi 2011). The level and quality of external influence on individuals and groups depends on how much the community internalizes the values they say they believe in. This is shown by

the fact that self and groups exist. In the above context, development is confronted with efforts to interact with and adapt to the reality of the community as its subject. The local community should serve as the primary driving force for development. The core of development is change, and this change can only be effectively communicated with the community through dialogue. Communication must be conducted to prevent collisions, which prevent the development process. Material, moral, and social losses must be kept to a minimum because it is an asset development asset that must be taken into account. When people like the idea of development, the process of social change can go smoothly.

1.4 Maqashid al-Shariah and Sustainable Development

The study of maqashid sharia focuses on five fundamental principles: religious protection; soul protection; mind protection; property protection; and offspring protection. By adding system theory to the study of maqashid al-syariah, Jasser Auda keeps the five traits above by putting them in order according to recent global events (Jasser Auda 2007). The present fundamental subject of maqashid shariah includes environmental issues and sustainable development. In the study of maqashid al-syariah Chapra (Ahmed 2020, Chapra 2008) included the environment and development as an issue (Suryani 2017). In relation to economic growth, maqashid al-Sharia is a significant subject of study in Islamic economics (Rofiq and Hasbi 2022).

Maqashid al-Sharia is an Islamic concept that evolved in response to social changes. In relation to the development and economic growth, maqashid al-shariah is focused on utility (maslahah) and welfare. In Islamic economics, the maqashid al-shariah paradigm is utilized to reconcile Islam with development (Rois and Ihsan 2022). As part of the Muslim community, South Lombok's development must also include Islamic ideas, some of which are already part of Lombok's culture.

2. Methodology

This study is a field study based on verbal data, documentation, attitudes, and the behavior of the studied object. References related to the subject also used to sharpen theoretical concepts. The study focused on the social dialogue of the South Lombok region's people in tourism growth and development. The community, investors, traditional leaders, religious leaders, and government development reports all contribute to the collection of data. Observation, interviews, and documents are used to gather data. Data analyzed during data collection, and after data collection. The data analysis process consists of data reduction, data display, and conclusions. Inductive analysis is the major method utilized in this study. In order to prevent errors in data collection and interpretation, the data in this study will be confirmed by a triangulation method that includes extended researcher visits, persistence of observations, adequate references, and peer discussion.

3. Result and Discussion

3.1 South Sasak: Demography and Culture

South Lombok people are noted for their harsh language and actions. Sometimes, it is associated with a "cruel and sadistic" society (Teguh 2019). The abovementioned behavior may be influenced by geographical factors and life cycles/seasons, both of which shape the personality of the group. Dry and rocky terrain, powerful winds and wide-open nature, lack of water and lack of other means of life are external factors that influence the character of a community. The cultivation of food products follows the seasonal cycle of the year. At certain months of the dry season, there is conflict for water at a number of locations across the village. This circumstance motivates the youth of South Lombok to move in search of alternative means of survival for their families. The people of South Lombok are naturally shaped by the harsh realities of environment and life. The fundamental essence of the people of South Lombok, however, was a tolerant society that accepts and appreciates the arrival of other individuals (guests), they were receptive to dialogue and discussion, friendly, loves to help others, and also is forgiving. With a note requiring that visitors do not disturb the local wisdom and traditions. This is the point of connection between the people of South Lombok and tourism development.

The southern village of Lombok is a welcoming, simple, and humble society. They have used other people (guests) as a mirror to reflect on themselves. If the guest that arrives is someone who brings kindness, then the reception will likewise be pleasant. Communication and meetings are vital for the sharing of knowledge and its transformation. There was interaction, exchange, and dialogue during the meeting. The discussion process must develop in an atmosphere of mutual respect, mutual benefit, and peace. In the Sasak folklore, *aiq meneng tunjung tilah empak bau* (leave the water clear, the lilies still beautiful, but the fish caught).

The Sasak community's value system promotes the virtues of wisdom, peace, mutual support, and mutual regard. This value derives from the value of indigenous Sasak wisdom, which is bolstered by religious religious

aspects (Hindu-Islam). Before Hindu-Islamic influences arrived, the Sasak people who practice animism and pantheism, or the worship of nature spirits. This teaching's belief that all things are linked with supernatural power. Therefore, the Sasak people's respect for nature and surrounding things is an integrated part of their spirituality. Meanwhile, the arrival of Islam brought a monotheistic aspect to the Sasak people's diversity. Islam wetu telu is presented in the discourse between Islam and the Sasak community. The influence of Islam from Java, Bugis, and Sumatra in the Sasak society, utilizing a dialogue format that is mutually beneficial, and presenting an Islamic style that is uniquely Sasak. In the customs and culture of birth, marriage, death, agriculture, the sea, etc., the interaction of Sasak, Hinduism, and Islam can be found.

3.2 South Lombok: Socio-Economic

Agriculture, plantations, animal husbandry, and fishing are the primary means of livelihood for the people in South Lombok. South Lombok is developed and utilized to regional, national, and international changes through the exploitation of its resources. Communication between the Sasak community and the outsider, whether by Sasak individuals migrating or by outsiders visiting the Sasak community, has an effect on the emergence of many other economic sources, which are likewise based on the above primary sources. As a result of the interaction of the people of South Lombok, the following economic resources and social achievements exist in South Lombok:

- Established several formal and informal educational institutions, affiliated with Nahdalatul Ulama (NU) and Nahdalatul Wathan (NW), the most influential religious institutions in Lombok. With the presence of educational institutions, human resources improve and community participation in development increases.
- Since the 1980s, beach tourism has been encouraged and popularized in South Lombok. People who previously relied on marine resources for communication started growing their marine creativity for tourists, which eventually became a new source of income for the community. In line with the expansion of tourism on the island of Lombok, the South Lombok region is experiencing significant rapid expansion. Originally concentrated primarily on the Kuta Beach, the area has now been expanded to include other locations, and each has its own market factors for visitors.
- The birds nest industry is expanding in response to the rising demand for bird nests on a national and international scale. In addition to being based on nature, the growth of swallows involves innovation and husbandry.
- Upon on the coming of tourists to South Lombok, a number of tourism-related business units emerged, including the hotel industry, the culinary business, the transportation business, and livestock development.

Regionally, government policies related to tourism development encourage the acceleration of economic growth with in South Sasak territory. Well communication of the people of South Lombok from many outsiders, covering country, culture, custom, experience, and information, the people of South Lombok become more likely to respond. This intense communication between the people of South Lombok and outsiders transforms the paradigm of thinking and produces a mindset that is gradually creative and productive. New economic sources emerge in South Lombok society due to its innovative and inventive mindset. Social communication, cultural collaboration, and social diffusion have greatly contributed to the acceleration of South Lombok's growth in the economy. The people of South Lombok have evolved from a culture based only on nature into a community that appreciates friendly relationship. From observers gradually becoming contributors, and consumers gradually becoming producers. Tourism is a gate that allows the people of South Lombok to communicate with the outside world.

3.3 Tourism in South Lombok

South Lombok's tourism potential includes beach tourism, cultural tourism, culinary tourism, and agro tourism.

Beach destination. From Sekotong to Jerowaru, the southern beach of Lombok provides a number of interesting destination places. The Kuta beach is the epicenter of the development of the southern beach, as well as an icon/brand of southern tourism. Consequently, numerous national and international events are organized in the Kuta beach area.

Cultural Tourism. In the South Sasak region, various traditional villages have emerged, including Sade, Rambitan, Ende, and others with unique characteristics. In general, traditional village tourism in South Lombok emphasizes the South Sasak people's traditions and culture. Internationally recognized is the village of Sade, which is still conserved and used as a symbol/brand for a tourist village in Lombok. In addition to traditional

villages, the *nyongkolan* tradition, the surfing tradition, the settlement custom, the *Bau Nyale* festival, and others have been developed for cultural tourism.

Agriculture-based tourism. Using a genetic model, the potential for flora in the South is distinct due to its particular demographic characteristics. The participation of agricultural professionals in the development of agribusiness tourism also contributes to its future survival.

Tourism focused on the culinary a s the more tourists arrive in South Lombok, the need for consumer services grows as well. To satisfy guests, culinary services based on traditional Sasak cuisine, as well as Indonesian and worldwide food menus, were prepared.

Sport Tourism, with the launch of the Motor GP event in Kuta Mandalika, the South Lombok area is used as a sports tourism destination.

South Lombok's tourism basis is beach destination, which was then evolved into other tourism concepts utilizing a strategy of involvement and empowerment.

3.4 Tourism Development: Triangle Conflict

Existence of communication and dialogue between existing systems/cultures results from the openness of an area. Sustained dialogue results in the adaptation of the system/culture so that people might interact in producing new patterns in dialogue, revealed as emergent properties in systems theory. The more the interaction among systems/cultures, its more pronounced can be the pattern of consolidation in constructing the dialogue model. It is possible for conflict to arise during the dialogue process among systems/cultures. In the context of tourism development, land ownership disputes frequently arise. Wehrmann outlined the causes of land conflicts in several locations as follows (Lituhayu 2022):

Table 1. Causes of Land Conflict

Main Factor	Behavior/Factors Contributing to Land Conflicts		
Politic	▪ Alignments with Particular Groups	▪ The practice of manipulating power	▪ Collusion, nepotism, and corruption among leaders and corporations.
Economic	▪ The rise in land values in specific areas as a result of regional development and planning developments.	▪ Land in high demand (law of the market)	▪ Land brokers who frequently manipulate the price of land
Socio-Economy	▪ Unequal growth and political policies contribute to marginalization.	▪ Existence of unequal development policies that influence the distribution of scarce resources.	▪ Unequal development between urban and rural areas
Socio-Cultural	▪ Society's shifting values, systems, and social systems	▪ Rejection and motion of no confidence to government institutions, investors, and non-governmental organizations	▪ Tense conflict between social groups
Demography	▪ High population growth	▪ Existence of population movement-related political policy (urbanization and transmigration)	▪ Natural disaster occurs
Law and Regulation	▪ The Indonesian legal system recognizes the existence of conflicting laws (Customary Law, Islamic Law, and Positive Law)	▪ There is no formal socialization of property rights to land	▪ Enforcement of the law which does not prioritize the weak and poor
Administration	▪ Lack of coordination between government land management agencies	▪ The administrative mechanism for registering land titles is insufficient	▪ Corruption and bribery among officials granting land deeds/certificates.
Psychologist	▪ The loss of someone without notice, memory loss, insanity, etc.	▪ Land tenure because of retaliation	▪ A group's abuse and dominance over another

The exploration of the South Lombok region began in 1980, when the government decided to explore the area for tourism. Since that day, the government, investors, tourists, traditional stakeholders, and the community have engaged in an interactive discourse. The dialogues include a variety of social, cultural, economic, legal, political, religious, educational, and governmental issues. In this dialogue space, society occurs friction, shift, and

change, whether the transformation is planned or spontaneously. The implication of this transition is a shift in the local community's systems of traditions, culture, attitudes, and behavior. In addition, land ownership and economic assets have begun to transmit, and conflicts are prevalent.

Referring to the table above, South Lombok's land conflicts involve political, economic, legal, socio-cultural, administrative, and socio-economic systems and factors. Since the development of tourism, there have been 659 land conflicts involved 652,738 individuals. 590 people were jailed, harassed, shot, and some were killed as a result of the land conflicts that occurred. Occasionally, land conflicts are frequently defined as conflicts between wealthy and poor, powerful and powerless, and strong and weak.

Land conflicts in South Lombok's tourism development occur between indigenous people and the government, indigenous people and investors, indigenous people and villagers, and government and investors. Frequently, visitors (tourists) become targets of dissatisfaction due to frequent confrontations between groups. Several cases of robbery and murder of tourists (foreign tourists) were also reported. Additionally, the issue of cooperation, nepotism, and corruption between the government and investors complicates the tension. Included are outsider who emphasizes justice, poverty, the environment, equality, and discrimination issues.

3.5 Social Dialogue and South Lombok Tourism Development: The Maqashid Perspective

In the conflict, dialogue continues to be pursued to achieve development goals between the Government, local people, customary rulers, and investors. In development, change is a necessity that cannot be avoided. However, any changes that occur must not harm the five main things that sustain human life; preservation of religion, safety of life, freedom of thought, biological sustainability, and development of wealth investment (Kamali 2014, Rofiq and Hasbi 2022, Rois and Ihsan 2022). Some Muslim intellectuals add environmental sustainability and sustainable development as factors that must be considered in development (Chapra 2008, Salahuddin 2012).

In the context of nature conservation, Islamic philosophy and the Sasak customary value system are the two things that mutually reinforce one another. For the indigenous people of South Lombok, nature preservation is necessary for human survival. Nature is the major economic asset/capital of traditional cultures that must be preserved for economic flow. The reliance of the inhabitants of South Lombok on nature is restricted to supporting their daily needs, and despite the abundant supply, these demands have not been adequately met. From this point on, the concept of establishing South Lombok as a tourist destination began to take shape, and it was generally not warmly accepted. Education, poverty, underdevelopment, and illiteracy are additional obstacles to development (Rahmat 2021). With a participatory model, the government practices the politics of partisanship and the politics of accommodation.

Aligning the Development Vision with Indigenous Peoples. Development must begin with empowerment, which is the process of inspiring weaker groups to recognize their own strengths and potentials, as well as those of their living environment. They are connected to the outside world with the knowledge they possess, and they attempt to connect and identify the needs of the outside world with those of the community. This is the primary responsibility of the government and other influential parties: to raise awareness.

In the preceding context, the awareness movement has been conducted using a cultural-structural-functional strategy. The government establishes a forum for dialogue with traditional institutions, traditional stakeholders, religious leaders, and village administrations as agents of social transformation. From influential figures to the community, and dispelling misconceptions regarding the meaning of development. Small, medium, and large-scale dialogue forums are created in order to share a vision during the development process. This process took time and was accompanied by elements of social chaos.

Socialization of Development Programs. The continuation of the shared vision is the socialization of the program and the provision of the necessary facilities for development. Much has been, is being, and will continue to be done in the context described above by the government, businesses, educational institutions, and other stakeholders. Building facilities in the form of roads as well as educational institutions, strengthening human resources through entrepreneurial activities, training youth for workshops, providing educational scholarships, boosting village government, developing agricultural technology, opening new business areas, business capital services, and service delivery services are a few of the things that have been accomplished. Funding, as well as additional topics. The training process for the aforementioned activities included the socialization of the development program. Several community service activities at various Lombok universities contributed to the socialization of South Lombok's development.

The government's socialization of sustainable tourism development programs to the community emphasizes several important points, including: a) tourism development can provide economic benefits for local communities; b) tourism activities do not damage the environment; c) tourism activities have full responsibility;

and d) tourism does not conflict with local customs, cultures, and traditions. The aforementioned four points are the key to the development of tourism in South Lombok.

Distribution of Power. The distribution of power are economic power, social power, and political power. South Lombok's tourist areas consist of tourist villages, Kuta beach, Mawun beach, Seger beach, Selong beach, pink beach, and a number of newly opened beach destinations. The government assists each village in enabling innovation and creativity in their respective destinations by involving stakeholders. With this power distribution, economic equity, a sense of belonging, and active community participation in tourism development can be improved to their maximum potential. This distribution of power also includes the representation of policymakers from the South Lombok region in the government system (executive and legislative). With its political and economic strength, the community has a strong negotiating position to preserve the traditions, customs, and culture by which it has lived so far.

Tourism can be optimized for regional industrialization and economic acceleration. The tourism sector addresses a lot of notable issues relevant to employment opportunities, income, standard of living, and community participation in development (Hall and Richards 2000). However, tourism development also has issues associated with a neglected society (Cole 2008). Therefore, the following is the model for enhancing social dialogue in South Lombok's sustainable tourism development:

Figure 2. Model of social dialogue for tourism development
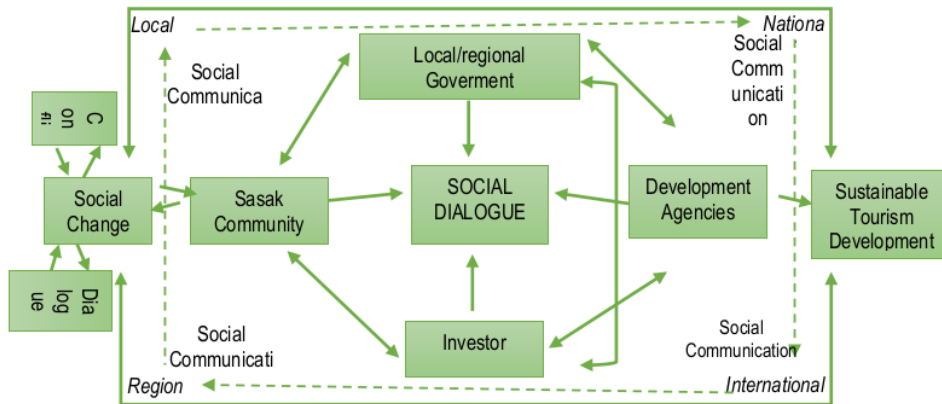
Conclusion

In accordance to maqashid al-shariah, the participation of local communities in South Lombok's tourism development has ensured religious continuity, individual and family safety, economic security, educational advancement, and environmental preservation. In the study of sustainable development, justice, humanity, and the environment were fundamental issues. To ensure the above are well realized, dialogue and communication has been developed with the empowerment model which involves all stakeholders who have interests, either directly or indirectly in the development process. Conflict exists because of the failure of communication between the involved stakeholders.

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