

## RIVER LAND USE FOR CULINARY TOURISM IN UMBUL SITINGGIL: MASLAHAH MURSALAH PERSPECTIVE

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Doi: 10.24239/tadayun.v6i1.434

Received: 22 February 2025

Revised: 26 June 2025

Accepted: 28 June 2025

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### Abstract

This study examines the use of land along the Umbul Sitinggil river by food stall owners for culinary tourism. In practice, tables and chairs are arranged directly under the flowing water to offer visitors a unique dining experience. However, this activity raises several issues, such as the lack of official permits, disruption to local residents, increased littering by tourists, a decline in fish and shrimp populations, and damage to the river's natural rock formations. The study aims to analyze the use of river land for culinary tourism and assess its alignment with the concept of *maṣlaḥah mursalah*. A qualitative field method was employed, including observation and documentation at the site. Interviews were conducted with various stakeholders, including local residents, food stall owners, village officials, neighborhood heads, and parking attendants, to gather comprehensive data. The data were analyzed using the Miles and Huberman model, consisting of data reduction, display, and conclusion drawing. The findings reveal that most food stalls operate with informal permits granted verbally by residents, local leaders, village officials, and sub-district authorities. One food stall has obtained legal authorization through risk-based business licensing using the OSS system, supported by an Environmental Management and Monitoring Statement approved by the Minister of Investment. From the perspective of *maṣlaḥah mursalah*, this form of culinary tourism is categorized as *maṣlaḥah ḥājiyyāt* (complementary benefit), as it provides significant advantages, particularly in boosting the local economy and helping residents meet their financial needs.

**Keywords:** Culinary Tourism; Maslahah Mursalah; Umbul Sitinggil.



## **Abstrak**

Penelitian ini mengkaji pemanfaatan lahan di sepanjang aliran sungai Umbul Sitinggil oleh pemilik warung makan sebagai area wisata kuliner. Dalam praktiknya, pemilik warung menata meja dan kursi di bawah aliran sungai untuk memberikan pengalaman unik bagi pengunjung. Namun, kegiatan ini menimbulkan sejumlah permasalahan, seperti ketiadaan izin resmi, terganggunya aktivitas masyarakat sekitar, peningkatan pembuangan sampah sembarangan oleh pengunjung, menurunnya populasi ikan dan udang, serta kerusakan pada susunan bebatuan sungai. Tujuan dari penelitian ini adalah untuk menganalisis praktik pemanfaatan lahan sungai sebagai tempat wisata kuliner dan mengkaji kesesuaiannya dari perspektif masalah mursalah. Penelitian ini menggunakan metode kualitatif lapangan dengan teknik observasi dan dokumentasi di kawasan wisata kuliner terkait. Wawancara dilakukan dengan berbagai pihak, termasuk warga setempat, pemilik warung, pemerintah desa, ketua RT, dan petugas parkir, guna mendapatkan informasi yang komprehensif. Data yang terkumpul dianalisis menggunakan pendekatan Miles dan Huberman, yang mencakup tahapan reduksi data, penyajian data, dan penarikan kesimpulan. Hasil penelitian mengungkapkan bahwa izin operasional warung makan di lokasi tersebut sebagian besar bersifat informal dan hanya diberikan secara lisan oleh warga, ketua RT, pemerintah desa, dan pihak kecamatan. Salah satu warung makan telah memperoleh legalitas melalui Perizinan Berusaha Berbasis Risiko menggunakan sistem OSS, dengan Pernyataan Kesanggupan Pengelolaan dan Pemantauan Lingkungan Hidup yang disahkan oleh Menteri Investasi. Dari perspektif masalah mursalah, praktik wisata kuliner ini dapat dikategorikan sebagai masalah *hājiyyāt* karena memberikan manfaat signifikan, terutama dalam mendukung pertumbuhan ekonomi masyarakat setempat dan mempermudah pemenuhan kebutuhan ekonomi warga.

**Kata Kunci:** Masalah Mursalah; Umbul Sitinggil; Wisata Kuliner.

## **A. INTRODUCTION**

Indonesia is renowned for its wealth of natural resources and boasts a diverse and rich cultural and historical heritage.<sup>1</sup> This wealth makes Indonesia a leading tourist destination, with tourism development continuing to increase from year to year. Along with the high number of visitors, various tourist attractions have experienced updates and improvements, both in terms of facilities, location, and comfort for tourists.<sup>2</sup> The development of the tourism sector in an area not only has

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<sup>1</sup> Cahyono Agus, *Integrated Bio-Cycles System for Sustainable and Productive Tropical Natural Resources Management in Indonesia* (Bioeconomy for Sustainable Development, 2020), [https://doi.org/10.1007/978-981-13-9431-7\\_11](https://doi.org/10.1007/978-981-13-9431-7_11).

<sup>2</sup> Rizki Nurul Nugraha and Arnold Yudi Nahlony, "Strategi Pengembangan Destinasi Wisata Penanganan Pandemi Covid-19 Di Provinsi Bali," *NAWASENA: Jurnal Ilmiah Pariwisata* 2, no. 1 (2023): 01–07, <https://doi.org/10.56910/nawasena.v2i1.406>.

positive impacts, such as improving the economy and socio-cultural aspects but can also cause various problems if not adequately managed, thus potentially harming local communities.<sup>3</sup>

Law Number 9 of 1990 concerning Tourism defines tourism as travel activities or parts of these activities that are carried out voluntarily and temporarily, with the intention of enjoying tourist attractions or objects.<sup>4</sup> This activity offers experiences and sensations designed to satisfy visitors. Apart from that, tourism is one of the regional assets that has the potential to give the region a unique identity and characteristics. Tourism management and development in Indonesia has also experienced significant progress, encouraging increased regional revenues through this sector.<sup>5</sup> Awareness of the potential benefits of good tourism can bring benefits to society, such as increasing regional income, creating jobs, and enhancing the country's foreign exchange.<sup>6</sup>

The increasing public interest in tourism activities is evident in the growing enthusiasm for utilizing free time or holidays to visit various destinations.<sup>7</sup> Tourists motives vary, ranging from seeking new experiences and encountering something they have never seen before to gaining new knowledge. The types of tourism in Indonesia are also very varied, including natural, religious, cultural, historical, shopping, culinary, and water tourism. Each destination offers a unique attraction that becomes a magnet for tourists, both from within the country and abroad. This attraction can be in the form of natural beauty or man-made works. It is crucial to develop tourist attractions that remain appealing to

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<sup>3</sup> Sukarno Wibowo, Odang Rusmana, and Zuhelfa Zuhelfa, "Pengembangan Ekonomi Melalui Sektor Pariwisata Tourism," *Jurnal Kepariwisataaan: Destinasi, Hospitalitas Dan Perjalanan* 1, no. 2 (2017): 93–99, <https://doi.org/10.34013/jk.v1i2.13>.

<sup>4</sup> Republik Indonesia, "Undang-Undang Republik Indonesia No 9 Tahun 1990 Tentang Kepariwisataaan" (1990).

<sup>5</sup> Fery Kurniawan et al., "The Social-Ecological Status of Small Islands: An Evaluation of Island Tourism Destination Management in Indonesia," *Tourism Management Perspectives* 31 (2019): 136–44, <https://doi.org/10.1016/j.tmp.2019.04.004>.

<sup>6</sup> Edy Supriadi and Devi Roza Krisnandhi Kausar, "The Economic Impact of International Tourism to Overcome the Unemployment and the Poverty in Indonesia," *Journal of Environmental Management and Tourism* 8, no. 2 (2017), [https://doi.org/10.14505/jemt.v8.2\(18\).18](https://doi.org/10.14505/jemt.v8.2(18).18).

<sup>7</sup> Desmala Sari, Ahmad Hudaiby Galih Kusumah, and Sri Marhanah, "Analisis Faktor Motivasi Wisatawan Muda Dalam Mengunjungi Destinasi Wisata Minat Khusus," *Journal of Indonesian Tourism, Hospitality and Recreation* 1, no. 2 (2018): 11–22, <https://doi.org/10.17509/jithor.v1i2.13762>.

visitors.<sup>8</sup>

Well-planned development will have a positive impact on the surrounding community's economy, create business opportunities, and strengthen the regional tourism sector. The government and local communities can play a role in developing tourist attractions while still following the rules and agreements that apply in the area. From a religious perspective, the Qur'an also teaches the importance of traveling to learn lessons and know the greatness of the Creator. Humans are expected to manage and utilize nature wisely, preventing damage so that it remains beneficial for them.<sup>9</sup>

Tourist attractions tend to be crowded with visitors during school holidays, Eid holidays, and weekends. Social media now plays a significant role in promoting tourist destinations and influencing tourists' interests and decisions to visit these destinations. Tourists often seek information first via social media about the conditions of tourist locations, especially if the destination is a natural tourist attraction or a water-based tourist attraction.<sup>10</sup> Water tourism is one of the most popular types of tourism because it offers benefits such as improving mood, relieving stress, providing a relaxing effect, and enhancing physical and mental health.<sup>11</sup> One of the interesting water tourism destinations is Umbul Sitinggil.

Umbul Sitinggil, which is located in Bendan Village, Banyudono District, Boyolali Regency, is also known as Kali Guyangan or Umbul Guyangan by the local community. Initially, this location was used by residents to bathe livestock. This Umbul has clear springs, fresh air, and a natural environment that is still well-maintained, featuring shady trees such as mature trees and bamboo, which contribute to a calm and comfortable atmosphere. Apart from daily needs such as bathing and

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<sup>8</sup> Susi Iswanti Susi Iswanti and Zulkarnaini Zulkarnaini, "Peran Pemerintah Desa Dalam Pengembangan Objek Wisata Pulau Tilan Di Kepenghuluan Rantau Bais Kecamatan Tanah Putih Kabupaten Rokan Hilir," *PUBLIKA : Jurnal Ilmu Administrasi Publik* 8, no. 1 (2022): 92–103, [https://doi.org/10.25299/jiap.2022.vol8\(1\).9307](https://doi.org/10.25299/jiap.2022.vol8(1).9307).

<sup>9</sup> Iqbal Iqbal, "Pengelolaan Dan Pemanfaatan Sumber Daya Alam Dalam Perspektif Ekonomi Islam," *Al-Hisab: Jurnal Ekonomi Syariah* 1, no. 1 (2020): 8–21, <https://doi.org/10.59755/alhisab.v1i1.63>.

<sup>10</sup> Amira Dzatina Nabila and Dyah Widiyastuti, "Kajian Atraksi, Amenitas Dan Aksesibilitas Untuk Pengembangan Pariwisata Umbul Ponggok Di Kabupaten Klaten," *Jurnal Bumi Indonesia* 7, no. 2 (2018).

<sup>11</sup> Sari, Kusumah, and Marhanah, "Analisis Faktor Motivasi Wisatawan Muda Dalam Mengunjungi Destinasi Wisata Minat Khusus."

washing, Umbul Sitinggil is now developing into an increasingly popular destination for water and culinary tourism.

Along the Umbul Sitinggil stream, especially around 200 meters from the spring, local people use the location as a culinary tourism destination by setting up food and drink stalls. The stall owner even placed tables and chairs in the middle of the shallow river, providing a unique experience for visitors. This attracts many tourists, especially from outside the area, as visitors can enjoy culinary delights while also enjoying the water or fishing with their children. This crowd has given rise to new business opportunities, such as renting swimming tires, mats, toilets, parking lots, and even fish therapy. Traveling traders also took advantage of the moment by selling around the area.

Even though the presence of culinary tourism in Umbul Sitinggil provides economic benefits for the local community, several problems arise. Activities previously carried out by residents, such as washing clothes, household equipment, and vehicles, were halted. Additionally, the river environment is changing. The initially neat arrangement of rocks became messy because the children who were looking for fish did not return the rocks to their original state. Garbage is also starting to pile up because visitors often throw it carelessly around the river. This condition results in the disruption of the river ecosystem, leading to a reduction in fish and shrimp populations. Apart from environmental problems, legal aspects are a concern. Most of the use of river land for culinary tourism does not have official permission from the government, so the business activities carried out lack legal certainty. Some stall owners even mark certain areas with dividing lines to prevent other stall owners from placing tables and chairs in the same area.

This research tries to examine the land use phenomenon in the Umbul Sitinggil stream from the perspective of *maṣlaḥah mursalah*. In the science of ushul fiqh, *maṣlaḥah mursalah* refers to benefits that are judged rationally good, even though no text explicitly confirms or rejects them. This principle is used in the formation of laws to create benefits and prevent harm to humanity. Based on these principles, this research will analyze whether the use of river land in Umbul Sitinggil for culinary tourism brings benefits or causes harm to the community and explore the best solution for its management.

## B. METHOD

This research employs a qualitative method with a field approach, aiming to gain an understanding of the practice of utilizing river land in the Umbul Sitinggil stream for culinary tourism from a *maṣlahah mursalah* perspective. Data were collected through direct observation techniques at the location, as well as structured and semi-structured interviews with shop owners, residents, village officials, RT heads, and parking attendants regarding environmental conditions and economic activities in the area. Data analysis follows Miles and Huberman's interactive model, which includes stages of data reduction, data presentation, and conclusion. The validity of the data was tested through triangulation of sources and techniques to ensure the validity and reliability of the research results. This approach was chosen to comprehensively describe the economic, social, and environmental impacts of culinary tourism activities, as well as to evaluate their suitability in relation to the principles of *maṣlahah mursalah*.

## C. RESULTS AND DISCUSSION

### 1. Tourism Potential and Development in Indonesia

Indonesia has enormous tourism potential with diverse natural, cultural, and historical riches.<sup>12</sup> Geographical conditions, including mountains, beaches, tropical forests, and vast oceans, make Indonesia one of the most popular tourist destinations, attracting both domestic and international tourists. Apart from that, cultural heritage and traditions, reflected in art, culinary delights, and customs, also enrich the tourist attractions in various regions. Each province in Indonesia has its characteristics and uniqueness, such as Bali's natural tourism attractions.

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<sup>12</sup> Adenisa Aulia Rahma, "Potensi Sumber Daya Alam Dalam Mengembangkan Sektor Pariwisata Di Indonesia," *Jurnal Nasional Pariwisata* 12, no. 1 (2020): 1, <https://doi.org/10.22146/jnp.52178>.

and Lombok,<sup>13</sup> historical tourism in Yogyakarta,<sup>14</sup> to ecotourism in Raja,<sup>15</sup> And Komodo National Park.<sup>16</sup>

The tourism sector in Indonesia has experienced significant growth over the last few decades. Improvements in infrastructure, such as airports, roads, and accommodation facilities, have facilitated tourist access to various destinations. Additionally, the government, through strategic policies and intensive promotions, supports the development of new tourist destinations and enhances existing ones. The use of information technology and social media as a means of promotion also makes a significant contribution to attracting tourist interest, with many destinations going viral and becoming increasingly popular among the public.<sup>17</sup>

The growth of the tourism sector not only has an impact on increasing the country's foreign exchange but also advances the local economy. With the development of tourism, new jobs and business opportunities are created for local communities, including culinary businesses, accommodations, and transportation services.<sup>18</sup> However, effective tourism management is necessary to ensure its impact remains sustainable and does not harm the environment or social well-being of the

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<sup>13</sup> Muhammad Harits Insan Kamil, Wanjat Kastolani, and Fitri Rahmafritria, "Perencanaan Ekowisata Di Desa Sakti Pulau Nusa Penida Provinsi Bali," *Jurnal Manajemen Resort & Leisure* 12, no. 1 (2015): 31–42, <https://doi.org/10.17509/jurel.v12i1.1053>.

<sup>14</sup> Yulianto and R.Jati Nurcahyo, "Pelestarian Budaya Puro Pakualaman Sebagai Wisata Sejarah Di Yogyakarta," *Jurnal Pariwisata Dan Budaya* 11, no. 2655-5433 (online) (2020): 66–73, <https://doi.org/10.31294/khi.v11i1.7978>.

<sup>15</sup> Nur Aini et al., "Program Strategis Dalam Mengatasi Kendala Kelembagaan Pengelolaan Ekowisata Bahari Di Raja Ampat (Studi Kasus: Kampung Wisata Distrik Meos Mansar)," *Jurnal Kebijakan Sosial Ekonomi Kelautan Dan Perikanan* 11, no. 2 (2021), <http://dx.doi.org/10.15578/jksekp.v11i2.9655>.

<sup>16</sup> Akmalia Imbi Febriyanti Hidyarko et al., "Reviews: Komodo National Park as a Conservation Area for the Komodo Species (*Varanus Komodoensis*) and Sustainable Ecotourism," *International Journal of Tropical Drylands* 5, no. 1 (2021): 27–40, <https://doi.org/10.13057/tropdrylands/t050105>.

<sup>17</sup> Kristian Buditiawan and Harmono, "Strategi Pengembangan Destinasi Pariwisata Kabupaten Jember," *Jurnal Kebijakan Pembangunan* 15, no. 1 (2020), <https://doi.org/10.47441/jkp.v15i1.50>.

<sup>18</sup> I Made Sudiarta et al., "Analisis Dampak Perkembangan Pariwisata Terhadap Kondisi Sosial Ekonomi Masyarakat," *Business and Accounting Education Journal* 2, no. 1 (2021): 22–31, <https://doi.org/10.15294/baej.v0i1.42765>.

community. This challenge underscores the importance of synergy among government, societal, and business actors in sustainably managing tourism potential, ensuring that the benefits of tourism are maximized and sustained.<sup>19</sup>

## 2. Understanding Tourism Based on Law and Religious Perspective

According to Law Number 9 of 1990 concerning Tourism, tourism is a travel activity carried out voluntarily and temporarily to enjoy tourist objects or attractions without any coercion from any party.<sup>20</sup> This activity encompasses various aspects, including transportation services, accommodations, and the provision of tourist facilities, all of which aim to create an enjoyable experience for tourists. Thus, tourism is not only about physical travel but also about the emotional satisfaction and recreation sought by individuals.<sup>21</sup>

From a religious perspective, particularly in Islam, travel and exploration hold deep spiritual and ethical significance. The Qur'an encourages humans to travel and observe the universe as a form of meditation and an effort to know the greatness of Allah SWT. In Surah Al-Mulk verse 15, it is stated that the earth has been made easy to explore so that humans can take advantage of the gifts and fortune that it contains. Traveling in a religious context is not only about seeking entertainment but also about deepening wisdom and learning lessons from natural phenomena and human history.<sup>22</sup>

Islam also emphasizes the importance of protecting the environment and natural resources. Islam also emphasizes the

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<sup>19</sup> Ahkamil Hakim, Nur Ahmadi Bi Rahmani, and Rahmat Daim Harahap, "Peran Pemerintah Dalam Program Pariwisata Berkelanjutan Dalam Upaya Mewujudkan Sustainable Development Goals (SDGs) Di Kawasan Danau Toba," *Jesya* 7, no. 1 (2024): 419–33, <https://doi.org/10.36778/jesya.v7i1.1434>.

<sup>20</sup> Republik Indonesia, "Undang-Undang Republik Indonesia Nomor 9 Tahun 1990 Tentang Kepariwisata" (1990).

<sup>21</sup> Faisal Rahman, Agus Kristiyanto, and Sugiyanto Sugiyanto, "Motif, Motivasi, Dan Manfaat Aktivitaspendakian Gunung Sebagai Olahraga Rekreasi Masyarakat," *Multilateral Jurnal Pendidikan Jasmani Dan Olahraga* 16, no. 2 (2017), <https://doi.org/10.20527/multilateral.v16i2.4251>.

<sup>22</sup> Abdullah Muhammad, "Urgensi Pelestarian Lingkungan Hidup Dalam Al-Qur'an," *Jurnal Pillar: Jurnal Kajian Islam Kontemporer* 13, no. 1 (2022): 67–87, <https://journal.unismuh.ac.id/index.php/pilar/article/view/7763>.

importance of protecting the environment and natural resources, a theme particularly relevant in the context of tourism. Islamic teachings instruct that all forms of human interaction with nature, including tourism activities, should be conducted wisely to avoid causing harm. This aligns with the concept of sustainable tourism, where tourist activities must not harm the environment or ecosystem that is part of the tourist attraction. Therefore, tourism based on religious values not only prioritizes personal enjoyment but also teaches responsibility towards the environment and one another.<sup>23</sup>

By combining legal and religious principles, tourism can serve as a means of generating social, economic, and spiritual benefits. Through travel, individuals can broaden their horizons, strengthen social relationships, and deepen their appreciation for the importance of preserving nature and culture. Therefore, tourism is not only understood as a recreational activity but also as a form of practicing religious values that teach wisdom and responsibility in protecting the environment and preserving human life.

### **3. Umbul Sitinggil is a Water and Culinary Tourism Destination**

Umbul Sitinggil, located in Bendan Village, Banyudono District, Boyolali Regency, is a unique water tourism destination with its charm. With its clear springs and pristine surroundings, Umbul Sitinggil has become a favorite place for local people and tourists from outside the area. Apart from functioning as a spring, this location is also surrounded by shady trees such as bamboo and matoa trees, which create a calm and beautiful atmosphere. Initially, local people used this river for bathing, washing, and bathing livestock. However, over time, Umbul Sitinggil has transformed into a water tourism destination as well as a unique culinary center.

One of the unique things about Umbul Sitinggil is the concept of culinary tourism along the river. Tables and chairs are displayed along the water flow at a low level, allowing visitors to enjoy a meal while soaking their feet in the fresh and clear water. This concept not only offers a unique culinary experience but also provides an opportunity for children

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<sup>23</sup> Lovina Meyresta Wijaya, Muhammad Iqbal Fasa, and Suharto, "Etika Pengelolaan Sumber Daya Alam Berkelanjutan Dalam Perspektif Islam," *Jurnal Dinamika Ekonomi Syariah* 9, no. 2 (2022): 85–96, <https://doi.org/10.58218/lambda.v4i1.858>.

to play in the water and search for fish around the river. This makes Umbul Sitinggil increasingly popular, especially on weekends and holidays, when this location is crowded with tourists who come to enjoy the natural atmosphere and local culinary delights.

Apart from offering a relaxed atmosphere, the presence of culinary tourism in Umbul Sitinggil also provides economic benefits for the local community. Some residents took advantage of the opportunity by opening food stalls around the river, providing typical food and drinks. Apart from that, local communities are also involved in renting facilities such as swimming tires and mats, as well as providing parking and fish therapy services. The presence of tourists not only revives the local economy but also introduces the tourism potential of Bendan Village to a broader audience. However, as it develops, tourism management must be carried out sustainably to maintain a balance between economic benefits and environmental sustainability.

Umbul Sitinggil, located in Bendan Village, Boyolali, was originally a spring that residents used for various daily activities such as bathing, washing clothes and bathing livestock. Over time, this place evolved into a water and culinary tourism destination, boasting a unique attraction in the form of dining on tables and chairs situated directly in the river's flow. The water flow conditions are shallow, clear, and fresh, offering visitors a comfortable experience. Mrs. Suwartini, owner of the Mahya Kuliner stall, explained, *"The water here is still natural and clear because it comes from a spring, and the place is under a shady tree, so it's not hot. Children can also play in the water while looking for fish."* This uniqueness makes Umbul Sitinggil increasingly popular, especially among tourists seeking a unique experience.<sup>24</sup>

Apart from offering a culinary experience on the river, several stalls provide additional amenities, including live music, prayer rooms, and parking areas. Warung Angkringan Pagi and Kopi Lepen, for example, offer specially blended coffee and menus such as manyung fish head gule, a visitor favorite. Mrs. Intan Wulandari, the owner of the stall, revealed the motivation behind her business: *"I often see unique stall concepts in Jogja, then I think, why not use the land behind the house near the river?"* This

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<sup>24</sup> Suwartini Suwartini, Pemilik Warung Makan Mahya Kuliner, April 21, 2024.

transformation triggered the growth of similar stalls, which also opened up economic opportunities for residents.<sup>25</sup> Mrs. Suwartini added, *"At first, I only tried making small sales, but it turned out I had income every day, and my business grew."*<sup>26</sup>

However, the development of culinary tourism in Umbul Sitinggil is not free from challenges. One of the main problems is the carelessness with which visitors dispose of rubbish. Mr. Ahmad Ardani, Head of the local RT, stated, *"Trash is still a problem, especially when lots of visitors come. Some people throw rubbish in rivers and parking areas."*<sup>27</sup> Apart from that, visitors' fishing and shrimp fishing activities often damage the stone structures in the river. However, collective efforts continue to be made by shop owners and the village government to maintain the cleanliness and sustainability of the river. Mrs. Intan emphasized, *"We have our disposal site for waste and always try to keep the river clean so that it remains comfortable for visitors."* These community support and maintenance efforts are integral to the sustainability of culinary tourism in Umbul Sitinggil, providing not only economic benefits but also strengthening the existence of Bendan Village as a potential tourist destination.<sup>28</sup>

#### **4. Economic and Social Impact of Culinary Tourism Umbul Sitinggil**

The existence of culinary tourism along the Umbul Sitinggil Stream has a significant economic impact on the surrounding community. The food stall business that is developing in this area creates job opportunities and increases residents' income. Mrs. Suwartini, owner of Mahya Kuliner, stated, *"At first, I only tried selling a little, but it turned out I had income every day, and finally, my business grew."*<sup>29</sup> Apart from opening their businesses, residents also take advantage of the opportunity to leave snacks at stalls or work as employees. Mrs. Intan Wulandari, owner of Angkringan Pagi and Kopi Lepen, explained, *"My stall employs five people, especially on*

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<sup>25</sup> Intan Wulandari, Pemilik Warung Makan Angkringan Pagi dan Kopi Lepen, April 24, 2024.

<sup>26</sup> Suwartini, Pemilik Warung Makan Mahya Kuliner.

<sup>27</sup> Ahmad Ardani, Ketua RT, Dk. Karangduwet, RT 013/003, Kel. Bendan, April 23, 2024.

<sup>28</sup> Wulandari, Pemilik Warung Makan Angkringan Pagi dan Kopi Lepen.

<sup>29</sup> Suwartini, Pemilik Warung Makan Mahya Kuliner.

*weekends or holidays because the number of visitors increases.*" Thus, culinary tourism acts as a source of income that helps reduce unemployment and improve community welfare.<sup>30</sup>

Apart from the economic impact, Umbul Sitinggil culinary tourism also brings social benefits to the village. The increase in the number of visitors has introduced Bendan Village as a tourist destination, which was previously little known. Mr. Roby Pramono, Village Secretary, said, *"Thank God, now the name of our village has been raised, and people know that there is Umbul Sitinggil in Bendan Village."*<sup>31</sup> Apart from that, tourism activities also encourage social interaction and strengthen community relationships through joint activities, such as parking services and environmental cleanliness. Brother Yoga Ari, one of the parking attendants, stated, *"By being a parking attendant here, I can have an income and still look after my grandmother at home."* This indicates that culinary tourism contributes to fostering a sense of togetherness and solidarity within society.<sup>32</sup>

However, the development of culinary tourism also presents challenges, especially regarding cleanliness and order. Garbage is a significant problem because some visitors are not disciplined in disposing of rubbish in the designated area. Mr. Ahmad Ardani, Head of the local RT, said, *"Trash is a problem, especially when lots of visitors come. Some even throw them in rivers and parking areas."* Apart from that, the arrangement of river rocks is often messy due to fishing and shrimp fishing activities by visitors.<sup>33</sup> Even so, the stall and village are trying to maintain cleanliness and remind visitors to be more careful. *"We always provide a trash can and ask visitors to bring home large trash such as pampers,"* said Mrs Suwartini. With sustainable management, culinary tourism in Umbul Sitinggil is expected to continue providing economic and social benefits while also prioritizing environmental sustainability.<sup>34</sup>

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<sup>30</sup> Wulandari, Pemilik Warung Makan Angkringan Pagi dan Kopi Lepen.

<sup>31</sup> Roby Pramono, Sekretaris Desa Bendan, April 19, 2024.

<sup>32</sup> Yoga Ari, Juru Parkir Wisata Kuliner Umbul Sitinggil, April 21, 2024.

<sup>33</sup> Ardani, Ketua RT, Dk. Karangduwet, RT 013/003, Kel. Bendan.

<sup>34</sup> Wulandari, Pemilik Warung Makan Angkringan Pagi dan Kopi Lepen.

## 5. Legality and Licensing of Culinary Stalls in Umbul Sitinggil

Legality and licensing are important aspects in the operation of culinary stalls along the Umbul Sitinggil stream, although most of the stalls currently do not have official written permits. Most of the permits obtained are still in the form of verbal permission from residents, RT heads, and village officials. Mrs. Suwartini, owner of Mahya Kuliner, explained, “*We have given verbal permission to the RT and residents. After selling, the village was supportive, even telling us to remain consistent, both when it was busy and when it was quiet.*”<sup>35</sup> This suggests that community and village officials permit the use of river land as a business location despite the absence of official written regulations governing it.

To comply with legality, one of the stalls, Angkringan Pagi and Kopi Lepen, has taken a further step by obtaining a Risk-Based Business License through the Online Single Submission (OSS) system. Mrs. Intan Wulandari, owner of Angkringan Pagi, stated, “*I already have an OSS-based business permit related to Environmental Management and Monitoring, which the Minister of Investment signed. For permission to use river land, we have also permitted the RT, village, and sub-district verbally.*”<sup>36</sup> Although they have received recognition from the government through the OSS, permits to use river space from the regional government have not been wholly obtained, as stipulated in Government Regulation Number 38 of 2011 concerning Rivers, which requires permission from the Regent or Mayor.

Even though they do not yet have a comprehensive written permit, the village considers that the existence of these culinary stalls provides benefits to the residents' economy and does not want to burden the community with high licensing fees. Mr. Roby Pramono, Secretary of Bendan Village, stated, “*We have not set any special regulations because the majority of our society is from a lower middle-class economy. So, we will let it run for now, then after it has developed and become established, it will be regulated, and an official permit will be issued.*” This step demonstrates the village's adaptive approach to promoting economic activity while also creating space for improved management and regulations in the future.<sup>37</sup>

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<sup>35</sup> Suwartini, Pemilik Warung Makan Mahya Kuliner.

<sup>36</sup> Wulandari, Pemilik Warung Makan Angkringan Pagi dan Kopi Lepen.

<sup>37</sup> Pramono, Sekretaris Desa Bendan.

## 6. Theory of *Maṣlahah Mursalah*

*Maṣlahah mursalah* is a concept in *ushul fiqh* that refers to benefits that are not strictly regulated by a specific text or evidence.<sup>38</sup> Etymologically, *maṣlahah* means benefit or goodness, and *mursalah* means free or free from the attachment of evidence. According to Abdul Wahhab Khallaf, *maṣlahah mursalah* is a form of benefit for which there is no *syar'i* argument that specifically supports or rejects it. Imam Malik emphasizes that *maṣlahah mursalah* must be in line with the purpose and principles of the Sharia, namely to avoid difficulties or losses, both *daruriyyat* (main) and *hajjiyyat* (secondary).<sup>39</sup>

This concept is based on Islamic teachings, which are a blessing for all of nature, as stated in Q.S. Al-Anbiya: 107 and Q.S. Yunus: 57. Benefits in the Shari'a are always current and evolve in line with human needs. Therefore, the Shari'a must be able to respond to new benefits that emerge outside of the text's rules so as not to ignore the needs of society. If the law only focuses on existing propositions without considering new benefits, then the aim of the *Shari'a* to realize goodness and avoid damage can be hampered.<sup>40</sup>

*Maṣlahah mursalah* is divided into several types based on priority and scope. In terms of priorities, there are three levels of benefit: *daruriyyat*, which include basic needs such as protecting one's religion, soul, mind, lineage, and property; *hajjiyyat*, which are secondary needs that make life easier; and *tahsiniyyat*, which are complementary benefits that improve the quality of life. Apart from that, in terms of scope, there are *al-'āmmah* (public interests) and *al-khāṣṣah* (personal interests) benefits, where the public benefit must take precedence if there is a conflict with personal

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<sup>38</sup> Afthon Yazid and Arif Sugitanata, "The Complexity and Diversity Methods of Legal Discovery in Islam: In the Perspective Ulama of Mazhab Al-Arba'ah," *Kawanua International Journal of Multicultural Studies* 4, no. 2 (2023): 152–64, <https://doi.org/10.30984/kijms.v4i2.725>.

<sup>39</sup> Abdul Wahhab Khallaf, *Ilmu Ushul Fiqih*, trans. Moh Zuhri and Ahmad Qarib (Semarang: Toha Putra Group, 1994).

<sup>40</sup> Iffatin Nur and Muhammad Ngizzul Muttaqin, "Reformulating the Concept of *Maṣlahah*: From a Textual Confinement towards a Logic Determination," *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 17, no. 1 (2020): 73–91, <https://doi.org/10.21154/justicia.v17i1.1807>.

benefits.<sup>41</sup>

Benefits are also distinguished in terms of their resistance to change. There is *maṣlahah al-tsabitah*, namely benefits that are permanent and do not change, such as the obligation to pray and fast. Meanwhile, *maṣlahah al-mutaghayyirah* refers to a benefit that varies according to social context and customs, such as dress codes or marriage procedures. In terms of its legal status in the Sharia', *maṣlahah* is divided into *maṣlahah al-mu'tabarah* (which is recognized by the Sharia), *maṣlahah al-mulghah* (which is rejected because it contradicts the text), and *maṣlahah al-mursalah* (which is not explicitly regulated in the text but is in line with the objectives of the Sharia).<sup>42</sup>

In order for *maṣlahah mursalah* to be applied accurately, several conditions must be met. First, the benefits in question must be genuine and tangible, not merely speculative or conjectural. Second, the benefits must be general and beneficial to many people, not just individuals or specific groups. Third, the benefit cannot conflict with the existing principles or provisions of the text, as found in the Qur'an and Sunnah. Although there are differences of opinion among scholars regarding the acceptance of *maṣlahah mursalah* as the basis of law, the majority of scholars, such as the Hanafiyah, Maliki, and Hanabilah schools, agree that *maṣlahah mursalah* can be used as a proof, provided it does not contradict the text. Imam Al-Ghazali outlined specific conditions to ensure its application, namely that the benefit must be specific (*qat'i*), universal (*kulli*), and not contradict the Qur'an or Sunnah. Thus, *maṣlahah mursalah* becomes an important method for determining the law, allowing the Sharia to adapt to the needs of the times while still being based on solid Sharia principles.<sup>43</sup>

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<sup>41</sup> Muh. Idris, Finsa Adhi Pratama, and Lian Mulyani Muthalib, "The Using of Maslahah Mursalah Method as Hujjah," *Al-'Adl* 14, no. 2 (2021): 184, <https://doi.org/10.31332/aladl.v14i2.2793>.

<sup>42</sup> M Najich Syamsuddini, "Konsep Al-Maslahat Al-Mursalah Menurut Imam Al-Ghazali Dan Imam Malik (Studi Eksklusif Dan Inklusif)," *Al Yasini : Jurnal Keislaman, Sosial, Hukum Dan Pendidikan* 7, no. 1 (May 30, 2022): 103, <https://doi.org/10.55102/alyasini.v7i2.4691>.

<sup>43</sup> Imam Subarkah, "Initial Coin Offering (ICO) in Perspective Law of Sharia Business," *Al-Ahkam* 30, no. 1 (2020): 1-18, <https://doi.org/10.21580/ahkam.2020.30.1.4701>.

## 7. Analysis of Culinary Tourism from the Perspective of *Maşlahah Mursalah*

*Maşlahah mursalah* plays an important role in providing flexibility for Islamic law to respond to changing times and social dynamics. For example, in the modern context, many policies are based on *maşlahah mursalah*, such as traffic regulations and environmental laws. Although there are no specific regulations governing these matters, this policy aligns with the objectives of the Shari'a to protect lives and the environment. Thus, this principle allows decisions to be made that are relevant to the needs of contemporary society without leaving the foundations of Sharia.

In the case of utilizing river land in Umbul Sitinggil as a culinary tourism destination, the *maşlahah mursalah* theory justifies considering this activity beneficial, as it offers benefits to the community, particularly in the economic aspect. As stated by Mr. Roby Pramono, Secretary of Bendan Village, “*This activity helps improve the local economy and introduces our village. Even though there is no official permission yet, we will let it run first so as not to burden the residents.*”<sup>44</sup> This approach reflects the application of *maşlahah mursalah* in real life, where social and economic benefits take precedence without neglecting the principles of Sharia and public policy.

However, even though *maşlahah mursalah* provides space for innovation in legal enactment, evaluation, and supervision are still necessary to ensure that activities considered beneficial do not have negative impacts. In the context of Umbul Sitinggil, the government, and society must ensure that culinary activities do not harm the river environment or disrupt social order. Thus, the implementation of *maşlahah mursalah* must always be accompanied by a sense of responsibility and commitment to maintaining a balance between benefits and potential losses in accordance with the objectives of Islamic law.

### D. CONCLUSION

Based on field findings, the utilization of the Umbul Sitinggil River stream as a culinary tourism area has provided tangible economic benefits to the local community, particularly by creating job opportunities,

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<sup>44</sup> Pramono, Sekretaris Desa Bendan.

increasing residents' income, and promoting the village's tourism potential. However, this practice still presents several issues, including the absence of formal licensing, potential ecological disruption of the river, and emerging conflicts over the use of public space. From the perspective of *maṣlahah mursalah*, this activity can be classified under the category of *hājiyyāt*-level benefits—those that, while not essential, significantly ease the fulfillment of community economic needs in practical and contextual terms. Nevertheless, the advantages must be balanced with responsible management and the formulation of fair and participatory regulations to ensure that neither environmental integrity nor long-term social interests are compromised. In this regard, the concept of *maṣlahah* should not merely serve as justification for evolving practices but also as a critical framework guiding equitable and sustainable policy decisions.

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