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**Involvement of Families as Owners of Cultural Heritage  
Improving Religious Tourism in Banda Aceh:  
Perspective of *Maslahah* Theory**

Marduati Mukhtar

Universitas Islam Negeri Ar-Raniry Banda Aceh

Mohamed Ali Haniffa

Universiti Utara Malaysia

Zulhilmi bin Paidi

Universiti Utara Malaysia

Mawardi M. Thaib

Universitas Islam Negeri Ar-Raniry Banda Aceh

Email: marduati@ar-raniry.ac.id

**Abstract:** The increase in the tourism sector, particularly religious and cultural tourism to Indonesia, especially Aceh, can contribute to the increasing number of visits. This study aims to discuss families' involvement in managing cultural heritage in Banda Aceh. The research method is phenomenological qualitative research, analyzed using *maslahah* theory. Data collection techniques used are interviews, observation, and document analysis. The results indicate that some cultural heritages in Banda Aceh have economic, historical, and religious value. One of the preferred tourist destinations is the Tomb of Sheikh Abdurrauf, which is visited by many domestic and foreign tourists. Apart from that, the involvement of families or heirs as managers of cultural heritage will provide *maslahah* value, or benefits, for the heirs, country, tourists, and the public in general. Among others, the benefits for the heirs are both economically and responsibly as an inheritance from their ancestors. For the country, the cultural sites will be maintained and remain sustainable, thus bringing in foreign exchange. Meanwhile, for the tourists and the public, the benefit will meet their tourism, spiritual and economic needs. Another addition is that the site is historical evidence of the great scholar who played a role in the spread of Islam in the archipelago and the Southeast Asian peninsula. Therefore, the preservation of cultural heritage involving the heirs is paramount in the context of *maslahah*.

**Keywords:** Cultural tourism, religious tourism, family, *maslahah* theory.

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**Abstrak:** *Peningkatan sektor pariwisata, khususnya wisata religi dan budaya ke Indonesia khususnya Aceh mampu menyumbang jumlah kunjungan yang terus meningkat. Kajian ini bertujuan untuk membahas mengenai pelibatan keluarga dalam pengelolaan cagar budaya di Kota Banda Aceh. Metode penelitian yang digunakan adalah metode penelitian kualitatif fenomenologis dianalisis dengan teori masalah. Teknik pengumpulan data yang dipakai adalah wawancara, observasi dan studi dokumentasi. Hasil penelitian menyimpulkan bahwa terdapat beberapa cagar budaya di Banda Aceh memiliki nilai ekonomi, sejarah dan agama. Salah satu destinasi wisata pilihan adalah makam Syekh Abdurrauf yang banyak dikunjungi oleh wisatawan dalam dan luar negeri. Kemudian pelibatan keluarga atau ahli waris sebagai pengelola cagar budaya akan memberikan nilai maslahat atau manfaat, bagi ahli waris, negara, turis dan masyarakat secara umum. Di antaranya manfaat pada ahli waris baik secara ekonomi maupun secara tanggungjawab sebagai warisan dari leluhurnya. Bagi negara situs budaya akan terjaga dan tetap lestari serta mampu mendatangkan devisa. Kemudian bagi turis dan masyarakat tidak hanya memenuhi kebutuhan wisata tetapi juga sisi spiritual bahkan ekonomi. Hal lain adalah bahwa situs tersebut merupakan bukti sejarah ulama besar yang berperan dalam penyebaran Islam di Nusantara dan semenanjung Asia Tenggara. Karena itu, pelestarian cagar budaya yang melibatkan ahli waris tersebut cukup penting dalam konteks maslahat.*

**Kata Kunci:** *Wisata budaya, wisata religi, keluarga, teori masalah*

## **Introduction**

Culture as an object of tourism has developed into a major source of economic development in many tourist destinations. Since 1980, its development has occurred rapidly in several countries such as Europe, America, Australia, and Asia. For example, in Europe, the European Commission promotes cultural tourism as a means of tolerance within the framework of the “unity in diversity” of the European Union population. The tour’s purpose is to see and learn the traditions of others, interact with local people, appreciate each other’s cultural differences, and visit historical relics such as mosques, churches, and monumental buildings. In addition, culture and tourism have been linked to economic development opportunities for indigenous peoples in Australia and Canada. In Africa, Latin America, and Asia, cultural tourism is often seen as a means of supporting the preservation of cultural heritage and increasing local communities’ economic income. In

fact, prior to this, tourism and culture were different activities, and each ran independently without being related to one another.<sup>1</sup>

The difference between culture and tourism also occurs in the study of tourism and pilgrimage in several major religions, namely Islam, Christianity, Hinduism, Buddhism, and Judaism. The term “religious tourism” used in international tourism can unite the two initially different terms. These differences attract the attention of many researchers to study tourism and pilgrimage. Current tourism studies use a mobility paradigm that offers a framework for understanding tourism phenomena. In fact, pilgrimage also creates other population mobility, such as cultural exchange, trade, political integration, and even spreading unwanted diseases and epidemics. Pilgrimage has political, economic, social, and cultural power and can affect global trade and health.<sup>2</sup> The motivation of pilgrimage to sacred places aims to gain spiritual experience, have a long-term positive impact, spend time with family and friends, participate in religious activities and relax while visiting sites with historical and cultural value. Of these several motivations, religious tourism is the central aspect and is accompanied by cultural and recreational motives.<sup>3</sup>

In Indonesia, a pilgrimage tradition is a practice that is commonly done, especially during the month of Hajj and the month of Mawlid. In some areas, such as in Java, the pilgrimage is undertaken to the tomb of the Wali Songo like Sunan Ampel, Sunan Gunung Jati and Sheikh Hashim Ash’ari in Java, Sheikh Burhanuddin Ulakan in West Sumatra, Sheikh Arsyad Al-Banjari South Kalimantan, and some other scholars who spread Islam in the archipelago. The pilgrims’ motivation is not only driven by religious factors but has also become a culture. In addition, it is also a *washilah* to get the blessings of life, economy, and spiritual satisfaction.<sup>4</sup>

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<sup>1</sup> Greg Richards, *The Impact of Culture on Tourism*. Organisation for Economic Co-operation and Development (OECD), 2009, p. 19-35. V. Navajas Romero, et.al., “Tourist Loyalty and Mosque Tourism: The Case of the Mosque-Cathedral in Cordoba (Spain),” *Plos One* 15, No. 12 (2020), p. 1-12.

<sup>2</sup> Noga Collins Kreiner, “Researching Pilgrimage: Continuity and Transformations,” *The Annals of Tourism Research* 37, No. 2 (2010), p. 440-456.

<sup>3</sup> Tahani Hassan, et.al., “Segmentation of Religious Tourism by Motivations: A Study of the Pilgrimage to the City of Mecca,” *Sustainability* 14, No. 13 (2022), p. 7861.

<sup>4</sup> Jamhari, “The Meaning Interpreted: The Concept of Barakah in Ziarah,” *Studia Islamika* 8, No. 1 (2001). Musrifah, “Wisata Religi Makam Gunung Jati Cirebon Sebagai Budaya dan Media Spiritual,” *Wahana Akademika* 5, No. 1 (2018). Hayati Otari and Siti Fatimah, “Development of Religious tourism and history of Complex Syekh Burhanuddin Tomes in Nagari Ulakan, District Padang Pariaman,” *Jurnal Penelitian Pendidikan Indonesia* 4, No. 2 (2019), p. 139. Oman Fahurrahman, *Tarekat Syattariyah di Minangkabau: Teks dan*

In the global context, foreign tourists visiting Indonesia from 2016-2019 continued to increase. In 2016, foreign tourist arrivals reached 20%, in 2017 reached 24%, in 2018 as much as 27% and in 2019 as much as 28%.<sup>5</sup> An increase in the number of visits also occurred in Banda Aceh. The number of visits to Banda Aceh in 2016-2019 also increased from 29.5% in 2016, up 0.1% to 29.6% in 2017. Then, in 2018 there was another increase of 26%, and 34% in 2019.<sup>6</sup> In selecting attractions, domestic tourists are more dominant in choosing natural attractions as the main object, while foreign tourists prefer cultural and historical tourism.<sup>7</sup> However, the number of domestic tourists is far more than foreign tourists. The motives of tourists who come to Aceh province due to factors such as environmental, halal tourism, and Islamic services dominate more than other motives.<sup>8</sup>

This paper aims to complement the shortcomings of previous studies that still do not pay attention to the dimensions of problems related to family involvement in the religious tourism sector and its relationship with the concept of *mashlahah* in Islamic law. In particular, this study shows that “family involvement” which plays a role in improving the tourism sector, is a central issue.

The families’ involvement as the heirs of cultural heritage in improving the tourism sector was chosen as the focus of the study based on the main considerations. The consideration is that many previous studies explain families’ involvement in managing cultural heritage. Besides, there are great benefits when the family or heirs are involved in maintaining and managing the cultural heritage. This is due to some cultural heritages have been damaged because they are not maintained or have not become a tourist’s choice of destination.

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*Konteks*, Jakarta: Prenada Group, Ecole Fracaise d’Extreme-Orint, PPIM, UIN Jakarta and KITLV-Jakarta, 2008.

<sup>5</sup>International Arrivals International Statistics 2020, Badan Pusat Statistics Indonesia.

<sup>6</sup>Badan Pusat Statistik Banda Aceh, 2019.

<sup>7</sup>Badan Pusat Statistik Yogyakarta, 2020.

<sup>8</sup>Muhammad Yasir Yusuf, et al., “The Determinants of Tourists’ Intention to Visit Halal Tourism Destinations in Aceh Province.” *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 5, No. 2 (2021), p. 892-912. Lukman Santoso, et.al. “Halal Tourism Regulation in Indonesian: Trends and Dynamics in the Digital Era,” *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan* 22, No. 1 (2022).

This study uses phenomenological qualitative research, which is analyzed using the *maslahah* theory.<sup>9</sup> The phenomenological approach to religion is widely used in reviewing observable religious practices. Likewise, pilgrimages to the tombs as cultural heritage is part of studying Islamic Studies in the context of cultural and social phenomena.<sup>10</sup> The use of social sciences such as history, sociology, and anthropology, which are related to religion, is in fact, widely used, including Islamic law, which then brings forth the social history of Islamic law.

The study is based on primary and secondary data. The former was obtained from field studies, and the latter was from mapping aspects of research. Data collection techniques are carried out through observation, interviews, and document analysis. Prior to conducting field research, secondary materials such as books, articles, and documents on tourism in Banda Aceh, are collected. The observation was carried out at the cultural heritage site, the Syiah Kuala tomb, located in Banda Aceh, which was observed directly. Interviews took place in three categories of social elements for comparison purposes, including policy actors, heirs' families, and visitors.

The form of families' involvement involves activity patterns at the level of knowledge, values, and social practices. Various actions that show participation in carrying out activities are analyzed in the study. The factors that cause family involvement are mapped related to the practical and operational aspects. Practical reasons can be the basis for differences in the implementation of families' involvement. The involvement of families and heirs of cultural heritage owners as a historical, cultural, and religious heritage is analyzed in terms of *maslahah* to provide good benefits for the heirs themselves, the country, the tourists, and the public in general.

### **Cultural Heritage Value, Economy, and Tourism**

Cultural resource results from human work that must be protected and preserved. Cultural resource, or in other terms, also known as cultural heritage. It is also associated with history because they have something in common: the reconstruction of human history. Yet, in other contexts, a cultural resource is different from history. The reason is that history is more into a text, while the

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<sup>9</sup> Sugiyono, *Metodologi Penelitian Kualitatif*, Bandung: Alfabeta, 2018. Juhaya S. Praja, *Teori Hukum Dan Aplikasinya*, Bandung: Pustaka Setia, 2011. Faishal Agil Munawar, "Abd Al-Majīd Al-Najjar's Perspective On Maqāṣid Al-Sharī'ah," *Juris (Jurnal Ilmu Syariah)* 20, No. 2 (2021).

<sup>10</sup>M. Atho Mudhzhazhar, *Pendekatan dalam Studi Islam dalam Teori dan Praktek*, Yogyakarta: Pustaka Pelajar, 2001. Taufik Abdullah and M. Rusli Karim (editor), *Metodologi Penelitian Agama; Sebuah Pengantar*, Yogyakarta: Tiara Wacana, 1989.

cultural resource is more about material and immaterial.<sup>11</sup> Another opinion states that cultural resource is a concept that most people value positively.

Positive values are attached to the cultural resource, making them more important to preserve. The critical value of the cultural resource is if they have: 1) aesthetic value, including sensory aspects consisting of shape, scale, color, texture, and materials, involving smells and sounds related to the site used, and aesthetics with shared values. These are assessed in landscape and townscape analysis; (2) History includes sites that have historical value because they have been influenced by a personage, event, phase, or activity; (3) Science includes a site of research to be used as important data, or can contribute as a site of important information sources; (4) Sociocultural value includes the quality of sites that become the focus of spiritual, political, national or other cultural sentiments for the majority or minority groups.<sup>12</sup> In addition, sociocultural values in the form of community activities can provide an understanding of the background of social life, belief systems, and mythology, all of which are the identity and part of the identity of a nation or a particular community. Likewise, public values have the potential to be developed as a means of educating the public about the history and how to study them, making the public aware of the existence of humans today; it has the potential or has become a tourist area; has the potential or has become a resource that can increase people's income, for instance through tourism.<sup>13</sup>

Traveling to special places, such as cultural or religious heritage sites, is also known as cultural or religious tourism. Cultural tourism is travel designed to go to a particular place and carry out activities at archaeological and historical sites, parks, museums, and areas of traditional or ethnic importance. This activity also includes overseas trips in order to be able to differentiate cultures and explore historical sources. Cultural resource tourism offers many potential benefits to various constituencies. According to the Travel Industry Association of America (TIA), 15% of cultural heritage is in the tourism industry, ranking third (shopping and being outdoors) for the US domestic travel in 2000. In 2001, the tourism industry contributed \$584.3 billion to the US economy and provided more than 7 million jobs.

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<sup>11</sup> McManamon, et.al., *Cultural Resource Management in Contemporary Society Perspectives on Managing and Presenting the Past*, London: Routledge, (2000).

<sup>12</sup> Henry Cleer, *Archaeological Heritage Management in The Modern World*, London: Unwin Hyman, 1990.

<sup>13</sup> Tanudirdjo and Daud Aris, *Penetapan Nilai Penting dalam Pengelolaan Benda Cagar Budaya*, the paper has been presented at the Meeting to Prepare Standardization of Criteria (Weighting) for Cultural Heritage Buildings at the Rumah Joglo Rempoa, Ciputat, Jakarta, 26-28 Mei 2004.

Expenditures by cultural tourists are of great benefit to the rural economy. In addition, cultural heritage provides an opportunity for productive partnerships between archaeologists, park managers, community leaders, and residents.<sup>14</sup>

In several international cases, tourism has been studied as a means to respond to various forms of social, political, and economic activity and a means to create and revitalize space and social life. Tourism in an ever-changing socio-economic and political context always operates and responds simultaneously in a historical and modern context. Tourism is closely linked to the challenging context of dining and festivals, with audiences becoming increasingly engrossed in the celebrations. Tourism interrogates the ideas of rituals and traditions, forms new spaces, and creates as well as renews the relationship between participants and observers. Tourism is increasingly incorporated into the re-celebration process and forms a new pattern of social existence.<sup>15</sup>

To strengthen the relationship between cultural, religious, and tourism activities, strong support from various elements of society is needed, including the disbursement of funds for developing sustainable tourism. For example, one was done by the World Bank for the victims of the earthquake in Yunan, China, in 1996. The World Bank provided funds of \$30 million to reconstruct the old city. As a result, the city has become one of the oldest cities with many visitors. In 1981, tourists who came to this city were as many as 1.53 million people, and the income was US\$ 11.36 million.<sup>16</sup> Thus, the support from the stakeholders and the community becomes the main capital that should be protected and used as partners to construct culture as tourism opportunities.

Therefore, it can be affirmed that a tourist attraction will impact the economy, culture, and history of a country, entrepreneurs, communities, and the others who involved will benefit from tourism. The COVID-19 pandemic for more than two years forced the tourism industry to close completely, causing the economy and all aspects of the country not to work and even experience minus growth.

### **The Condition of Cultural Heritage in Banda Aceh**

A cultural legacy is a cultural heritage memorial of past human beings. Its remaining is generally around the human environment. Cultural heritage consists

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<sup>14</sup>Teresa L. Hoffman, et.al., *Heritage Tourism and Public Archaeology*, The SAA Archaeological Record, 2002.

<sup>15</sup> David Picard and Mike Robinson, *Festivals, Tourism and Social Change: Remaking Worlds (Tourism and Cultural Change)*, Chanel view publication, 2006.

<sup>16</sup>Ismail Serageldin, et.al., *Historic Cities and Sacred Sites Culture Roots for Urban Futures*, Washington D.C: The World Bank, 2000.

of two types, namely, tangible and intangible. Tangible cultural heritage is a culture in the form of material, and intangible cultural heritage is a culture in the form of meaning. The cultural heritage in Banda Aceh, registered by the Department of Education and Culture of Banda Aceh in 2022, amounted to 63 items. This amount was obtained based on data collection and study by the relevant office register team based on periodization. The details can be seen in the following table:

**Table 1: Cultural Heritage in Banda Aceh**

No	Types of Remains	Amount	Description
1.	Tomb	38	One Dutch tomb site and 37 Islamic tomb sites during the Kingdom of Aceh Darussalam (KAD) period
2.	Building	13	One building during the KAD period and 12 colonial buildings
3.	Building Structure	5	Two from the KAD period, one from the colonial period, and two from the independence period.
4.	Monument	6	Four from the colonial period, one from the independence period, and two from the independence period
5.	Thing	1	Gifts from China during the Kingdom of Aceh period
Amount		63	

Source: Department of Education and Culture of Banda Aceh and field observation, 2021.

The number of cultural heritages contained in the table is registered in the list of cultural heritage at the Department of Education and Culture of Banda Aceh. Looking at the long history of the two historical periods of Aceh—the history of the Kingdom of Aceh Darussalam and the Dutch Colonial Government—the sites and buildings on the list should be more numerous, hence, they can describe the long journey of a city that is already 817 years old.<sup>17</sup> This city was once a business center. However, the cultural heritage of the reign of the Kingdom of Aceh Darussalam, colonialism, and independence, is not commensurate with its age and historical journey. There

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<sup>17</sup> Rusdi Sufi, et.al., *Sejarah Kotamadya Banda Aceh*, Banda Aceh: Balai Kajian Sejarah dan Nilai Tradisional, 1997, p. 1.



are still many cultural heritages that have not been registered and will continue to be carried out if the community supports the creation of a report to be registered as a cultural heritage. The Department of Education and Culture has just conducted a cultural heritage registration starting from 2018-2022. This work was the first step in preserving the cultural heritage of Banda Aceh.

Therefore, tourism and cultural heritage are interrelated because the former requires a place to visit, while the latter requires people to come and see it with the aim that it will always be in people's memory. Therefore, one of the places that can be used as a tourist attraction is the local community's history and cultural heritage.

The culture of people around the world is very global and different. These cultural differences will give color to people's lives. Therefore, if the culture is packaged in a unique concept that is different from the cultures of other communities around the world, it will become an attraction in the tourism industry. Differences in community should be appropriately managed so differences become harmonious by taking several steps, namely providing knowledge about differences in society, respecting, and understanding. The successful management of tourists with such diversity must use a humanist and holistic approach. To achieve the expected goals, it must use sophisticated and up-to-date technology.<sup>18</sup> If the people have recognized the differences, they can be used as unique aspects of a place that can be sold as a tourist attraction.

The condition of tourist who visits Banda Aceh continues to increase yearly. According to Banda Aceh's tourism statistics data in 2017-2019, there was an increase in the number of visits in 2017 and 2018. This was because a cultural event called "Sail Sabang" was held in 2017. Furthermore, another cultural event, known as *Pekan Kebudayaan Aceh (PKA)*—literally translated to Aceh Cultural Week—was held in 2018. *PKA* is the implementation of a cultural event organized by the Aceh Government involving 23 districts and cities. The event lasted for ten days. The chosen location for the event is in Banda Aceh, particularly at *Taman Ratu Safiatuddin* and *Blang Padang*. In 2019, after the *PKA* event, Aceh was increasingly recognized; thus, tourist visits increased.<sup>19</sup>

Attractions in Banda Aceh rely more on cultural heritage. Therefore, choosing a tourism scheme and destination provides an opportunity for owners to manage it into tourism with nuances of 1) religion, 2) culture, 3)

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<sup>18</sup>Priscilla Boniface, *Managing Quality Cultural Tourism*, New York: Routledge, 1995, p. 3-6.

<sup>19</sup>Aulia Rahman dan Syarifah Fathia Fairuz, "Peranan Pekan Kebudayaan Aceh (PKA) ke IV dan V dalam Membangkitkan Kebudayaan Aceh (Studi Kasus Tari Saman dan Seudati)," *Jurnal Seuneubok Lada 2*, No.1, (2015), p. 70-85.

tsunami, 4) culinary, and 5) natural surroundings. Of the five aspects, the most visited attraction was the tsunami, culture, and religion. In contrast, others were only used as supporting aspects.<sup>20</sup> The number of tourist attractions managed by the Tourism Office is 82 items, consisting of historical and cultural monuments, parks, tsunamis, rivers, beaches, mosques, and tombs of scholars. The most frequently visited tourist attractions are the Aceh Tsunami Museum, with a total of 744,205, followed by the *PLTD* Floating Ship, as many as 510,402; Boats on the House, as many as 78,177; the Tomb of Syiah Kuala, with a total of 48,219; and finally, Robe Counter of the Baiturrahman Grand Mosque with a total of 31,447. Based on the research results on tourists who come to Aceh, the reason for their arrival is the Islamic environment and services.<sup>21</sup> More detailed information can be seen in the following table:

Table 2: List of Visitors at Tourist Attractions in Banda Aceh

No	Object Name	2016	2017	2018	2019
1	Boat on the House	-	74,276	78,177	96,556
2	<i>PLTD</i> Floating Ship	-	488,236	510,402	368,831
3	Tomb of Syiah Kuala	6,000	51,867	49,219	52,730
4	Robe Counter of the Baiturrahman Grand Mosque	8,720	38,600	31,447	34,007
5	Ulee Lheu Information Center	946	660	335	165
6	Aceh Tsunami Museum	560,228		744,205	532,018

Source: Tourism Office of Banda Aceh, 2020

The data in the table shows that the Tomb of Syiah Kuala is the 4th most significant contributor to visitation data after the tsunami-themed object. Thus, the opportunity to bring in more visits to these tourist attractions is enormous if it is carried out properly and follows the principle of preservation as mandated by the law of the Republic of Indonesia concerning Cultural Heritage.

<sup>20</sup> Interview with Said Fauzan, Secretary Tourism Office City of Banda Aceh, 2020.

<sup>21</sup> Muhammad Yasir Yusuf, et al., *The Determinants of Tourists' Intention to Visit Halal Tourism...*, p. 892-912.

## Community Involvement in Improving Tourism

Work that involves local communities and mutual collaboration is a fundamental principle in public archaeology. Meanwhile, tourism is one of the positive aspects to maintain the survival of cultural tourism. There is an urge to adopt a new perspective that explores more fully the relationship between cultural heritage and urban political economy where the tourism patterns emerge. Turkey has recently been utilizing local communities to work outside the labor system in archaeological site management projects. As a result, it will gain a wider recognition of local communities as caretakers of their heritage and increase the credit for the local communities right.<sup>22</sup> However, it does not mean that community involvement is without risk, hence, planning needs to be done. In order to develop an efficient workflow and partnership with the community, it is important to establish an agreement at the beginning of and during any project, to study the community's level of knowledge attitudes, needs, and expectations towards the site, and any property ownership issues that need to be resolved. Furthermore, it is necessary to conduct effective communication of project activities and to analyze the potential impacts to the community's lives. the lives of citizens.

The positive impact of tourism in terms of the economy is that communities around the tourism sites are interested in being directly involved in tourism activities. At the Toraja site, since the opening of the Lemo site, a burial cliff for tourists, the community then realized that tourists have brought money to the community. The economic impact is that tourists buy souvenirs and pay for the services of tour guides and accommodation. This means that tourism has the potential to support an increase in the community's economic income. The tourist visitation to Lemo burial cliffs has provided opportunities for the community in creating alternative activities to earn money through tourism.<sup>23</sup>

The relationship between Tourism and culture arises from the cooperation between The World Tourism Organization (WTO) and UNESCO on the issue of recognition and protection of "cultural heritage" and "cultural identity" which were re-emphasized at conferences, both in Manila in 1980 and in the Mexico Declaration in 1982. The Declaration of Mexico states that all cultures are part of the heritage of humanity. Therefore, it should recognize

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<sup>22</sup> Maria D. Alvares, et.al., *Heritage Tourism Destinations Preservation, Communication and Development*, London: CAB International, 2016.

<sup>23</sup> Ilham Junaid, et.al., "Family Foundation, Is It an Innovative Strategy? The Case of Cultural Heritage Tourism in Toraja, Indonesia," *The E-Journal of Tourism* 4, No.1 (2017), p. 19-27.

the equal dignity of all world cultures, the right of all ethnic groups, and it should allow every cultural community to express, preserve, and respect cultural identity”.

According to WTO experts, good tourism is cultural tourism, as it can generate a cultural renaissance from the receiving community, thus encouraging community's pride toward their culture and customs, which were originally threatened with extinction due to modernization. In other words, the cultural event that visitors are looking for are the original cultural events and not those of imitative cultural events<sup>24</sup>.

The involvement of tourists in local cultural events can have several benefits: tourists have the opportunity to enrich their cultural experience, while local residents have the opportunity to strengthen their cultural identity through tourism events. The profits brought by the tourists can be used to preserve community's traditions. If the connection between tourism and local culture is well established, tourism can act as a cultural preservation agent.

The management of cultural resources is first done by identifying cultural resources that include estimating important values, estimating management obstacles and opportunities, planning management policies, planning management strategies, and creating a monitoring system.<sup>25</sup> Identification of these cultural resources will also have an impact on the management of visitors.

In fact, cultural resources are for public in general, not just for a group of specialists and experts, and this applies to both current and future generations. They are products or services, so the idea of selling them is the right choice. However, good knowledge is needed to analyze the market, customers, and entrepreneurs.<sup>26</sup> This is a very useful concept so that it can be sorted out which objects are included in the priority scale so that they can be promoted and sold, and which objects are included in the minority scale so that they are used as supporters.

After a cultural resource is utilized, community empowerment in the context of preserving cultural heritage objects is an effort to improve the community's ability to understand, appreciate, preserve and use them. So that awareness to maintain and protect cultural heritage objects as potential

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<sup>24</sup> Picard, David, and Robinson, Mike, *Festivals, Tourism and Social Change: Remaking Worlds (Tourism and Cultural Change)*, p. 169-170.

<sup>25</sup> Michael Pearson and Sharon Sullivan, *Looking After Heritage Places*, Australia: Melbourne University Press, 1995, p. 10.

<sup>26</sup> Peter Howard, *Heritage: Management, Interpretation, Identity*, United Kingdom: Leicester University Press, 2003, p. 103.

resource is raised.<sup>27</sup> Cultural heritage is not only preserved but can also be used to promote the national culture of Indonesia.

The culture in Indonesia is quite diverse, especially in the Aceh province that is rich in archaeological relics from ancient times. These relics are categorized into the prehistoric period, classical period, Islamic period, and colonial period. These relics will be managed using the new management concept and then utilized for community welfare. The law also explains that the central government, local governments, and the public can use cultural heritage for religious, social, educational, scientific, technological, cultural, and tourism purposes.

### **Tomb of Sheikh Abdurrauf: Cultural, Historical, and Religious Heritage**

The Tomb of Sheikh Abdurrauf, or Syiah Kuala, is an archaeological relic designated as cultural heritage in Banda Aceh with a registration number PO2019051400041 by the Banda Aceh Cultural Office in 2019. The management is managed by the heirs of Sheikh Abdur Rauf al-Singkili. In 2001, one of his descendants established *Yayasan Makam Syiah Kuala* literally translated to *Syiah Kuala Tomb Foundation*. The first chairman of this foundation was T. Syamsuddin, a lecturer at Syiah Kuala University Banda Aceh. However, the foundation was no longer operating. Currently, the management is still in the hands of descendants, but it is not in the form of a foundation.

The Syiah Kuala Tomb Complex is located in *Deyah Raya* village, Syiah Kuala, Banda Aceh. The size of the area is  $\pm$  1.6 Ha, and the status of this land is *waqf* or loosely means an inalienable charitable endowment. The personage buried at the site is Sheikh Abdur Rauf bin 'Ali al-Jawi al-Fansuri Al-Singkili, born in 1620 in Singkil.<sup>28</sup> Sheikh Abdur Rauf was a *Mufti* of the Kingdom of Aceh Darussalam with the position of *Qadhi Malikul Adil* during Sultanah Sri Ratu Safiatuddin Syah's reign in 1054-1086 Ah (1641-1675 AD). He replaced Sheikh Nuruddin Ar-Raniry, who had left Aceh for Mecca and later returned to his homeland, Ranir, in Gujarat.<sup>29</sup>

Based on observations, the number of tombs at the Syiah Kuala Tomb Complex was 33 items with varying sizes. Some tombs generally have a part

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<sup>27</sup> Laretna Trisnantari Adishakti, Pelestarian Pustaka Budaya: Masyarakat sebagai Pusat Pengelolaan Perubahan, *Cultural Congress in Bali*, 2005.

<sup>28</sup> Muhammad Said, *Aceh Sepanjang Abad*, Medan: Waspada, 1981, p. 413.

<sup>29</sup> Azyumardi Azra, *Jaringan Ulama Timur Tengah dan Kepulauan Nusantara Abad XVII & XVIII*, Jakarta: Prenada Media Group, 2013. Achyar Zein, et.al., "View of The Interpretation of Jihad Verses in The Translation of Al-Mustafid the Work of Shaykh Abdul Rauf Ali Al-Fansuri Al-Singkili," *Linguistica Antverpiensia* 2, (2021), p. 3709-3719.

named *jirat* (stone put around the grave body). The tomb of Syiah Kuala has a *jirat* on which decorations were engraved. The panels were carved as decorative media using several motives, such as seams, *tumpals* carved using tendrils, and decorative patterns similar to embroidery hitch rope. The *jirat*'s surface has a series of tendrils of leaves, while in the middle, a longitudinal hole follows its surface. On both sides, there is a *tauhid* sentence, "*Lailaaha Illallah, Muhammadur Rasulullah*" which loosely means unification of God in Islam, written with calligraphy. The same sentence is repeated eight times, while the other two calligraphies contain the name of Sheikh Abdur Rauf.

The tomb's description above is a cultural heritage because it has an essential value that needs to be preserved.<sup>30</sup> The personage attached to Syiah Kuala has very high historical value since he once worked as a great advisor during the reign of the Sultanah in the Kingdom of Aceh Darussalam. The types of tombstones varying from small to massive sizes are certainly not easy to create without the help of the craftsman's device at that time. Moreover, the beautiful ornaments are the result of manual artwork carved through the skilled hands of artists at the time. This extraordinary work is what makes the value of the Syiah Kuala tomb so remarkable that it has been named a cultural heritage. The public's admiration is very high, up until now, visitors have continued to visit daily to perform various religious rituals. So, the value of cultural heritage will increase if the heritage continues to be maintained and always live in society's heart.

The Syiah Kuala tomb, as cultural heritage, is managed by families and heirs who have bloodlines with Sheikh Aburrauf al-Singkili. It can be seen from the descendants' lineage that the tomb's caretaker, currently the 6th son of the 5th *khadam*, is named Teungku Keuchik Sheikh. He has four children and the person in charge today is Teungku Abdul Wahid. He and other families have many roles in managing the site and aiding visitors there.

The owners/heirs themselves cannot manage the extent of the tomb site areas. In this case, the government, subject to the law of the Republic of Indonesia regarding cultural heritage, must give incentives and compensation to any privately managed cultural heritage. The incentive given by the government is in the form of service. This is why the Syiah Kuala tomb site is supervised by the *Balai Pelestarian Cagar Budaya* (BPCB) Aceh and Sumatra, literally translated as Aceh and Sumatra Conservation and Cultural Heritage Center. To achieve the objective, *BPCB* proposes three caretakers to clean the entire tomb site. These three assigned caretakers will be given

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<sup>30</sup>Henry Cleere, *The World Heritage Convention in the Third World, in Cultural Resource Management in Contemporary Societ*, London: Roulledge, 2000, p. 100.

monthly incentives of around IDR 500.000,-. Due to the large size of buildings and range areas, a lot of works need to be done, as a consequence, the owners still hire other families to be janitors and pay them daily as much as IDR 10.000-IDR 15.000.

The main duty carried out by Teungku Abd Wahid is to manage the financial donations from visitors. The earned donation money is used to fulfill the daily operational needs. The details of expenditure are as follows:

1. Electricity bill (10 amp); used for lighting during the night and the need for water pumping machines. The total expenditure is IDR 600.000,-/month.
2. Cleaning equipment, kitchen utensils, and other necessities.
3. Daily cleaner salary.

In providing services to visitors, each family working around the tomb site do the work according to the visitors' needs. Apart from the cleaning staff, there are four other people working at the site. First, Teungku Abdul Wahid, he is the person in charge of the tomb site. He serves visitors from 07.00-22.00 WIB. His job is to manage the implementation of visitors' *Nazar* which means a vow made to perform specific actions if certain conditions are met starting from registering, organizing, and helping to serve the visitor's requests performing their *Nazar*. Examples of service requested by the visitors varied from slaughtering animals, helping families who request "*peugidong aneuk*" (traditional ceremony to celebrate the first time a newborn touches the ground), doing *peusijuk* (sacred blessing ceremony) for people recovering from illness, going to Hajj, going to school in distant areas, pray for safety after accidents and many more. In addition, he also serves visitors who want to discuss or interview, and he sincerely takes time for them. Besides, he is also in charge of providing monthly visitation reports to the relevant office.<sup>31</sup>

Another officer is a woman, a cousin of Tengku Abd Wahid, usually called Mrs. Cut. She works around the well in the tomb site, which is believed to give out blessings. Every visitor who comes is suggested to wash their face, after that, Mrs. Cut will pray for the visitor's wishes. The prayer is quite long, hence, some visitors feel touched when hearing her prayer and many got carried away by emotions that bring them to tears. People who come one after another not only wash their faces but also bathe themselves so that their bodies become clean. If there is a disease, it is hoped that the disease is cleaned as the water flows throughout the body from the head to toes and is wasted on the ground. The process of bathing adults and children is slightly different. If

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<sup>31</sup>Results of Observation and Interview with Teungku Abdul Wahid, Person in Charge of Graves and Heirs, 20 April 2021.

children are bathed, all their clothes are removed, whereas adults are bathed along with their clothes, starting from the head (woman with her headscarf) to the tips of her feet. Every person who washes their face, bathes, and prays will usually give alms sincerely. The charities are put in an envelope and given when shaking hands with the officer. According to Mrs. Cut's confession, part of the alms money will be donated to orphans. Other caretakers who work next door to Mrs. Cut is in charge of guarding the well placed inside the *mushalla* next to Syiah Kuala's Tomb. The water in the well is maintained by offering jerry cans and filled them with water to take home.<sup>32</sup>

Apart from the mentioned caretakers, there is another person who served in the tub of water in front of the old *mushalla*, the grandson of Teungku Abd Wahid. The task is the same as Mrs. Cut, the difference is he only serves male visitors. Visitors will also give him money after his work is completed. Teungku Abd Wahid will not collect the money earned by them since they worked voluntarily. However, a charity box is provided in every well that has a work. Some visitors give alms, first to Teungku and the later will be put directly into the charity box. The heirs manage all charity boxes provided around the tomb complex because they are the manager of the Tomb.<sup>33</sup>

This tomb is undeniably an important cultural heritage seen from the context of religion, history, culture, and economy. Its position resembles the tombs of Wali Songo, Sheikh Burhanuddin Ulakan, Sheikh Arsyad al-Banjari and even Sheikh Yusuf al-Makassari. Therefore, all parties are obliged to maintain and preserve this cultural heritage.

### **The Involvement of Families as Managers of Cultural Heritage According to The Theory of *Maslahah***

Cultural heritage is becoming an all-encompassing contemporary global phenomenon. World Heritage practice has evolved in three major phases. The first phase is associated with the enlightenment and the concept of public space that developed during the nineteenth century. The second phase represents an increasing country's control over the definition of inheritance, its collection, management, and staging. This phase shows the emergence World Heritage concept. The World Heritage Convention since 1972 has marked the transition to the third phase, in which the heritage

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<sup>32</sup> Results of an interview with Mrs. Cut, Family and Heirs as well as Tomb Management, 20 April 2021.

<sup>33</sup> Observation Results of Researchers at the Tomb of Sheikh Abdurrauf, 20 April 2021.



evolved into an explosion, mainly in the public and private domains. Harrison reveals that there are many methods by which heritage can be identified, staged, managed, and given meaning. The intensity toward connectivity, materiality, and communication is a tool for connecting between heritage and challenges in social, economic, political, and contemporary environment. Therefore, the study and practice of heritage can play an essential role in future work to make heritage more relevant and useful for many people.<sup>34</sup>

The communication process reinforces the government's role in implementing policies to instill an understanding of cultural heritage that has important values and can be managed regardless of space and time. The emergence of public awareness regarding how their own paradigm impacting cultural heritage should be constructed from their own thoughts. Harrison explains that people are more likely to become concerned with cultural heritage if they experience a historical attachment to it. The form of the attachment is passed through three stages: 1). Communities metaphorically feel that they have not lost track or experience collapse of the collective memory' of their own history. 2). Once they consciously find themselves having a collective memory, they indeed will be spared from the neglect phase of the cultural heritage and tend to care more. 3). The last stage is that the community will not do acts of "predatory heritage" or destroy historical site value.<sup>35</sup>

According to the laws and government regulations<sup>36</sup> about cultural heritage, ownership is the strongest and most fulfilled right to cultural heritage concerning its social functions and obligation to preserve it. The ownership of cultural heritage that has been regulated claims that everyone can own and/or control cultural heritage objects, buildings, structures, and/or sites while still taking into account their social functions as long as they do not conflict with the provisions of the law. The ownership, as referred to in section (1) and section (2) of article 12, may be obtained through inheritance, grant, exchange, gift, purchase, and/or decision or determination of the court, except those controlled by the country.<sup>37</sup> The cultural heritage protected and safeguarded

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<sup>34</sup> Rodney Harrison, *Heritage: Critical Approaches*, London: Routledge, 2013, p. 268.

<sup>35</sup> Harrison, Rodney. 2008 in Karyamantha Surbakti, Heritage Management Policy from Statutory of Cultural Heritage No. 11/2010; (Regarding Granting Incentives and Compensation), *Kapata Arkeologi*, 13(2), p. 141-150.

<sup>36</sup> Peraturan Pemerintah Nomor 1 Tahun 2022 tentang Registrasi Nasional dan Pelestarian Cagar Budaya.

<sup>37</sup> Undang-Undang Republik Indonesia tentang Cagar Budaya Nomor 10 Tahun 2011.

by the owner is considered based on community aspects in the form of incentives and compensation in terms of tax deduction,<sup>38</sup> manpower assistance, and/or material assistance as partial reimbursement for the cost of preservation to the owner, user and/or manager of cultural heritage for the appreciation in maintaining the cultural heritage.<sup>39</sup>

Based on these rules, families as heirs of cultural heritage can maintain their property as long as the principles of cultural heritage preservation are followed. However, suppose any damage, loss, or destruction happen to the owned cultural heritage. In that case, it must be reported to the competent authorities in the field of culture, the National Police of the Republic of Indonesia, and/or related agencies at the latest 30 (thirty) days after the discovery so it can be taken over by the central government and/or local government.<sup>40</sup>

The preservation of cultural heritage involving heirs or families has beneficial values from the point of view of Islamic law. For example, the families provide services to visitors at their own cultural heritage sites by offering a place to stop by during their journey. Another benefit is to carry out the country's mandate by maintaining and utilizing cultural heritage that the heirs of the cultural site must protect.

*Maslahah*, in this context, is something that brings benefits, goodness, and advantage to many people. Meanwhile, tourism has enormous benefits in Islam and even positively impacts one's faith. Tourism is part of the "*maqashid syari'ah*" that upholds religion, soul, mind, descendant (honor), and wealth. Tourism can even cover all aspects of "*maqashid*" since it is stated in the Qur'an and Hadith, which show the virtues and benefits of such tourism.<sup>41</sup>

Suppose we refer to Islamic law as explained in the Qur'an. In that case, there are explanations and recommendations for traveling in Islam, and there are arguments for several verses including Al-An'am: 11 which

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<sup>38</sup> Peraturan Menteri Pekerjaan Umum dan Perumahan Rakyat RI Nomor 1/PRT/M/2015 Pasal 28 ayat (1) dan Undang-undang Nomor 12 Tahun 1994 mengenai Pajak Bumi dan Bangunan (PBB).

<sup>39</sup> Karyamantha Surbakti, "Heritage Management Policy from Statutory of Cultural Heritage No. 11/2010, (Regarding Granting Incentives and Compensation)," *Kapata Arkeologi*, 13(2), p. 141—150.

<sup>40</sup> Undang-Undang Republik Indonesia No. 11 Tahun 2010.

<sup>41</sup> Agus Miswanto, *Ushul Fiqh: Metode Ijtihad Hukum Islam, Jilid 2*, Magelang: UNIMMA Press, 2019, p. 161-162. Mukhtar Yahya dan Fatchur Rahman, *Dasar-Dasar Pembinaan Fiqh Islam*, Bandung: Al-Ma'arif, 1986. p. 105-111. Firdaus, et.al., "Halal Tourism in the Perspective of the Qur'an and Hadits and Maqashid Syari'ah," *Majalah Ilmu Pengetahuan dan Pemikiran Keagamaan TAJDID* 24, No. 1 (2021). p. 174-184.

recommends traveling on earth to see the behavior of people before us. Then the verse of Al-Ankabut:20, which contains a message about traveling on earth, is recommended to see the greatness of God's creation. The next verse is Muhammad:10, a reaffirmation of surah Al-An'am states that travel to see the greatness and power of God over everything. Traveling to learn from the mightiness and variety of God's creation on earth is recommended.

Therefore, the management of tourism, especially religious tourism attractions that have been widely developed in Indonesia and the world, must refer to the rules in line with Islamic law. Several things must be fulfilled in doing tourism following the provisions of *syara'*, namely: First, the realization *maqashid syari'ah* that can maintain religion, soul, mind, descendant, and wealth. Secondly, halal food and people's behavior do not deviate from *syari'ah*. Third, Muslim tourists must be able to maintain a good attitude so that there is no defamation for non-Muslims. Fourth, tourism priorities for Muslim individuals, families, communities, and nations should prioritize *ad-Dharr, hajiyyah, and tahsiniyah*.<sup>42</sup> Fifth, providing excellent service for tourists. Finally, not to hinder someone from doing worship.<sup>43</sup>

The involvement of families and heirs in taking care of cultural heritage will benefit the heirs, the country, tourists, and the public in general. In this case, the heirs will have a double responsibility since they preserve their ancestors' heritage, which is also the country's responsibility. Furthermore, the heirs will also benefit economically because of the provided services. The country will benefit not only from the economic aspects that bring foreign exchange, cultural preservation, and maintaining historical sites but also as evidence of the development of Islam in Indonesia and Southeast Asia. Because starting from Aceh, Islam has expanded to the Malay Peninsula, Pattani, Brunei, and Mindanao Islands. Therefore, foreign and domestic tourists will have a choice of destinations that the heirs manage meanwhile, the public can be benefitted from the economic and spiritual side of the existence of these historical sites.

## Conclusion

The findings of this study indicate that families are involved as the owners or heirs of cultural heritage that supports the tourism sector. They act as the manager of cultural heritage and also contribute to providing services

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<sup>42</sup>Duski Ibrahim, *Al-Qawa'id Al-Maqashidiyah (Kaidah-Kaidah Maqashid)*, Yogyakarta: Ar-Ruzz Media, 2019, p. 157-158.

<sup>43</sup>Firdaus, et.al., *Halal Tourism in the Perspective of the Qur'an and Hadits...*, p. 174-184.

for all religious activities and traditions that take place in the Sheikh Abdurrauf al-Singkili tomb complex. Therefore, the involvement of families and heirs as managers of cultural heritage, in this case, the Syiah Kuala tomb, from the perspective of *maslahah* theory, shows excellent benefits, not only to the heirs but also to the country, tourists, and the public in general. These benefits can be seen from economic, cultural, historical, and even religious aspects. A mutual relationship between the government as the person in charge of cultural heritage and the family as the owner of cultural heritage needs to be maintained and improved. The governments carry out their duties to manage cultural heritages under the law. Meanwhile, the family and community also utilize them for the benefit of the country and religion in accordance with the existing law. The law explains that the purpose of preserving cultural heritage is to take advantage as much as possible for the community's welfare. This is due to the religious activities blended in cultural traditions that have been occurring for generations and for a long time in Aceh and all over the archipelago. For example, pilgrimages to the tombs of scholars and pious personage. Then, religious tourism activities are a term used to implement traveling to sacred places. This activity is also recommended in the Qur'an, which encourages Muslims to travel in order to be able to know the events that happened to God's creation in order to increase their faith further. To conclude, preserving the cultural heritage is not only the heirs' responsibility but also the country, tourists, and the public in general, thus, the benefits can be felt today and in the future.

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### **Interviews**

Interview with Said Fauzan, Secretary Tourism Office City of Banda Aceh, 2020

Interview with Mrs Cut, Family and Heirs as well as Tomb Management Syekh Abdurrauf, 20 April 2021.

Interview with Teungku Abdul Wahid, Person in Charge of Graves and Heirs Syekh Abdurrauf, 20 April 2021.