

Tourism in the Perspective of Islamic Fiqh

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Abstract

Nowadays, halal tourism and tourism trends are increasingly in demand in the world. Seeing this potential, countries, both non-Muslim and Muslim countries, have relatively developed halal tourism. In the development of halal tourism, there is relatively no uniformity and consensus regarding halal tourism both in the world and in Indonesia, so that sometimes it confuses the actors in the tourism industry. This research aims to describe halal tourism activities in Islamic fiqh which is a conceptual review that uses qualitative research methods through literature study. This research results is, halal tourism is a segment of the world tourism market whose growth is good in line with the continued growth of the world's Muslim population, the number of a middle class in countries where the population is predominantly Muslim, and the number of world Muslim tourists. This potential causes many countries in the world to focus on serving this tourism segment, both Muslim and non-Muslim countries. Unfortunately, until now there is no uniformity and consensus regarding terms, terminology, content, and requirements for halal tourism both in the world and in Indonesia. Halal tourism standards adopted and used by Indonesia and several other countries in the world today relatively refer to the standards made by the Global Muslim Travel Index (GMTI), while the basic

principles of fiqh in halal tourism in Indonesia are adopted from the Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 concerning Guidelines for the Implementation of Tourism Based on Sharia Principles.

Keywords: *Halal; Tourism; Fiqh; Indonesia*

Abstrak

Saat ini wisata dan trend wisata halal semakin diminati di dunia. Melihat potensi itu membuat negara-negara baik negara non-Muslim maupun negara Muslim relatif sudah mengembangkan wisata halal. Dalam perkembangan wisata halal relatif belum terdapat keseragaman dan konsensus mengenai wisata halal baik di dunia maupun di Indonesia sehingga kadang membingungkan para pelaku dalam industri pariwisata. Penelitian ini bertujuan untuk mendeskripsikan kegiatan wisata halal dalam fiqh Islam yang merupakan tinjauan konseptual yang menggunakan metode penelitian kualitatif melalui studi pustaka. Hasil penelitian ini adalah, wisata halal merupakan segmen pasar pariwisata dunia yang pertumbuhannya baik sejalan dengan terus tumbuhnya populasi Muslim dunia, jumlah kelas menengah di negara-negara yang penduduknya mayoritas Muslim, dan jumlah wisatawan Muslim dunia. Potensi tersebut menyebabkan banyak negara di dunia fokus melayani segmen wisata ini, baik negara Muslim maupun non-Muslim. Sayangnya, sampai saat ini belum ada keseragaman dan kesepakatan mengenai istilah, terminologi, isi, dan persyaratan wisata halal baik di dunia maupun di Indonesia. Standar pariwisata halal yang dianut dan digunakan oleh Indonesia dan beberapa negara lain di dunia saat ini relatif mengacu pada standar yang dibuat oleh Global Muslim Travel Index (GMTI), sedangkan prinsip dasar fiqh dalam pariwisata halal di Indonesia diadopsi dari Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah.

Kata Kunci: *Halal; Wisata; Fiqh; Indonesia*

Introduction

Islam is a religion with the fastest population growth in the world where the world's Muslim population in 2015 is estimated at 1,8 billion people or 24% of the world's population and is the religion with the second largest population in the world,¹ where this number is estimated to continue to grow and will increase to

¹Michael Lipka, "Muslims and Islam: Key Findings in the U.S. and Around the World," Pew Research Center, 2017, <https://www.pewresearch.org/fact-tank/2017/08/09/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/>.

2,8 billion people or 30% of the world's population in 2050,² and it is estimated that by 2075 Islam will become the religion with the largest population in the world.³ Along with the growth of the world's Muslim population, the Global Muslim Travel Index 2019 in its report states that the trend of world Muslim tourists continues to increase from only 25 million in 2000 to 140 million in 2018 and it is estimated that in 2026 there will be 230 million tourists with a total expenditure of USD 180 billion to USD 300 billion of the expenditure comes from on line purchases.⁴ The tourism sector provides a large contribution to the world economy where this sector contributes 10,4% of global GDP, encourages 4,6% global economic growth, and absorbs 9,9% or 313 million jobs from employment.⁵

Carboni et. al., Henderson, and Sen Kupeli et. al.,⁶ said *halal* tourism or Islamic tourism is often used as a synonym, which refers to travel undertaken by Muslims who seek to adhere to the principles and the practice of faith when away from home so that the two terms either *halal* tourism or Islamic tourism are often used interchangeably by researchers. Actually, these two terms can be distinguished where Islamic tourism seems to refer to travel for pilgrimage and religious purposes, which is related to faith in Islam, for example, pilgrimage and *umrah* pilgrimages, worship to Al-Aqsa mosque, and pilgrimages to the tomb of the guardian of Allah. On the other side, *halal* tourism is more likely to lead to trips aimed at leisure, recreation, and social purposes where Muslims also want to see and learn about cultural and historical differences that allow them to better appreciate the

²Pew Research Center, "The Future of World Religions: Population Growth Projections, 2010-2050," Pew Research Center, 2015, <https://www.pewresearch.org/religion/2015/04/02/religious-projections-2010-2050/>.

³BBC News Indonesia, "Islam Akan Menjadi 'Agama Terbesar' Pada 2075," BBC News, 2017, <https://www.bbc.com/indonesia/majalah-39510081>.

⁴Mastercard, "Global Muslim Travel Index 2018," Crescent Rating, 2018, <https://www.crescentrating.com/reports/mastercard-crescentrating-global-muslim-travel-index-gmti-2018.html>.

⁵WTTC, "Economic Impact Reports," World Travel & Tourism Council, 2019, <https://wttc.org/research/economic-impact>.

⁶Alfonso Vargas-Sanchez and Maria Moral-Moral, "Halal Tourism: Literature Review and Experts' View," *Journal of Islamic Marketing* 11, no. 3 (2019): 551, <https://doi.org/10.1108/JIMA-04-2017-0039>.

diversity and wonders of Allah's creation and see the beauty and uniqueness of it.

Although *halal* tourism has been widely developed by many countries in the world, both Islamic countries or countries that have a Muslim population as the majority or countries that have a minority Muslim population because of its potential, the term *halal* tourism is still confusing, where efforts and agreements are needed to clarify the content and requirements. There are several concepts put forward using the terms Muslim tourism, Islamic tourism, *halal* tourism, sharia tourism, Muslim friendly tourism, and hotels that have attracted researchers and the tourism industry but they are a little confused because there is no terminological consensus on what tourism is *halal* tourism.⁷ The term sharia itself which is usually only used in matters related to financial institutions, is now slowly starting to be widely used in terms of Islamic lifestyles, one of which is in the tourism sector where this momentum attracts the attention of tourism stakeholders.⁸ The concept of *halal* tourism is also still under researched at the academic level.⁹ According the explanation above, in the development of *halal* tourism, there is relatively no uniformity and consensus regarding *halal* tourism both in the world and in Indonesia, so that sometimes it confuses the actors in the tourism industry, and this research aims to describe *halal* tourism activities in Islamic *fiqh*.

Methodology

In describing *halal* tourism activities in accordance with Islamic *fiqh* which is a conceptual review, the qualitative research method which is a research method based on the philosophy of post positivism used to examine the condition of natural objects,¹⁰

⁷*Ibid.*, 552.

⁸Nasihin Aziz and Athoillah, "Economic Development Through Halal Tourism," *The Munich Personal RePEc Archive (MPRA)* (Universität München, 2019), 2, <https://mpra.ub.uni-muenchen.de/94834/>.

⁹Alfonso Vargas-Sanchez and Maria Moral-Moral, "Halal Tourism: State of the Art," *Tourism Review* 74, no. 3 (2019): 387, <https://doi.org/10.1108/TR-01-2018-0015>.

¹⁰Sugiyono, *Metode Penelitian Bisnis: Pendekatan Kuantitatif, Kualitatif, Kombinasi, Dan R&D* (Bandung: Alfabeta, 2018), 123.

is used in this research by conducting a literature study with sources of reference books, results of previous studies and other kinds of literature and descriptive analysis is carried out to provide clear, analytical, objective, systematic, and critical information and descriptions of tourism activities in the view of Islamic *fiqh*. In the other word, this methodology is qualitative-descriptive-literature.¹¹ Based on this method, the data collection used the documentation method.¹² The analysis process is carried out continuously from start to finish,¹³ includes data interpretation, language translation, word editing, and compiling them in a logical systematic way, so that the resulting description can be easy to understand.^{14 15}

Results and Discussion

If viewed from an etymological point of view, the origin of the word tourism is a Sanskrit word that refers to two words, namely “*pari*” which means around or a lot, and “*wisata*” which means traveling or going, so on that basis tourism can be interpreted as a trip that is carried out repeatedly from one destination to other destinations.¹⁶

While the word *halal* in terms of etymology is an Arabic word that means it is permissible or with the meaning of all objects or activities in Islamic teachings that are allowed to be carried out or

¹¹Devid Frastiawan Amir Sup, “Wakaf Kontemporer Di Indonesia Dalam Perspektif Hukum Dan Fatwa,” *Jurnal Hukum Ekonomi Syariah* 4, no. 2 (2021): 239, <https://doi.org/10.30595/jhes.v4i2.11093>.

¹²Devid Frastiawan Amir Sup, “Cessie Dalam Tinjauan Hukum Islam,” *Jurisprudensi: Jurnal Ilmu Syariah, Perundangan-Undangan Dan Ekonomi Islam* 11, no. 1 (2019): 51, <https://doi.org/10.32505/jurisprudensi.v11i1.995>.

¹³Devid Frastiawan Amir Sup, “Government Efforts to Prevent Potential Violence Against Women During the Covid-19 Pandemic in Indonesia,” *Syariah: Jurnal Hukum Dan Pemikiran* 21, no. 1 (2021): 106, <https://doi.org/10.18592/sjhp.v21i2.4146>.

¹⁴Devid Frastiawan Amir Sup, “The State’s Efforts in Preserving the Environment Through Regulation,” *Sustainability: Theory, Practice and Policy* 1, no. 2 (2021): 204.

¹⁵Devid Frastiawan Amir Sup et al., “Dinamika Regulasi Sertifikasi Halal Di Indonesia,” *JESI (Jurnal Ekonomi Syariah Indonesia)* 10, no. 1 (2020): 37, [https://doi.org/10.21927/jesi.2020.10\(1\).36-44](https://doi.org/10.21927/jesi.2020.10(1).36-44).

¹⁶I Ketut Suwena and I Gusti Ngurah Widyatmaja, *Pengetahuan Dasar Ilmu Pariwisata* (Denpasar: Pustaka Larasan, 2017), 80.

used which apply to all aspects of a Muslim's life.¹⁷ Henderson and Hassan states that in an Islamic perspective, all product development (food, drink, and shelter), place (destination), dimensions (culture, religion, economy, etc.) and managing service processes (marketing and ethical issues) should be designed and directed according to Islamic teachings.¹⁸ According to Muhammad Yusuf Qardhawi, "The term *halal* is defined as that which is permitted, with respect to which no restriction exists, and the doing of which the law-giver, Allah is allowed".¹⁹

Richardson and Fluker say that the main characteristic of tourism is that there is an element of travel (movement of people from one place or destination to another), temporary (not permanent), and not for work that earns wages.²⁰ Due to the changing times, the motives and motivations of travel change according to the level of economy and environmental development, and the socio culture of the community itself where along with the increase in human civilization, the needs of a human being will be more complex and the urge to travel becomes stronger.²¹ Currently, human tourism motives are very diverse, including recreation (enjoying attractions and tourism objects, both cultural, artificial, and natural), sports, visits by relatives, friends and relatives, education, health, and so on.²²

In the relative definition, there is no agreement on tourism and tourists academically to date where there are many opinions from experts regarding the definition of tourism including the opinion of Murphy, which states in the dictionary literally tourism means,

¹⁷Mohd Fuaad Said et al., "Exploring Halal Tourism in Muslim Minority Countries: Muslim Travellers' Needs and Concerns," *Journal of Islamic Marketing* 13, no. 4 (2020): 826, <https://doi.org/10.1108/JIMA-07-2020-0202>.

¹⁸Ying-Chan Liu et al., "What Makes Muslim Friendly Tourism? An Empirical Study on Destination Image, Tourist Attitude, and Travel Intention," *Advances in Management & Applied Economics* 8, no. 5 (2018): 29, https://ideas.repec.org/a/spt/admaec/v8y2018i5f8_5_3.html.

¹⁹Muhammad Djakfar, *Pariwisata Halal Perspektif Multidimensi: Peta Jalan Menuju Pengembangan Akademik Dan Industri Halal Di Indonesia* (Malang: UIN-Maliki Press, 2018), 122.

²⁰Muchamad Zaenuri, *Perencanaan Strategis Kepariwisataaan Daerah Konsep Dan Aplikasi* (Yogyakarta: e-Gov Publishing, 2012), 34.

²¹Suwena and Widyatmaja, *Pengetahuan Dasar Ilmu Pariwisata*, 81.

²²Nurul Huda et al., *Pariwisata Syariah: Sebuah Pendekatan Teoretis Dan Riset* (Jakarta: PrenadaMedia, 2021), 188.

“A journey where the perpetrator return to the original place, a circular trip undertaken for business, pleasure, or education purposes at various places visited and usually using a planned itinerary”.²³ Then the United Nations Conference on Travel and Tourism in Rome (1963) provides the definition of, “Every person who visits a country which is not his place of residence, for various purposes, but not to seek work or a livelihood from the country visited”. The definition made by the Government of the Republic of Indonesia as outlined in UU No. 10/2009 concerning Tourism, “Tourism is a travel activity carried out by a group of people or a person to a certain destination visited for a temporary period for the purpose of recreation, personal development, or learn about the uniqueness of the tourist attraction visited”. Meanwhile, the definition of tourism based on the law is, “A variety of tourism activities and supported by various facilities and services provided by the community, businessmen, government, and local governments”.²⁴

Because there is relatively no academic agreement on terminology and standard terms in tourism in general, the terminology and standard terms in *halal* tourism in the world are also relatively non existent, where the terms and concepts that are developing are Muslim tourism, Islamic tourism, *halal* tourism, sharia tourism, Muslim friendly tourism, sharia tourism, and hotels so that an effort and agreement is needed to uniform and determine the requirements for *halal* tourism in the world. In Indonesia, there is relatively no law that regulates *halal* tourism where the legal basis for *halal* tourism refers to UU No. 11/2020 concerning Job Creation which amends UU No. 10/2009 concerning Tourism and also UU No. 33/2014 concerning Guaranteed *Halal* Products, where nothing specifically regulates *halal* tourism. The implementation of *halal* tourism in Indonesia basically refers to the Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 concerning Guidelines for the Implementation of Tourism Based on Sharia Principles, where the weakness of the *fatwa*

²³Sedarmayanti, *Membangun & Mengembangkan Kebudayaan & Industri Pariwisata (Bunga Rampai Tulisan Pariwisata)* (Bandung: PT Refika Aditama, 2014), 163.

²⁴Indonesia, “Undang-Undang Republik Indonesia Nomor 10 Tahun 2009 Tentang Kepariwisataaan,” Sekretariat Jenderal DPR RI, 2009, <https://www.dpr.go.id/jdih/index/id/527#:~:text=Undang-Undang Nomor 10 Tahun,bagian dari hak asasi manusia>.

DSN-MUI basically does not have binding legal force compared to the legal basis made by the state.

The concept of *halal* tourism should be an actualization of the Islamic concept, namely the values of *halal*, *haram*, permissible, and *makruh* which become the benchmark and basis for all aspects and policies in *halal* tourism activities.²⁵ The essence of the basic concept in the development of Indonesian tourism both at the national and regional levels rests on the uniqueness, natural authenticity, and cultural diversity that exist in communities in various regions in Indonesia. The philosophical foundation of Indonesia's tourism development is basically in line with the teachings of Islam which consists of: (1) The relationship between humans as creatures and their God as the creator; (2) Human relations where there is a balance of relations between human groups (community) and between human individuals and other individuals; (3) The relationship between the natural resource environment and humans where there is a balance between the natural resource environment (macro cosmos) and humans (micro) in its utilization and sustainability.²⁶

Adopting Cooper, basically there are four components in the development of *halal* tourist destinations, namely: (1) Attractions, including nature and culture that have beauty and uniqueness and are well packaged and planned so that they can increase tourists' faith in Allah Swt. so that the goal of *halal* tourism managers in addition to tourist satisfaction can also increase tourists' faith; (2) Accessibilities, namely good and adequate land and/or river, and/or sea, and/or air access; (3) Facilities such as the availability of accommodation (where the accommodation applies strict regulations such as not providing food and drinks that are not *halal*, not accepting unmarried couples, LGBT, and others that are prohibited in Islam), restaurants that sell drinks and food that are guaranteed to be *halal*, and travel agents that provide *halal* tour packages; (4) *Halal* tourism supporting services

²⁵Eka Dewi Satriana and Hayuun Durrotul Faridah, "Wisata Halal: Perkembangan, Peluang, Dan Tantangan," *Journal of Halal Product and Research* 1, no. 2 (2018): 34, <https://doi.org/10.20473/jhpr.vol.1-issue.2.32-43>.

²⁶Mohamad Ridwan and Windra Aini, *Perencanaan Pengembangan Daerah Tujuan Pariwisata* (Sleman: Deepublish, 2019), 153.

include tourism organizations and institutions, both government and private, that apply the concept of developing *halal* destinations from planning, implementation, to monitoring.²⁷

The basis of the rules of *fiqh* in *halal* tourism in Indonesia adopted from the *fatwa* DSN-MUI, “All forms of legal *muamalat* are basically allowed unless there is a prohibition from an argument, something that is forbidden to do then it is forbidden to ask/seek, if it is a narrow affair, then (the affair) become widespread, preventing loss takes precedence over benefiting”. Furthermore, several verses of the Qur’an that serve as a reference for the development of *halal* tourism are Qur’an surah Al-Mulk verse 15 which means, “It is He Who made the earth easy for you, so walk in all directions and eat of His sustenance. And to Him you (return after) resurrected”, Qur’an surah Nuh verses 19-20 which means, “And Allah made the earth for you as a stretch, so that you may travel in the vast earth”, Qur’an surah Ar-Rum verse 9 which means, “And do they not travel in the earth and see how the consequences (afflicted) by those before them? Those people are stronger than themselves and have cultivated the earth (soil) and prospered more than what they have prospered. And their messengers have come to them with clear proofs. So Allah will never do wrong to them, but they are the ones who do wrong to themselves”, and Qur’an surah Al-Ankabut verse 20 which means, “Say, walk on (face) the earth, then pay attention to how Allah created (man) from the beginning, then Allah made him again. Verily, Allah has power over all things”.

The *hadith* that is the basis of *fiqh* for *halal* tourism is the *hadith* narrated by Al-Baihaqi which means, “From Ibn Abbas ra. said that the Prophet Saw. said, travel, you will be healthy and fulfilled”. Radd Al-Muhtar who explained that (original law) traveling is permissible but can become worship (obedience) if traveling for purposes related to worship such as *haji* or *jihad*, while if it is done for purposes that are not permitted or not approved by Allah Swt. then traveling for that purpose is classified as an immoral and unlawful.

Until now, the term *halal* tourism is still relatively confusing, where efforts and agreements are needed to clarify the content and

²⁷Meizar Rusli, Riza Firmansyah, and Yustisia Pasfatima Mbulu, “Halal Tourism Destination Development Model,” *Journal of Environmental Management and Tourism* 9, no. 6 (2018): 1298, [https://doi.org/10.14505/jemt.v9.6\(30\).19](https://doi.org/10.14505/jemt.v9.6(30).19).

requirements. There are several concepts put forward in the world using the terms Muslim tourism, Islamic tourism, *halal* tourism, sharia tourism, Muslim friendly tourism, and hotels that have attracted researchers and the tourism industry but they are a little confused because there is no terminological consensus on what it is *halal* tourism.²⁸

Currently, the *halal* tourism standards adopted and used by Indonesia and several other countries in the world today are relatively referring to the standards made by the global *halal* tourism rating agency Global Muslim Travel Index (GMTI), which explains that *halal* tourism standards are family friendly tourist destinations, tourist destinations that must be child and family friendly, security and comfort for Muslim tourists, a large number of Muslim tourist arrivals, Muslim friendly services and facilities, guaranteed *halal* food and drinks with *halal* certificates, access to worship in good condition and easily accessible, an airport that has facilities that are friendly to Muslims, awareness of *halal* and the existence of marketing activities for *halal* tourist destinations, ease of communication, reach and awareness of the daily needs of Muslim tourists, transportation connectivity, especially air transportation, adequate accommodation options, and easy visa requirements.

Sharia standards for Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI) also have not regulated *halal* tourism, so sharia standards for *halal* tourism actors relatively follow the appropriate standards, for example sharia standard number nine for *ijarah* contracts, sharia standard number fifteen for *ju'alah* contract, and others.

In Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 concerning Guidelines for the Implementation of Tourism Based on Sharia Principles, DSN-MUI explains that tourism implementation that refers to sharia principles is basically permissible as long as it follows the terms and conditions contained in the *fatwa*.²⁹ The definition of

²⁸Vargas-Sanchez and Moral-Moral, "Halal Tourism: Literature Review and Experts' View," 552.

²⁹DSN-MUI, "Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah," Dewan Syariah

tourism in the *fatwa* is basically a travel activity carried out to visit a certain place by a group of people or a person for a temporary period to observe and learn about the uniqueness of tourist attractions, recreation, or personal development. Sharia tourism is defined as tourism that does not violate and is in accordance with sharia principles. The definition of tourism is a variety of tourism activities and is supported by various services and facilities provided by the government, local governments, entrepreneurs, and the community. So the definition of sharia tourism is tourism that does not violate and is in accordance with sharia principles. Furthermore, what is meant by, “*Sharia tourism destination is defined as a geographical area located in one or more administrative areas in which there are tourist attractions, tourism facilities, accessibility, worship, and public facilities, as well as communities that complement each other and are related in realizing tourism that does not violates sharia principles*”.

The general principles in the implementation of sharia tourism are that tourism must be protected from disobedience, evil, *tabdzir* (redundant)/*israf* (excessive), polytheism, and evil and can provide benefits both spiritually and materially. The parties directly involved in *halal* tourism activities are tourists, tourism entrepreneurs, sharia hotels, sharia travel agencies (BPWS), tour guides, and workers at the destination, and tour operators and therapists.

From the side of *halal* tourists, they should be obliged to fulfill the requirements and conditions as well as sharia principles by avoiding immorality, damage (*fasad*), shirk, and evil as well as maintaining noble character, maintaining obligations for worship during tourist activities, and not visiting tourist destinations that are not in accordance with or contrary to sharia.

On the other side, *halal* tourist destinations or destinations are required to provide facilities for worship that have good and proper easy access, meet the requirements as prescribed and provide *halal* drinks and food marked with a *halal* certificate. *Halal* tourist locations and destinations must be protected from activities that contain immorality, pornography, adultery, liquor, drugs, and gambling,

as well as performing arts, culture, and attractions that are contrary to sharia principles and avoiding things that are polytheistic and superstitious.

In *halal* tourism activities, accommodation and hotel operators must carry out business principles that are in accordance with sharia and comply with the provisions that sharia hotels may not provide access facilities for immoral acts and pornography, do not facilitate and provide entertainment that leads to immorality, pornography and/or immoral acts, and polytheism, serving drinks and food that have *halal* certificates, providing good and proper equipment, facilities, and facilities for worship, including washing facilities, polite clothing and covering the genitals in accordance with sharia, having guidelines and/or guidelines regarding service procedures that are not contradictory and in accordance with sharia principles, and use the services of sharia financial institutions in all financial activities and services.

In sharia tourism activities, it will certainly involve interaction, transactions, and cooperation among sharia tourism stakeholders where which will create contracts between the parties where the common contracts in sharia tourism are: (1) *Ijarah* contract, which is a contract for a lease transaction for an item and or wages for a service within a certain time, where this occurs between: (a) Tourists with sharia travel agencies; (b) Tourists with tourism entrepreneurs; (c) Tourists with sharia hotels; (d) Tourist with therapist; (e) Sharia travel agency with a tour guide; (2) *Ju'alah* contract, which is a contract in the form of a commitment or promise (*iltizam*) to provide certain rewards (reward/*iwadh/ijul*) for the achievement of results (*natijah*) determined from a job where this contract is used between a sharia travel agency and a tour guide other than *ijarah* contracts are also widely used; (3) *Wakalah bil ujrah* contract which is a contract of granting power to another party to do something that is legally conditional with the provision of wages where this contract is commonly used in sharia hotel marketing activities with sharia travel bureaus under the authority of sharia hotels to market sharia hotel products and services the; (4) Other contracts in accordance with the *fatwa* DSN-MUI and the applicable rules and laws for the closure of tourism insurance,

the management, and development of tourism funds.

The meaning of *halal* tourism which is the basis for the Government of the Republic of Indonesia in developing and building *halal* tourism or *halal* tourism in Indonesia refers to the meaning of *halal* tourism conveyed by Sutono which defines, "*Halal tourism as a set of additional services for amenities, accessibility, and tourist attraction that is intended and provided to meet the desires, needs and experiences of Muslim tourists*".³⁰ *Halal* tourism is not a temporary tourism trend that can appear and disappear it is expected to continue to grow according to the needs of Muslim tourists in the world. *Halal* tourism itself has a very clear, segmented market and is expected to continue to increase in the future. This is because even though Indonesia is a country with a majority Muslim population (86,88% - as of June 2021 - Ministry of Home Affairs),³¹ but considering Indonesia is a pluralistic country (religion and ethnicity), so far the term sharia used for tourism in Indonesia is still debatedable where the tendency of the *halal* tourism concept adopted by the government is more towards Muslim friendly tourism by providing additional amenity services that are intended and provided to meet the desires, needs, and experiences of Muslim tourists. The Ministry of Tourism and Creative Industries stated that the use of the term sharia in tourism in Indonesia has the impression of being exclusive and prohibiting certain religions.

Conclusion

Halal tourism is a segment of the world tourism market whose growth is good in line with the continued growth of the world's Muslim population, the number of a middle class in countries where the population is predominantly Muslim, and the number of world Muslim tourists. This potential causes many countries in the world to focus on serving this tourism segment, both Muslim

³⁰Anang Sutono et al., *Rencana Strategis Pengembangan Pariwisata Halal 2019-2024* (Jakarta: Kementerian Pariwisata Republik Indonesia, 2019), 4.

³¹Viva Budy Kusnandar, "Sebanyak 86,88% Penduduk Indonesia Beragama Islam," Databoks, 2021, [https://databoks.katadata.co.id/datapublish/2021/09/30/sebanyak-8688-penduduk-indonesia-beragama-islam#:~:text=Berdasarkan data Direktorat Jenderal Kependudukan,86%2C88%25\) beragama Islam.](https://databoks.katadata.co.id/datapublish/2021/09/30/sebanyak-8688-penduduk-indonesia-beragama-islam#:~:text=Berdasarkan data Direktorat Jenderal Kependudukan,86%2C88%25) beragama Islam.)

and non-Muslim countries. Unfortunately, until now there is no uniformity and consensus regarding terms, terminology, content, and requirements for *halal* tourism both in the world and in Indonesia. *Halal* tourism standards adopted and used by Indonesia and several other countries in the world today relatively refer to the standards made by the Global Muslim Travel Index (GMTI), while the basic principles of *fiqh* in *halal* tourism in Indonesia are adopted from the Fatwa DSN-MUI No: 108/DSN-MUI/X/2016 concerning Guidelines for the Implementation of Tourism Based on Sharia Principles. The meaning of *halal* tourism which is the basis for the Government of the Republic of Indonesia in developing and building *halal* tourism or *halal* tourism in Indonesia refers to the meaning of *halal* tourism conveyed by Sutono in Ministry of Tourism. which defines *halal* tourism as a set of additional services for amenity, accessibility, and power. A tourist attraction that is intended and provided to meet the desires, needs, and experiences of Muslim tourists. The consideration is because even though Indonesia is a country with a majority Muslim population, Indonesia is a pluralistic country (religion and ethnicity). This shows that the concept of *halal* tourism development in Indonesia tends to be Muslim friendly tourism rather than a more comprehensive *halal* tourism development concept that is in accordance with Islamic teachings. In increasing Muslim tourist visits to Indonesia as a source of foreign exchange, the Government of the Republic of Indonesia should focus more on developing plans for developing *halal* tourism, developing and improving infrastructure and accessibility of leading *halal* tourist destinations, determining the definition and standards of *halal* tourism and compiling it in a law that has a more binding legal force, conduct training and development of human resources for *halal* tourism actors and stakeholders, as well as carry out effective tourism promotions to attract the *halal* tourism target market to visit Indonesia.

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