

# Halal Tourism in Indonesia: An Indonesian Council of Ulama National Sharia Board Fatwa Perspective

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## Abstract

The phenomenon of sharia-based tourism development has now become a necessity for the people of Indonesia and even for the global community. Therefore, we need rules and regulations that govern it, both rules relating to normative sharia and regulations governing implementation in a positive legal manner. The purpose of this research is to describe halal tourism in Indonesia in terms of the Indonesian Council of Ulama National Sharia Board (DSN-MUI) fatwa and the government regulation. This research is a conceptual review that uses literature research methods sourced from authoritative journals, books and documents and is still relevant to the study of halal tourism. The results showed that the large number of public requests for halal tourism visits in Indonesia resulted in the need for normative and positive regulation that regulates. Finally, the MUI issued and stipulated fatwa Number: 108/DSN-MUI/IX/2016 regarding the implementation of tourism based on sharia principles and West Nusa Tenggara Regional Regulation Number. 2 of 2016 concerning Halal Tourism. Overall, the halal tourism indicator according to the DSN-MUI fatwa Number: 108/DSN-MUI/X/2016 and West Nusa Tenggara Regional Regulation Number. 2 of 2016 the content is almost the same and interrelated with one another. The only difference is in the use of the term “sharia tourism” in the DSN- MUI fatwa while the content in the regional regulation (PERDA) uses the term “halal tourism”.

**Keywords:** DSN-MUI Fatwa, Regional Regulation, Halal Tourism, Indonesia

**JEL Classification Code:** M31, M38, R58, Z32

## 1. Introduction

New population projections by the Pew Research on Religion & Public Life Forum estimate that the world's

Muslim population will increase by about 35% in the next 20 years, up from 1.6 billion in 2010 to 2.2 billion in 2030 (PRC-FRPL, 2011; CCD, 2016). While Muslims in Asia have reached more than two-thirds of the world's Muslim population living on this continent. Asia's population increased from 1.4 billion in 1950 to 4.7 billion in 2020, the percentage of Muslims in Asia increased from 23% in 1950 to 31% in 2020, which amounted to more than one percent per decade (Kettani, 2010). Even the most recent data shows that Muslims experienced a rapid increase in the world population, and Indonesia experienced a faster rate than the Muslim population of the world between 1950 and 2050 (Kettani, 2014). At present, Indonesia is the largest Muslim majority country in the world and Indonesia has the largest Muslim population compared to other countries.

Based on the data above, global market conditions when based on the needs and preferences of around 1.6 billion Muslims around the world have emerged as a strong commercial arena. This creates opportunities for companies, especially in the developing markets to take advantage of the halal product market (González, 2015).

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Therefore, the halal industry has attracted many countries such as Thailand, Singapore and the Philippines who are aware of the development of halal products. Other countries such as the United States and Australia also scramble to take this opportunity to become producers of halal products (Tawil et al., 2015). This huge market for halal tourism includes Bahrain, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, Malaysia, Indonesia, Brunei and Muslim travelers from South Asia, Europe, the United States and the United Kingdom (Mohsin et al., 2016).

Over the past few decades, the concept of halal has only become a concern for Muslims, but now the concept of halal has become a global concern in all businesses and industrial sectors (Elias et al., 2016). Public attention to this halal product shows that there is a greater awareness among Muslims about the need for halal products. A good example of increasing consumer awareness is the rapid annual sales of halal food throughout Russia and the increasing demand for halal products between 30% and 40% annually. Therefore, there is no doubt if at present all parties view halal as a potential means to stimulate the economy through value added exports, trade and tourism. Awareness about the concept of halal is increasing, and companies respond swiftly to the needs of these consumers, both are for products or services (Baharuddin et al., 2015).

Muslim spending on these sectors has increased in the past due to some of the main drivers of demographic growth, Islamic economic growth, lifestyle and business practices and its focus on halal orientation. Data from the State of the Global Islamic Economy 2017-2018 states that current halal business trends continue to show progress, including business in the halal food sector (halal food), halal travel (halal travel), halal media and recreation (halal media and recreation), halal pharmaceuticals and cosmetics (halal pharmaceuticals and cosmetics) (DinarStandard, 2018). Now when someone talks about halal, it does not refer only to food, but also all matters of daily life. Halal covers all aspects of human life without exception. A Muslim is obliged to ensure the legal status of any food before eating it (Tawil et al., 2015). Likewise, if he wants to travel, halal tourism is a tour that permitted by sharia to be visited while forbidden tourism is unlawful.

The halal tourism sector has now become a trend and a necessity for Muslim and non-Muslim countries. Halal tourism is a rapidly growing market segment not only in Muslim countries but globally. With this growing phenomenon, combined with the increasing number of Muslim tourists around the world, several non-Muslim countries have also begun various strategies to benefit from halal tourism. In Japan, for example, it has started to look appealing to the tourists from Muslim countries especially from the Southeast Asian countries to visit Japan. Japan

has provided prayer rooms at major airports, and several restaurants now serve halal food. Some chain restaurants in the UK, like KFC and Subway also offer halal food to their Muslim customers. Meanwhile, the Thai Tourism Authority has launched a Muslim tourism application called “Thailand Muslim Friendly”. This can be downloaded via the Apple Store and Google Play to help Muslim tourists find halal restaurants and hotels, as well as prayer rooms in the countries they visit (Vulcan Post, 2019). Turkey is prioritizing tourism strategies until 2023, to develop health and thermal tourism, winter tourism, golf tourism, sea tourism, ecotourism, highland tourism and alternative tourism, namely halal tourism. Given Turkey’s current culture and religious aspects, halal tourism is an alternative type of tourism as a diversification of alternative tourism activities accompanied by good quality services (Pamukçu and Arpacı, 2016). At the end of 2013 Dubai had provided a focal point on the halal industry for all Islamic economic projects ranging from Islamic finance and halal products to family-friendly tourism, digital economics, Islamic design, knowledge and information, and standards and certification (ITC, 2015).

Halal tourism has become a new trend in global world, which is motivated by the increasing number of Muslim visitors, which continues to increase every year (COMCEC, 2016). Indonesia as a country with the largest Muslim population in the world also agrees to the significance of new economic growth through the halal tourism sector (Andriani, 2015). Indonesian Muslim tourism expenditure reaches \$9.7 billion per year. External demand for Indonesia’s tourism sector is also increasing (Breuer et al., 2018). On the international stage, Indonesia ranks fourth in the “Top 10 Halal Travel” which pays attention to the halal tourism sector in its economic development. Indonesia realizes its potential as a major destination for Muslim tourists, supported by substantial efforts to develop halal tourism, reflected in the scores of ecosystems high, as well as a substantial increase in media discussions about halal tourism. Because information seeking behavior through the media among Muslim families also influences travel decisions (Yusoff & Adzharuddin, 2017).

The social phenomenon of halal tourism has now become a new development in the tourism industry both domestically and abroad. However, there are still problems in practice, namely the lack of universal halal travel standards can cause continuing confusion among consumers (especially Muslim tourists) and industry. Lack of clear rules and regulations can lead to mafsadat and madharat in management (State of the Global Islamic Economy 2017/2018). The diversity and fragmentation of the tourism industry is one of the main problems in measuring the economic impact of tourism itself (Theobald 2005).

There are some ambiguities in relation to the interpretation of the concept of halal tourism, which influences the approach to its implementation (Muhamad et al., 2017). For example, the empirical findings of Islam and Kärkkäinen (2013) show that the needs and demands of Muslim tourists as a whole must be regarded as halal needs that are rooted in Muslim lifestyles. The findings also show that the availability of halal food, prayer rooms in accommodation facilities, special environments for women such as spas and separate swimming pools are some of the urgent halal needs that have not yet been found and fulfilled.

Tourism also considered by some people to be dangerous for the environment because it requires the construction of additional buildings and other activities that will produce pollution. Some Islamic scholars worry about the existence of tourism because they think that it will lead to the exchange or mixing of various cultural traditions, values, beliefs and attitudes. Therefore, they oppose such matters so as not to erode Islamic values and culture (Sanad, et al., 2010:21). In essence, the tourism industry is always influenced by religion, especially Islam, because of its special rules and regulations (Namin, 2012). Religion has long been known as an influential factor in tourism, especially related to halal tourism (Eid & El-Gohary, 2014). The influence of religion on the movement of tourists is an undeniable fact (Mansouri, 2014).

Based on the description above, the halal tourism industry (halal tourism industry) emerged as a new sub-sector in the global tourism industry (Suharko, et al., 2018). Provision of halal goods and services must be accompanied by halal certification issued by the government through the Halal Product Guarantee Agency (BPJPH) Ministry of Religion of the Republic of Indonesia where the fatwa is issued by the the Indonesian Council of Ulama (MUI). Fatwas can provide solutions to the latest social phenomena that occur in society (Fariana, 2017). The existence of the MUI is considered very important, namely in the position of giving fatwas. In halal industry practice, MUI fatwa becomes a legal reference in examining and certifying the halal of its products.

When viewed from the perspective of positive law, the fatwa is indeed not binding but binding is the norm, which is often used as legal norms which are then determined by the state (Mulyati, 2019). As stated by Johar (2019), although the MUI fatwa is not in the same position as a positive law that has binding power for all citizens, but the MUI fatwa can or can have binding power after it has been transformed into statutory regulations, the fatwa can also be transformed to Government Regulation (PP) or Regional Regulation (PERDA) at the provincial or district or city level (Johar, 2019). Like the emergence of the Fatwa of the National Sharia Board-Majlis Ulama Indonesia Number: 108/DSN-MUI/X/2016 Regarding Guidelines for Organizing Tourism

Based on Sharia Principles and Regional Regulations of West Nusa Tenggara Number 2 Year 2016 Regarding Halal Tourism. Because the development of halal tourism in NTB continues to experience a significant increase, especially after the NTB province was established as a halal tourism destination in Indonesia in 5015. This prompted the NTB Regional Government to regulate halal tourism practices through Perda Number. 2 Years on Halal Tourism issued in 2016, and NTB became the first region or province in Indonesia to have a Halal Tourism Regulation. Apart from being intended as a guideline for tourism managers in providing halal tourism services to tourists, it is also intended to provide security and comfort services to tourists so they can enjoy safe and halal tourist visits (Fahham, 2017: 73). The Aceh Government's ranks are trying to realize halal tourism in their area, but Aceh has not yet issued a Peral (Qanun) of halal tourism (Saleh & Anisah, 2019). Unlike NTB, which already has a Halal Tourism Regulation. Therefore, in addition to the regional regulation, social change as a result of cultural dynamics such as the halal tourism environment currently requires the role of ulama to translate socio-cultural transformation into fatwa.

Based on the background that has been described above, the study about halal tourism in Indonesia, in the perspective of the DSN-MUI fatwa and Perda was very important to do and has a strategic value in exploring and finding standardization of alternative tourism indicators that are in accordance with the Qur'anic values and support the development of sustainable tourism through halal tourism in Indonesia.

## 2. Method

This research is a conceptual research that uses literature research methods sourced from authoritative journals, books and documents and is still relevant to the study of halal tourism.

## 3. Results and Discussion

At present tourism has grown significantly in economic and social interests. The fastest growing economic sector in most industrialized countries in the last few years is in the service sector. One of the largest segments of the service industry, although it's largely not recognized as an entity in some of these countries, is travel and tourism (Theobald, 2005). Therefore, tourism directly or indirectly has been at the forefront in the creation of a global community (Chang, 2007).

Tourism according to the Law of the Republic of Indonesia Number 10 of 2009 concerning Tourism is a variety of tourism activities and is supported by various facilities and services provided by the community, business

people, the Government, and the Regional Government. Lickorish and Jenkins (1997) describe tourism as an activity that crosses conventional sectors in the economy. This requires inputs that are economic, social, cultural and environmental. In this case it is often described as diversity (Lickorish & Jenkins, 1997). As also explained by Goeldner and Ritchie (2012) who said that tourism is a combination of various activities, services, and industries that provide travel experiences: transportation, accommodation, places to eat and drinks, shops, entertainment, activity facilities, and hospitality services others are available for individuals or groups traveling away from home.

Along with the growth of tourism activities, the tourism industry has rapidly developed over the last few decades, reflecting the growing development of tourism recognition as one of the most significant economic, social and environmental forces at home and abroad (Hudson, 2008). Many countries are currently competing to make innovations and diversify their businesses from tourism, halal tourism, for example, to meet the demand and tourism needs based on the lifestyle of Muslim tourists from various countries, so they provide tourism products and services that are in accordance with Islamic teachings and values (Mohsin et al., 2016).

Integrating and combining the term “halal” in forming “halal tourism” cannot be separated from the term “halal” itself. The word *halāl* comes from Arabic etymologically meaning to be allowed, permitted, legal and legal. The term *ḥalāl* means permitted in accordance with the teachings of Islam (sharia). Halal is also one of the five actions of *al-ahkām al-khamsah* which categorizes the morality of human actions in Islam, the opponent or the opposite of halal is haram (forbidden) (Al-Qaradawi, 2013). *Ḥalāl* in the Koran is usually used in connection with what is made possible by the will and command of Allah, and, to that extent, carries a higher level of purity than the legal labels *jā’iz* and *mubāḥ* (Kamali, 2011). According to Islam every Muslim is obliged to only consume what is halal and avoid what is forbidden by Allah SWT. Because consuming halal, holy and good (*thayyib*) is a religious command and the law is mandatory (Amin, 2011).

Based on this description, Islamic tourism is defined as tourism that is in accordance with Islam, which involves Muslim people who are interested in maintaining their personal religious habits while traveling. This definition is not limited to travel for religious purposes and does not exclusively travel to or within Muslim countries (Carboni et al., 2014). The definition of halal tourism refers to tourist objects or destinations and actions that are permitted according to Islamic teachings to be used or involved by Muslims in the tourism industry (Battour & Ismail, 2016). Halal tourism is a form of religious tourism that represents obedience and adherence to the teachings of Islam, offering destinations that provide halal products and services suitable

for Muslim tourists. Halal tourism provides an alternative choice for Muslim tourists because it assures them that problems and matters relating to compliance with sharia law must be maintained. This, in the sense of giving them peace of mind when they travel, as a substitute for conventional tourism (Bon & Hussain, 2010), where Muslim tourists must actively look for halal-based products and services or avoid certain things to meet halal requirements (Isa et al., 2018).

Theoretically, the literature on tourism rarely touches on religious attributes, especially when talking about Islamic attributes (Battor et al., 2011). Because people are more familiar with the term conventional tourism rather than halal tourism. There are two approaches to understanding the concept of religious tourism based on perspectives and destinations in tourism or travel.

Traveling is highly recommended by the Koran. Allah asks humans to travel through the earth to take lessons from His creation which He offers to humans in His mercy (Alquran Surat Al-ʿAnkabut (29):20) which means: Say: “Walk on (face) the earth, then consider how Allah created (man) from its beginning, then Allah made it once again.” Surely Allah has power over all things. The verse shows the established fact that religion has an influence on the daily activities of Muslims, whether at home or traveling or traveling, and thus will shape choices towards good and wise goals. Islam recognizes the right of people to move from one place to another and encourages traveling to useful destinations including Hajj and Umrah, pilgrimage, health and medicine, education, business, commerce, entertainment and pleasure. However, words such as “pleasure” and “entertainment” must be interpreted with caution because Muslims are permitted to seek pleasure and entertainment only in ways that are lawful or do not exceed Islamic sharia rules and obligations. Therefore, in this context, tourism policies, development and management objectives and operations of the tourism industry are strongly influenced by Islamic principles (Sanad et al., 2010).

Islamic tourism as a concept which has been used with different terms and connotations in tourism theory and practice. Halal tourism (halal tourism), halal travel (halal travel), Islamic tourism and Muslim friendly tourism (Muslim friendly tourism) are the most common terms, which are used as alternatives. In addition, there are a number of related terms such as “halal hospitality”, “sharia-compliant hotels”, “halal-friendly travel” and as Muslim-friendly destinations that allude to services in this sector (SESRIC, 2018:3).

### 3.1. The Importance of DSN-MUI Fatwa and Regional Regulation of Halal Tourism

At present the application of the halal concept in tourism activities has become a necessity for people in Indonesia.

This is evidenced by the many requests for halal tourism, this can be seen from the number of visitors who travel to destinations that already have a halal brand. Besides NTB and Aceh, North Sumatra is one of the provinces that has now developed the concept of halal tourism. Some tourist attractions are now beginning to be tried in the application of the concept of halal tourism (Pradesyah & Khairunnisa, 2018). Halal tourism is a tourism activity that emphasizes the material and methods of handling halal based on sharia (Cholis et al., 2019). Sharia principles that are applied in tourism come from two main sources namely the Quran and As-Sunnah as well as two secondary sources namely Ijtihad through Ulama fatwas promoted by the the Indonesian Council of Ulama (MUI) and Perda issued by each local government (Setiyanto, 2018).

In this case the the Indonesian Council of Ulama (MUI) has issued a fatwa on the implementation of tourism based on sharia principles Number: 108 / DSN-MUI / IX / 2016. The fatwa contains the implementation of sharia-compliant tourism including, among other things, tourists, travel agents, entrepreneurs' tourism, hotels, tour guides and therapists. The NTB regional government also has West Nusa Tenggara Regional Regulation Number. 2 of 2016 concerning Halal Tourism (Fateh, 2018). This fatwa and Regional Regulation also answer the phenomenon of halal tourism which is becoming a trend in Indonesia and internationally. So that this fatwa and Regional Regulation become a necessity for all halal tourism stakeholders in organizing tourism activities in accordance with sharia principles.

Majlis Ulama Indonesia (MUI) is an institution that has the task of giving fatwas on issues that become strategic public needs. The MUI fatwa issued by the Fatwa Commission has a very broad influence because the MUI becomes an institution that accommodates all social organizations, including the Nahdlatul Ulama (NU) community and the majority of Muhammadiyah in Indonesia (Ma'mur, 2018). Fatwas have an important role for the people in Indonesia, especially Muslims. The majority of Muslims need a selective and contextual legal answer to tourism activities based on sharia principles.

The existence of the MUI fatwa viewed from the social aspect, is considered very important (urgent) in the midst of the reality of the plurality of Indonesian Islamic society. The role of the MUI fatwa is highly desirable to unite this diverse society. In line with its function and role as intellectuals, the MUI carries a great mandate to be able to accommodate the abilities or strengths that exist in itself for the benefit of society in general and Muslims in particular (Johar, 2019). Although the existence of the MUI is mentioned in various legal products such as the Halal Product Guarantee Act, the MUI still insists that they are non-governmental organizations outside the government (Abdillah & Novianto, 2019). As an

Islamic institution and non-governmental organization in Indonesia, MUI has always been independent (Habibaty, 2017). In addition to issuing and stipulating fatwas (Wahyudi & Fajar, 2018), the Indonesian Council of Ulama (MUI) also guides Muslims and the government. MUI has the influence and legal authority of its fatwa, has given it the role and new institutional authority in many matters, such as matters of halal certification, Islamic finance, and pilgrimage (Lindsey, 2012).

MUI has the mission of *Khidmatul Ummah* as an aspect of service; *Himayatul Ummah*, protects the ummah from the practices of the ummah's life which are forbidden in Islam. Including protecting people from consuming products that are not clearly halal. Also, as *Shodiqul Hukumah* or a government partner who helped guide or direct the government with regard to socio-religious aspects in the life of the nation and state (Amin, 2018). In carrying out its mission the Indonesian Council of Ulama (MUI) formed the National Sharia Board (DSN) which is tasked with overseeing and directing financial institutions and Islamic business institutions to encourage the application of Islamic teachings in financial and economic activities. DSN was formed through a Decree of the MUI Leadership Council on the Establishment of the National Sharia Board (DSN) Number. Kep-754/MUI/II/99 (Fateh, 2018).

In general, the urgency of halal tourism regulations on halal tourism is to protect Muslims and Indonesian people so that their behavior is maintained and in accordance with the rules of Islamic law when traveling or carrying out tourism activities. This is in line with the objectives of the the Indonesian Council of Ulama and Regional Regulations, namely to create a safe and harmonious society in accordance with the principles of sharia (halal) and the basis of the State of Indonesia (Pancasila).

### **3.2. Sharia or Halal Tourism Indicators According to DSN-MUI and Regional Regulation**

The needs and demands of Muslim tourists for halal tourism as a whole must be captured as halal needs that are rooted in Muslim lifestyles (Islam & Kärkkäinen, 2013). Because the core of sharia tourism (halal tourism) is understanding the meaning of sharia and its implementation in all aspects of tourism activities ranging from lodging facilities, transportation facilities, facilities, food and beverages, financial systems, to the facilities and providers of tourism services themselves (Priyadi, 2016). The following are indicators of sharia tourism (halal tourism) extracted from the fatwa of the Indonesian Council of Ulama National Sharia Board Number: 108/DSN-MUI/X/2016 Regarding Guidelines for Organizing Tourism Based on Sharia Principles.

**Table 1:** Indicators of Sharia Tourism (Halal Tourism) According to DSN-MUI

Number	Variable	Indicators
1	Principles of Sharia Tourism Organization	Avoiding polytheism, disobedience, disobedience, <i>tabdzir/israf</i> , and disbelief; Creating benefit and benefits both materially and spiritually.
2	The Stakeholders in Sharia Tourism Organization	1) Tourists; 2) Sharia Travel Bureau (BPWS); 3) Tourism Entrepreneurs; 4) Sharia hotels; 5) Tour Guide; 6) Therapist. The contract between the parties that have the contract in the implementation of sharia tourism is obliged to use a covenant in accordance with the DSN-MUI fatwa and applicable laws and regulations.
3	Sharia Hotel (Lodging/ Homestay) Criteria	Sharia hotels may not provide access to pornography and immoral acts. Sharia hotels may not provide entertainment facilities that lead to polytheism, immorality, pornography and / or immoral acts. Food and beverages provided by sharia hotels must have obtained halal certificates from MUI. Provide adequate facilities, equipment and facilities for the implementation of worship, sanctification facilities. Hotel management and employees / employees are required to wear clothes that are in accordance with Sharia. Sharia hotels are required to have guidelines and / or guidelines regarding hotel service procedures to ensure the implementation of hotel services in accordance with sharia principles. Islamic hotels must use the services of Islamic Financial Institutions in conducting services.
4	Provisions Regarding Travelers	Sticking to the principles of sharia by avoiding shirk, immorality, evil, and damage ( <i>fasad</i> ); Maintaining the obligations of worship during the tour; Maintain noble character; Avoid tourist destinations that are contrary to Islamic principles.
5	Sharia Travel Destinations Provisions :	
5.1	Sharia Tourism Destinations Must Be Aimed At Efforts To :	Realizing public benefit; Enlightenment, refreshment and appeasement; Maintain trust, safety and comfort; Achieve universal and inclusive goodness; Maintaining cleanliness, nature conservation, sanitation, and the environment; Respect for socio-cultural values and local wisdom that does not violate sharia principles.
5.2	Sharia Travel Destinations Must Have :	Worship facilities that are appropriate to use, easily accessible and meet shariah requirements; Halal food and beverages that are guaranteed halal with MUI Halal Certificate.
5.3	Sharia Tourism Destinations Must Avoid :	Polytheism and Khurafat; Immorality, adultery, pornography, porno-action, liquor, drugs and gambling; Performing arts and culture as well as attractions that conflict with Islamic principles.

**Table 1:** (Continued)

Number	Variable	Indicators
6	Spa, Sauna and Massage provisions	Using halal and unclean materials which are guaranteed halal with MUI Halal Certificate; Avoid pornography and pornography; Maintaining the honor of tourists; Male therapists may only do spas, saunas and massages to male tourists; and female therapists may only do spas, saunas and massages to female tourists; There are facilities that make it easy to worship.
7	Provisions Regarding Sharia Travel Bureau	Organizing tourism packages that are in accordance with sharia principles; Have a list of accommodations and tourist destinations that are in accordance with Islamic principles. Have a list of halal food and beverage providers that have MUI Halal Certificates. Using the services of Islamic Financial Institutions in conducting tourism services, including banks, insurance, financial institutions, guarantee institutions, and pension funds; Managing funds and investments must comply with sharia principles; Must have a travel guide that can prevent acts of shirk, khurafat, immorality, adultery, pornography, porno-action, liquor, drugs and gambling.
8	Provisions Regarding Sharia Tour Guides	Understanding and being able to carry out sharia values in carrying out their duties; especially those relating to the fiqh of tourism; Having good morality, communicative, friendly, honest and responsible; Having work competence in accordance with applicable professional standards as evidenced by certificates; Appear polite and attractive in accordance with sharia values and principles.

Broadly speaking, basically the halal tourism indicator according to DSN-MUI fatwa Number: 108/DSN-MUI/X/2016 Regarding Guidelines for Organizing Tourism Based on Sharia Principles is not much different or the content is almost the same as West Nusa Tenggara Regional Regulation Number 2 of 2016 About Halal Tourism. For example in the regulated regulation, the management of halal tourism destinations must build public facilities to support the convenience of halal tourism activities. Halal certified food and beverage providers are obliged to guarantee the halal of food/beverages served, starting from the supply of raw materials to the presentation process as evidenced by the “halal certificate” (Adinugraha, 2018). Every entrepreneur of Spa, Sauna and Halal Massage is obliged to use “official halal logo” products. Each Halal Tourism Travel Bureau Manager is obliged to organize travel packages that are in accordance with Halal tourism criteria based on Standard Operating Procedures (SOP) that refer to the DSN-MUI provisions.

In the fatwa DSN MUI uses the term “sharia tourism” while the content in the Perda uses the term “halal tourism”. The Regional Regulation also states that the halal tourism industry is tourism businesses that sell tourism services and products that are based on sharia principles as stipulated by DSN-MUI. Halal Tourism is also defined as a tourist visit activity with tourism destinations and industries that

prepare sharia-compliant tourism products, services and management facilities. The purpose of the Shariah standard is to obtain certification from DSN-MUI. In addition to transparency, accountability and fairness in implementing halal tourism must be participatory based. Therefore community empowerment through halal tourism includes strengthening public awareness; and increasing the capacity and role of the community in business management; and increasing community income.

#### 4. Conclusion

Indonesia as a multi-cultural and multi-ethnic country, of course there are new problems that continue to surface where the law is not found either in the Quran or the Hadith, such as the emergence of the phenomenon of public demand for halal tourism in Indonesia. In overcoming and answering the problems of this unlimited social and economic life, Islam has given legality to its people to conduct *ijtihad* through MUI and the Regional Government by issuing and stipulating fatwas and regulations. Namely the fatwa on the implementation of tourism based on sharia principles Number: 108/DSN-MUI/IX/2016 and West Nusa Tenggara Regional Regulation Number 2 of 2016 concerning Halal Tourism. The position of fatwa for Muslims occupies a very important position and used as a reference, because

fatwas are made and issued by people who have authority in the religious field. This is as important as the position of the regional regulation which is made to carry out the 1945 Constitution and may not conflict with the existing regulations on it, as stipulated in Law Number. 12 of 2011 concerning the order of the laws and regulations.

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