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Abstract

As a province that has the privilege of implementing Islamic law, all sectors of government and life in Aceh must be based on Islamic values, including the tourism sector, that should also have Islamic characteristics. In this case, the principle of halal tourism aims to provide security and comfort for local and foreign Muslim tourists; Muslim and non-Muslim tourists can enjoy this convenience as well.

Keywords

Non-Muslim Tourists, Halal Tourism

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1. Introduction

Aceh is one of the provinces that has the privilege of organizing religious life by implementing Islamic law. This is stipulated in Article 16 paragraph (2) of Law Number 11 of 2006 concerning the Government of Aceh that the implementation of Aceh's privileges consists of: a) the implementation of religious life in the form of enforcement Islamic law for moeslems in Aceh to keep harmony among religious communities; b) organizing traditional life based on the Islamic religion; c) organizing the quality of education and adding local content material by Islamic law; d) the role of the ulama in setting Aceh policies; and e) organizing and managing the pilgrimage by statutory regulations.

Customary law in Aceh has been in force for two decades since it was first regulated, but there were a lot of controversy among the community. The most visible controversy is the existence of non-Muslim communities, which is considered to cause discrimination between communities in Aceh. Because in the system of implementing sharia law in Aceh, the existence of non-Muslim society is also the subject of the law. Many people have criticized this.

As a province that has the privilege of enforcing Islamic law, all sectors of government and life in Aceh must be related on Islamic values, including the tourism sector, which should also have Islamic characteristics. Tourism based on Islamic values is also known as halal tourism, which in its implementation and provision is in accordance with the provisions of Islamic law in terms of infrastructure, food, and other facilities. The

implementation of halal tourism considers the commands and prohibitions under the provisions of Islamic law. The concept of halal tourism does not aim to restrain tourists when traveling by a number of provisions. However, halal tourism is more oriented towards the convenience of tourists. By implementing the concept of halal tourism, tourists can still maintain their obligations as Muslims even though they are traveling. For example, the provision of representative religious facilities as part of halal tourism facilities certainly makes tourists more comfortable carrying out their religious obligations even when traveling. Then, halal certification for food produced or sold at the location of halal tourism objects will eliminate consumers' worries when consuming this food.

Muslim tourists are expected to increase by 30 percent in 2020 and increase spending value by up to 200 billion USD (www.crescentrating.com, 2020). To explore the great potential of halal tourism, many countries (both Muslim and non-Muslim majority countries) have begun to provide tourism products, facilities, and infrastructure to meet the needs of Muslim tourists. However, there are still many business people and parties involved in the tourism sector who are constrained in understanding (both products, facilities, and infrastructure) halal tourism (Hatem El-Gohary, 2021, pp. 124-130).

2. Discussions

A. Halal Tourism in Aceh

Etymologically, tourism comes from Sanskrit, namely *pari*, which means repeatedly, circling. In contrast, tourism means to travel or to take a journey. Based on the meaning of this word, *tourism* is a journey carried out many times or in circles, from one place to another with a specific purpose and goal. Tourism is the Indonesian equivalent of the term tourism in English. In Indonesia, the general foundation of tourism is regulated in Law Number 10 of 2009 concerning Tourism (starting now abbreviated as the Tourism Law). The tourism law was born against the following background, first, the state of nature, flora and fauna as gifts from God Almighty as well as ancient heritage, historical heritage, art and culture owned by the Indonesian people are resources and capital for tourism development to increase the prosperity and welfare of the people as contained in Pancasila and the opening of the 1945 Constitution; secondly, the freedom to travel and take advantage of free time in the form of travel is part of human rights; third, tourism is an integral part of national development which is carried out in a systematic, planned, integrated, sustainable and responsible manner while still providing protection for religious values, culture that lives in society, environmental sustainability and quality, as well as national interests; fourth, tourism development is needed to encourage equal distribution of business opportunities and gain benefits and be able to face the challenges of changing local, national and global.

Halal tourism provides the necessary facilities for Muslim tourists according to Islamic Shari'a law, relating to worship facilities, halal food and beverages, and other supporting facilities related to Sharia law provided in tourist destinations (Aziwantoro & Pauzi, 2021). Halal tourism is closely related to Islamic sharia law in its practice. Therefore Muslim tourists are very comfortable with the implementation of sharia-based halal tourism. Not only that, but this convenience makes non-Muslim tourists feel comfortable enjoying sharia-based tourism (Koncoro, Gujarat, 2020). Halal tourism is also a priority of the Ministry of Tourism which has been running for several years now, with positive

developments. Indonesia was the first ranked as a halal tourist destination by the 2019 Global Muslim Travel Index (GMTI).

Aceh Province, as a province that implements Islamic law in its area. In carrying out a government system based on Islamic law (Musyafah, Prananda, Saron, Setyowati, Ro'fah 2020), the Aceh Province issued a halal tourism policy in the tourism sector as a model for implementing a system based on Islamic law in Indonesia in the implementation of regional autonomy (Koncoro, Mudjarat , 2020). Aceh Province as the Veranda of Mecca has a lot of natural potential that continues to be developed and utilized, various unique biological, cultural and cultural diversity that Aceh Province has as a source of natural wealth. The Aceh government is not stay still in exploring this potential, several of these factors are utilized as in tourism. The development of a halal tourism policy in the City of Banda Aceh, is stipulated in a legal basis in the form of Mayor Regulation number 17 of 2016 concerning the Implementation of Halal Tourism. This regulation is an effort by the local government to improve the development and management of tourism with the concept of national and international standard halal tourism which is applied in the Government of the city of Banda Aceh (Sulaeman and Afaza 2019). The halal tourism policy based on Islamic law is an effort to carry out the government's vision and mission in creating a society that is faithful, cultured, highly competitive and prosperous. The culture of the people who have a religious culture also influences the formation of these regulations.

The principle of halal tourism in this case aims to provide comfort and safety for local and foreign Muslim tourists, this convenience can also be enjoyed by Muslim and non-Muslim tourists. In increasing the number of visitors to the City of Banda Aceh, the Banda Aceh City Tourism Office is developing facilities and infrastructure for tourist destinations. The development carried out is in the form of construction of tourist destinations such as the construction of prayer rooms and holy places for Muslims, so that tourist visits, both local and foreign, can continue to increase every year. Following are some of the construction of facilities that can be enjoyed by tourists in Banda Aceh City. The city of Banda Aceh as a city that uses the concept of sharia in its government, expects tourism in the city of Banda Aceh to run according to the applicable regulations. The regulation is in the form of mayor's regulation no 17 of 2016 concerning the implementation of halal tourism in the city of Banda Aceh. The expectation of this implementation is in accordance with the objectives of halal tourism, namely in the mayor's regulation No. 17 of 2016 article 2, namely the implementation of halal tourism has the goal of providing a sense of security and comfort for tourists in carrying out halal tourism in the city of Banda Aceh. With the expectation that this can provide tourists with comfort and security for halal tourism, so that the visitors will be increased.

In the mayor's regulation no 17 of 2016 concerning the implementation of halal tourism, several halal tourist accommodations must be fulfilled in article 6, namely halal tourism accommodations must comply with sharia standards, namely in products, services, and management. The sharia standard in question is the sharia standard after obtaining halal certification in paragraph (1). Article 6, paragraph (4) also states that the minimum accommodation must be owned if standard sharia accommodation has not been fulfilled. In the impact of the implementation of halal tourism policies, business actors are required to have halal certification in providing products and services and in their management in

attracting tourist visits to the city of Banda Aceh. For the province of Aceh, provisions related to tourism are regulated in Aceh Qanun Number 8 of 2013 concerning Tourism.

B. Implementation of Halal Tourism For Non-Muslim Tourists in Aceh

Halal tourism means here is tourism whose implementation does not contradict with the provisions of Islamic law. Halal tourism is tourism that in its implementation still fulfills the rights of visitors as Muslims, both in providing facilities, food, and other facilities at tourism objects. When a Muslim travels to halal tourism objects, they don't need to worry if his obligations as a Muslim are neglected due to tourism. This is because there are facilities that can support tourists in carrying out their obligations even when they are traveling. These facilities can be in the form of proper worship facilities, locker rooms for men and women, separate toilets, separate baths, food guaranteed to be halal and hygienic, and so on.

According to data from Aceh statistics, it is recorded that the number of Muslims in Aceh Province reaches 98.923%, 0.795% is Protestant, Catholic 0.162%, Hindu 0.014%, Buddhist 0.103%, and Kong Huchu 0.005%. Thus, the presence of non-Muslims is less than 3%, which means they are minority communities in Aceh.

Before Aceh's customary Shari'a law was formally enacted through Law No. 11 of 2006 concerning the governance of Aceh, many Acehnese non-Muslims were concerned about their existence as subjects of Aceh's Sharia law. So that many non-Muslim leaders asked for the Aceh government to be neutral and, pay attention to minorities, avoid forms of violence and colonialism in the name of religion. According to regulations concerning Non-Muslims in Aceh, discussing the implementation of Islamic law, Article 4 of Law No.4 of 1999 concerning the Administration of Privileges for the Province of the Special Region of Aceh states:

- a. The implementation of religious life in the regions is realized in the form of implementing Islamic law for adherents of religions in society
- b. The regions develop and regulate the implementation of religious life, as meant in paragraph (1), while maintaining inter-religious harmony.

Furthermore, Article 127 paragraph 1 states, "The Aceh government and local government are responsible for implementing the enforcement of Islamic law," and paragraph 2 states, "The Aceh government and district or city governments guarantee freedom, foster harmony, respect religious values embraced by religious people. Moreover, protecting fellow religious people from making worship according to the religion they adhere to".

The quotations above mean that the Aceh government must be able to implement its Islamic Sharia law while maintaining inter-religious harmony. This also means making regulations or articles in order to maintain inter-religious harmony. In addition, even though Aceh has obtained its right to implement Islamic Sharia formally, the state also guarantees non-Muslim communities' rights to live the religious life they adhere to.

The position of non-Muslims in Qanun Jinayat has been stated in Law no. 11 of 2006 concerning Governance (ACEH GOVERNMENT LAW). Article 126 THE ACEH GOVERNMENT LAW states that "Every Muslim in Aceh is obliged to obey and practice Islamic law" (paragraph [1]); and "Every person residing or present in Aceh is obliged to respect the implementation of Islamic law" (paragraph [2]). Article 129 of the Law on the Government

of Aceh further emphasizes the position of non-Muslims. In paragraph (1) of this article, it states: "In the case of a jinayah act committed by two or more people together, one of whom is a non-Muslim religion, the offender who is not a Muslim can choose or voluntarily submit himself to the jinayah law." In paragraph (2) it is stated: "Every person who is not a Muslim commits a jinayah act that is not regulated in the Criminal Code or criminal provisions outside the Criminal Code apply jinayah law. In terms of tolerance for non-Muslims, nothing makes them uncomfortable in Aceh. They are protected by sharia law in Aceh, which is essential for non-Muslims who can respect the implementation of Islamic law in Aceh. There is no pressure in any way against these non-Muslims who choose sharia law, which indicates that Islamic law in Aceh is tolerant of non-Muslims. It is just that non-Muslims are asked to respect the Islamic sharia law in Aceh.

According to Sofyan (2012), the definition of halal tourism is broader than religious tourism, namely tourism based on Islamic sharia values. As the World Tourism Organization (WTO) recommended, halal tourism consumers are Muslims and non-Muslims who want to enjoy local wisdom. The owner of the Sofyan Hotel network explained the general criteria for halal tourism are:

- a. Have an orientation to the public good.
- b. Have an orientation of enlightenment, refreshment, and serenity.
- c. Avoid polytheism and superstition.
- d. Free from immorality.
- e. Maintain security and comfort.
- f. Maintain environmental sustainability.
- g. Respect socio-cultural values and local wisdom.

3. Conclusion

Aceh is one of the provinces with the privilege of carrying out religious life in Islamic law. As a province that has the privilege of implementing Islamic law, all sectors of government and life in Aceh must be based on Islamic values, including the tourism sector, which should also have Islamic characteristics. The implementation of halal tourism in Aceh certainly has an impact on non-Muslim tourists. The position of non-Muslims in the Qanun Jinayat has been stated in Law no. 11 of 2006 concerning Governance (Aceh GOVERNMENT LAW). Article 126 OF THE ACEH GOVERNMENT LAW stipulates that "Every adherent of Islam in Aceh is obliged to obey and practice Islamic law" (verse [1]); and "Everyone who resides or is in Aceh is obliged to respect the implementation of Islamic law" (paragraph [2]). Halal tourism does not restrain non-Muslim tourists, and it gives a sense of security and comfort.

4. Authors' Contributions

A.S. Conceived of the presented idea. C.R.N. Supervised the project. P.A. And H.S.M. Developed the theory. All authors discussed for the final results of the manuscript.

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