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# Implementation of the Surgi Mufti Dome Tourist Destination in View of DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles

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#### Abstract

The tourism sector is one of the most important economic drivers in a region. The ulama through the Indonesian Ulema Council have made provisions in DSN-MUI Fatwa No. 108 of 2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles. In the city of Banjarmasin, people often make pilgrimage to the graves of ulama as a tourist destination. One of the tombs of popular scholars in Banjarmasin City is the Surgi Mufti Dome which still does not fully meet the criteria specified in the fatwa. Therefore, the author is interested in conducting research on how the implementation of the Surgi Mufti Dome is reviewed through DSN-MUI Fatwa No. 108 of 2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles.

Keywords: Implementation, Tourist Destinations, DSN-MUI Fatwa

#### Abstrak

Sektor pariwisata merupakan salah satu penggerak ekonomi yang sangat penting di suatu daerah. Para ulama melalui Majelis Ulama Indonesia telah membuat ketentuan dalam Fatwa DSN-MUI No. 108 Tahun 2016 tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah. Di kota Banjarmasin, masyarakat sering berziarah ke makam ulama sebagai tujuan wisata. Salah satu makam ulama yang populer di Kota Banjarmasin adalah Kubah Surgi Mufti yang masih belum sepenuhnya memenuhi kriteria yang telah ditentukan dalam fatwa tersebut. Oleh karena itu, penulis tertarik untuk melakukan penelitian tentang bagaimana implementasi Kubah Surgi Mufti ditinjau melalui Fatwa DSN-MUI No. 108 Tahun 2016 tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah.

Kata Kunci: Implementasi, Destinasi Wisata, Fatwa DSN-MUI

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#### Introduction

The city of Banjarmasin has various popular tourist destinations in terms of nature, culture and religiosity which can attract the attention of domestic and foreign tourists.<sup>1</sup> Regarding religiosity, there is one popular travel activity that receives great enthusiasm from the people of Banjar, namely the activity of visiting the graves of ulama.<sup>2</sup> Pilgrimage according to the "Big Indonesian Dictionary (KBBI)" is defined as a visit to a place that is considered noble. It can be understood that pilgrimage tourism to the graves of ulama is a visit to the burial place of a ulama who is considered noble for his services in the past.

One of the destinations for ulama pilgrimage activities in Banjarmasin City is Surgi Mufti Dome. The Ulama figure from Kubah Surgi Mufti, namely Sheikh Jamaluddin Al-Banjari, is one of the ulama who played an important role in the spread of Islam in Kalimantan, especially in the city of Banjarmasin since the Dutch colonial era. The Indonesian Ulema Council, through its Fatwa No.108/DSN-MUI/X/2016, part seven, which contains provisions for tourist destinations, has included several provisions as guidelines for tourist destinations that are able to meet the needs of Muslims.

Seeing the huge potential of the Surgi Mufti Dome as a popular tourist destination, the author is interested in highlighting how the Surgi Mufti Dome tourist destination is implemented in terms of DSN-MUI fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles and what obstacles are found in this implementation.

#### Method

This type of research is empirical legal research namely legal research that uses primary data sources in the form of data from interviews with related parties, namely the caretakers and traders at the Surgi Mufti Dome. There is also secondary data in the form of books and other reading materials which can support data and information related to the problems studied, namely the implementation of the Surgi Mufti Dome reviewed through DSN-MUI Fatwa No. 108 of 2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles.

#### **Research Results and Discussion**

<sup>&</sup>lt;sup>1</sup> Nadya Sukma Yulitasari, Nur Rizqi Febriandika, and Imron Rosyadi, "Implementation and Developmentof Halal Tourism in Banjarmasin Floating Market," *Proceedings Book the International Conference On Islamic Economics, Islamic Finance, & Islamic Law (ICIEIFIL)*, August 6, 2021, hlm. 56.

<sup>&</sup>lt;sup>2</sup>Agus Salim, Mochammad Arif Budiman, dan Muhammad Ihsanul Arief, ed., *Khazanah keislaman masyarakat Banjar: untaian pemikiran dosen pendidikan agama Islam pada perguruan tinggi umum di Kalimantan Selatan*, Edisi I (Banguntapan, Bantul, D.I. Yogyakarta: Samudra Biru, 2020), hlm. 152.

#### Sharia Tourism and Pilgrimage

DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 defines sharia tourism as tourism that complies with sharia principles. The word "syariah" comes from Arabic, namely *Syara'a* which means the path to the spring which in terms is defined as a path, rule, or law made by Allah SWT as a provision, guidance, or principle for human life. .<sup>3</sup> In the sharia tourism sector, the use of the word "Syariah" also has similarities with several other terms such as "Halal", "Islam", and "Muslim" so in various parts of the world globally it is common to find the use of different terms such as *Halal Tourism*, *Islamic Tourism*, to *Muslim Friendly Tourism* which all lead to the same concept, namely a travel activity that is supported by facilities, infrastructure and services that comply with the provisions Islamic law.<sup>4</sup>

This difference in terms is the result of developments since the emergence of sharia economic trends in several sectors such as banking, insurance, food, until it spread to the tourism sector, from these trends then gave rise to new terms such as a shift in terminology from sharia tourism to halal tourism which is also more widely accepted by several non-OIC (Organization of Islamic Cooperation) countries such as Japan, South Korea, and parts of Europe such as England.<sup>5</sup>

One form of tourist destination ulama pilgrimage in Banjarmasin City is Surgi Mufti Dome . The ulama figure from Kubah Surgi Mufti, namely Sheikh Jamaluddin Al-Banjari, is one of the ulama who played an important role in the spread of Islam in Kalimantan, especially in the city of Banjarmasin since the Dutch colonial era. The Indonesian Ulema Council, through its Fatwa No.108/DSN-MUI/X/2016, part seven, which contains provisions for tourist destinations, has included several provisions as guidelines for tourist destinations that are able to meet the needs of Muslims.

#### Legal Basis for Sharia Tourism and Pilgrimage

Pilgrimage is a practice recommended by the Prophet Muhammad SAW. as long as it does not conflict with sharia principles because it can remind everyone who is still alive about death and can motivate themselves to do more good deeds. As narrated by Abu Daud: <sup>6</sup>

<sup>&</sup>lt;sup>3</sup>Abdur Rahman, Syaria'ah Kodifikasi Hukum Islam (Jakarta: Rineka Cipta, 1993), hlm. 1.

<sup>&</sup>lt;sup>4</sup>Amirah Ahmad Nawawi, Arif Fakhruddin, dan Triyo Supriyatno, Pariwisata Halal Indonesia, hlm. 3.

<sup>&</sup>lt;sup>5</sup>Fadhil Surur, *Wisata halal: konsep dan aplikasi*, Cetakan I (Gowa: Alauddin University Press, 2020), hlm 40–41.

<sup>&</sup>lt;sup>6</sup>Imam Abu Dawud, "Sunan Abu Dawud," dalam *Ensiklopedia 9 Imam* (Lidwa Pusaka, 2015), no. 2816.

حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ حَدَّثَنَا مُعَsp بِيهِ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَس نَّ فِي زِيَارَتِمَا تَذْكِرَةً

"Has told us [Ahmad bin Yunus], has told us [Mu'arrif bin Washil] from [Muharib bin Ditsar] from [Ibn Buraidah] from [his father], he said; Rasulullah shallallahu 'alaihi wasallam said: "I have forbidden you to visit graves, now make pilgrimages to graves, because in the pilgrimage there is a warning (reminding of death)." (HR. Abu Daud No. 2816).

Provisions in Islamic law come from the Koran and Hadith. The term 'tourism' may not be found specifically in the Al-Qur'an and Hadith, however there are several verses 2 which relate to travel activities.

As written in Q.S Al-Mulk/67:15

هُوَ الَّذِيْ جَعَلَ لَكُمُ الْأَرْضَ ذَلُوْلًا فَامْشُوْا فِيْ م َنَاكِبِهَا وَكُلُوْا مِنْ رِّزْقِهُ وَإِلَيْهِ النُّشُوْرُ

"He is the one who made the earth for you in a state that is easy to use. So, explore all corners and eat some of His sustenance. Only to Him will you (return after) be resurrected."<sup>7</sup>

The verse above gives the message that Allah SWT has made the earth easy to use so that humans are commanded to travel to all corners of the earth which Allah has made easy and eat from halal sustenance.<sup>8</sup>

#### Principles and Terms of Sharia Tourism

The basic concept of sharia tourism is "providing services and facilities that are in accordance with Islamic character and culture". <sup>9</sup> When carrying out activities, a Muslim can carry out traveling activities with the guarantee of ease in carrying out all the commands of Allah SWT and staying away from all His prohibitions. <sup>10</sup> To fulfill this, the Ministry of Tourism and Creative Economy and DSN-MUI have created two general principles as stated in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016, namely:<sup>11</sup>

a. Avoid polytheism, disobedience, mafsadatan, tabdzir/israf, and munkar

<sup>&</sup>lt;sup>7</sup> Kementrian Agama Republik Indonesia, *Al-Qur'an dan Terjemahannya Edisi Penyempurnaan 2019*, Cet.1 (Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an, 2019), hlm. 830.

<sup>&</sup>lt;sup>8</sup>Indonesia, ed., *Al-Qur'an dan tafsirnya*, Ed. yang disempurnakan (Jakarta: Departemen Agama RI, 2004), hlm. 240.

<sup>&</sup>lt;sup>9</sup>Amirah Ahmad Nawawi, Arif Fakhruddin, dan Triyo Supriyatno, Pariwisata Halal Indonesia, hlm. 2.

<sup>&</sup>lt;sup>10</sup>Syah Putra dan Tucunan, "The Concept of Halal Tourism and The Fulfillment of Muslim Tourist Needs in Halal Tourism," hlm. 61.

<sup>&</sup>lt;sup>11</sup> "Fatwa DSN-MUI No. 108/DSN-MUI/X/2016 tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Svariah."

#### b. Creating benefits and benefits both materially and spiritually

DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 defines sharia tourism destinations as "geographical areas located in one or more administrative regions in which there are tourist attractions, religious and public facilities, tourism facilities, accessibility, and communities that are interrelated and complement the realization tourism in accordance with sharia principles". Regarding this matter, in fatwa no. 108/DSN-MUI/X/2016, part seven, namely "Provisions for Tourist Destinations" contains several provisions, namely:<sup>12</sup>

- a. Tourist destinations must be directed towards efforts to:
  - 1) Realizing public benefit;
  - 2) Enlightenment, refreshment, and calm;
  - 3) Maintaining trust, security and comfort;
  - 4) Realizing universal and inclusive goodness;
  - 5) Maintain cleanliness, natural sustainability, sanitation and the environment;
  - 6) Respect socio-cultural values and local wisdom that do not violate sharia principles;
- b. Tourist destinations must have:
  - 1) Worship facilities that are suitable for use, easy to reach, and meet sharia requirements;
  - 2) Halal food and drinks that are clearly guaranteed to be halal with MUI Halal Certification;
- c. Tourist destinations must avoid:
  - 1) Polytheism and khufarat;
  - 2) Immorality, adultery, pornography, pornographic action, alcohol, drugs and gambling;
  - 3) Arts and cultural performances and attractions that conflict with sharia principles.

Until now there is still no more detailed explanation regarding the clauses in the provisions written in the fatwa so there is still the possibility of experiencing multiple interpretations such as in the section "avoiding polytheism and khurafat" and "worship facilities that meet sharia requirements" there is still no explanation as to how indicators of something are called khurafat and indicators of sharia requirements referred to in worship facilities according to this fatwa.<sup>13</sup>

<sup>&</sup>lt;sup>12</sup> "Fatwa DSN-MUI No. 108/DSN-MUI/X/2016 tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Svariah."

<sup>&</sup>lt;sup>13</sup>Fahadil Amin Al Hasan, "Penyelenggaraan Parawisata Halal Di Indonesia (Analisis Fatwa Dsn-Mui Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah)," *Al-Ahkam Jurnal Ilmu Syari'ah dan Hukum* 2, no. 1 (30 Juni 2017): hlm. 74-76., https://doi.org/10.22515/alahkam.v2i1.699.

# Implementation of the Surgi Mufti Dome Tourist Destination Judging from DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles

The standards for implementing the tourist destination in question are in accordance with DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles, part seven which contains provisions for tourist destinations. The tourist destination provisions relate to three things, namely things that are undertaken by tourist destinations, things that must be owned by tourist destinations, and things that must be avoided by tourist destinations with a total of 11 points in the provisions, as explained below. This:

- a. Tourist Destinations must be directed towards efforts to:
  - 1) Realizing public benefit

Benefits are all forms of goodness and benefits not only for worldly matters but also for everyday matters. <sup>14</sup> The Surgi Mufti Dome has provided benefits not only limited to pilgrims but also to the community around the Surgi Mufti Dome area. As a tourist destination, the Surgi Mufti Dome can certainly attract visitors from various regions, which can influence economic movements on a regional scale. On normal days there are two traders who sell regularly every day, but on big days such as Haul Day, the number of sellers will increase as the number of pilgrims increases.

Likewise in socio-religious matters, among other areas, the Surgi Mufti sub-district is one of the areas that more often holds religious events such as recitations, religious lectures, and celebrations for big holidays such as the birthday of the Prophet Muhammad SAW, where when big events are held, the residents around the Surgi Dome Mufti will work together to prepare all the needs and even donate their own food and drinks.

2) Enlightenment, refreshment and calming

After a certain amount of time doing the same activity, generally people will look for tourist destinations and refresh their routine. Different from tourist destinations that are purely worldly entertainment, ulama pilgrimage tourist destinations can provide other positive feelings.

# 3) Maintaining trust, security, comfort

To maintain security and order, the Surgi Mufti Dome has a parking guard who helps maintain the security of the dome environment from morning to night. So far there has never been any loss of goods, theft or the like so efforts to provide a sense of comfort and security can be achieved.

<sup>&</sup>lt;sup>14</sup> Mursal Mursal, "Implementasi Prinsip-Prinsip Ekonomi Syariah: Alternatif Mewujudkan Kesejahteraan Berkeadilan," *Jurnal Perspektif Ekonomi Darussalam* 1, no. 1 (2 Maret 2017): hlm. 80, https://doi.org/10.24815/jped.v1i1.6521.

#### 4) Realizing goodness that is universal and inclusive

Islam is a universal religion that seeks to provide benefits for all humans, therefore the religion of Islam provides all forms of goodness, it is not exclusive only to some groups but is open to everyone, not limited to fellow Muslims only but to all people regardless of religion, race or nationality. <sup>15</sup> The Surgi Mufti Dome does not restrict anyone from entering as long as they do not do anything that violates norms such as getting drunk, stealing, insulting, and so on.

5) Maintain cleanliness, natural sustainability, sanitation and the environment

The inside of the Surgi Mufti Dome is cleaned every day by the caretaker. There are also plants near the mosque, although some are wilted.

6) Respect socio-cultural values and local wisdom that do not violate sharia principles

The art in the Surgi Mufti Dome is Habsyi art where when there is a big event several young people around the dome will recite poetry or prayers accompanied by tambourine musical instruments. Even though there are several different opinions regarding whether it is permissible to play tambourine music, most scholars of the Shafi'iyah school of thought are of the opinion that the tambourine is a permissible musical instrument.<sup>16</sup>

- b. Tourist destinations must have:
  - 1) Worship facilities that are suitable for use, easy to reach and meet sharia requirements

The phrase "meeting sharia requirements" in this point still does not have a further explanation. <sup>17</sup> However, opposite the Surgi Mufti Dome there is a mosque called the Bani Arsyad Mosque which was built by H. Jamaluddin Al-Banjari (Tuan Guru Surgi Mufti) which has a number of equipment such as mukenas, prayer mats, Al-Qur'an, air conditioning (Alternating Current/AC), up to the pulpit.

2) Halal food and drinks are guaranteed to be halal with an MUI Halal Certificate

There are two permanent traders at the Surgi Mufti Dome, each of whom sells rice soup and various grilled dishes. Of the two, none of them has a halal certificate and they feel they don't need the certificate because they think that only large companies are required to be certified halal and believe in the halalness of the products they sell because

<sup>&</sup>lt;sup>15</sup>Kunawi Basyir, "Makna Eksoteris Dan Esoteris Agama Dalam Sikap Keberagamaan Ekslusif Dan Inklusif," *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* Vol. 8 (2018): hlm. 234, https://jurnalfuf.uinsby.ac.id/index.php/teosofi/article/view/208.

<sup>&</sup>lt;sup>16</sup>Fahrul Husni, "Hukum Mendengarkan Musik (Kajian Terhadap Pendapat Fiqh Syafi'iyah)," *Syarah: Jurnal Hukum Islam* Vol. 9, No. 2 (2019): hlm. 45, https://journal.iainlhokseumawe.ac.id/index.php/syarah/article/view/231.

<sup>&</sup>lt;sup>17</sup> Al Hasan, "Penyelenggaraan Parawisata Halal Di Indonesia (Analisis Fatwa Dsn-Mui Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah)," hlm. 74.

there are no prohibited substances. This assumption is because traders have not received socialization regarding halal certification which is not only limited to large companies.

In fact, the obligation to have a halal certificate has been written not only in the fatwa of the ulama but also through the law, so that provisions which were originally only suggestions have turned into obligations for sellers. If viewed from a legal perspective, the existence of a halal certificate obligation is intended to ensure that Muslims have full confidence that the products they consume have been validated as halal and all ingredients used should be proven to be halal. Obligations regarding halal certified food and beverages are stated in Law Number 33 of 2014 concerning Halal Product Guarantees in Article 1 paragraph 10 which reads, "Halal certification is an acknowledgment of the halalness of a product issued by BPJPH based on a written halal fatwa issued by the MUI"

c. Tourist destinations must avoid:

1) Polytheism and superstition

Until now there is still no further explanation regarding what kind of khurafat is meant in this fatwa. <sup>18</sup> Khurafat itself is defined as belief in something supernatural that is not in accordance with the Al-Qur'an and Hadith.

a) Immorality, adultery, pornography, pornographic action, alcohol, drugs and gambling.

Immorality, adultery, drinking, drugs and gambling are prohibited in Islam. As for pornography and porno-action, it relates to paintings, writing, poetry or art that can arouse sensual desires. <sup>19</sup> In the Surgi Mufti Dome itself there are no such things because the only portraits that exist are portraits of Mr. Guru Surgi Mufti and the only art that exists is the art of playing the tambourine with Islamic verses. Dome custodian Surgi Mufti also admitted that there were no people using illicit goods such as drugs around the area.

b) Arts and cultural performances and attractions that conflict with sharia principles

The Surgi Mufti Dome does not have any attractions or performances apart from the Habsyi activity, namely a musical performance with tambourines and Islamic poetry. Ulama have different opinions regarding the activity of playing musical instruments, but as a society with the majority adhering to the Imam Syafi'i school of thought, there are a large number of Ulama from the Shafi'i school of thought who are of the opinion that using the tambourine as a musical instrument is permissible.<sup>20</sup>

<sup>&</sup>lt;sup>18</sup>Al Hasan, *Penyelenggaraan Pariwisata Halal...*, hlm. 74.

<sup>&</sup>lt;sup>19</sup>Yandi Maryandi, "Pornografi dan Pornoaksi (Perspektif Sejarah dan Hukum Islam)," *Tahkim (Jurnal Peradaban dan Hukum Islam)* 1, no. 1 (15 Maret 2018): hlm. 26-27, https://doi.org/10.29313/tahkim.v1i1.3414.

<sup>&</sup>lt;sup>20</sup>Husni, "Hukum Mendengarkan Musik (Kajian Terhadap Pendapat Fiqh Syafi'iyah)," hlm. 45.

From the explanation above, it can be concluded that the points that have been fulfilled and have not been fulfilled are as follows:

Table 1. 1 Implementation of the Surgi Mufti Dome Tourist Destination in View of DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles.

NO	DSN-MUI Fatwa No. 108/DSN-MUI/X/2016	Results
1	Realizing public benefit	Fulfilled
2	Enlightenment, refreshment and calming	Fulfilled
3	Maintain trust, security and comfort	Fulfilled
4	Realizing goodness that is universal and inclusive	Fulfilled
5	Maintain cleanliness, natural sustainability, sanitation and the environment	Fulfilled
6	Respect socio-cultural values and local wisdom that do not violate sharia principles	Fulfilled
7	Worship facilities that are suitable for use, easy to reach and meet sharia requirements	Fulfilled
8	Halal food and drinks are guaranteed to be halal with an MUI Halal certificate	Unfulfilled
9	Avoid polytheism and khufarat	Fulfilled
10	Avoid immorality, adultery, pornography, alcohol, drugs and gambling	Fulfilled
11	Avoid artistic and cultural performances and attractions that conflict with sharia principles	Fulfilled

Of the total of eleven points that are provisions in DSN-MUI Fatwa No. 108/ DSN-MUI/  $\ensuremath{\mathsf{MUI}}\xspace$ 

# Obstacles in Implementing the Surgi Mufti Dome Tourist Destination in View from DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles

During the research, found several obstacles that caused implementation at the Surgi Mufti Dome to not be able to meet all the criteria set by the Indonesian Ulema Council as stated in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles, namely:

a. Maintainers and traders still do not know clearly about MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles

Maintainers assume that sharia tourism or halal tourism is only related to food and drink that must be halal without knowing more clearly what points make a tourist destination meet the criteria according to the DSN-MUI. In fact, sharia tourism is related to services that can meet the needs of Muslim tourists while carrying out tourism activities. Meanwhile, traders think that only large companies are obliged to have a halal certificate, while traders who sell on a small-medium scale definitely have products that are halal in composition so they feel that they do not need validation through an MUI Halal Certificate. However, halal and haram products are not only limited to the substance but also involve all other processes.<sup>21</sup>

b. There are no Fatwa Implementation Guidelines related to MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles

In MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles, part eleven, namely Closing Provisions point 1, states that, "The implementation of this fatwa is further regulated in the Fatwa Implementation Guidelines". However, until now the Fatwa Implementation Guidelines have not been found so there are several points that are subject to multiple interpretations. For example, regarding the point that there is an obligation for tourist destinations to avoid khufarat, it has not been explained what the indications of khufarat according to the fatwa are because there are still several activities in society which are permissible for some groups but not necessarily for others.<sup>22</sup>

### Conclusion

<sup>&</sup>lt;sup>21</sup> Hidayatullah, "Sertifikasi dan Labelisasi Halal Pada Makanan dalam Perspektif Hukum Islam (Perspektif Ayat Ahkam)," hlm. 263.

<sup>&</sup>lt;sup>22</sup> Al Hasan, "Penyelenggaraan Parawisata Halal Di Indonesia (Analisis Fatwa Dsn-Mui Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah)," hlm. 76.

Based on the research results discussed in Chapter IV, it can be concluded as follows:

- The implementation of tourist destinations at Surgi Dome is reviewed from DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles then the result is that it has almost fulfilled all the provisions as stated in fatwa no. 108 of 2016 concerning Provisions for Tourist Destinations which consist of: 1) Realizing public benefit, 2) Enlightenment, refreshment and tranquility, 3) Maintaining trust, security and comfort, 4) Realizing goodness that is universal and inclusive, 5) Maintaining cleanliness , natural sustainability, sanitation and the environment, 6) Respect socio-cultural values and local wisdom that do not violate sharia principles, 7) Worship facilities that are suitable for use, easy to reach, and meet sharia requirements, 8) Avoid polytheism and khurafat , 9) Avoid immorality, adultery, pornography, pornographic action, alcohol, drugs and gambling. 10) Avoid artistic and cultural performances and attractions that conflict with sharia principles. The points that have not been met are "Halal food and drinks whose halal is guaranteed with an MUI Halal Certificate".
- 2. The obstacle found was that the caretakers and traders had not received a clear understanding regarding the provisions in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Sharia Principles because there has been no socialization. Especially traders who still have the idea that Halal Certificates are only mandatory for large companies.

# Bibliography

- Al Hasan, Fahadil Amin. "Organizing Halal Tourism in Indonesia (Analysis of the DSN-MUI Fatwa Concerning Guidelines for Organizing Tourism Based on Sharia Principles)." Al-Ahkam Journal of Sharia and Legal Sciences
- Amirah Ahmad Nawawi, N. Fitri Ani Gayo, Burhanuddin Amak Arif Fakhruddin, and Atmo Prawiro Triyo Supriyatno. Indonesian Halal Tourism . Q-Media, 2020.
- Basyir, Kunawi. "The Exoteric and Esoteric Meaning of Religion in Exclusive and Inclusive Religious Attitudes." Theosophy: Journal of Sufism and Thought.
- " DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Organizing Tourism Based on Svariah Principles." MUI National Sharia Council.

Hidayatullah, Muhammad Syarif. "Halal Certification and Labeling of Food from an Islamic

Legal Perspective (Verse Ahkam Perspective)." JUDISIA: Journal of Legal Thought and Islamic Law.

- Husni, Fahrul. "The Law of Listening to Music (Study of Syafi'iyah Fiqh Opinions)." Syarah: Journal of Islamic Law.
- Imam Abu Dawud. "Sunan Abu Dawud." In Encyclopedia 9 Imams . Lidwa Pusaka, 2015.
- Indonesia, ed. *Al-Qur'an and its interpretation*. Ed. perfected. Jakarta: Ministry of Religion of the Republic of Indonesia, 2004.
- Ministry of Religion of the Republic of Indonesia. Al-Qur'an and its Translation 2019 Enhanced Edition . Cet.1. Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an, 2019.
- Maryandi, Yandi. "Pornography and Pornoaction (Perspective of Islamic History and Law)." Tahkim Journal of Islamic Civilization and Law.
- Mursal, Mursal. "Implementation of Sharia Economic Principles: Alternatives to Realizing Just Prosperity." Darussalam Journal of Economic Perspectives.
- Rahman, Abdur. Sharia; ah Codification of Islamic Law . Jakarta: Rineka Cipta, 1993.
- Salim, Agus, Mochammad Arif Budiman, and Muhammad Ihsanul Arief, ed. The Islamic treasures of the Banjar people: the thoughts of an Islamic religious education lecturer at a public university in South Kalimantan . Edition I. Banguntapan, Bantul, D.I. Yogyakarta: Blue Ocean, 2020.
- Surur, Fadhil. Halal tourism: concepts and applications . Prints by I. Gowa: Alauddin University Press, 2020.
- Syah Putra, M. Febtian, and Karina Pradinie Tucunan. "The Concept of Halal Tourism and The Fulfillment of Muslim Tourist Needs in Halal Tourism." *Halal Research Journal*.
- Yulitasari, Nadya Sukma, Nur Rizqi Febriandika, and Imron Rosyadi. "Implementation and Development of Halal Tourism in Banjarmasin Floating Market." Proceedings Book The International Conference On Islamic Economics, Islamic Finance, & Islamic Law (ICIEIFIL).