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Halal Tourism Based on Local Culture: Maqāṣid Al-Syarī'Ah Analysis of the Views of Yogyakarta Scholars

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Abstract

Halal tourism has increasingly developed as a strategic sector within the Islamic economy, particularly in culturally rich destinations such as Yogyakarta. However, previous studies have largely focused on marketing, Muslim tourist behavior, certification, policy, and destination competitiveness. Limited attention has been given to the normative construction of religious scholars' views on the integration of local culture into halal tourism. This study aims to analyze the perspectives of Yogyakarta religious scholars on the relationship between halal tourism and local culture and to examine them from the perspective of sharia economic law. This research employs qualitative field research with a case study design, combined with normative sharia economic law analysis. Primary data were obtained through guided interviews with eight religious scholars representing Nahdlatul Ulama, Muhammadiyah, Salafi, the Indonesian Ulema Council, pesantren, female scholars, academics, and Muslim cultural figures. The data were analyzed using the Miles and Huberman model and validated through source and theoretical triangulation. The findings show that Yogyakarta religious scholars view halal tourism not as a formalization of Islamic symbols, but as the internalization of sharia values into tourism practices while respecting local culture. Their differing views reflect accommodative, moderate, selective, and contextual patterns. Theoretically, this study contributes to the development of sharia economic law scholarship by offering an integrative analysis of maqāṣid al-sharī'ah, 'urf, maslahah, and sadd al-dzarī'ah in legitimizing local culture within halal tourism.

Keywords: *Halal Tourism; Local Culture; Maqāṣid al-Sharī'ah; Sharia Economic Law; Religious Authority.*

Abstrak

Pariwisata halal semakin berkembang sebagai sektor strategis dalam ekonomi syariah, terutama di daerah yang memiliki kekuatan budaya lokal seperti Yogyakarta. Namun, penelitian terdahulu lebih banyak membahas pariwisata halal dari aspek pemasaran, perilaku wisatawan, sertifikasi, kebijakan, dan daya saing destinasi. Kajian yang secara khusus menempatkan pandangan ulama sebagai konstruksi normatif dalam menilai integrasi budaya lokal dan pariwisata halal masih terbatas. Penelitian ini bertujuan menganalisis pandangan ulama Yogyakarta mengenai relasi pariwisata halal dan budaya lokal serta menilainya dalam perspektif hukum ekonomi syariah. Penelitian ini menggunakan pendekatan kualitatif melalui penelitian lapangan dengan desain studi kasus, yang dipadukan dengan analisis normatif hukum ekonomi syariah. Data primer diperoleh melalui wawancara terpimpin dengan delapan ulama dari latar belakang NU,

Muhammadiyah, Salafi, MUI, pesantren, ulama perempuan, akademisi, dan budayawan Muslim. Data dianalisis menggunakan model Miles dan Huberman serta divalidasi melalui triangulasi sumber dan teori. Hasil penelitian menunjukkan bahwa ulama Yogyakarta memandang pariwisata halal bukan sebagai formalisasi simbol Islam, melainkan sebagai internalisasi nilai syariah dalam praktik wisata yang tetap menghargai budaya lokal. Perbedaan pandangan ulama menunjukkan pola akomodatif, moderat, selektif, dan kontekstual. Secara teoritis, penelitian ini berkontribusi pada pengembangan kajian hukum ekonomi syariah dengan menawarkan analisis integratif antara maqāṣid al-syarī'ah, 'urf, maslahah, dan sadd al-dzarī'ah dalam legitimasi budaya lokal pada pariwisata halal.

Kata Kunci: Pariwisata Halal; Budaya Lokal; Maqāṣid Al-Syarī'Ah; Hukum Ekonomi Syariah; Otoritas Ulama.

INTRODUCTION

The development of halal tourism in recent decades has shown an important transformation in the global sharia economic landscape.[1] The trend of halal lifestyle is no longer limited to the aspect of food and beverage consumption, but has expanded to various sectors, including finance, fashion, cosmetics, and tourism.[2] The State of the Global Islamic Economy (SGIE) 2023/2024 report shows that the world's Muslim population of around two billion people has spent more than US$2.29 trillion in 2022, an increase from the previous year of US$2 trillion.[3] This figure reflects the great potential of an economy based on Islamic values that continues to grow and is increasingly integrated in the global economic system. In this regard, halal tourism has emerged as one of the strategic sectors that not only offers economic opportunities, but also represents value-based economic practices rooted in the legal principles of sharia economics.

Although studies on halal tourism continue to develop, previous research still tends to focus on conceptual aspects, marketing, tourist needs, certification, regulation, and destination development. Battour and Ismail examine the concept, practice, challenges, and future of halal

[1] Atang Abd Hakim et al., "Towards Indonesia Halal Tourism," *AHKAM: Jurnal Ilmu Syariah* 17, no. 2 (2017): 279–300, https://doi.org/10.15408/ajis.v17i2.6243.

[2] Siska Rahmayanti, "Halal Dalam Arus Gaya Hidup Masa Kini: Antara Tren Kekinian Dan Nilai Islami," *Equality: Journal of Islamic Law (EJIL)* 2, no. 2 (2024): 51–60, https://doi.org/10.15575/ejil.v2i2.542.

[3] Dinar Standard, *State of the Global Islamic Economy Report*, 2023, https://www.dinarstandard.com/insights/state-of-the-global-islamic-economy-report-2023.

tourism as a form of tourism oriented to Islamic principles.[4] El-Gohary examines the conceptual basis of halal tourism and questions the limits of halal in tourism industry practices.[5] Henderson researched the needs of Muslim tourists and the tourism industry's response, particularly related to halal food, halal certification, and Muslim-friendly services.[6] Meanwhile, Putra and Tucunan examined the fulfillment of the needs of Muslim tourists through the attributes of destinations and facilities that support halal tourism practices.[7]

Other studies have begun to link halal tourism with the framework of Islamic law and local wisdom. Ismanto analyzed halal tourism from the perspective of *maqāṣid al-syarī'ah* as an effort to realize the benefits of tourism activities.[8] Kasdi, Nashirudin, Farida, and Praatmana researched the potential of halal tourism based on local wisdom in the context of religious and cultural tourism destinations in Kudus.[9] Jaelani discussed the sustainable halal tourism regulatory model based on local wisdom through a normative-comparative approach.[10] However, these studies have not specifically placed the views of scholars as the main object for understanding how local culture is assessed, accepted, restricted, or legitimized in halal tourism practices based on the framework of maqāṣid al-syarī'ah and 'urf. This research fills the gap in

[4] Mohamed Battour and Mohd Nazari Ismail, "Halal Tourism: Concepts, Practises, Challenges and Future," *Tourism Management Perspectives* 19, no. 1 (2016): 150–54, https://doi.org/10.1016/j.tmp.2015.12.008.

[5] Hatem El-Gohary, "Halal Tourism, Is It Really Halal?," *Tourism Management Perspectives* 19, no. 1 (2016): 124–30, https://doi.org/10.1016/j.tmp.2015.12.013.

[6] Joan C. Henderson, "Muslim Travellers, Tourism Industry Responses and the Case of Japan," *Tourism Recreation Research* 41, no. 3 (2016): 339–47, https://doi.org/10.1080/02508281.2016.1215090.

[7] M. Febtian Syah Putra and Karina Pradinie Tucunan, "The Concept of Halal Tourism and The Fulfillment of Muslim Tourist Needs in Halal Tourism," *Halal Research Journal* 1, no. 2 (2021): 56–62, https://doi.org/10.12962/j22759970.v1i2.52.

[8] Kuat Ismanto et al., "Developing Halal Tourism from Maqasid Sharia Perspective," *HIKMATUNA: Journal for Integrative Islamic Studies* 6, no. 2 (2021): 103–14, https://doi.org/10.28918/hikmatuna.v6i2.2889.

[9] Abdurrohman Kasdi et al., "Potential of Kudus as a New International Pilgrimage Destination in Indonesia: Halal Tourism Optimising Local Wisdom," *International Journal of Religious Tourism and Pilgrimage* 9, no. 1 (2021): 96–105, https://doi.org/10.21427/6A93-ZN19.

[10] Abdul Kadir Jaelani et al., "Sustainable Halal Tourism Regulation Based on Local Wisdom in Indonesia and Uzbekistan," *Journal of Human Rights, Culture and Legal System* 5, no. 1 (2025): 351–77, https://doi.org/10.53955/jhcls.v5i1.671.

the study of the normative construction of scholars' views on the integration of local culture in halal tourism.

Halal tourism conceptually needs to be distinguished from religious tourism. Religious tourism generally refers to trips that have a spiritual or worship purpose, such as pilgrimage, hajj, umrah, or visits to religious sites.[11] Meanwhile, halal tourism emphasizes the provision of products, services, facilities, and tourism activities in accordance with sharia principles, both for Muslim tourists and non-Muslim tourists who want clean, safe, ethical, and responsible services.[12] Halal tourism is not solely understood as faith-based tourism, but also as a tourism development model that integrates the values of sharia compliance, tourist comfort, business ethics, and social welfare.[13]

In the perspective of sharia economic law, the concept of halal is not only related to the legal-formal status of a product or service, but also reflects the principles of justice, benefit, balance, transparency, and social responsibility in economic activities.[14] The framework of maqāṣid al-syarī'ah is important because it places Islamic law as an instrument to protect human welfare, including through the protection of religion, soul, intellect, descent, and property.[15] In halal tourism, maqāṣid al-syarī'ah can be used to assess whether a tourism practice not only meets the symbolic halal aspect, but also provides social benefits, maintains public morality, respects human dignity, and supports the sustainability of the destination.

However, the implementation of halal tourism cannot be separated from the local culture where the tourism develops. Each destination has an identity, traditions, arts, culinary, values, and social practices that

[11] Amjad Trifita and Fat'hiyah Khasanah Ar'rahmah, "Commodification of Halal Tourism Religion in the Perspective of Da'wah," *Journal of Islamic Communication Studies* 1, no. 1 (2023): 118–36, https://doi.org/10.15642/jicos.2023.1.1.118-136.

[12] Mulyono Jamal et al., "The Implementation of Lombok Sharia Tourism in the Perspective of Sharia Maqashid," *Al-Istinbath : Journal of Islamic Law* 4, no. 2 (2019): 143, https://doi.org/10.29240/jhi.v4i2.1002.

[13] J.M. Muslimin et al., "Halal Tourism and Muslim Family Well-Being: A Maqāṣid Based Socio-Legal Analysis In Indonesia," *Mawaddah: Jurnal Hukum Keluarga Islam* 4, no. 1 (2026): 591–607, https://doi.org/10.52496/mjhki.v4i1.76.

[14] Nur Asmadayana Hasim et al., "Implications and Challenges in Implementing Halal Standard of Animal Feed and Its Marketability," *Samarah: Journal of Family Law and Islamic Law* 9, no. 3 (2025): 1660–79, https://doi.org/10.22373/sjhk.v9.i3.26402.

[15] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: IIIT, 2008).

have lived in the community. In Islamic law, local culture can be analyzed through the concept of 'urf, which is a recognized community custom as long as it does not contradict the basic principles of sharia.[16] 'urf that is in harmony with sharia can be categorized as 'urf ṣaḥīḥ, while customs that are contrary to sharia include 'urf fāsid.[17] The relationship between halal tourism and local culture is not always contradictory, but can be understood as a process of normative integration between sharia values and the social reality of society.

In Indonesia, as the country with the largest Muslim population in the world, the development of halal tourism faces complex challenges, especially in harmonizing sharia principles with the diversity of local cultures. Some studies emphasize that halal tourism must meet the principles of Islamic law, such as the provision of halal food, worship facilities, and activities that are not contrary to sharia.[18] However, other research also emphasizes the importance of considering local wisdom as an integral part of halal tourism development.[19] In this case, halal tourism is not only understood as the fulfillment of religious standards, but also as a tourism development strategy that respects socio-cultural values and supports the sustainability of destinations.

This tension between sharia principles and local culture becomes increasingly relevant when it is associated with the perception of the public and tourism industry players. There are concerns that the strict implementation of halal tourism could reduce the attraction of destinations for non-Muslim tourists or even change the image of the destination to be exclusively religious-based.[20] On the other hand, a too lax approach to sharia principles has the potential to reduce Muslim

[16] Ade Fariz Fahrullah, "The Urgency of Al Urf' Rules in Applying Sharia Law," *Al-Bayyinah* 2, no. 2 (2018): 13–26, https://doi.org/10.35673/al-bayyinah.v2i2.48.

[17] Fitra Rizal, "The Application of 'Urf as a Method and Source of Islamic Economic Law," *AL-MANHAJ: Journal of Islamic Law and Social Institutions* 1, no. 2 (2019): 155–76, https://doi.org/10.37680/almanhaj.v1i2.167.

[18] Lukman Santoso et al., "Halal Tourism Regulations in Indonesia: Trends and Dynamics in the Digital Era," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (2022): 73–94, https://doi.org/10.18326/ijtihad.v22i1.73-94.

[19] Novianti Monyca and Muslim, "Kebijakan Wisata Halal (Halal Tourism) Berbasis Kearifan Lokal di Kabupaten Lima Puluh Kota," *Jurnal Ilmu Komunikasi, Administrasi Publik dan Kebijakan Negara* 3, no. 1 (2026): 18–29, https://doi.org/10.62383/komunikasi.v3i1.786.

[20] Abd. Halim and Nurdhin Baroroh, "Pariwisata Halal: Studi Komparatif Hotel Syariah Di Yogyakarta Dan Bali," *Al-Manahij: Jurnal Kajian Hukum Islam* 15, no. 1 (2021): 53–66, https://doi.org/10.24090/mnh.v15i1.4602.

tourists' confidence in the halalness of the services provided. Therefore, a normative framework is needed that is able to bridge the two interests proportionally.

In this context, the role of scholars is very important as a normative authority in assessing and giving legitimacy to social practices, including in the fields of economics and tourism. Scholars not only function as interpreters of religious teachings, but also as mediators between normative texts and social reality. In the Islamic tradition, scholars have a strategic position as the heirs of the Prophet (waratsat al-anbiya') who have authority in providing fatwas and moral guidance for the community.[21] Ulama can act as agents *of change* who are able to provide enlightenment to society in the face of evolving social dynamics, without abandoning the basic principles of Islamic teachings.[22] Therefore, understanding the views of scholars on the integration of local culture in halal tourism is important to obtain a comprehensive picture of how sharia principles are interpreted and implemented in a real context.

Yogyakarta as one of the main tourist destinations in Indonesia offers an interesting context to examine this issue. This area is known as a cultural center with a strong local identity, as well as an inclusive tourist destination for various groups, both domestic and international.[23] In addition, Yogyakarta is also a student city with a high diversity of social, cultural, and religious backgrounds.[24] Furthermore, the existence of scholars in Yogyakarta who come from various organizational backgrounds and scientific traditions such as Nahdlatul Ulama, Muhammadiyah, Salafi, as well as academics and Islamic boarding schools makes this area an ideal social laboratory to study the dynamics of religious thought in responding to halal tourism issues. These diverse scholarly views can provide in-depth insights into how the concept of

[21] Yumna, "Ulama as Waratsatul Anbiya (Shifting the Value of Ulama in the Eyes of the People of Aceh)," *Syifa Al-Qulub* 3, no. 1 (2018): 18–30, https://doi.org/10.15575/saq.v3i1.3141.

[22] Ulil Abshar Abdalla, "Ulema and Social Change: Resisting or Making Peace with the 'New Age'?," *Tashwirul Afkar* 41, no. 2 (2022): 163–212, https://doi.org/10.51716/ta.v41i2.77.

[23] Wisnu Hadi, "Exploring the Potential of Tourism Villages in Yogyakarta City as a Tourist Attraction," *Journal of Tourism and Economic* 2, no. 2 (2024): 129–39, https://doi.org/10.36594/jtec/08yq9670.

[24] Muhammad Kamil, "Cultural Tolerance, Diversity and Pluralism: The Recognition of Yogyakarta as The City of Tolerance," *Journal of Local Government Issues* 1, no. 1 (2018): 85–104, https://doi.org/10.22219/logos.Vol1.No1.85-104.

halal is understood, negotiated, and implemented in complex local cultural contexts.

The novelty of this research lies in the integrative analysis between the views of Yogyakarta scholars and the framework of maqāṣid al-syarī'ah and 'urf in assessing the legitimacy of local culture in halal tourism practices. Different from previous research that focused more on consumer aspects, marketing, certification, regulation, or destination potential, this study places the views of scholars as the main source of normative analysis. This research not only describes halal tourism practices, but also assesses how local culture can be accepted, restricted, or developed within the legal framework of sharia economics.

Based on this description, this research is directed to answer two problem formulations. First, what is the view of Yogyakarta scholars regarding the relationship between halal tourism and local culture? Second, how is this view analyzed in the perspective of maqāṣid al-shari'ah and 'urf as part of sharia economic law? Through the two formulations of the problem, this research is expected to make a theoretical contribution to the development of halal tourism studies based on local culture, as well as make a practical contribution to the formulation of a halal tourism model that is not only compliant with sharia principles, but also respects local wisdom and social diversity of the community.

RESEARCH METHODS

This research uses a qualitative approach with a case study design through field research.[25] The location of the research was carried out in the Special Region of Yogyakarta which was carried out in the July-December 2023 period. The selection of the Yogyakarta region is based on its characteristics as a cultural-based tourism destination that has developed strongly, has tourist attractions for domestic and foreign tourists from various social and religious backgrounds, and has the status of a student city with high academic mobility. In addition, Yogyakarta is also included in the halal tourism development area set by the Ministry of Tourism and Creative Economy. Another uniqueness lies in the strong local cultural traditions inherent in people's lives and the existence of heterogeneous scholars, both from elements of Islamic organizations, educational institutions, and intellectual backgrounds. This condition

[25] Sugiyono, *Quantitative, Qualitative and R&D Research Methods* (Bandung: Alfabeta, 2019).

makes Yogyakarta a relevant locus to examine the relationship between halal tourism and local culture in the perspective of sharia economic law.

The data sources in this study consist of primary data and secondary data. Primary data was obtained through guided interviews with 8 (eight) scholars who were selected by purposive sampling based on representations of scientific and institutional backgrounds. The informants represented elements of Islamic boarding school scholars, women scholars, academics, writers and cultural experts, the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), Muhammadiyah, and Salafi. The selection of these diverse informants aims to obtain a variety of perspectives in understanding the concept of halal tourism and its integration with local culture. Secondary data was obtained from academic literature in the form of books, reputable journal articles, fatwas, and documents related to sharia economic law and halal tourism.

Data collection techniques were carried out through in-depth interviews and documentation studies. The interviews were used to explore the views, arguments, and normative limitations of scholars related to the integration of local culture in halal tourism. Documentation studies are used to trace and strengthen data from academic literature, fatwas, regulations, and documents relevant to sharia economic law and halal tourism. Data validation is carried out through source triangulation and theory triangulation. Source triangulation is done by comparing views between informants from different backgrounds, as well as matching them with relevant documents and literature. Theoretical triangulation is carried out using several analytical frameworks, especially maqāṣid al-syarī'ah, 'urf, and the principles of sharia economic law, to assess the suitability of scholars' views on the legitimacy of local culture in halal tourism practices.

Data analysis uses the Miles and Huberman model which includes three stages, namely data reduction, data presentation, and verification or drawing conclusions.[26] At the data reduction stage, the results of interviews and documents were sorted based on the main themes, such as the concept of halal tourism, the position of local culture, sharia restrictions, and the legitimacy of tourism practices. At the data presentation stage, the findings are systematically compiled in the form of thematic descriptions so that the pattern of scholars' views can be seen clearly. At the verification stage, the data is analyzed to find consistent

[26] Matthew B. Miles et al., *Qualitative Data Analysis: A Methods Sourcebook*, Third edition (Thousand Oaks, Califorinia: SAGE Publications, Inc, 2014).

and accountable conclusions. Furthermore, the findings were analyzed normatively using maqāṣid al-syarī'ah and 'urf to assess the extent to which local culture can be accepted, limited, or legitimized in the development of local culture-based halal tourism in Yogyakarta.

RESULTS AND DISCUSSION

The Concept of Halal Tourism in the Perspective of Yogyakarta Scholars

Halal tourism is carried out in the absence of elements that damage the faith and violate the sharia.[27] Among the purposes of Muslim travel are to strengthen their faith and know Allah SWT. (Q.S. Al Ankabūt:20), do business, do business and open business opportunities (Q.S. Al Quraish:1-4, Al Jumuah:10), increase insight and knowledge (Ali Imran: 137), with motivation to travel according to Allah's commands (Qs. Al-Ankabut; 20; Qs. Al-Hajj; 46), and the Prophet's Hadith about travel. In the book of Washoya, traveling is not prohibited because people need refreshment, fresh air, making a spirit, feeling "sakīnah", calm when in tourist attractions, and increasing faith.[28] Although it is not always related to religious purposes, it is still in line with Islamic teachings. The important thing in halal tourism is that in its implementation it does not violate Islamic principles, and the rights of Muslim tourists are fulfilled.[29] However, Islamic law is not implemented by inconvenience to tourism actors or tourists.[30]

The concept of halal tourism is tourism with the spirit of the Qur'ān. For this reason, halal tourism must show an inclusive representation of Islam. The thing that the ulama emphasized is the implementation/implementation of tourism that is not exclusive. Halal tourism is basically an identity construction.[31] In the implementation of tourism according to Islamic teachings, the use of identity is not an absolute or required thing. There is no coercion in the use of symbols, what is important is the initial intention to build a concept to advance halal tourism well. So, not stuck in identity consumption. In his research

[27] Riduwan, "Personal Interview with PW Muhammadiyah Yogyakarta," August 15, 2023.

[28] Ida Fatimah, "A Personal Interview with Yogyakarta Women Scholars," 2023.

[29] Zuhdi Muhdlor, "Personal Interview with NU Figures in Yogyakarta," 2023.

[30] Hilmy Muhammad, "A Personal Interview with Yogyakarta Academics," 2023.

[31] Helmi Maulana Hendrawan and Istyakara Muslichah, "Tourist Loyalty Antecedents On Halal Tourism In Yogyakarta," *IQTISHADUNA: Scientific Journal of Our Economy* 12, no. 1 (2023): 48–65, https://doi.org/10.46367/iqtishaduna.v12i1.1097.

in Aceh, Zulkarnaini found that the transformation of Aceh's public space after the reform era was marked by hegemony and monopoly of Islamic interpretation by the state through the formalization of Islamic law. The state's efforts to limit public space based on Islamic values and identity have not only failed, but also triggered the emergence of the counterpublic. This counterpublic serves as an arena for its opponents to reinforce ideas, negotiate identities, or show resistance in realizing their aspirations. The existence of this counterpublic is multi-layered, with the possibility of no connection between one group and another, which sometimes even compete or conflict with each other.[32]

Based on the findings of the study, Yogyakarta scholars view halal tourism as a permissible tourist activity as long as it does not damage the faith, does not violate the sharia, and does not cause harm.[33] Tourism is understood as part of muamalah activities which are basically mubah, as long as there are no prohibited elements. This view has a normative basis in Islam, including the encouragement to travel to learn from Allah's creation and the history of the previous ummah as contained in QS. al-'Ankabūt [29]: 20 and QS. al-Ḥajj [22]: 46. In addition, travel can also be related to economic activities, trade, education, and the search for sustenance as depicted in QS. al-Jumu'ah [62]: 10. Therefore, tourism is not understood as an activity that is contrary to religion, but as a socio-economic activity that can have positive value if directed to benefit.

This scholar's view is in line with M. Battour, M.N. Ismail, that halal tourism can be in the form of tourist trips with any purpose that is allowed according to Islamic teachings and involves Muslims in the tourism industry.[34] M. Carboni, Perelli and G. Sistu, that the scope of halal tourism includes all types of tourism on the condition that it does not conflict with sharia and Islamic values.[35] Nuryanti also said that in

[32] Zulkarnaini Zulkarnaini et al., "Sharia in Power: Non-Muslims and the Performance of Islamic Politics in Aceh Public Sphere, Indonesia," *Indonesian Journal of Islam and Muslim Societies* 12, no. 2 (2022): 257–83, https://doi.org/10.18326/ijims.v12i2.257-283.

[33] Muhdlor, "Personal Interview with NU Figures in Yogyakarta."

[34] Battour and Ismail, "Halal Tourism."

[35] Michele Carboni et al., "Is Islamic Tourism a Viable Option for Tunisian Tourism? Insights from Djerba," *Tourism Management Perspectives* 11, no. 1 (2014): 1–9, https://doi.org/10.1016/j.tmp.2014.02.002; Rachmawati, Meida, Diana Farid, Nadeem Sami Mohammad Altalahmeh, Annisa Elda Octivia, and Anastasia Wahyu Murbani , trans. 2025. "Legal Implications of The Formation of Tourist Villages on Collective Community Rights In The Management of Community Based Tourism

Islam, the basis of morality is the Qur'ān and al-Hadith. These two sources are the foundation and source of Islamic teachings as a whole, as a way of life and determine what is good and what is bad.[36] In Arifin's research, it was conveyed that in the Islamic view, tourism is perceived as the same as spiritual travel,[37] but Islam rejects any form of tourism that does not match its characteristics based on the Qur'ān and al-Hadith, such as tourism that has the potential to violate Islamic ethics-morals and create space for immoral acts.

Yogyakarta scholars do not understand halal tourism narrowly as a symbolic Islamization of tourist spaces. Halal is not positioned simply as a formal identity, but as a substantive value that must be present in the entire process of implementing tourism. The use of halal labels can indeed help provide certainty to Muslim tourists, but they should not replace the ethical substance of halal tourism itself.[38] If halal tourism only stops at symbols, then it risks becoming a commodification of religious identity. On the other hand, if halal values are applied to aspects of cleanliness, security, honesty of transactions, the availability of halal food, and worship facilities, then halal tourism can become a broader economic ethical instrument.

In the perspective of maqāṣid al-shari'ah, the view of the scholars can be read as an effort to maintain the five basic goals of sharia. The provision of halal worship and food facilities is related to ḥifẓ al-dīn, which is religious protection.[39] The guarantee of safety, cleanliness, and comfort of tourists is related to ḥifẓ al-nafs, i.e. the protection of life. The avoidance of activities that undermine public consciousness and morality is related to ḥifẓ al-'aql. As for honesty in transactions, price transparency, and the prohibition of fraud are related to ḥifẓ al-māl. Halal tourism not only has a ritual dimension, but also a strong socio-economic

Destinations". Al-Battar: Jurnal Pamungkas Hukum 2 (3): 453-64. https://doi.org/10.63142/al-battar.v2i3.464.

[36] Nurhayati Nurhayati, "Morals and Its Relationship with Aqidah in Islam," *Mudarrisuna Journal: Islamic Religious Education* Study Media 4, no. 2 (2014): 291–316, https://doi.org/10.22373/jm.v4i2.291.

[37] Johar Arifin, "Insight of the Qur'an and Sunnah on Tourism," *An-Nur* 4, no. 2 (2015): 147–66, http://dx.doi.org/10.24014/an-nur.v4i2.2057.

[38] Riduwan, "Personal Interview with PW Muhammadiyah Yogyakarta."

[39] Irsad et al., "The Integration of Maqāṣid Al-Syarī'ah in the Development of the Halal Industry: A Framework for Consumer Protection and the Welfare of the Ummah," *Journal of Islamic Economics and Finance* 2, no. 1 (2026): 63–75, https://doi.org/10.64845/al-mudayanah.v2i1.

dimension because it is directed to protect the overall benefit of humans.[40]

The concept of maslahah is also the key in understanding the views of Yogyakarta scholars. Halal tourism is considered to bring benefits because it can improve the community's economy, create jobs, strengthen the attraction of destinations, and provide a sense of security for Muslim tourists.[41] However, these economic benefits must still be controlled by sharia values. This means that the profits of the tourism industry should not be achieved through activities that undermine morality, exploit culture, or ignore the rights of tourists. Within this framework, halal tourism is not only a market strategy, but also a mechanism to ensure that economic activities run fairly, ethically, and responsibly.

On the other hand, the principle of 'urf provides space for the acceptance of local culture in halal tourism. The scholars do not view the local culture as something that is automatically contrary to Islam. Culture is acceptable if it does not contain elements of shirk, vices, or social harm. This principle is in line with the rules of al-'ādah muḥakkamah, namely the customs or customs of the community can be legal considerations as long as they do not contradict the sharia postulates.[42] In Yogyakarta, halal tourism does not have to erase local cultural identity, but it is necessary to make a normative selection of existing cultural practices.

The principle of *sadd al-dzarī'ah* serves as a limit of caution.[43] This principle does not mean that all entertainment, art, or cultural attractions should be banned, but it does require control so that tourist activities do not become a path to harm. For example, cultural attractions, entertainment, culinary, and social interactions in tourist destinations need to be managed so that they do not lead to gambling, pornography, exploitation, fraud, or practices that undermine faith. The approach of

[40] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*.

[41] Muhdlor, "Personal Interview with NU Figures in Yogyakarta."

[42] Samsudin Buamona, "The Rule of Al-'Adatu Muhakkamah: Concept, Application, and Relevance in the Dynamics of Contemporary Islamic Law," *Al-Mizan: Journal of Legal and Economic Studies* 10, no. 2 (2024): 171–84, https://doi.org/10.59115/almizan.vi.192.

[43] Muhamad Takhim, "Saddu al-Dzari'ah in Islamic Muamalah ," *ACCESS: Journal of Economics and Business* 14, no. 1 (2020): 1–19, https://doi.org/10.31942/akses.v14i1.3264.

Yogyakarta scholars tends to be preventive, not repressive; guide, not remove; and directing culture to remain in the corridor of benefit.

Based on this description, the concept of halal tourism in the perspective of Yogyakarta scholars can be formulated as tourism that is based on sharia values, is inclusive, respects local culture, and is oriented towards benefits. Halal tourism is not only determined by the label, but by the quality of service and adherence to Islamic values in tourism practices. Halal tourism based on local culture is not a form of cultural uniformity in the name of religion, but a process of selection and harmonization between sharia values, local culture, and the needs of the modern tourism industry.

Integration of Halal Tourism and Local Culture

The integration between halal tourism and local culture in the perspective of sharia economic law basically departs from a very strong theological foundation, namely Islam as rahmatan lil 'alamin. Islam is not here to negate the reality of existing culture, but rather to provide ethical and normative direction so that the culture remains in the corridor of benefit. Islamic values are universal, inclusive, and can adapt to various social contexts without losing their basic essence.[44] In the context of tourism, this emphasizes that the implementation of halal tourism should not be understood narrowly as a formalization of Islamic symbols, but rather as an actualization of universal Islamic values such as justice, cleanliness, security, order, and benefits.

The scholars in this study generally view that the meeting point between sharia and culture lies in the universal values of Islam which are basically in harmony with human nature. Islam teaches principles that are not only aimed at Muslims, but also relevant to all of humanity.[45] Therefore, halal tourism practices should not be exclusive or only oriented to Muslim segmentation, but should be able to become a value system that is acceptable to the wider community, including non-Muslim tourists. In this perspective, halal tourism is not interpreted as the Islamization of tourist spaces, but as the humanization of tourism through the application of universal Islamic ethics.

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[44] Akhmed Reza Pahlevi et al., "Islam's Response to Tradition and Modernity: The Integration of Global Values, Technology, and Civilization," *IJoIS: Indonesian Journal of Islamic Studies* 6, no. 1 (2025): 83–92, https://doi.org/10.59525/ijois.v6i1.990.

[45] Mohammad Bahauddin and Sumaiya Sultana Jyoti, "Islam: Universal Life Provisions for Peace and Harmony," *Prachyavidya Patrika* 13, no. 1 (2024): 1–15, https://doi.org/10.62069/PVP.V13.A7.

These values can be seen in the aspects of environmental conservation, respect for diversity, and the creation of a safe and comfortable social space for all parties. For example, the principle of cleanliness in Islam can be implemented in waste management policies in tourist destinations, while the principle of honesty can be realized in the transparency of information on tourism products, including the clarity of the halal status of food.[46] The meeting point between sharia and culture is not in the formalistic aspect, but in the internalization of ethical values that shape social behavior in the tourism industry.

Furthermore, scholars also emphasized that halal tourism should avoid an approach that is too strict and exclusive, as it has the potential to go against the spirit of Islam itself which is inclusive and open.[47] If halal tourism is only focused on creating exclusive spaces for Muslims, then it not only has the potential to reduce economic attractiveness, but can also deviate from the essence of Islam as a religion that brings grace to all nature. In this framework, Islam does not reject cultural diversity, as long as it does not contradict the basic principles of sharia such as the prohibition of gambling (QS. al-Ma'idah: 90), adultery (QS. al-Isra': 32), and all other forms of social harm (QS. al-A'raf: 56).

Therefore, the meeting point between sharia and culture in halal tourism can be formulated as a normative selection process for existing cultures, where cultures that are in line with Islamic values are strengthened, while those that are contrary are directed gradually through da'wah and education approaches. In this case, the concept of al-'ādah muḥakkamah is an important principle that affirms that customs or culture can be the basis of law as long as they do not contradict the sharia. Local culture is not positioned as the opponent of sharia, but rather as a medium for the actualization of Islamic values in a real social context.[48]

The integration between halal tourism and local culture cannot occur instantly or mechanically, but rather through a dynamic process of adaptation and value negotiation. In Yogyakarta, this process has become very relevant because this area has very strong cultural characteristics and has been rooted in people's lives. Culture in Yogyakarta not only functions as a legacy of the past, but also as a living

[46] Itang and Hadi Peristiwo, "Halal Tourism in Islamic Business Ethics Perspective," *Journal of Namibian Studies: History Politics Culture* 34, no. 2 (2023): 1–4, https://doi.org/10.59670/jns.v34i.1065.

[47] Robby Habiba Abror, "A Personal Interview with Yogyakarta Scholars," 2023.

[48] Muhammad, "Personal Interview with Yogyakarta Academics."

value system and shapes the mindset, behavior, and social structure of the community.[49] Therefore, the development of halal tourism in this region must consider the cultural dimension as an integral part of the tourism ecosystem.

Scholars view that the implementation of halal tourism is not intended to remove or replace local culture, but rather to modify and harmonize between religious and cultural values.[50] In this perspective, halal tourism is understood as a space of dialogue between normative texts (ḥaḍaratun naṣ), philosophical thought (ḥaḍaratul philosophy), and social reality (ḥaḍaratul 'ilm).[51] These three dimensions cannot be separated, because sharia does not descend in empty space, but is present in a social context that already has a certain cultural structure. The application of Islamic values in tourism must take into account existing social realities so that unnecessary cultural disruption does not occur.

The adaptation model developed in halal tourism practices in Indonesia tends to be flexible and gradual (tadarruj fi al-tasyrī'). This approach allows for a transition process from cultural practices that are less in accordance with sharia values to practices that are more appropriate without having to cause social conflicts. For example, in the practice of entertainment or music in tourist destinations, scholars emphasize the importance of a gradual approach, not an immediate total ban. Similarly, in the aspect of consumption and tourism services, the approach used is transparency and education, not exclusion.

Value negotiation is also seen in the management of tourism public spaces. Local culture that is tangible and intangible can still be displayed as a tourist attraction, as long as it does not contain elements that explicitly contradict sharia principles.[52] In this case, scholars allow visits to cultural sites such as temples as a form of i'tibar or historical learning (QS. al-Hajj: 46), which shows that Islam provides space for reflection on cultural heritage as long as it does not lead to shirk glorification.

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[49] Hadi, "Exploring the Potential of Tourism Villages in Yogyakarta City as a Tourist Attraction."

[50] Riduwan, "Wawancara Pribadi Dengan PW Muhammadiyah Yogyakarta."

[51] Muhammad Salman Al Farisi, "The Concept of Halal Tourism in Indonesia in the Perspective of Maqashid Sharia," *Perbanas Journal of Islamic Economics and Business* 2, no. 1 (2022): 84–90, https://doi.org/10.56174/pjieb.v2i1.27.

[52] Busaini, "Sharia Tourism Development Strategy for West Nusa Tenggara, Indonesia," in *Balancing Development and Sustainability in Tourism Destinations*, ed. Akhmad Saufi et al. (Singapore: Springer Singapore, 2017), 255–60, https://doi.org/10.1007/978-981-10-1718-6_24.

Culture is not erased, but reinterpreted in an educational and reflective framework.

However, this negotiation process also faces challenges, especially in defining the boundaries between acceptable cultures and those that must be reconstructed. Some cultural elements such as statues, certain rituals, or non-Islamic religious symbols are sensitive issues in the implementation of halal tourism. In this case, the approach used is not elimination, but a restructuring of meaning. This means that cultural elements are not always eliminated, but given a new context that is more in line with the values of monotheism and Islamic ethics.

In addition, scholars also emphasize the principle that in Islamic law, judgment is made based on the visible (nahnu naḥkumu bi al-ẓawāhir), while the intention and the hidden are left to Allah (wa Allāh yatawalla al-sarā'ir).[53] This principle provides a wide space of tolerance in social practices, including tourism, since not all aspects can be strictly controlled. Halal tourism is not intended as a rigid system of moral supervision, but as a system of social ethics that encourages good behavior voluntarily.

In the global realm, this approach also avoids halal tourism from the tendency of exclusivism as feared in several studies. For example, research in Aceh shows that the symbolization of public spaces that are too strong based on Islamic identity can raise concerns about the freedom of non-Muslim groups.[54] Therefore, the ideal integration model is one that is able to maintain a balance between Islamic identity and multicultural openness. Halal tourism must remain inclusive, provide space for all religions to carry out their worship, and guarantee religious freedom as part of basic human rights.

The model of adaptation and value negotiation in halal tourism can be concluded as a process of harmonization between sharia values and local culture through a gradual, flexible, and inclusive approach. This process not only maintains the sustainability of local culture, but also strengthens Islam's position as an adaptive, tolerant, and relevant value system in the modern global context.

Normative Analysis in Sharia Economic Law

From the perspective of sharia economic law, halal tourism cannot be separated from the framework of maqāṣid al-shari'ah which is the main foundation in assessing the legality and ethics of an economic

[53] Muhdlor, "Personal Interview with NU Figures in Yogyakarta."
[54] Zulkarnaini et al., “Sharia in Power.”

activity.[55] Maqāṣid al-syarī'ah, which includes the protection of religion (ḥifẓ al-dīn), soul (ḥifẓ al-nafs), reason (ḥifẓ al-'aql), heredity (ḥifẓ al-nasl), and property (ḥifẓ al-māl), provides normative parameters to ensure that any economic activity, including tourism, is not only legally legitimate, but also brings substantive benefits to human beings.[56] In *al-Muwāfaqāt*, al-Syāṭibī emphasized that sharia law is directed to realize the benefits of human beings, both in aspects of religion and world life.[57] This framework is in line with Muala's view that Islamic economics should be understood through the orientation of maqāṣid, not just through the legality of formal transactions.[58]

In the context of halal tourism, *maqāṣid al-syarī'ah* becomes an analytical tool to assess whether local culture can be integrated into tourism practices without undermining the basic principles of Islam. The view of Yogyakarta scholars shows that local culture is not automatically contrary to sharia, but must be tested based on its value content.[59] Culture that contains education, history, social ethics, beauty, and strengthening community identity can be accepted as part of halal tourism. On the other hand, cultures that contain elements of polytheism, exploitation, fraud, gambling, or moral transgression need to be limited or redirected.

The analysis is in line with the concept of 'urf in fiqh. 'Urf provides space for the customs and customs of the community to be accommodated in Islamic law as long as it does not conflict with the nash. In *al-Ashbāh wa al-Naẓā'ir*, al-Suyūṭī places the rules of *al-'ādah muḥakkamah* as one of the important rules in the determination of the law.[60] This means that customary can be a legal consideration if it takes place in general, is accepted by the community, and does not contradict

[55] Moh. Hamzah et al., "The Transformation of Electronic Mediation: A Legal Innovation in the Sharia Economic Dispute Resolution," *JURIS (Jurnal Ilmiah Syariah)* 25, no. 1 (2026): 15–27, https://doi.org/10.31958/juris.v25i1.15856.

[56] Mustofa Mustofa et al., "Strengthening Halal Tourism Governance in Pekalongan: A Maqasid-Based Collaborative Governance Framework within Siyasah Dusturiyah," *Al-Risalah: Forum for the Study of Law and Social Society* 26, no. 1 (2026): 38–58, https://doi.org/10.30631/alrisalah.v26i1.2046.

[57] Ibrāhīm ibn Mūsá Shāṭibī, *Al-Muwafaqat Fi Usul al-Shari'ah* (Kairo: Matba'at al maktabah al-tujariyah, 1920).

[58] Asyharul Muala, "Repositioning of Islamic Economics in the Era of Globalization from the MaqāṣidSyarī'ahPerspective," *JIL: Journal of Islamic Law* 1, no. 1 (2020): 45–63, https://doi.org/10.24260/jil.v1i1.17.

[59] Aguk Irawan, "Personal Interview with MUI Yogyakarta," 2023.

[60] Jalaluddin As-Suyuthi, *Al-Asybah wa Al-Nadzair* (Cairo: Dar El-Salam, 2009).

sharia principles. Fahimah also emphasized that fiqh has a space for accommodation for local culture through the concept of 'urf,[61] while Rizhan explained that al-'ādah and al-'urf can be a source of legal considerations as long as they do not violate the shari'i evidence.[62]

With this framework, the local culture of Yogyakarta can be understood as 'urf that needs to be selected normatively. Traditions, art, historical sites, community manners, and local culinary can be part of halal tourism if they contain benefits and do not bring mafsadah. However, the validity of local culture is not absolute. Ibn Qayyim al-Jauziyyah in *I'lām al-Muwaqqi'īn* emphasized the importance of changing fatwas and legal considerations according to changes in time, place, conditions, intentions, and habits.[63] This view is relevant to assess halal tourism in Yogyakarta because cultural practices cannot be separated from the social context that lives in the community.

In the aspect of ḥifẓ al-dīn, halal tourism based on local culture must ensure that Muslim tourists can continue to practice their religious teachings. The provision of halal food, worship facilities, clear service information, and tourist activities that do not damage the faith are part of religious protection. This is also in line with DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 concerning Guidelines for Tourism Implementation Based on Sharia Principles, which regulates the general principles of tourism management, including destinations, hotels, spas, travel agencies, and tour guides based on sharia principles.[64]

In the aspect of ḥifẓ al-'aql, local culture can function as a means of education. Visits to cultural sites, art performances, and introductions to local history can expand tourists' knowledge if directed as learning, not glorification that is contrary to monotheism. This is where maqāṣid al-syarī'ah gives room for a broader analysis, namely that culture is not directly rejected because of its external form, but is judged based on its meaning, purpose, and impact. Surwandono et al. point out that the

[61] Iim Fahimah, "Local Cultural Accommodation ('urf) in the Understanding of the Fiqh of Mujtahidin Ulama Jurisprudence," *Mizani Scientific Journal: Legal Discourse, Economics and Religion* 5, no. 1 (2018): 9–18, https://doi.org/10.29300/mzn.v5i1.1433.

[62] Afrinald Rizhan, "The Position of Al-'Adah and Al-'Urf as the Source of Islamic Law," *Journal of Legal Ideas* 6, no. 01 (2024): 77–93, https://doi.org/10.31849/jgh.v6i01.19526.

[63] Ibnu Qayyim Al-Jauziyyah, *I'lam al-Muwaqqi'in 'an Rab al- 'Alamin* (Saudiyyah: Dar Ibn al-Jauzi, 1223).

[64] Indonesian Ulema Council, "Fatwa DSN-MUI No. 108/DSN-MUI/X/2016 concerning Guidelines for Tourism Implementation Based on Sharia Principles," 2016.

polemic of halal tourism in Indonesia needs to be read through maqāṣid so as not to fall into rigid formalization or liberalization that ignores the limits of sharia.[65]

In the aspect of ḥifẓ al-māl, halal tourism based on local culture has a strong economic function. The integration of halal values and local culture can drive the community's economy, strengthen MSMEs, create jobs, and increase the competitiveness of destinations. Mustofa et al. emphasized the importance of maqāṣid-based collaborative governance in strengthening halal tourism, as the success of halal tourism does not only depend on labels, but also on the involvement of governments, communities, business actors, and religious authorities.[66] This shows that halal tourism must be managed as an ecosystem, not just an industrial product.

However, the economic orientation must be controlled by sharia ethics. The practice of baseless halal claims, information manipulation, cultural exploitation, or excessive commercialization of traditions can undermine the goals of sharia. In this case, halal certification and MUI authority are important to maintain public trust. The MUI fatwa on the standardization of halal fatwa and the mechanism for determining halal products is an important reference so that halal is not only a marketing claim, but has a normative and institutional basis.[67] This principle is in line with Yusuf et al.'s idea that sharia economic law demands honesty, authenticity, and consumer protection in modern economic activities.[68]

The maslahah principle strengthens the argument that halal tourism based on local culture must bring broad benefits. Maslahah not only means economic gains, but also includes religious protection, social harmony, cultural preservation, tourist comfort, and destination sustainability. Suaidi et al. in their study on halal food development in Bali showed that Muslim beliefs, state regulations, and local culture

[65] Surwandono Surwandono et al., "The Polemic of Halal Tourism Policy in Indonesia and Its Review in Maqashid Syariah," *TSAQAFAH* 16, no. 1 (2020): 91–106, https://doi.org/10.21111/tsaqafah.v16i1.3594.

[66] Mustofa et al., "Strengthening Halal Tourism Governance In Pekalongan."

[67] Majelis Ulama Indonesia, "Fatwa MUI No. 4 Tahun 2003 Tentang Standarisasi Fatwa Halal," 2003.

[68] Muhammad Yusuf et al., "Consumer Perceptions of Influencer Authenticity: A Sharia Economic Law Perspective on Generation Z," *Mawaddah: Jurnal Hukum Keluarga Islam* 3, no. 2 (2025): 490–507, https://doi.org/10.52496/mjhki.v3i2.73.

interact with each other in shaping halal practices.[69] These findings are relevant to Yogyakarta because halal tourism cannot be separated from the local cultural context that is the identity of the destination.

However, maslahah must always be balanced with the prevention of mafsadah. If halal tourism is applied too loosely, sharia standards can be blurred and the trust of Muslim tourists decreases.[70] On the other hand, if applied too rigidly, halal tourism can create an impression of exclusivity and have the potential to reject local culture excessively. Therefore, the rule *of dar' al-mafāsid muqaddam 'alā jalb al-maṣāliḥ* needs to be used proportionately. Resisting damage is important, but it should not be done in a way that creates new social damage, such as cultural resistance, identity conflicts, or declining economic sustainability.

The principle of *sadd al-dzarī'ah* is also needed to control potential deviations in halal tourism. This principle does not mean prohibiting all forms of art, entertainment, or cultural attractions, but it does prevent these elements from becoming a path to disobedience, exploitation, or damage to faith. *Sadd al-dzarī'ah* serves as a risk control instrument.[71] For example, cultural attractions can still be displayed, but must be given an educational context; local cuisine can be developed, but requires certainty of halal ingredients and processes; and tourist spaces can be open, but still maintain norms of decency and safety.

Normative analysis of the views of Yogyakarta scholars shows that halal tourism based on local culture needs to be developed through a selective, dialogical, and benefit-oriented approach. *Maqāṣid al-syarī'ah* is the main measure for assessing the purpose and impact of tourism; 'urf became the basis for accommodation to local culture; maslahah becomes a development orientation; Meanwhile, SADD al-Dzarī'ah is a preventive mechanism against the potential of mafsadah. Within this framework, halal tourism in Yogyakarta is not understood as the elimination of local culture, but as a harmonization between Islamic values, cultural identity, and the economic sustainability of the community.

Implications of Different Views of Ulama on the Development of Halal Tourism

[69] Suaidi Suaidi et al., "Halal Food Development in Bali: Dynamics of Muslim Beliefs, State Regulations, and Local Culture," *Al-Ahkam* 35, no. 1 (2025): 147–78, https://doi.org/10.21580/ahkam.2025.35.1.25732.

[70] Muhammad, "Personal Interview with Yogyakarta Academics."

[71] Takhim, "Saddu al-Dzari'ah in Muamalah Islam."

The difference in the views of scholars regarding halal tourism and its integration with local culture is an inevitable phenomenon in the context of a pluralistic Muslim society, including in Yogyakarta. This variation not only reflects the differences in ijtihad methodology and scientific background, but also shows the dynamics of Islamic thought in responding to evolving social realities. In this study, the variation in views is clearly seen among scholars from various backgrounds such as Nahdlatul Ulama (NU), Muhammadiyah, Salafi, as well as academics and Islamic boarding schools. Each has a different approach to understanding the concept of halal tourism, especially in relation to local culture.

In general, the views of Yogyakarta scholars can be grouped into several tendencies. NU scholars tend to be accommodating to local culture, Muhammadiyah is in a moderate position with an emphasis on rationality and governance, Salafis are more selective towards cultural elements, while academics tend to be contextual and interdisciplinary. This difference shows that the development of halal tourism is not enough only using a textual normative approach, but also requires a social, cultural, and institutional approach.

Table 1. Matrix of Ulema's View of Local Culture in Halal Tourism

Ulema Group	Attitudes towards Local Culture	Basis of Consideration	Implications for Halal Tourism
Nahdlatul Ulama	Accommodating	Local culture is acceptable as 'urf as long as it does not conflict with sharia.	Halal tourism can be developed in an inclusive, cultural, and based on local wisdom
Muhammadiyah	Moderate	Culture is acceptable if it is rational, educational, and does not contain elements that are contrary to monotheism	Clear standards of service, governance, certification, and halal tourism management are needed
Salafi	Selective	Culture is judged strictly, especially when it comes to rituals, symbols, or practices that have the potential to be shirk and bid'ah	Halal tourism needs to have strict boundaries of faith and a mechanism for preventing mafsadah

Academy	Contextual	Culture is understood as a social reality that needs to be analyzed through law, economics, and culture	Halal tourism needs to be developed based on research, policy, and destination sustainability
Pesantren	Traditional-moderate	Culture can be directed as a medium of da'wah and community education	The development of halal tourism needs to be carried out gradually, persuasively, and educatively
MUI	Normative-institutional	Culture can be accommodated as long as it is in accordance with fatwas, halal standards, and sharia principles	Official guidelines are needed as a reference for the government, industry, and society

The matrix shows that the differences in scholars' views should not be understood as obstacles, but as a multi-layered source of legitimacy. The approach of NU and pesantren provides space for the integration of local culture through the concept of 'urf. This approach is important because Yogyakarta is a region with a strong cultural identity. If halal tourism is developed without considering local culture, then the concept of halal risks losing social acceptance.[72] In the perspective of 'urf, local culture can be part of halal tourism practices as long as it does not contradict the basic principles of sharia.[73]

Meanwhile, the approach of Muhammadiyah and MUI emphasizes the importance of clear governance. Halal tourism is not enough to rely only on cultural acceptance, but also requires service standards, halal certainty, certification, and supervision mechanisms.[74] The implication of this view is the need for a halal tourism system that is not only cultural, but also institutional. Fatwas and MUI guidelines are important to

[72] Muhdlor, "Personal Interview with NU Figures in Yogyakarta."

[73] Rizhan, "The Position of Al-'Adah and Al-'Urf as the Source of Islamic Law"; Fahimah, "Local Cultural Accommodation ('Urf) in the Understanding of the Fiqh of Mujtahidin Scholars."

[74] Riduwan, "Personal Interview with PW Muhammadiyah Yogyakarta."

provide normative certainty, especially related to the implementation of sharia tourism, sharia hotels, and halal certification.[75]

A more selective Salafi view also has an important contribution to maintaining normative boundaries. Although this approach may seem more stringent, analytically it serves as a control against possible deviations in the integration of halal culture and tourism.[76] The principle of *sadd al-dzarī'ah* is relevant to read this position, because not all cultural elements can be taken for granted. Cultural practices that have the potential to lead to polytheism, exploitation, or moral damage need to be carefully studied so that halal tourism does not lose its sharia substance.

The views of academics provide a synthesis space between sharia norms and the needs of destination development. Academic approaches tend to see halal tourism as an ecosystem that involves the law, economy, culture, governance, and behavior of tourists.[77] In the perspective of maqāṣid al-shari'ah, this approach is important because halal tourism is not only aimed at maintaining religion, but also maintaining the soul, intellect, property, and social harmony. The development of halal tourism needs to be directed towards broader benefits, not just symbolic compliance.[78]

The main implication of these variations of views is the need for a dialectical halal tourism development model. The government and industry players cannot only follow one pattern of religious views, because the people of Yogyakarta itself are plural. If the approach used is too accommodating without limits, then halal standards can be weakened. On the other hand, if the approach is too strict, then halal tourism can create an impression of exclusivity and potentially reject local culture that actually has educational and social value. Therefore, the most proportionate position is to combine cultural accommodation, standard certainty, prudence of faith, and orientation of benefit.

In the framework of sharia economic law, the difference in the views of the scholars can be synthesized through four principles. First, maqāṣid al-syarī'ah is a measure to assess whether the development of halal tourism protects religion, soul, intellect, descent, and property. Second, 'urf is the basis for accepting a good local culture and not contradicting sharia. Third, maslahah is an orientation so that halal

[75] Irawan, "Personal Interview with MUI Yogyakarta."
[76] Ema Marhumah, "Direct Interview with Salafi Yogyakarta," 2023.
[77] Muhammad, "Personal Interview with Yogyakarta Academics."
[78] Anis Masduqi, "Personal Interview with Yogyakarta Academics," 2023.

tourism provides social and economic benefits for the community. Fourth, *sadd al-dzarī'ah* is an instrument of prevention so that culture and tourism industry do not become a path to mafsadah.

On the other hand, these differences of views can also be an opportunity to create a richer and more diverse halal tourism model. The tourism industry can adopt a market segmentation approach, where different types of tourism services are tailored to the preferences and needs of different travelers.[79] For example, there are destinations that emphasize more on cultural aspects and inclusivity, as well as other destinations that emphasize strict adherence to sharia principles. This approach not only increases the competitiveness of the industry, but also provides a wider range of options for tourists.

However, without good coordination, these differences of views also have the potential to cause confusion among industry players and tourists. Inconsistencies in halal standards can reduce tourist confidence, especially Muslim tourists who rely on halal certainty in choosing destinations. Therefore, an active role is needed from authoritative institutions such as the Indonesian Ulema Council (MUI) in providing clear guidelines that can be used as a common reference. In addition, synergy between ulama, government, and industry players is the key to creating an integrated halal tourism ecosystem.[80]

Furthermore, the difference in the views of scholars also has an impact on communication strategies and branding of halal tourism. An approach that emphasizes Islamic identity too symbolically can create a perception of exclusivity, while an approach that is too general can obscure the value of halal itself. Therefore, a communication strategy is needed that is able to balance religious identity and universal appeal, so that halal tourism can be positioned as an inclusive and relevant concept for all groups.

The implications of the different views of scholars in halal tourism are not only theoretical, but also have a wide practical impact on the development of policies and the tourism industry. This difference should not be seen as an obstacle, but rather as intellectual property that can

[79] Resti Aulia Kusumawati et al., "Tourism Experience-Based Tourism Segmentation in the West Java Mountainous Natural Tourism Attraction Area," *Tourism: Scientific Journal* 19, no. 1 (2025): 115–30, http://dx.doi.org/10.47256/kji.v19i1.746.

[80] Mohamad Nur Efendi and Selvina Khomairoh, "Integration of Halal Industry with Religious Tourism Sector in Central Java," *Jurnal Pembangunan Daerah* 1, no. 1 (2024): 55–74, https://doi.org/10.36762/jpd.v1i1.1211.

enrich halal tourism discourse and practices. Through constructive dialogue and an inclusive approach, these differences can be integrated into strengths in building a halal tourism model that is adaptive, sustainable, and in accordance with the principles of sharia economic law.

CONCLUSION

This research shows that halal tourism based on local culture in Yogyakarta is understood by scholars not as a form of formalization of Islamic symbols in the tourist space, but as a process of internalizing sharia values into tourism practices that still respect local culture. The views of Yogyakarta scholars show a variety of attitudes: NU tends to be accommodating to local culture, Muhammadiyah is more moderate and emphasizes governance, Salafis are more selective towards cultural elements that have the potential to conflict with monotheism, while academics tend to be contextual and interdisciplinary. These differences show that the relationship between halal tourism and local culture cannot be understood in isolation, but needs to be read through the framework of maqāṣid al-syarī'ah, 'urf, maslahah, and sadd al-dzarī'ah.

Theoretically, this research contributes to strengthening the study of sharia economic law by placing the views of scholars as a source of normative construction in the development of halal tourism. The novelty of this research lies in the integrative analysis between scholarly authorities, local culture, and maqāṣid al-syarī'ah to assess cultural legitimacy in halal tourism practices. Practically, the results of this study have implications for the need for halal tourism policies that are not only oriented towards certification and service standards, but also pay attention to social acceptance, cultural preservation, and community economic sustainability. The development of halal tourism in Yogyakarta needs to be carried out in a dialogue manner through synergy between ulama, government, industry players, and local communities.

This study has limitations because it only focuses on the views of scholars in Yogyakarta so that it does not represent the diversity of scholars' views in Indonesia as a whole. In addition, this study uses a qualitative approach through interviews and normative analysis, so it has not quantitatively measured the perception of tourists, industry players, or the public. Therefore, further research can conduct comparative studies between regions or use a mixed methods approach to obtain a more comprehensive picture of the implementation of halal tourism based on local culture in a broader social, economic, and religious context.

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