



The Dilemma of Sharia Tourism Regulation: Between Tradition and Modernity in Banten: Negotiating Islamic Values, Cultural Preservation, and Policy

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ABSTRACT

This study examines the sharia tourism policy in Banten Province related to the preservation of Islamic educational values, local cultural heritage, and modern challenges in the implementation of sharia tourism policies. This articles also aims to increase the competitiveness of Banten as a halal tourism destination in Indonesia and attract Muslim tourists from within and outside the country. The research method uses sociological juridical. The results of the study indicate that the sharia tourism policy in Banten contributes significantly to maintaining Islamic educational values and local cultural identity. However, the legal policy also poses challenges in creating an inclusive tourism environment, especially for non-Muslim tourists and local communities such as the Baduy indigenous community. There is a potential for exclusivity that can limit Banten's appeal to a wider range of visitors and affect the economic sustainability of local businesses that depend on diverse tourists. A balance between economic growth, preservation of Islamic values and cultural diversity is needed to create a sustainable, inclusive and adaptive tourism model to local socio-cultural dynamics.

1. Introduction

Sharia tourism in Indonesia offers a distinct alternative to conventional tourism models by emphasizing religious adherence and cultural preservation. In 2013, recognizing its potential, the Indonesian Ministry of Tourism designated 13 provinces, including Banten, as hubs for Sharia tourism.¹ This decision sought to capitalize on Banten's rich Islamic history, notably the legacy of the Banten

1 Otto Andri Priyono., Halal Tourism Opportunities And Challenges In East Java, *Ulumuna: Jurnal Studi Keislaman*, Vol.4 No.2, 2018, page. 118–33.

Sultanate, to enhance both its tourism appeal and religious significance.² Sharia tourism not only attracts Muslim tourists but also plays a crucial role in maintaining Islamic educational values and promoting local cultural heritage.³

Halal tourism in Indonesia continues to experience significant development, Indonesia is ranked first in the Global Muslim Travel Index (GMTI) in 2023 as the best *halal* tourist destination in the world.⁴ The role of *halal* tourism in supporting economic sustainability, particularly in areas with unique cultural and natural attractions, is widely recognized.⁵ Beyond its financial contributions, tourism also serves as a vital tool for preserving artistic and religious identities,⁶ and this dual role is particularly evident in Indonesia through the promotion of Sharia tourism. This concept integrates Islamic values with tourism practices.⁷ Sharia tourism is increasingly being embedded into Indonesia's broader cultural and economic policies as a way to balance economic growth with the preservation of Islamic traditions, values, and local cultural practices.⁸ Tourism

2 Didin Saepudin and Fahmi Irfani., Islamization of Banten and The Fall of the Kingdom of Pajajaran, *Journal of Positive School Psychology*, Vol.6 No.2, 2022, page. 4808–21.

3 Dahlia Bonang et al., Geopark Rinjani, Sport Tourism, and the Rise of Local Participation Post COVID in Lombok, Indonesia, *Journal of Environmental Management & Tourism*, Vol.13 No.4, 2022, page. 1207–14.

4 Mastercard-CrescentRating., *Global Muslim Travel Index 2023*, Mastercard-CrescentRating, 2023, <https://www.crescentrating.com/reports/global-muslim-travel-index-2023.html>.

5 José Antonio Salinas Fernández, José Manuel Guaita Martínez, and José María Martín Martín., An Analysis of the Competitiveness of the Tourism Industry in a Context of Economic Recovery Following the COVID19 Pandemic, *Technological Forecasting and Social Change* 174 (2022): 121301; Amin Sokhanvar and Glenn P Jenkins, FDI, Tourism, and Accelerating the Rate of Economic Growth in Spain, *The Journal of International Trade & Economic Development*, Vol.31 No.4, 2022. page. 493–510.

6 Geoffrey I Crouch and J R Brent Ritchie., Tourism, Competitiveness, and Societal Prosperity, *Journal of Business Research*, Vol.44 No.3, 1999, page.137–52; Also see, Bernard Lane and Elisabeth Kastenholz., Rural Tourism: The Evolution of Practice and Research Approaches—towards a New Generation Concept?, *Journal of Sustainable Tourism*, Vol.23 No. 8–9, 2015, page. 1133–56.

7 Lalu Ahmad Ramadani., Sharia Tourism Culture In Indonesia, *IEB: Journal of Islamic Economics and Business*, Vol.1 No.1, 2022, page.13–22; Also see, Muchamad Zaenuri et al., Halal Tourism Concepts and Policies: Case in West Nusa Tenggara, *Proceedings of the 4th International Conference on Sustainable Innovation 2020–Social, Humanity, and Education (ICoSIHESS 2020)*, Atlantis Press, 2021; Also see, Ririn Tri Ratnasari et al., Emotional Experience on Behavioral Intention for Halal Tourism, *Journal of Islamic Marketing*, 2020; Also see, Hatem El-Gohary., Halal Tourism, Is It Really Halal?, *Tourism Management Perspectives*, Vol.19, 2016, page.124–30; Also see, I Putu Gede Parma, A A N Yudha Martin Mahardika, and M Rudi Irwansyah., Tourism Development Strategy and Efforts to Improve Local Genius Commodification of Health as a Wellness Tourism Attraction, in *5th International Conference on Tourism, Economics, Accounting, Management and Social Science (TEAMS 2020)*, Atlantis Press, 2020, page.329–34.

8 Susilo Setiyawan and Rabiatal Adwiyah., Analysis of the Feasibility Design of West Java Halal Tourism Applications, *Proceedings of the 2nd Social and Humaniora Research Symposium (SoRes 2019)*, Atlantis Press, 2020; Also see, Onni Meirezaldi., Halal Tourism Industry in Indonesia:, *Proceedings of the 2nd Annual International Conference on Business and Public Administration (AICoBPA 2019)*, Atlantis Press, 2020; Also see, Ambara Purusottama and Gregorius Dimas Hapsoro Prastowo., Halal Tourism: Its Attractiveness to Domestic Tourists Based on Their Religious Perspectives, *Journal of Indonesian Tourism and Development Studies*, Vol.7 No.3, 2019, page.146–55

has long been recognized as a critical driver of economic growth at both the global and regional levels, contributing significantly to national development strategies. At a global level, Sharia tourism is part of a broader movement towards Islamic tourism, with countries like Malaysia and Singapore leading the way by developing comprehensive frameworks to support halal tourism.⁹ Indonesia, despite having the largest Muslim population in the world, still faces significant challenges in fully developing its Sharia tourism sector. These challenges include gaps in infrastructure, low awareness, and issues related to regulatory enforcement.¹⁰ For example, Malaysia's Halal Master Plan and Singapore's Tourism Board have established benchmarks for service standards and religious compliance, which Indonesia seeks to emulate.¹¹

The preservation of Islamic educational values, such as *akhlaq* (ethics), *aqidah* (faith), and *ibadah* (worship), is a central component of Sharia tourism.¹² Moralists often formulate immorality as a sufficient condition for understanding the wrongfulness of behaviour.¹³ These values are deeply intertwined with local cultural practices, particularly in regions like Banten, where the Islamic faith has shaped the cultural identity for centuries.¹⁴ The fusion of Islamic principles with local traditions has created a distinctive cultural landscape in Banten, where religious practices and customs coexist and reinforce one another. Banten has the heritage of the Banten Sultanate and religious sites such as the Great Mosque of Banten, the Tomb of Sultan Maulana Hasanuddin, as well as the *Baduy* traditional village, this region offers a unique attraction for domestic and foreign tourists.¹⁵ However, as with many regions globally, modernization, technological development, and global interaction have put significant pressure on these traditional values.¹⁶

9 Zakiah Samori and Noorsalwati Sabtu., Developing Halal Standard for Malaysian Hotel Industry: An Exploratory Study, *Procedia-Social and Behavioral Sciences*, Vol.121, 2014, page. 144–57.

10 Tetty Yuliaty, Weni Hawariyuni, and Budi Trianto., Economic Recovery in North Sumatera Province After the Covid-19 Pandemic, Through MSME Development and Increasing Muslim Friendly Tourism, *Journal of International Conference Proceedings*, Vol.4, 2021, page.693–703.

11 Vip Paramarta et al., Halal Tourism in Indonesia: Regional Regulation and Indonesian Ulama Council Perspective, *International Journal of Criminology and Sociology*, Vol.10, 2021, page. 497–505.

12 Dahlia Bonang et al., Geopark Rinjani, Sport Tourism, and the Rise of Local Participation Post COVID in Lombok, Indonesia, *Journal of Environmental Management & Tourism*, Vol.13 No.4, 2022, page. 1207–14.

13 Anis mashdurohatun, et.al., Legal Attitudes Toward Cohabitation: A Review of Liberal and Islamic States, *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah*, Vol.10 No.1, 2025, page.338–350

14 Ali N A Koam et al., Several Intuitionistic Fuzzy Hamy Mean Operators with Complex Interval Values and Their Application in Assessing the Quality of Tourism Services, *Plos One*, Vol.19 No.8, 2024;

15 Badan Pusat Statistik (BPS) Banten., Laporan Statistik Pariwisata Banten 2023, Banten Tourism Statistics Report 2023, Badan Pusat Statistik (BPS) Banten, 2023.

16 RUKEYA Suleman and BALAL Qayum., Religion and Islamic Tourism Destinations., *Islamic Tourism: Management of Travel Destinations*. CAB International Wallingford UK, 2019, page.26–37.

Banten's cultural identity is closely linked to its Islamic heritage, primarily through the historical influence of the Banten Sultanate. The province is home to significant religious and cultural sites, such as the Great Mosque of Banten, which continues to serve as a focal point for religious pilgrimage and cultural tourism¹⁷. Additionally, Banten boasts a wealth of natural and historic destinations, such as beaches, mountains, and traditional villages like *Baduy*, which draw a wide array of visitors.¹⁸ These attractions not only contribute to the local economy but also play an essential role in preserving cultural heritage, ensuring that local customs are passed down to future generations.¹⁹

Despite its economic benefits, the rise of Sharia tourism in Banten is primarily seen as a mechanism for maintaining and promoting Islamic educational values. By integrating religious services such as prayer facilities and *halal* dining options into the tourism infrastructure, Sharia tourism enables Muslim travelers to fulfill their religious obligations while exploring new destinations.²⁰ The government has also implemented policies requiring Islamic cultural guides at key tourist sites, further supporting the dissemination of religious knowledge and cultural awareness.²¹ This approach aligns with broader Islamic education goals, aiming to instill religious values while fostering an appreciation of local culture. However, in terms of implementation, the *halal* tourism policy in Banten still faces various challenges, especially in balancing religious, economic, and local cultural preservation interests.²²

Banten as one of the provinces that has declared *halal* tourism as part of its strategic policy, continues to strive in optimizing opportunities. The local government has issued various regulations in support of sharia-based tourism, such as the obligation to provide worship facilities and *halal* food in tourist destinations.²³ This policy aims to increase Banten's competitiveness as a *halal* tourist destination in Indonesia and attract Muslim tourists from within and outside the country.

17 Kadek Wiweka1 and Komang Trisna Pratiwi Arcana., Rethinking the Theory of Tourism: What Is Tourism System in Theoretical and Empirical Perspective?, 2019.

18 Defi Tristio Putri., Kemenparekraf's Role In Recovering The State's Economic Sector Through Tourism and MSMEs, *Jurnal Ilmu Sosial Mamangan*, Vol.12 No.1, 2023, page.24-31.

19 Ibrahim Mohammed Lawal and Idrisa Umar Manga Manga., An Assessment of Halal Certification on Non-Interest Bank Lending Risk Acceptance Criteria in Borno State, *Gusau International Journal of Management and Social Sciences*, Vol.3 No.1, 2020, page.19.

20 Hendri Hermawan Adinugraha et al., Halal Tourism in Indonesia: An Indonesian Council of Ulama National Sharia Board Fatwa Perspective, *Agus purWanto / Journal of Asian Finance*, Vol.8, 2021, page.665-73

21 Wan Nazjmi Mohamed Fisol et al., Islamic Tourism Development Based on the Scientific of the Maqasid Shari'ah Framework, *International Journal of Academic Research in Business & Social Sciences*, Vol.9 No.5, 2019, page. 784-95.

22 Machmud Syahrizal., Wisata Halal Di Banten: Perkembangan, Peluang Dan Tantangan Halal Tourism In Banten: Development, Opportunity And Challenge, *Dynamic Management Journal*, Vol.5 No.2, December 31, 2021, page.43

23 Ministry of Tourism and Creative Economy., *Rencana Strategis Pariwisata Nasional 2020-2024 [National Tourism Strategic Plan 2020-2024]*, Jakarta: Ministry of Tourism and Creative Economy, 2020, page.2020-24

In addition to regulatory and economic aspects, cultural preservation is also an important issue in the implementation of this policy.²⁴ Sharia tourism in Banten plays a role in maintaining centuries of Islamic traditions, but it must still consider the diversity of local cultures that are also part of the local community's identity.²⁵ The existence of the *Baduy* indigenous community, for example, this community has a simple life principle and rejects modernization, which also provides its own dynamics in the development of sharia-based tourism.²⁶ This demands a policy strategy that is able to respect the traditions of local communities without compromising the sharia values to be developed.²⁷

However, realizing this vision requires a careful balance between promoting economic growth and preserving the spiritual and cultural values, which are integral to the region's identity. Policies such as mandating prayer facilities, *halal*-certified food, and services that adhere to Islamic guidelines are essential to ensuring that Muslim tourists can enjoy leisure activities without compromising their religious beliefs.²⁸ Yet, the long-term sustainability of these policies in the face of modernization and globalization remains a concern.²⁹

Current research on Sharia tourism has highlighted its potential to attract Muslim tourists and support local economies, but it has also revealed several fundamental limitations. Much of the existing literature lacks a comprehensive analysis of infrastructural gaps, regulatory enforcement, and the role of community engagement in ensuring sustainable Sharia tourism.³⁰ Additionally, while regions like West Nusa Tenggara have made strides in integrating Islamic values into tourism, there remains an insufficient understanding of how Sharia tourism can maintain a balance between economic growth and cultural preservation in the face of global influences.³¹ Furthermore, many studies fail to assess the long-term sustainability of Sharia tourism, particularly with respect to evolving societal norms and global competition. This research aims to fill the

24 Arpangi, Arpangi, et al., Resolution of Industrial Relations Disputes in Court Rulings and the Fair Fulfillment of Workers' Rights in Indonesia: An Islamic Legal Perspective. *JURIS (Jurnal Ilmiah Syariah)*, Vol.24 No.1, 2025, page. 51-62.

25 Joan C. Henderson., Halal Food, Certification and Halal Tourism: Insights from Malaysia and Singapore, *Tourism Management Perspectives*, Vol.19, July 2016, page.160–64

26 Muhammad Abduh., Halal Tourism Management Of Banten Province As An Effort To Increase Regional Income, *Management Science Research Journal*, Vol.1 No.2, December 29, 2022, page. 86–95

27 Naeli Mutmainah, Hisam Ahyani, and Haris Maiza Putra., Tinjauan Hukum Ekonomi Syariah Tentang Pengembangan Kawasan Industri Pariwisata Halal Di Jawa Barat, *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)*, Vol.4 No.1, August 29, 2022, page.15–42

28 Mohamed Battour et al., The Perception of Non-Muslim Tourists towards Halal Tourism: Evidence from Turkey and Malaysia, *Journal of Islamic Marketing*, Vol.9 No.4, 2018, page. 823–40.

29 Shin Yasuda., Islamic Tourism: Development of Islamic Finance as a Market Philosophy, *Introducing the Journal of Islamic Tourism (JIT)*, Vol.1, 2021, page. 64–78; Also see, Ahcene Lahsasna., Tourism and Hotels as Asset Class for Investment and Financing from Shariah Perspective, *Comsats Journal of Islamic Finance*, Vol.3 No.1, 2018

30 Wazin et al., Indonesian Sharia Tourism Towards a Sustainable Halal Industry, *Studies in Systems, Decision and Control*, Vol.524, 2024, page. 901–11

31 Busaini., Sharia Tourism Development Strategy for West Nusa Tenggara, Indonesia, *Balancing Development and Sustainability in Tourism Destinations*, 2017, page.255–60

gap in the literature by looking at how the implementation of sharia tourism regulations in Banten from the point of view of Islamic values, inclusiveness, economic sustainability, and challenges in the implementation of sharia tourism regulations.

With these challenges in mind, further exploration of the relationship between regulation, Islamic values and cultural preservation is imperative.³² This research aims to analyze how sharia tourism policy in Banten can be developed to maintain Islamic values, without ignoring the principles of inclusivity, economic sustainability, and preservation of local culture. The paper will explore the practical challenges of developing Sharia-compliant infrastructure, examine the balance between economic development and cultural preservation, and assess the long-term sustainability of this tourism model in the context of globalization and societal change. In doing so, the paper seeks to offer valuable insights for policy makers, tourism operators, and local communities on how to improve the effectiveness and sustainability of Sharia tourism, ensuring that it continues to drive economic growth and cultural preservation. So this research aims to fill in the gaps related to the implementation of Islamic tourism policies by providing a comprehensive analysis of the implementation of Islamic tourism in Indonesia that is more inclusive and maintains local culture.

2. Research Methods

This study is a socio-legal research study with a qualitative research nature to explore the regulation of Sharia tourism in Banten, Indonesia. The study was conducted in Banten Province, an area known for its rich Islamic history and diverse natural tourist attractions. Data collection was carried out for several months by conducting observations at several tourist locations, such as: the Great Mosque of Banten, the Tomb of Sultan Maulana Hasanuddin, and Baduy Village. In addition, data collection was carried out through semi-structured interviews with stakeholders, including government officials, tourism operators, and local cultural figures. These interviews highlighted the need for ongoing collaboration among stakeholders to improve the contribution of Sharia tourism to the preservation of culture and religion. In addition, document analysis was also carried out on relevant documents, such as: Fatwa of the National Sharia Council (DSN MUI) on Sharia tourism. Data triangulation steps were used to minimize interpretation bias, by comparing interview results with observation data and relevant policy documents. Data analysis was carried out through a thematic process, which allowed the identification of key patterns and themes, which revealed how policy implementation affects the preservation of Islamic educational values and local cultural traditions.

3. Results and Discussion

3.1. The Implementation of *Hala'* Tourism Policy in Banten: Tensions between Religious Exclusivity and National Inclusivity

32 Een Juhriah and Dewi Leyla Rahmah., Application of Religious Tourism Places in Province Banten, West Java, *Jurnal Sains Dan Teknologi Industri*, Vol.20 No.2, January 20, 2023, page. 469

Shariah tourism in Banten has become part of the local government's strategic policy to promote the Islamic values-based tourism sector. With a long history as the center of the spread of Islam in the archipelago, Banten has many historical sites, such as the Great Mosque of Banten and the Tomb of Sultan Maulana Hasanuddin, which are religious tourism attractions. However, the implementation of sharia tourism policy in Banten faces various challenges, including in the aspects of regulation, inclusiveness, and economic and social impacts on local communities.

The sharia tourism policy in Banten focuses on *halal* principles in the aspects of food, accommodation, and tourist activities. This is in line with the concept of *halal* tourism that is developing globally, as applied in Malaysia and the United Arab Emirates.³³ However, the fundamental difference lies in Indonesia's more diverse socio-cultural context, where the implementation of faith-based policies is often questioned in relation to the principle of national inclusiveness.

The implementation of Sharia-compliant tourism policies in Banten illustrates how local governments can align tourism practices with Islamic religious principles. The provincial government has mandated religious facilities, such as prayer rooms (*musholla*) and *halal* dining options, to cater to Muslim tourists.³⁴ These efforts not only accommodate Muslim visitors but also emphasize Banten's Islamic identity, reinforcing the region's historical and religious significance.³⁵ The establishment of these facilities is crucial, as they serve as a foundation for a tourism model that respects Islamic values while promoting economic activity. However, this localized focus on Islamic tourism raises concerns about inclusivity.

In Banten the Sharia tourism policy is effective in attracting Muslim tourists, but somewhat limits the appeal of the wider region to international and non-Muslim visitors. Some research suggests that faith-based tourism can have positive impacts for certain segments, but can also be exclusionary for tourists who do not share the same religious values.³⁶ In the context of Banten, the exclusive approach in sharia tourism policy may limit access for non-Muslim tourists and local cultures such as the *Baduy* indigenous people.³⁷ which in turn can reduce the overall attraction potential of the destination. Studies conducted by Battour

33 Joan C. Henderson., Halal Food, Certification and Halal Tourism: Insights from Malaysia and Singapore, *Tourism Management Perspectives*, Vol.19, July 2016, page.160–64

34 Novea Elysa Wardhani., Existence of Fatwa of the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) No. 108/DSN-MUI/X/2016 Concerning Guidelines for Organizing Tourism Based on Sharia Principles: Between Spiritual and Regulatory, *Journal of Social Research*, Vol.2 No.9, 2023, page. 3162–68

35 Shofiyun Nahidloh and Lailatul Qadariyah., Sharia Compliance as the Potential Factor for Halal Tourism Destination Development, *Nusantara Halal Journal (Halal Awareness, Opinion, Research, and Initiative)*, Vol.2 No.1, 2021, page.16–23

36 Noor Hazarina Hashim, Jamie Murphy, and Nazlida Muhamad Hashim., Islam and Online Imagery on Malaysian Tourist Destination Websites, *Journal of Computer-Mediated Communication*, Vol.12 No.3, April 2007, page.1082–1102

37 Abdulwahab Shmailan., A Perspective Study of Islamic Tourism for Muslims in Asian and Western Countries of Halal Growth, *International Journal of Professional Business Review*, Vol.8 No.6, June 14, 2023, page. e01987.

show that while Muslim travelers tend to seek *halal* destinations, overly exclusive policies can lead to narrow a market segmentation.³⁸

In contrast, Indonesia's national tourism policy, as outlined in Law No. 10/2009, promotes inclusivity and aims to attract a diverse global audience.³⁹ To ensure economic sustainability for local businesses that depend on the diversity of tourists. Studies on *halal* tourism in Southeast Asia underline that the implementation of such policies must consider the balance between economic interests and religious principles.⁴⁰ Although historically Banten has a strong Islamic heritage, the region is also inhabited by various ethnic and religious groups that have contributed to the social and economic dynamics of the region. To avoid social exclusion, a more inclusive approach is needed in the implementation of this policy. For example, the local government can adopt a strategy that allows the management of sharia-based tourist destinations but still opens access for all tourists, without limiting opportunities for non-Muslim groups to enjoy and participate in the tourism industry.⁴¹

A comparison between sharia tourism policy in Banten and national tourism policy shows that there is a gap in approach and implementation. The national policy emphasizes inclusivity and sustainability of tourism, while the policy in Banten focuses more on strengthening Islamic identity. This raises the question of how local policies can be harmonized with national policies so as not to contradict the broader principle of inclusiveness.⁴² One solution is to adopt a dual-model approach, where Islamic tourism destinations are still managed to *halal* standards, but with flexibility in the application of regulations to remain attractive to non-Muslim tourists. This model has been successfully implemented in several countries such as Malaysia and Turkey, which have maintained Islamic values in their tourism industry without sacrificing openness to tourists from various backgrounds.⁴³

Islamic tourism policy also has a complex impact on the local economy. On the one hand, it opens up opportunities for businesses engaged in *halal* food, Islamic hospitality, and Islamic-based creative industries. However, on the other hand, there are challenges for businesses that have long depended on non-

38 Mohamed Battour and Mohd Nazari Ismail., Halal Tourism: Concepts, Practises, Challenges and Future, *Tourism Management Perspectives*, Vol.19, July 2016, page. 150–54,

39 Adityas Halmahera and Efri Syamsul Bahri., The Role of Travel Agency in Encouraging Sharia Tourism in Indonesia, *Journal Of Multi-Disciplines Science (Icecomb)*, Vol.1 No.2, 2023, page. 83–91.

40 Dina Hariani and Mohd Hafiz Hanafiah., The Competitiveness, Challenges and Opportunities to Accommodate the *Halal* Tourism Market: A *Sharia* -Law Tourism Destination Perspectives, *Journal of Islamic Marketing*, Vol.15 No.3, February 19, 2024, page.919–42,

41 Mohamed Battour and Mohd Nazari Ismail., Halal Tourism: Concepts, Practises, Challenges and Future, *Tourism Management Perspectives*, Vol.19, July 2016, page. 150–54

42 Ministry of Tourism and Creative Economy., *Rencana Strategis Pariwisata Nasional 2020-2024 [National Tourism Strategic Plan 2020-2024]*, 2020–24.

43 Tiara Anindya Virana and Gita Desi Pradani., The Impact Of Halal Tourism On The Economic And Social Development Of The Local Community Of Santen Island, *Proceeding of Annual Conference on Islamic Economy and Law*, Vol.2 No.2, August 17, 2023, page. 292–305

Muslim tourists, such as hotels and restaurants that are not *halal*-based.⁴⁴ Banten's narrower focus on Sharia tourism highlights the tension between maintaining Islamic cultural integrity and fostering economic growth through tourism, which remains a challenge for local policymakers.⁴⁵ This divergence between regional and national strategies demonstrates the complexities of balancing local religious priorities with broader national economic and cultural goals. For Banten to sustain its tourism industry, it must find ways to appeal to a more diverse audience without compromising its Islamic identity⁴⁶.

The study by Stephenson shows that limiting the market to the Muslim segment can reduce the overall attractiveness of a tourist destination, thereby reducing the number of non-Muslim tourist visits and reducing local revenues.⁴⁷ Therefore, it is important for the local government to consider a tourism diversification strategy, by ensuring that sharia regulations still provide flexibility for non-Muslim business sectors to continue operating within Banten's tourism ecosystem.

One of these balancing acts is essential to encourage an economically viable and culturally respectful tourism environment. Local acceptance of Banten's sharia tourism policy is not universal. Some groups support the initiative as they see it as part of the effort to preserve Islamic values, but there are also those who are concerned that this approach may reduce freedom in social and economic aspects. One prominent example is the *Baduy* indigenous community, which has a belief system and traditions that differ from the sharia principles applied in the regional tourism policy. Whereas a successful tourism policy must involve the active participation of local communities so that they feel ownership and benefit from the policy.⁴⁸ Therefore, local governments need to adopt a more participatory approach by involving various community groups in the process of planning and implementing Islamic tourism policies. This can be done through public discussion forums, the involvement of micro, small and medium enterprise (MSME) groups, and strengthening community capacity in managing sharia-based tourist destinations.

3.2. The Impact of *Halal* Tourism on Islamic Education and Cultural Preservation: Inclusivity, Politics, and Homogenization

Halal tourism in Banten not only has economic implications but also affects the dynamics of Islamic education and cultural preservation. Banten, as an area with a strong Islamic heritage, has made sharia-based tourism one of the

44 Joan C. Henderson., Halal Food, Certification and Halal Tourism: Insights from Malaysia and Singapore, *Tourism Management Perspectives*, Vol.19, July 2016, page.160–64

45 Abdul Manan et al., Halal Tourism: A Proposed Sharia Model for Implementation, *Jurnal Ilmiah Peuradeun*, Vol.11 No.1, 2023, page.81,

46 Abdul Aziz and Najmudin Najmudin., An An Intention to Visit Sharia Tourism in Banten; An Effect of Halal Knowledge and Awareness, *Ekonomi, Keuangan, Investasi Dan Syariah (EKUITAS)*, Vol.4 No.4, 2023, page.1252–59

47 Marcus L. Stephenson., Deciphering 'Islamic Hospitality': Developments, Challenges and Opportunities, *Tourism Management*, Vol.40, February 2014, page.155–64

48 Krittawit Krittayaruangroj, Suparak Suriyankietkaew, and Philip Hallinger., Research on Sustainability in Community-Based Tourism: A Bibliometric Review and Future Directions, *Asia Pacific Journal of Tourism Research*, Vol.28 No.9, September 2, 2023, page.1031–51,

strategies to strengthen Islamic education and maintain cultural identity. Sharia-compliant tourism in Banten has successfully integrated Islamic educational values into its framework. Islamic cultural guides play a crucial role in transmitting religious knowledge to tourists by educating them about the region's Islamic history, ethical practices, and spiritual values such as *akhlaq* (morality), *aqidah* (faith), and *ibadah* (worship)⁴⁹. This educational component ensures that Sharia tourism not only boosts economic activity but also preserves and promotes Islamic principles.⁵⁰

However, this policy also raises debates regarding the extent to which this tourism model can be accepted by local communities, as well as how its implementation can avoid cultural homogenization that threatens the diversity of identities in the region. One of the main criticisms of sharia tourism implementation is its impact on non-Muslim communities and local cultural groups such as the *Baduy* indigenous people. Are they threatened by this policy or included in the evolving tourism model? The study found that non-Muslim communities often feel less involved in policies that focus on faith-based tourism, which can lead to unequal access to economic benefits.⁵¹

In addition, the involvement of local communities in this educational process further enhances the authenticity of the tourism experience, allowing visitors to engage deeply with the cultural heritage of the area. However, the focus on Islamic heritage raises concerns about the marginalization of Banten's broader cultural history. While predominantly Muslim, Banten has a rich cultural pluralism, and overemphasizing its Islamic identity may overshadow the province's other historical narratives.⁵² Therefore, the success of sharia tourism in Banten depends on the extent to which this policy accommodates social diversity and does not marginalize certain groups in society.

National tourism policies under Law No. 11/2010 promote the preservation of diverse cultural and religious heritages across Indonesia, and Banten's current focus on Islamic tourism risks creating a monocultural tourism model.⁵³ This could alienate non-Muslim tourists and local non-Muslim communities, further

49 Azhar Alam et al., Exploring the Spiritual and Experiential Dimensions of Sharia-Compliant Hotels in Indonesian Halal Tourism: A Netnographic Analysis of TripAdvisor Reviews, *International Journal of Advanced And Applied Sciences*, Vol.10 No.10, 2023, page.121–31

50 Ajeung Syilva Syara and Tribowo Rachmat Fauzan., Does Halal Tourism Matter? A Study About Implementation of Sharia-Based Hotel in Bandung, West Java, Indonesia, *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam*, Vol.5 No.2, 2023, page.2045–58

51 Wildan Insan Fauzi, Murdiah Winarti, and Ayi Budi Santosa., Islamic Tourism: A Form of Harmonization of Religion, Politics, Social, Culture and Economy, in *Proceedings of the 3rd International Seminar on Tourism (ISOT 2018)* (Proceedings of the 3rd International Seminar on Tourism (ISOT 2018), Bandung, Atlantis Press, 2019

52 Eko Haryanto., Bibliometric Analysis of Sharia Hotel Development as Halal Tourism Accommodation, *International Journal Of Tourism*, Vol.2 No.1, 2023, page.1

53 Temmy Wijaya et al., Pariwisata Halal Di Indonesia: Kajian Terhadap Fatwa Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI), *TRILOGI: Jurnal Ilmu Teknologi, Kesehatan, Dan Humaniora*, Vol.2 No.3, 2021, page.284–94.

complicating efforts to create a more inclusive tourism framework that respects both Islamic values and Indonesia's multicultural identity.⁵⁴

The challenge lies in developing a tourism model that honors Islamic traditions while also celebrating the diverse cultural tapestry of Banten. Several studies have shown that faith-based tourism policies can be used as a political tool to strengthen the identity of certain groups, which in turn can deepen social inequalities and generate resistance from groups that feel these policies do not represent their interests.⁵⁵ This dual focus can enhance the region's appeal to a broader audience, fostering a more inclusive environment that respects and showcases its rich heritage⁵⁶. By integrating various cultural narratives into the tourism experience, Banten can promote a more holistic understanding of its identity, which is essential for sustainable tourism development.

One of the main challenges in the implementation of *halal* tourism is the risk of cultural homogenization, where only certain aspects of local culture are promoted, while other elements that do not comply with sharia standards tend to be ignored or undermined. This can reduce the long-term appeal of tourism and limit the potential for wider cultural expression.⁵⁷ To avoid the pitfalls of cultural homogenization, Banten can implement the following strategies: 1) Multiculturalism-Based Tourism Model: Instead of only emphasizing Islamic aspects, sharia tourism policies can accommodate the cultural diversity that exists in Banten, such as the traditions of indigenous peoples and pre-Islamic cultural heritage that still exists. 2) Participatory Approach: Include local communities in policy planning so that they can convey their perspectives and ensure that the interests of all parties are represented. 3) Flexibility in Regulation: Establish regulations that give tourists choices, for example by providing *halal* tourism zones in addition to general destinations that remain open to all tourists.

3.3. Challenges in Policy Implementation: Regulatory Complexity, Infrastructure, and Social Resistance

Despite the positive aspects of Sharia-compliant tourism, several challenges hinder its effective implementation. One major issue is the inconsistent application of Sharia guidelines across different tourist sites. One of the main challenges in the implementation of Islamic tourism in Banten is the complexity

54 Joeliaty Joeliaty, Siti Noni Evita, and Wa Ode Zunita., Readiness of Islamic Human Resources In Supporting The Development of Halal Tourism In West Jawa (Evidence From Hospitality Industry), *Journal of Economics and Business UBS*, Vol.10 No.1, 2021, page.23–32,.

55 Dina Hariani et al., Promoting Halal Tourism in Sharia -Compliant Destination: Insights on Aceh Competitiveness and Tourist Perceived Value and Behavior, *Tourism and Hospitality Research*, September, Vol.15 2024, 14673584241283902

56 Nur Rizqi Febriandika and Afifah Nur Millatina., A Modeling of Repurchase Intention in Sharia Hotels: An Integrated Model of Price, Location, Religiosity, Trust, and Satisfaction, *International Journal of Advanced And Applied Sciences*, Vol.10 No.12, 2023, page. 161–71; Also see, Nur Rizqi Febriandika, Vamel Wijaya, and Lukmanul Hakim., Gen-Z Muslims Purchase Intention of Halal Food: Evidence from Indonesia, *Innovative Marketing*, Vol.19 No.1, 2023, page.13–25

57 Marcus L. Stephenson., Deciphering 'Islamic Hospitality': Developments, Challenges and Opportunities, *Tourism Management*, Vol.40, February 2014, page.155–64

of regulations and coordination between the central and local governments, as well as the private sector. Although the Indonesian Ministry of Tourism and Creative Economy has issued various policies to support *halal* tourism, there is no uniform national standard in its implementation.⁵⁸ This causes differences in policy interpretation at the local level and leads to inconsistencies in the application of regulations. In contrast, countries such as Malaysia and Thailand have developed a standardized and successful framework for implementing halal tourism regulations, effectively marketing their cultural and religious tourism offerings to Muslim travelers around the world.⁵⁹

Major destinations like the Great Mosque of Banten are well-equipped with religious facilities, but smaller, more remote locations often lack the necessary resources to comply with these standards.⁶⁰ This disparity highlights the uneven development of tourism infrastructure in Indonesia, where urban centers receive more attention and investment than rural areas.⁶¹ Banten still faces significant infrastructure challenges in supporting *halal* tourism. Some tourist destinations, especially in coastal and inland areas, still lack supporting facilities such as certified *halal* accommodation and adequate transportation.⁶² These limitations can hinder the growth of the *halal* tourism sector and reduce Banten's competitiveness compared to other destinations in Indonesia.

In contrast, in Thailand, despite the majority of the population being non-Muslim, the Thai government has been proactive in providing Muslim-friendly infrastructure. Even since 2015, Thailand has focused on developing halal culinary and hospitality, as well as providing the "Thailand Muslim Friendly Destination" app to make it easier for Muslim travelers to find halal restaurants and mosques nearby.⁶³

Another significant challenge is the lack of international awareness about Sharia tourism in Banten. While a substantial percentage of domestic tourists are familiar with Sharia tourism, international awareness remains low.⁶⁴ These

58 A Nurdiansyah., Halal Certification and Its Impact on Tourism in Southeast Asia: A Case Study Halal Tourism in Thailand, *KnE Social Sciences*, Vol.3 No.5, May 23, 2018, page.26

59 Immanuel Ustradi Osijo et al., The Legal Politics of Halal Tourism in Thailand: The Impact of Digital Advertising Interventions on Consumer Intent, Recommendations, and Engagement in the Contemporary Era, *MILRev: Metro Islamic Law Review*, Vol.3 No.2, December 30, 2024

60 Sudirman Sudirman et al., Sharia Tourism Business Recovery Strategies on Lombok Island Indonesia Post Covid-19, *International Journal of Professional Business Review*, Vol.8 No.7, 2023, page. e02915

61 Elif Pardiansyah and Mohamad Ainun Najib., Determinants of Banten Millennial Generation's Intentions for Halal Tourism After the Covid-19 Pandemic, *Indonesian Journal of Islamic Economics and Business*, Vol.8 No.2, 2023, page.220–40

62 Suhri Hanafi et al., Developing Halal Tourism Based on Local Wisdom in Religious Area of Sis Aljufri, *Indonesian Journal of Halal Research*, Vol.6 No.2, August 31, 2024, page.98–109

63 Atie Rachmatie et al., Strategi Komunikasi Pariwisata Halal Studi Kasus Implementasi Halal Hotel Di Indonesia Dan Thailand, *Amwaluna: Jurnal Ekonomi Dan Keuangan Syariah*, Vol.4 No.1, February 1, 2020

64 Agus Miswanto and M Tohirin., Halal Tourism in the Perspective of Indonesian Muslim Scholars: A Case Study in Magelang Regency, *Proceedings of the 2nd Borobudur International Symposium on Humanities and Social Sciences, BIS-HSS 2020*, 18 November 2020, Magelang, Central Java, Indonesia (EAI, 2021)

contrasts sharply with countries like Malaysia, which has successfully marketed its *halal* tourism sector globally.⁶⁵ The low international visibility of Banten's Sharia-compliant offerings limits the potential for attracting foreign tourists and hampers the region's economic growth.⁶⁶

Furthermore, inconsistent enforcement of Sharia tourism policies weakens the overall experience for visitors. In areas where tourism operators lack the resources or knowledge to comply with Sharia standards fully, the quality of the visitor experience is compromised, potentially damaging Banten's reputation as a Sharia-compliant destination.⁶⁷ This issue reflects broader national challenges in implementing Indonesia's Tourism Development Master Plan (2010-2025), which aims to create a unified tourism experience across provinces but struggles with practical inconsistencies.⁶⁸

Although sharia tourism aims to boost the local economy, not all community groups in Banten support this policy. Some local communities, including businesses catering to the non-Muslim tourist segment, are concerned that this policy may reduce the diversity of visitors and harm their businesses.⁶⁹ Therefore, a more inclusive approach is needed in designing policies so that they can be accepted by all levels of society. As a comparison, Turkey is often cited as a successful model in halal tourism, Turkey has combined the concept of Islamic tourism with an inclusive approach for travelers from various backgrounds including for non-Muslim tourists.⁷⁰

Addressing these challenges requires a concerted effort from both local and national authorities to standardize Sharia tourism policies and improve infrastructure across all tourist sites. By enhancing the quality and consistency of the tourism experience, Banten can strengthen its position as a leading destination for Sharia-compliant tourism.⁷¹ This will not only attract more visitors but also foster a positive image of the region on the global stage.

65 Nur Rizqi Febriandika, Vamel Wijaya, and Lukmanul Hakim., Gen-Z Muslims Purchase Intention of Halal Food: Evidence from Indonesia, *Innovative Marketing*, Vol.19 No.1, 2023, page.13–25

66 Muchamad Zaenuri et al., Halal Tourism Concepts and Policies: Case in West Nusa Tenggara, *Proceedings of the 4th International Conference on Sustainable Innovation 2020–Social, Humanity, and Education (ICoSIHESS 2020)*, Atlantis Press, 2021

67 Firman Muhammad Abdurrohman Akbar, Muhammad Said, and Inas Afifah Zahra., Analysis Of Sharia Aspects In The Digitalization Of Halal Tourism Business, *International Journal Of Economics, Management, Business, And Social Science (Ijembis)*, Vol.3 No.3, 2023, page.739–52

68 Awang Moslem Awang Annuar and Jati Kasuma Ali., Systematic Literature Review on the Relationship Between Islam and Organizational Performance, *International Journal of Academic Research in Business and Social Sciences*, Vol.11 No.10, 2021

69 Joan C. Henderson., Halal Food, Certification and Halal Tourism: Insights from Malaysia and Singapore, *Tourism Management Perspectives*, Vol.19, July 2016, page.160–64

70 Yuliani Dwi Lestari, Faridatus Saidah, and Aghnia Nadhira Aliya Putri., Effect of Destination Competitiveness Attributes on Tourists' Intention to Visit Halal Tourism Destination in Indonesia, *Journal of Islamic Marketing*, Vol.14 No.4, March 10, 2023, page. 937–65

71 Berto Mulia Wibawa et al., Discovering the Importance of Halal Tourism for Indonesian Muslim Travelers: Perceptions and Behaviors When Traveling to a Non-Muslim Destination, *Journal of Islamic Marketing*, Vol.14 No.1, 2021, page. 61–81

3.4. The Global Opportunities and Comparisons: Tourism Market Potential and Lessons Learned from *Halal* Tourism Models in Other Countries

Despite these challenges, Banten's Sharia-compliant tourism offers significant opportunities, particularly in the context of the growing global demand for *halal* tourism. Banten has a great opportunity to develop *halal* tourism given the increasing demand for *halal* tourism at the global level. Indonesia ranks first in the Global Muslim Travel Index (GMTI) 2023 as the best *halal* tourism destination in the world.⁷² By capitalizing on this trend, Banten can increase its attractiveness as a world-class sharia tourism destination.

Countries such as Malaysia and Thailand have developed successful frameworks for *halal* tourism, effectively marketing their cultural and religious tourism offerings to Muslim travelers worldwide.⁷³ Turkey is often cited as a successful model in *halal* tourism, Turkey combines the concept of Islamic tourism with an inclusive approach for tourists from various backgrounds.⁷⁴ However, some studies highlight that this success also has its own challenges, such as cultural homogenization that may reduce the appeal for non-Muslim tourists.

Currently, the disconnect between Banten's Sharia-centric approach and Indonesia's national Wonderful Indonesia campaign, which highlights the country's cultural diversity, limits Banten's global reach.⁷⁵ To bridge this gap, integrating Banten's Sharia tourism strategy into the national tourism framework could enhance its appeal to a broader audience while preserving its unique Islamic identity.⁷⁶ This integration would allow Banten to contribute to Indonesia's overall tourism growth while benefiting from the promotional platforms offered by national campaigns. By aligning local initiatives with national strategies, Banten can position itself as a critical player in the global *halal* tourism market.⁷⁷

Moreover, the increasing interest in *halal* tourism presents an opportunity for Banten to innovate and diversify its tourism offerings. By developing unique experiences that cater to both Muslim and non-Muslim tourists, the region can

72 Mastercard-CrescentRating., *Global Muslim Travel Index 2023*, Mastercard-CrescentRating, 2023. <https://www.crescentrating.com/reports/global-muslim-travel-index-2023.html>.

73 Immanuel Ustradi Osijo et al., The Legal Politics of Halal Tourism in Thailand: The Impact of Digital Advertising Interventions on Consumer Intent, Recommendations, and Engagement in the Contemporary Era, *MILRev: Metro Islamic Law Review*, Vol.3 No.2, December 30, 2024, page. 320–42

74 Lestari, Saidah, and Aliya Putri., Effect of Destination Competitiveness Attributes on Tourists' Intention to Visit Halal Tourism Destination in Indonesia, *Journal of Islamic Marketing*, Vol.14 No.4, March 10, 2023, page. 937–65.

75 Halmahera and Bahri., The Role of Travel Agency in Encouraging Sharia Tourism in Indonesia, *Journal Of Multi-Disciplines Science (Icecomb)*, Vol.1 No.2, 2023.

76 Tri Harjawati and Andri Noor Ardiansyah., Model of Sharia-Based Tourism Industry Development in Banten Province, *Pinisi Discretion Review*, Vol.4 No.2, 2021, page.229

77 Muhammad Habibi Miftakhul Marwa et al., The Position and Role of the Sharia Supervisory Board in Ensuring Sharia Compliance Equity Crowdfunding in Indonesia, *Jurnal Hukum*, Vol.39 No.2, January 5, 2024, page.212

enhance its attractiveness as a destination.⁷⁸ This approach promotes inclusivity and enriches the tourism experience, allowing visitors to engage meaningfully with Banten's rich cultural and religious heritage.

The study reveals that Sharia-compliant tourism in Banten has been booming in promoting Islamic educational values and cultural preservation. However, the inconsistent application of policies and limited infrastructure in rural areas pose significant challenges. The contrast between Banten's localized focus on Islamic tourism and Indonesia's national inclusivity-oriented tourism strategy highlights the complexities of balancing religious tourism with broader economic goals. For Banten to fully realize the potential of Sharia-compliant tourism, it must standardize policy implementation across all tourist destinations, increase global awareness of its unique offerings, and align its strategy with Indonesia's national tourism framework. To maximize opportunities in Islamic tourism, Banten needs to implement several integrated and sustainable strategies. First, infrastructure improvement is crucial. By accelerating the construction of halal tourism facilities, such as halal-certified hotels and restaurants that meet sharia standards, as well as improving transportation access, Banten can create a more welcoming environment for Muslim tourists. In addition, regulatory consistency between the central and local governments should be prioritized to avoid overlaps in policy implementation. This will create legal certainty and make it easier for tourism industry players to run their businesses. Furthermore, an inclusive approach in developing tour packages is also very necessary. By designing packages that appeal to non-Muslim travelers without compromising sharia principles, Banten can attract more visitors from various backgrounds. Finally, international cooperation is key to learn from countries that have been successful in developing halal tourism. By adapting best practices according to the local context, Banten will not only increase its tourism attractiveness, but also contribute to sustainable economic growth. The implementation of these strategies is expected to make Banten a leading destination in Islamic tourism, which is able to compete at the global level. To maximize opportunities in Islamic tourism, Banten can implement the following strategies:

Infrastructure Improvement: Accelerate the construction of halal tourism facilities such as halal-certified hotels, restaurants with sharia standards, and better transportation access.

Consistent Regulations: Encourage policy harmonization between central and local governments so that there is no overlap in implementation.

Inclusive Approach: Develop tourism packages that remain attractive to non-Muslim travelers without compromising sharia principles.

International Cooperation: Learn from countries that have been successful in developing halal tourism to adapt best practices according to the local context. By doing so, Banten can attract both Muslim and non-Muslim tourists, ensuring the long-term sustainability of its tourism sector while preserving its rich Islamic

78 Manan et al., Halal Tourism: A Proposed Sharia Model for Implementation. A Proposed Sharia Model for Implementation. *Jurnal Ilmiah Peuradeun*, Vol.11 No.1, 2023

heritage. This balance will be critical in enhancing Banten's position as a leading Sharia tourism destination within Indonesia's broader tourism landscape.

4. Conclusion

This research found that sharia tourism regulations effectively strengthen Banten's Islamic identity and enhance the religious experience for Muslim tourists. However, there are still some challenges including: inconsistencies in the implementation of regulations, especially in more remote areas. Tensions exist between Banten's local regulations and Indonesia's national tourism strategy, which emphasizes inclusivity and cultural diversity. This misalignment risks narrowing Banten's appeal to Muslim tourists and potentially alienating non-Muslim visitors. In addition, balancing local religious tourism destinations with broader national economic goals remains a significant challenge. In conclusion, while Sharia-compliant tourism in Banten offers promising opportunities for economic development and cultural preservation, addressing challenges related to infrastructure, inclusivity, and global promotion is critical to ensure its long-term sustainability. These steps are needed to align Banten's unique Islamic heritage with Indonesia's broader tourism goals, providing both local and national benefits.

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