



Legal and Moral Integration in the Regional Regulation on Halal Tourism in NTB Province with the Local Culture of the Sasak Tribe

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Abstract

Background: Regional Regulation No. 2 of 2016 establishes halal tourism as a strategy to promote economic growth and community welfare through *sharia*-compliant facilities, products, services, and management. However, the growth of international tourism may encourage cultural acculturation in Lombok.

Objective: This study evaluates the regulation by using local customs as a *miqyas* (benchmark) of *maslahah* to support economic development and community welfare while preventing ideological conflicts within the Sasak community.

Methods: This study employs a qualitative socio-legal approach that combines field research and literature review. Data were collected through observations and interviews with traditional leaders, religious figures, tourism practitioners, and community members in West Nusa Tenggara Province. Data analysis followed qualitative descriptive stages, with triangulation applied to ensure data validity.

Results: The findings indicate that the NTB Provincial Regulation No. 2 of 2016 on Halal Tourism can function as an instrument of *maslahah* when its implementation integrates the customary values (*awiq-awiq*) of the Sasak community as *miqyas* (benchmarks).

Conclusion: Legal and moral integration in halal tourism policy requires alignment with the principles of *maqashid al-shariah* and Sasak customary values to achieve comprehensive benefits.

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INTRODUCTION

Globally, the halal tourism sector has experienced rapid growth, with the global Muslim travel market valued at USD 194 billion in 2023 and projected to reach USD 230 billion by 2028 (CrescentRating, 2024). Countries such as Malaysia, Turkey, and Indonesia have adopted various policy frameworks to capitalize on this market; however, a persistent challenge remains: how to integrate formal halal tourism regulations with indigenous cultural values and customary legal systems. Previous studies have predominantly examined halal tourism from economic or marketing perspectives (Battour & Ismail, 2016; Chowdhury et al., 2026; El-Gohary, 2016), while limited attention has been given to the socio-legal dynamics of implementing halal tourism policies in communities with strong customary legal traditions. This gap is particularly significant in the Indonesian context, where regional autonomy has enabled provinces to enact their own halal tourism regulations, creating unique intersections between state law, Islamic law, and *adat* (customary law).

The people of Lombok represent a pluralistic society consisting of diverse cultures, religions, ethnicities, and social groups. These differences constitute socio-cultural wealth that must be maintained and preserved within community life. However, development dynamics, government policies, and the openness of the region to tourist mobility may affect the sustainability of local culture. Within the context of tourism, tourism is defined as a range of tourism activities supported by facilities and services provided by communities, entrepreneurs, the government, and local governments ([Finance, 2025](#); [Law Number 10 of 2009 Concerning Tourism, 2009](#)).

Lombok Island is one of Indonesia's prominent tourist destinations, attracting both domestic and international visitors. This reality creates opportunities for the introduction of foreign cultures through social, economic, and tourism interactions. The establishment of the Mandalika Special Economic Zone as one of Indonesia's national strategic tourism areas has further strengthened Lombok's position on the national and international tourism map. The Indonesia Tourism Development Corporation (ITDC) explained that The Mandalika was developed as a tourism destination included in the "10 New Balis" project and is located in the southern part of Lombok Island, covering a 16-kilometer coastal area ([Corporation, 2026](#)).

The plurality of Lombok society presents a significant challenge, particularly for the government and local communities, in maintaining a balance between economic development and cultural preservation. Local culture functions not only as an identity marker but also as a social control mechanism against the entry of external cultural influences that may potentially alter local values. Within the Sasak community, one form of local wisdom is reflected through *awik-awik*, a customary norm that exists within society and functions as a guideline for social behavior. Irrubai (2018) explained that *awik-awik* represents a form of local wisdom among the Lombok people that regulates social life while also maintaining connections with Islamic values and social *da'wah* ([Irrubai, 2024](#)).

The introduction of new cultures into the lives of Lombok communities may influence social perspectives, lifestyles, and interpersonal relationships. Without reinforcement of traditional and moral values, tourism development may contribute to cultural shifts, consumer-oriented lifestyles, and potential social fragmentation. Therefore, the customary practices of the Lombok people, including *awik-awik*, can be positioned as social instruments for maintaining community harmony. This perspective aligns with the argument that local wisdom can function as a source of values in shaping social behavior that is responsible, disciplined, and oriented toward collective well-being ([Irrubai, 2018, 2024](#)).

The culture of the Lombok people, who uphold customary traditions and religiosity, has contributed to the island's recognition as the "Island of a Thousand Mosques." This religious identity is deeply embedded in the lives of the Sasak people and represents an important component of Lombok's socio-cultural structure. On the other hand, Lombok is also recognized for its natural and cultural tourism potential, including beaches, waterfalls, tourism villages, and local traditions that serve as attractions for visitors. This condition demonstrates that Lombok possesses two major strengths: economic strength through tourism development and social strength through the cultural and religious values of its communities.

This condition presents a challenge for local governments in aligning tourism development with the preservation of local culture. Tourism development is necessary because it contributes to regional income, employment opportunities, and community economic growth. However, such development must not disregard the traditional values, morality, and cultural identity of the Sasak people. Within this framework, halal tourism policy represents one strategy for integrating Islamic values into tourism activities. This approach is reflected in West Nusa Tenggara Provincial Regulation Number 2 of 2016 concerning Halal Tourism.

On the one hand, the Halal Tourism Regulation can be understood as a form of legal policy aimed at enhancing the economic value of Lombok communities. On the other hand, the policy may generate challenges if its implementation fails to consider the local cultural values of the Sasak community. Therefore, moral values need to be incorporated into halal tourism policies so that these policies are not solely oriented toward economic benefits but also toward cultural preservation and social welfare. From the perspective of Islamic law, the concept of *maslahah* refers to benefits and public interests aimed at promoting goodness and preventing

harm (Munir, 2023; Salma, 2016).

Morality within halal tourism policy can be positioned as a *miqyas* or benchmark for assessing whether tourism development genuinely provides benefits for communities. Kudaedah (2020) explained that *maslahah* within the concept of *maqasid al-shari'ah* is oriented toward the preservation of religion, life, intellect, lineage, and property (Nur'aini, 2024). Therefore, halal tourism policies should not only be evaluated based on economic growth indicators but also based on their capacity to preserve religious values, morality, culture, and the welfare of local communities.

This study seeks to describe the position of the NTB Provincial Halal Tourism Regulation Number 2 of 2016 as a manifestation of *maslahah* in enhancing community economic value, with the customary practices of the Sasak people serving as a *miqyas* or moral and social benchmark. Tourism, as part of regional economic development, has the potential to accelerate economic growth, improve community welfare, and create business opportunities for tourism industry stakeholders. Therefore, halal tourism development requires the involvement of various stakeholders, including the government, the Indonesian Ulema Council, tourism business actors, customary leaders, religious leaders, and local communities, so that the policy does not operate in a top-down manner but instead reflects community needs and values.

While existing studies on halal tourism in NTB have primarily focused on regulatory compliance and economic impacts (Jaelani, 2017; Watoni, 2023), limited research has systematically examined how Sasak customary law, particularly *awiq-awiq*, functions as a socio-legal benchmark (*miqyas*) for assessing the *maslahah* dimensions of halal tourism policy. This study contributes a novel analytical framework by positioning *adat* not merely as cultural heritage but as an active legal and social instrument for evaluating, guiding, and controlling the implementation of formal halal tourism regulations. The practical implications of this research extend to policy recommendations for local governments seeking to harmonize tourism development with cultural preservation and Islamic legal principles.

METHOD

This research employed a qualitative socio-legal approach that integrated field research with normative legal analysis. The selection of a qualitative approach was based on the characteristics of the research object, which were not only related to legal norms in a textual context but also involved the social, cultural, moral, and religious practices of the Lombok people in responding to halal tourism policies. Through this approach, the research was not aimed at statistically measuring variables but rather at understanding the meanings, values, perceptions, and social practices that emerged within the community regarding the existence of West Nusa Tenggara Province Regional Regulation Number 2 of 2016 concerning Halal Tourism.

Methodologically, field research was selected because the issue of halal tourism in NTB could not be sufficiently understood solely through the examination of laws and regulations. The policy needed to be examined within the social context in which it was implemented, particularly within the lives of the Sasak people, who possess their own systems of values, customs, and local norms. Therefore, this study sought to explore how local values of the Lombok people, including customs, morality, and *awik-awik*, functioned as *miqyas* or benchmarks in assessing the benefits of halal tourism policies. Thus, field research provided researchers with an empirical understanding of the relationship between law, culture, religion, and community social practices.

In addition to field research, this study also employed a sociological juridical approach and literature studies. The sociological juridical approach was used to examine law not only as a written norm but also as a social institution that exists and operates within society. In the context of this research, the Halal Tourism Regulation was understood as a regional legal product with a normative objective, namely regulating and developing the tourism sector based on sharia values. However, the effectiveness of these norms was not solely determined by their existence within legal texts but also by their compatibility with social structures, local culture, moral values, and societal acceptance. Therefore, the sociological juridical approach was considered relevant because it bridged the analysis between *law in books* and *law in action*.

Literature studies were conducted to strengthen the conceptual and normative foundation of the research. The literature sources used included laws and

regulations, *turats* books, *fiqh* literature, works on *maqashid asy-shari'ah*, the concept of *maslahah*, *'urf*, Islamic legal morality, and previous studies on halal tourism and Sasak local culture. This literature review was important because the research was not only based on empirical data but also required a theoretical foundation to interpret the relationship between legality, morality, and benefits within halal tourism policies. Therefore, the combination of field research and literature studies enabled this research to produce a more comprehensive analysis.

The data in this study consisted of primary and secondary data. Primary data were obtained through direct field observations and information provided by relevant informants, including traditional leaders, religious leaders, local communities, tourism actors, academics, and individuals who understood the implementation of halal tourism in West Nusa Tenggara Province. This primary data were required to identify public perceptions regarding the existence of halal tourism, its compatibility with Sasak cultural values, and potential conflicts or harmonization between formal policies and local norms.

Meanwhile, secondary data were obtained from legal documents, academic literature, *turats* books, scholarly books, scientific journals, previous research findings, and official government documents related to halal tourism, local culture, *maqashid asy-shari'ah*, and *maslahah*. Information, comments, scholarly opinions, and statements from *turats* texts were positioned as normative-conceptual data used to construct an Islamic legal analysis framework. This secondary data provided theoretical legitimacy for interpreting the concepts of *maslahah* and morality within the context of halal tourism policies.

The data collection process was conducted through several stages. First, observation was carried out through direct observation of community social conditions, tourism practices, and forms of interaction among tourists, local communities, and business actors. This observation aimed to understand the actual conditions in the field, particularly regarding how the cultural values and religiosity of the Lombok people were maintained amid tourism development. Second, interviews were conducted to obtain information directly from informants who possessed knowledge, experience, or involvement in halal tourism and local cultural issues. These interviews were conducted to obtain data regarding public perceptions, experiences, and assessments of halal tourism policies.

Third, documentation was conducted through the collection of official documents, regional regulations, policy documents, photographs, archives, field notes, and other relevant materials. Documentation was used to strengthen field findings and prevent analyses that relied solely on informants' subjective perceptions. Fourth, literature studies were conducted by examining *fiqh* literature, *maqashid asy-shari'ah*, *maslahah*, *'urf*, and Islamic legal theories relevant to the research theme. This technique was used to understand the normative foundations for assessing whether halal tourism policies could be categorized as forms of benefit aligned with the moral and cultural values of the Sasak community.

The selection of informants in this study was conducted purposively based on the consideration that informants possessed knowledge or experience relevant to the research focus. The informants were not determined solely based on quantity but rather on the depth and relevance of the information they could provide. The criteria for selecting informants included individuals who understood Sasak customs, individuals familiar with the religious practices of the Lombok people, tourism sector actors or managers, and individuals knowledgeable about halal tourism policies. Through this technique, the collected data were expected to represent the research problems comprehensively.

Informant details include a total of eight informants were purposively selected: two traditional leaders (*pemangku adat*), two Islamic religious scholars (*tuan guru*), one local government tourism official, one halal tourism business operator, and two community members from tourism-affected areas in Lombok. Fieldwork was conducted between March and August 2025 in Central Lombok and West Lombok Regencies, which were selected due to their concentration of halal tourism destinations and strong Sasak cultural traditions.

The data analysis procedure was conducted using qualitative descriptive analysis through several stages. The first stage was data reduction, which involved sorting, simplifying, and categorizing data obtained from observations, interviews, documentation, and literature studies. Data that were irrelevant to the research focus were excluded, while data related to the legality of

the Halal Tourism Regulation, morality, Sasak culture, and the concept of *maslahah* were retained for further analysis.

The second stage was data presentation, which involved organizing data into systematic narrative descriptions. At this stage, field data and literature data were organized according to the main themes, including the existence of halal tourism, Sasak cultural values, the concept of morality in Islamic law, and the position of *maqashid asy-shari'ah* as a benchmark for assessing benefits. Data presentation was conducted to clearly demonstrate the relationship between empirical findings and theoretical frameworks.

The third stage was normative-sociological interpretation and analysis. At this stage, empirical data obtained from the field were analyzed using Islamic legal concepts, particularly *maqashid asy-shari'ah*, *maslahah*, *'urf*, and morality. This analysis was conducted to assess whether the NTB Provincial Halal Tourism Regulation could be understood as a policy that generated benefits or potentially created tensions with local cultural values. The normative approach was used to examine legal texts and *fiqh* concepts, while the sociological approach was used to understand community social practices.

The fourth stage was conclusion drawing, which involved formulating research findings based on the relationship between field data, literature data, and theoretical frameworks. The conclusions were not only directed at determining whether halal tourism possessed legal and normative foundations but also at explaining the extent to which the policy contained moral and social dimensions aligned with *maqashid asy-shari'ah* and Sasak cultural values. Through this analytical procedure, the research was expected to provide a comprehensive understanding of the importance of legal and moral integration in establishing halal tourism as an instrument for community benefit in Lombok.

To maintain data validity, this study employed source and methodological triangulation techniques. Source triangulation was conducted by comparing information obtained from various informants, including traditional leaders, religious leaders, local communities, and tourism actors. Meanwhile, methodological triangulation was conducted by comparing findings from observations, interviews, documentation, and literature studies. This technique was important to ensure that the research findings were not based on a single data source but were strengthened through various complementary sources. Consequently, the resulting analysis became more objective, in-depth, and scientifically accountable.

RESULTS AND DISCUSSION

Results

Legal and Moral Existence as a Mirror of Maqhasid Ash-Sharia in Miqyas (Benchmark) Mashlahah

Basically, human interests cannot be absolutely separated between worldly interests and interests related to the hereafter. Both constitute an interconnected unity within the framework of benefits. For example, the prohibition of intoxicating beverages contains benefits in the form of protecting human intellect. In *maqāṣid al-sharī'ah*, the preservation of intellect (*ḥifẓ al-'aql*) is one of the primary objectives of Islamic law, in addition to the protection of religion, life, lineage, and property (*ḥifẓ al-dīn*, *ḥifẓ al-naḥs*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl*) (Aulia, 2017; Horses, 2020; Jamrozi et al., 2022). With a sound intellect, humans are able to distinguish between good and bad actions, enabling them to achieve happiness in this world and the hereafter. Conversely, when this benefit is neglected, various forms of *mafsadah* may emerge, such as violence, sexual crimes, murder, and the abandonment of religious obligations. Therefore, ethics plays an important role in determining and assessing a benefit because not everything that appears beneficial can be considered a true benefit if it contradicts moral values and the objectives of *sharī'ah*.

When discussing the ethical character of *fiqh*, KH. Sahal Mahfudh emphasized that *fiqh* should not be understood solely from a legal-formal perspective but must also incorporate ethical dimensions so that its development remains aligned with its social function. *Fiqh*, as a practical derivation of the teachings of the Qur'an and Hadith, functions to guide and provide solutions to human problems, both individually and socially (Hakim et al., 2026; Rohmah, 2017). In other words, *fiqh* needs to be presented as a form of social ethics rather than merely as state positive law. The concept of social *fiqh* developed by KH. Sahal Mahfudh

emphasizes a shift in thinking from textual approaches toward methodological and contextual approaches, while prioritizing the principle of benefit in legal decision-making (Aulia, 2017; Riyadi, 2024). In this context, the integration of *maqāṣid al-sharīʿah* into the development of *fiqh* is important so that the wisdom of law remains inseparable from its legal rationale (*ʿillat al-ḥukm*) and continues to lead toward public welfare.

The relationship with *ʿillat al-ḥukm* demonstrates that Islamic legal provisions can be examined through aspects of wisdom and rationality. In the study of *uṣūl al-fiqh*, *ʿillat* refers to the underlying attribute or reason that serves as the basis for determining a legal ruling, particularly in the processes of *qiyās* and legal reasoning (*istinbāṭ al-aḥkām*) (Rahman, 2018; Riyadi, 2024). Based on this understanding, Islamic law can be divided into laws whose *ʿillat* can be identified and explained (*maʿqūl al-maʿnā*) and laws whose *ʿillat* is only known by Allah SWT (*ghayr maʿqūl al-maʿnā*). The first category generally relates to laws that can be understood rationally, whereas the second category is more closely associated with *taʿabbudī* laws, namely laws that emphasize human obedience to Allah even though their underlying wisdom or rationale cannot be fully comprehended.

Islamic law originating from revelation is essentially intended to realize human welfare. This principle aligns with the objectives of *sharīʿah*, namely *jalb al-maṣāliḥ* (bringing benefits) and *darʾ al-mafāṣid* (preventing harm). Scholars explain that *maqāṣid al-sharīʿah* is based on efforts to preserve fundamental human interests, including religion, life, intellect, lineage, and property (Aulia, 2017; Horses, 2020; Jamrozi et al., 2022). Therefore, every product of Islamic law should ideally be assessed not only based on its legal-formal validity but also on its ability to generate benefits, prevent harm, and instill moral values in human life.

The discussion of the objectives of Islamic law or *maqāṣid al-sharīʿah* is an essential part of Islamic legal studies. This is because Allah's purpose in establishing legal provisions cannot be separated from efforts to realize human welfare by fulfilling their needs, including *darūriyyāt*, *ḥājīyyāt*, and *taḥsīniyyāt* (Kudaedah, 2020; Nur'aini, 2024). Furthermore, *maqāṣid* also aims to prevent humans from experiencing *mafsadah* in both worldly life and the hereafter. This objective is achieved through commands and prohibitions (*taklīf*) whose implementation depends on understanding the primary sources of Islamic law, namely the Qur'an and *al-Sunnah*.

The Qur'an and *al-Sunnah* are the primary sources of Islamic law. However, several obligations are considered *qaṭʿī* and have been agreed upon by scholars, such as the obligation to perform prayers, observe fasting, pay zakat, and avoid adultery. Within the moral context, Islam also contains teachings regarding manners and ethics derived from the Qur'an and Sunnah. Morality occupies an important position because it forms the foundation of human behavior in accordance with the objectives of *sharīʿah*. Therefore, morality in Islam does not merely function as a social norm but also represents the manifestation of prophetic values and the objectives of *sharīʿah* in perfecting human life.

The guidance of Prophet Muhammad PBUH is reflected in religious values that provide a foundation for universal human ethics. Religion enables humans to build social understanding without eliminating their own beliefs. The Qur'an presents moral principles capable of addressing human and societal weaknesses through enduring values. One of these principles is *akhlāq karīmah*, namely noble ethics that serve as the foundation for shaping human personality. Within the framework of *maqāṣid*, good morals represent an effort to preserve human nature (*fiṭrah*) and direct social behavior in harmony with the objectives of *sharīʿah*.

Presenting the essence of human nature means maintaining harmony between Islamic law, moral principles, and the fundamental human inclination toward goodness. From the perspective of *maqāṣid al-sharīʿah*, preserving human nature is part of the objectives of *sharīʿah*. Islamic *sharīʿah* is not intended to burden humans with obligations that contradict their natural disposition and rational capacity. Therefore, the *maqāṣid* approach is essential in understanding Islamic law because it connects legal texts, objectives of law, morality, and social reality in a more balanced manner (Wahid, 2023).

Protecting human nature is part of *maqāṣid al-sharīʿah*. Thus, Islamic *sharīʿah* does not contradict human reasoning as long as reason remains in a sound condition and does not deviate from revealed values. The approach to understanding Islamic law that emphasizes the objectives

of *sharī'ah*, wisdom, and legal meanings does not aim to separate *maqāṣid* from *uṣūl al-fiqh*; rather, it strengthens *maqāṣid* as a methodology for responding to contemporary legal challenges. *Maqāṣid* enables Islamic law to remain relevant because it places human welfare as the primary orientation of legal application (Harahap, 2014; Hendri et al., 2026; Wahid, 2023).

The objectives of Islamic *sharī'ah* need to be understood by a *mujtahid* in order to develop Islamic legal thought and respond to contemporary issues that are not explicitly addressed in the Qur'an and *al-Sunnah*. Understanding the objectives of law is also important for assessing whether a legal provision remains relevant in particular social contexts, especially when changes occur in the social, cultural, and moral structures of society. Thus, *maqāṣid al-sharī'ah* functions as a methodological instrument to ensure that legal products are not only textually valid but also ethical, contextual, and beneficial.

The thinking of modern scholars in Islamic studies is largely directed toward efforts to apply the concept of *maqāṣid* to contemporary issues. The view that *maqāṣid al-sharī'ah* is based on human nature demonstrates that *sharī'ah* seeks to maintain balance between revelation, reason, morality, and social reality. Reason produces ethical considerations, while revelation provides a normative foundation so that ethics remain inseparable from divine values. Therefore, moral ethics derived from the Qur'an and *al-Sunnah* can be understood as a form of preserving human nature while maintaining the objectives of *sharī'ah*.

According to al-Shāṭibī, *sharī'ah* is established to realize human welfare, while legal matters related to *urf* or customs fall within the consideration of public benefit. *Urf* or customary practices may serve as a basis for legal consideration as long as they do not contradict the principles of *sharī'ah* and the values of benefit (*maṣlaḥah*) (Lutfi, 2026; Sholihin, 2020). Therefore, an action may be prohibited under certain conditions if it does not contain benefits, but it may be permitted under other circumstances when substantial benefits exist. In this context, *sharī'ah* expands the consideration of *illat al-ḥukm* in customary matters by positioning *maṣlaḥah* as the basis for evaluation. When considered through rationality and morality, this approach can be accepted as a form of preserving human nature and promoting social welfare.

Discussion

The Legitimacy of NTB Regional Regulations on Halal Tourism in Local Culture

The following discussion synthesizes field findings with normative analysis to examine the legitimacy of the NTB Halal Tourism Regulation within the socio-cultural context of the Sasak community. Interview data from traditional leaders and religious scholars reveal that the regulation is broadly accepted as consistent with Islamic values; however, informants consistently emphasized that its implementation must be mediated through local customary mechanisms. As one *pemangku adat* stated during fieldwork, "the regulation is good in principle, but it must respect our *awiq-awiq*; otherwise, it will create resistance rather than compliance." This finding aligns with the socio-legal principle that formal law achieves legitimacy only when it resonates with living law within the community (Ehrlich, 1936; Watoni, 2023).

NTB Provincial Regulation on Halal Tourism

Basic concept of Halal Tourism

The natural beauty of Indonesia is recognized worldwide, and its diverse cultural heritage has positioned the country as one of the preferred tourism destinations for international visitors. One tangible indication of this achievement is that Lombok Island, West Nusa Tenggara Province, received recognition as one of the world's leading halal tourism destinations. In 2015, Lombok Island received awards in Abu Dhabi from the World Halal Tourism Award (WHTA) in the categories of World's Best Halal Destination and World's Best Halal Honeymoon Destination. Following this achievement, the Ministry of Tourism established a special team to accelerate the development of halal tourism in Indonesia and designated ten priority regions for halal tourism development. These regions included Lombok (NTB), Riau Islands, Aceh, West Sumatra, DKI Jakarta, West Java, Central Java, Yogyakarta, East Java (Malang Raya), and South Sulawesi (Makassar and surrounding areas).

Following this recognition, the regional government, through the Governor of NTB, issued

Governor Regulation Number 51 of 2015 concerning Halal Tourism as an initial legal instrument to legitimize halal tourism development on Lombok Island. Subsequently, in 2016, the NTB Provincial Government issued a more comprehensive regulation, namely NTB Provincial Regulation Number 2 of 2016 concerning Halal Tourism.

The Regional Regulation defines halal tourism as tourism activities involving destinations and tourism industries that prepare products, services, and tourism management facilities that comply with *sharia* principles (Article 1 Number 16). Based on this definition, halal tourism represents a tourism concept that incorporates *sharia* elements into various aspects of tourism activities. Furthermore, Article 2 of the Regional Regulation states that the regulation aims to guarantee security and comfort in tourism services, allowing tourists to enjoy travel experiences safely, in accordance with halal principles, and with greater convenience for both tourists and tourism operators.

Historically, prior to the formalization of halal tourism policy, the consideration section of the Halal Tourism Regulation, particularly point (d), emphasized that halal tourism businesses represent a concept that integrates *sharia* values into tourism activities by providing facilities and services consistent with Islamic provisions. The principles of safety and comfort promoted through halal tourism are not exclusively intended for Muslim tourists but also accommodate non-Muslim tourists. However, the existence of halal tourism provides additional assurance for Muslim tourists to travel while maintaining adherence to *sharia* principles.

Article 14 of the Halal Tourism Regulation stipulates that halal tourism accommodations must comply with *sharia* standards (paragraph 1). These standards require certification from the National Sharia Council of the Indonesian Ulema Council (*Dewan Syariah Nasional Majelis Ulama Indonesia* or DSN-MUI) (paragraph 2). The *sharia* standards cover product, service, and management aspects (paragraph 3). Furthermore, this article and subsequent provisions specify that halal tourism accommodations must provide facilities for purification, facilities that facilitate religious worship, and halal food and beverages (Article 14). Food and beverage providers, including restaurants, bars, cafés, and catering services, are required to ensure that the food and beverages provided comply with halal requirements. If products do not possess halal certification, providers must clearly indicate whether the food or beverage is halal and maintain a healthy and hygienic environment (Article 15). Meanwhile, *spa*, sauna, and massage services must also uphold *sharia* values, including the separation of treatment rooms between men and women, with male therapists serving male clients and female therapists serving female clients. Additionally, spiritual therapy and physical exercise therapy must continue to reflect *sharia*-based principles. Service providers are also required to prepare prayer facilities (Article 16).

The adoption of this regulation represents a significant legal-cultural transformation in NTB governance because it formally integrates Islamic normative standards into regional tourism law, thereby creating a hybrid legal framework that draws upon both state regulatory authority and religious normativity. This dual legitimacy strengthens policy acceptance among the predominantly Muslim Sasak population while simultaneously positioning NTB as a competitive destination within the global halal tourism market. However, the regulatory framework remains incomplete without explicit recognition of customary enforcement mechanisms, particularly *awiq-awiq*, which are essential for ensuring grassroots compliance, cultural compatibility, and sustainable implementation within Sasak society.

Halal Tourism Industry

In Article 13 of the Halal Tourism Regulation, it is stated that the halal tourism industry includes accommodation, travel agencies, restaurants, and spas.

a. Accommodation

Accommodation referred to in this Regional Regulation includes all forms of star-rated and non-star-rated hotels (Article 1 point 13). Furthermore, Article 14 paragraph (1) stipulates that halal tourism accommodation must comply with *sharia* standards, namely by obtaining certification from DSN-MUI (paragraph (2)), covering aspects of products, services, and management (paragraph (3)). Furthermore, paragraph (4) of the article provides standards for accommodation facilities that do not fully meet *sharia* requirements, including the availability of purification facilities, facilities that facilitate worship activities, halal food and beverages, as

well as safe, comfortable, and conducive facilities and environments for families and businesses.

When examining the concept of accommodation in halal tourism and associating it with the local culture of the Lombok community, the nickname Lombok as the Island of a Thousand Mosques becomes relevant. This designation reflects the fact that almost every corner of Lombok Island has a mosque or prayer room. This phenomenon occurs because the Lombok people have a strong tradition of constructing mosques or prayer rooms in villages and even smaller community areas (hamlets) to facilitate residents in performing their religious obligations. This practice applies not only in villages where most residents are Muslims but also in areas where Muslim communities coexist with followers of other religions.

b. Halal Travel Agency

Travel Service Business refers to a travel agency business and travel agent business, including businesses that provide travel planning services and/or tourism services, as well as tourism implementation services, including the organization of religious pilgrimage trips (Article 1 point 19).

Within the concept of halal tourism, every tourism agency manager is required to organize tour packages in accordance with Standard Operating Procedures (SOPs) based on the provisions established by DSN-MUI (Article 18). Furthermore, Article 19 states that travel agencies must fulfill the following requirements:

- 1) Understand and be able to implement sharia values in carrying out their duties.
- 2) Demonstrate good manners, communicative skills, friendliness, honesty, and responsibility.
- 3) Maintain a modest appearance in accordance with Islamic values and ethics.
- 4) Incorporate Islamic values throughout the tourism journey.

c. Restaurants

Within the concept of halal tourism, food and beverage providers, including restaurants, bars, cafes, and catering services, must provide halal-certified food and beverages. If they do not possess halal certification, food and beverage providers must include the word “*halal*” on each type of food and beverage product (Article 15).

d. Spa

Spas are among the services widely offered in tourism destinations, alongside saunas and massage clinics. In implementing the halal tourism concept, spa, sauna, and massage service providers must separate facilities for male and female customers, including the separation of therapists, where female therapists serve female customers and male therapists serve male customers. In addition, prayer facilities must also be provided at the location.

Halal Tourism and Local Culture Lombok

Islamic Center of Hubbul Wathan Mosque West Nusa Tenggara

The Hubbul Wathan Islamic Center (ICHW) Mosque was inaugurated in 2013 and has become one of the largest places of worship and religious tourism centers in West Nusa Tenggara. ICHW is built on a 7.76-hectare area. The building consists of four floors and five towers, each reaching a height of 99 meters, symbolizing *Asma'ul Husna* (the 99 names of Allah). One distinctive feature of the ICHW building is the main dome, which incorporates the characteristic *Sasambo* batik pattern (Sasak-Samawa-Mbojo), representing the three ethnic groups of West Nusa Tenggara who inhabit Lombok Island and Sumbawa Island. The interior design also clearly adopts the patterns of *Sasak* traditional weaving. Meanwhile, the facilities available for Ramadan activities, *Musabaqah Tilawatil Qur'an* (MTQ) events, competitions, and other religious activities include a ballroom, a catwalk area, and a spacious courtyard.

In 2013, ICHW began operating and developed into a center for Islamic culture, religious tourism, spiritual activities, and art markets. In 2014, ICHW was utilized as a venue for various Islamic studies and Islamic history research activities in NTB. The mosque is also open to non-Muslim visitors, provided that they wear modest clothing that covers their *aurat* (parts of the body that must be covered according to Islamic principles). Visitors are provided with worship facilities, ablution areas, bathrooms/ toilets, air conditioning, a library, cooperatives, multipurpose halls, learning rooms (*TPA/ madrasah*), shoe and slipper storage facilities, gardens,

parking areas, and canteens.

Nurul Bilad Mosque Kuta

When the Mandalika Special Economic Zone (SEZ) began to be developed, one of the first facilities constructed in the area was the Nurul Bilad Mosque. The mosque was inaugurated on October 21, 2017, and is located approximately 7 km from the Mandalika Circuit. It stands on an area of 8 hectares and has become one of the religious tourism destinations within the Mandalika SEZ area.

Looking back at the history of tourism development in Lombok, before the concept of halal tourism became widely recognized as it is today, tourist areas on Lombok Island were relatively quiet and had limited facilities. Destinations such as Kuta Beach and Tanjung Aan, which are now part of the Mandalika SEZ area and located near the Mandalika Circuit, previously provided only basic facilities. At that time, most tourist destinations already had small prayer facilities, such as bathrooms and *surau* (or, more accurately, gazebos used as temporary prayer spaces) intended for visitors to perform prayers. Local communities also sold food, beverages, and traditional handicrafts through small-scale vendors. Furthermore, tourist destinations in Lombok generally closed before sunset due to customary regulations and ancestral beliefs that discouraged traveling at night. In addition, certain customary norms prohibited young people of the opposite sex from returning home late at night, as such behavior was traditionally associated with the possibility of marriage.

The description above demonstrates that long before the concept of halal tourism was formally legitimized by the provincial government through the issuance of regional regulations, the people of Lombok had already incorporated elements of halal tourism practices into their daily lives. This was reflected both in the continuous provision of worship facilities as part of tourism infrastructure and in the strict regulation of social behavior among adolescents and young people of the opposite sex. These practices were strongly influenced by local customs, most of which are aligned with Islamic values and *sharia* principles embraced by most of the Lombok population.

Bayan Ancient Mosque

The island of Lombok is known as the island of a thousand mosques. One of the most famous mosques on the island is the Bayan Beleq Ancient Mosque. The Bayan Beleq Ancient Mosque is considered the oldest mosque in Lombok. It is located in Bayan Village, Bayan District, North Lombok Regency, West Nusa Tenggara (NTB) Province. The Bayan Beleq Mosque serves as a historical witness that Lombok is not only rich in cultural traditions but also possesses valuable historical heritage sites.

The Bayan Beleq Ancient Mosque is a significant historical witness to the spread of Islam on the island of Lombok. This mosque is recognized as a cultural heritage site that is highly protected and preserved by local communities and the government. The architectural structure and historical existence of the mosque reflect the civilization values of the people of North Lombok, which are built upon cosmic awareness, historical consciousness, customary awareness, and spiritual values.

The construction of the Bayan Beleq Mosque coincided with the arrival of Islam on the island of Lombok in the early 16th century. Islamic teachings in Lombok are believed to have been introduced from Java, as evidenced by the existence of *fiqh*, *suluk*, and *lontar* manuscripts that served as religious references and guidance for the community.

Sunan Pengging, a follower of Sunan Kalijaga, arrived in Lombok in 1640 to spread Islam. He married Princess Parwa of the royal family, an event that later caused disappointment among the King of Goa. Subsequently, the King of Goa occupied Lombok in 1640. Sunan Pengging, who was also known as Prince Mangkubumi, then fled to Bayan. In this village, he developed his teachings, which later became the foundation of a religious school known as *Wetu Telu*.

According to the official website of the Ministry of Education and Culture, Sunan Pengging, a follower of Sunan Kalijaga, came to Lombok in 1640 to spread Islamic teachings. He married Princess Parwa of the royal family, which later resulted in conflict with the King of Goa. Following this event, the King of Goa occupied Lombok in 1640. Sunan Pengging, also known as Prince Mangkubumi, escaped to Bayan, where he continued developing his teachings, which later became

associated with the *Wetu Telu* religious tradition.

Integrating Legal and Moral as a Form of Human Rights Protection in Halal Tourism Activities

Customs as control of the Halal Tourism Governor Regulation in NTB province

According to Gustav Radbruch, there are three fundamental objectives of law: utility, legal certainty, and justice. In applying these three objectives, Radbruch emphasizes the principle of priority, particularly when conflicts arise between legal certainty and justice (Radbruch, 1946; Tohari et al., 2026). Justice is regarded as a value that must take precedence over legal utility and legal certainty when positive law has the potential to create substantive injustice (Radbruch, 1946; Tohari et al., 2026). In the context of the implementation of West Nusa Tenggara Provincial Regulation Number 2 of 2016 concerning Halal Tourism, the principle of justice is essential to ensure that regional policies are not solely oriented toward economic growth but also consider the sustainability of the customary practices and cultural values of the Sasak people. This is relevant because the Regional Regulation formally regulates the implementation of halal tourism in NTB Province and remains applicable as a regional legal instrument (Peraturan Daerah Provinsi Nusa Tenggara Barat Nomor 2 Tahun 2016 Tentang Pariwisata Halal, 2016; Rahem et al., 2026). Therefore, the implementation of halal tourism must be carried out proportionally to prevent economic interests from undermining the traditions, arts, local culture, and customary values of the Lombok community.

According to Zahrah (1958) in *Ushul Fiqh*, the objectives of Islamic law are not limited to regulating human behavior but also include moral development, the enforcement of justice, and the realization of public benefit. First, law aims to cultivate individuals who become sources of goodness for others rather than sources of harm. This objective can be achieved through *ibadah* (worship), including *mahdhah* and *ghairu mahdhah* practices, which, within the Sasak community, are reflected in various traditions such as *syukuran*, *selakaran*, *mikrat*, *bersin*, *roah segara*, *maulid*, prayer, fasting, and other socio-religious practices. Second, law aims to establish justice within society, both among Muslims and non-Muslims. This principle is consistent with the application of *awiq-awiq* within Sasak communities, which regulates social sanctions for violations of customary norms. Third, law aims to achieve *maslahah* as the ultimate objective of Islamic law, because every provision of Islamic law is fundamentally directed toward providing essential benefits and preventing harm to human life (Zahrah, 1958; Hendriyanto, 2025).

God is positioned as the *Shari'*, meaning the Lawgiver who establishes legal provisions that must be followed by human beings. From the perspective of Islamic legal thought, humans are created with moral freedom to accept or reject divine commands; however, a good and orderly life can only be achieved when humans follow the principles established by the *Sharia*. This concept was later developed in theological discussions through the theory of divine command, which argues that an action is morally right when it is commanded by God and morally wrong when it is prohibited by God. Therefore, law is not merely understood as a normative framework but also as a moral instrument that guides human beings toward goodness, justice, and public benefit (*maslahah*) (Zahrah, 1958; Al-Hafizh, 2021; Putri et al., 2026).

The findings indicate that the benefits generated by the Regional Regulation on Halal Tourism include increased economic value for the West Nusa Tenggara Provincial Government, particularly through the tourism sector. However, economic growth should not marginalize the local community's economy or conflict with the customary values of the Sasak people. Previous studies on the implementation of the NTB Halal Tourism Regulation indicate that the policy contributes to tourism development and regional economic growth but still requires stronger attention to the social and cultural dimensions of local communities (Alan, 2024; Jaelani, 2017). Therefore, effective control mechanisms are necessary to ensure that the implementation of halal tourism regulations provides justice and protection for community rights. The customary practices of the Lombok people can function as social and legal control mechanisms to ensure that policy implementation remains aligned with local values that have long existed within society, including *awiq-awiq* as customary norms governing social relations among the Lombok people.

The importance of social control within the Lombok community is demonstrated through

efforts to preserve and sustain existing customary values. The people of Lombok have diverse religious and cultural backgrounds, including Islam, Hinduism, Buddhism, and Christianity; therefore, the value of tolerance is essential for maintaining social harmony. In this context, religious teachings and customary practices can complement one another in establishing an orderly and respectful society that remains consistent with universal human values. Therefore, the roles of community leaders, religious figures, and customary leaders are important in assessing the benefits or *miqyas al-maslahah* of public policy implementation, including halal tourism policies. The involvement of local figures is also consistent with the concept of living law, in which customary norms function as social control mechanisms that maintain a balance between state interests, religious values, and local cultural identity (Watoni, 2023; Yulianto, 2025).

The role of community leaders as both social references and sources of guidance requires them to adapt to the needs of society and address various challenges faced by the community. When communities encounter economic challenges, community leaders are expected to provide guidance regarding local economic empowerment so that communities can achieve greater independence. Similarly, when the people of Lombok face political issues, such as elections for governors, regents, members of the Regional Representative Council (DPR), or village heads, customary leaders, religious leaders, youth representatives, and community figures have a moral responsibility to provide constructive perspectives so that society can make informed decisions. In matters related to religion and customs, these leaders are also expected to explain the relationship between religious teachings and customary practices that exist within society. Thus, community leaders perform an important social mediation function by maintaining harmony between customary norms, religious norms, and state policies (Zahrah, 1958; Yulianto, 2025).

Fundamentally, community leaders are positioned by society as figures capable of bridging various social, economic, political, religious, and customary issues. Therefore, their existence cannot be separated from the social structure of the community itself. The role of customs as a form of legal control is effective because it contains values of humanity, respect, courtesy, and social ethics. For example, the practice of pointing with the right hand or saying *tabeq* when passing in front of a neighbor's house reflects respect and appreciation toward others. These values demonstrate that customs do not merely function as inherited traditions but also operate as a social ethical system that guides community behavior to remain consistent with the principles of justice, welfare, and social harmony (Zahrah, 1958; Radbruch, 1946; Yulianto, 2025).

Legal and Moral as a form of *maqashid asy-shari'ah*

In order to comprehend the legal objectives contained in the sources of law, it is necessary to possess expertise in the science of *ushul fiqh* with its various spectrums of principles and rules. Through this discipline, it can be identified what is known as the concept of *maqashid al-shari'ah*, which is closely aligned with moral ethics. The exploration conducted by *ushul fiqh* scholars essentially leads to the discovery of *mashlahah* and establishes it as a foundation for determining laws in particular cases that are not explicitly mentioned in the Qur'an or *al-Sunnah*. The *mashlahah* in question can be achieved when the five essential elements, commonly referred to as *maqashid al-shari'ah al-khamsah*, are protected and preserved. These five fundamental elements include the preservation of religion, life, lineage, intellect, and property, as formulated by *maqashid* theory developed by *Asy-Syathibi*. However, this study emphasizes that the objectives of *sharia* cannot be fully realized without considering moral values. For example, *hifz al-nasl* (the preservation of lineage) as one of the objectives of *sharia* is closely related to maintaining the continuity of customs inherited from ancestors and preserving them as the cultural identity of the Sasak tribe. One of the moral challenges currently faced is the uncontrolled influence of foreign cultures entering the social environment of the Sasak community.

The Sasak tribe, which inhabits Lombok Island, continues to uphold religious values in its daily life. The culture that exists and develops within the community is inseparable from the *sharia* values embraced by the society itself. In their daily activities, the people of Lombok consistently practice Islamic principles, including in tourism activities. When examining the concept of halal tourism in relation to the local culture of the Lombok community, there are several points of convergence between them. The concept of halal tourism regulated through the

Regional Regulation on Halal Tourism reflects many aspects of the social and cultural conditions of the Lombok community. Furthermore, the existence of this Regional Regulation can strengthen the preservation of local cultural values.

Customary practices that continue to be preserved by religious leaders have significant potential to serve as an instrument of legal and social control within the implementation of local regulations. Through the preservation of these cultural practices, communities are able to filter and identify new ideologies, cultural influences, or social practices that enter their environment. When a new culture is perceived as contradicting existing cultural values, it may be rejected by the community, and individuals or groups introducing such cultural elements may experience social exclusion or criticism as a form of social sanction. Furthermore, the entry of new cultural influences highlights the important role of religious leaders as assessors and providers of religious guidance for the community in determining whether such cultural elements are compatible with local values and whether they should be accommodated or adopted as part of the community's cultural development.

The role of customary control is considered effective in preventing the spread of radical ideologies within the Lombok community because the strong cultural values of the Lombok people create social mechanisms that limit opportunities for irresponsible individuals to develop harmful influences. Therefore, according to the researcher, customary control mechanisms should receive support from the government through active participation in maintaining and preserving the cultural heritage of the Lombok community.

When examined more deeply, halal tourism can be understood as a concept that can be applied across various tourism destinations. Halal tourism provides assurance for Muslim tourists to travel comfortably without concerns regarding difficulties in performing religious obligations or accessing public facilities for ablution and prayer. It also ensures the availability of halal food and beverages, as well as tourism services that comply with the *sharia* principles embraced by Muslim travelers.

The concept of halal tourism should not be limited to tourist areas or countries with Muslim-majority populations but can also be implemented in non-Muslim countries. The application of halal tourism principles in various tourism destinations can provide a sense of security, comfort, and inclusiveness for Muslim tourists while traveling in different regions.

CONCLUSION

Law and morality in NTB Regional Regulation No. 2 of 2016 concerning Halal Tourism must work together to address the challenges faced by the people of Lombok and reflect local moral values. Accordingly, the regulation should be comprehensive by promoting unity amid cultural and ethnic diversity; *wasathiyah* (moderation) by balancing legal, ethical, spiritual, and physical dimensions; *layyin* (dynamic) by adapting to social developments and the growth of international tourism; *'ammah* (universal) by benefiting all communities as *rahmatan lil 'alamin*; flexible by providing *rukhsah* (leniency) under certain circumstances; non-burdensome by considering human limitations; and gradual in achieving *maqasid al-shari'ah*. Religious teachers also play an essential role in transmitting customs, guiding legal interpretations, and resolving social conflicts related to *sharia* while remaining integrated within society. Thus, halal tourism should strengthen Lombok's local customs and culture, which can serve as benchmarks for implementing the regulation and preventing the emergence of radicalism and liberalism.

Based on the above conclusion, the author advises the government, community leaders, religious leaders, and the public to continuously preserve the customs that are lived and developed within the Lombok community. Furthermore, stakeholders should provide a responsive approach to new cultures entering the region. This does not mean rejecting external cultural influences, but rather accepting them selectively and wisely while maintaining the values and identity of local traditions.

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AUTHOR CONTRIBUTION STATEMENT

Muhamad Zamroni independently conducted the conceptualization, methodology development, data collection, analysis, manuscript preparation, review, and final approval of this study.

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