Legality of MSME Products as a Strengthening of Halal Ecosystem in Religious Tourism Destinations in Pamekasan from the Perspective of Fiqh al-Bi'ah

Yanti[a,b]
Shofiyun Nahidloh[a,c]
Fajar[a,d]
[a] Universitas Trunojoyo Madura
[b]220711100017@student.trunojoyo.ac.id

Abstract

Religious tourism destinations in Pamekasan have the potential to drive the halal ecosystem. However, it has not been optimally utilized, as Micro, Small, and Medium Enterprises (MSMEs) products lack legality and adequate halal assurance. This study analyzes the legalization of MSME products as a foundation for building a halal ecosystem, from the perspective of Fiqh al-Bi'ah in Astah Batu Ampar and Bujuk Rabeh. Qualitative research methods were used through observation, interviews, and documentation. The results of this study indicate that legalization, particularly halal certification, is not merely a matter of fulfilling administrative regulations but also serves to protect consumers and create a spiritually conducive environment, as well as a form of implementing sadd al-dzari'ah, a shared responsibility. The integration of product legalization and strengthening religious values is a synergistic strategy to realize a comprehensive halal ecosystem, where spirituality and the environment collaborate according to the principles of Maqashid Sharia.

Keywords **:** *Legalization, Halal Ecosystem, MSMEs, Fiqh al-Bi'ah, Religious Tourism*

INTRODUCTION

The religious tourism of Astah Bujuk Batu Ampar/Bujuk Lattong is a famous burial place in Madura and even spread in Indonesia, namely the burial place of Sheikh Samsuddin who is a descendant of Sheikh Abdul Mannan/Bujuk Kosampih and his relatives. Astah Bujuk Rabah is the burial place of Sheikh Abdurrahman and the place where the Sheikh Abdurrahman Islamic Boarding School was founded, these two religious tourism sites are often visited by pilgrims from various cities, especially pilgrims from the island of Java. The religious tourism of Astah Bujuk Batu Ampar and Astah Bujuk Rabah has the potential to increase the welfare and income of the community through the availability of goods and services. This is an economic activity with a long supply chain and can provide numerous job opportunities for the surrounding community. The tourism industry also significantly impacts the well-being of local communities, particularly those near tourist destinations.(Amelia & Nahidloh, 2024).

Many local residents take advantage of the Batu Ampar and Bujuk Rabah religious tourism sites to sell products. This opportunity can be used to strengthen the halal ecosystem by optimizing existing Micro, Small, and Medium Enterprises (MSMEs). MSMEs have become the backbone of the Indonesian economy, especially in the Pamekasan region of Madura. Their role is not only to create jobs and support community incomes but also to drive the local economy, imbued with cultural wisdom and religiosity.

The existence of religious tourism destinations such as Astah Bujuk Rabeh and Astah Bujuk Batu Ampar makes the Pamekasan region a potential area for developing a sustainable halal ecosystem.(F. Ahmad, komunikasi pribadi, 06 2025) MSMEs play a strategic role in developing the local economy and empowering the surrounding community by optimizing religious tourism. In Pamekasan Regency, religious tourism destinations such as Astah Bujuk Rabeh and Astah Bujuk Batu Ampar serve not only as spiritual centers for religious tourism activities, but also as cultural centers for religious tourism activities.(Djalle dkk., 2024) The presence of MSMEs in tourist areas strengthens the value of tourism through the provision of local products, culinary delights and supporting services(Huda & Fitria, 2021).

However, in the field, there are still many MSMEs in religious tourism areas that face challenges in the legalization process, either due to limitations regarding certification costs, understanding, or limited access to regulatory assistance(Ismail, 2022). In fact, several studies show that the integration between tourism management concepts, business actor readiness, and regulatory support are the determining factors for the success of halal tourism destinations(Rahman, 2021). Previous research also shows that the success of halal tourism is highly dependent on the synergy of government regulations, the readiness of MSMEs, and the participation of local communities(Nugroho, 2020). This study analyzes the urgency of legalizing MSME products and its relationship to the development of the halal ecosystem through the lens of Fiqh al-Bi'ah (laws related to the environment).

LITERATURE REVIEW

a. Religious Tourism and Halal Ecosystems

Religious tourism is a type of tourism closely related to special activities or places related to religious aspects. Religious tourism is also defined as the activity of visiting places that hold special value for followers of a particular religion. These places can be places of worship and historical sites for a particular religion that have their own meaning and uniqueness(Mahfudz, 2023). Religious tourism destinations, such as tombs and religious pilgrimage sites, certainly have special characteristics as centers of economic activity with religious value(Purnomo dkk., 2024).

Religious tourism has now developed into a multidimensional phenomenon integrating economics, spirituality, and cultural identity. Religious tourism, keeping pace

with modern developments, is no longer merely a traditional pilgrimage, but a holistic experience that combines spiritual needs with the expectation of facilities and services that meet modern standards, including the guarantee of halal products.(Haq & Wong, 2020). Destinations such as Asta Pujuk Rabeh and Asta Bujuk Batu Ampar not only function as spiritual sites, but are also used as centers of sharia economic growth that introduce traditional values to contemporary market demands.

b. The Concept of Legalization of MSME Products in the Sharia Economy

In this context, legalization of MSME products is not limited to administrative aspects alone, but also encompasses the integration of quality standardization, halal certification, and business licensing. This is stipulated in Law No. 33/2014: it requires that products entering, circulating, and trading in Indonesia be halal certified, and BPJPH (Indonesian Halal Product Producing Agency) serves as the authority for issuing certificates/labels and supervising the Halal Product Producing Agency (JPH)(*UU No. 33 Tahun 2014 tentang Jaminan Produk Halal*, 2023). Legalization of sharia products must guarantee three main aspects: sharia-compliant production processes, halal raw materials, and business management that is free from usury(Susilo, 2020). Meanwhile, Ascarya in his work states that legalization in sharia economics functions as hisbah (the duty of amar ma'ruf nahi munkar) with the aim of protecting consumers and supporting the implementation of ethical business.

c. Halal Ecosystem: Concept and Implementation

The halal ecosystem is an integrated system that creates a supportive environment for Islamic economic practices. The halal ecosystem encompasses four main pillars: the halal supply chain, the halal assurance system, sharia compliance, and stakeholder engagement(Ratanamane, 2022). Meanwhile, Kasdi's study in East Java shows that developing a halal ecosystem requires synergy between the government, businesses, and the community. The concept of a halal ecosystem is beginning to expand beyond simply product certification(Kasdi, 2020).

Abdul-Talib & Abd-Razak define the halal ecosystem as an interconnected system of policy makers, stakeholders, and infrastructure that together create an environment in which sharia principles can be integrated into the entire system(Abdul Talib & Abd-Razak, 2021). In the context of religious tourism, the ecosystem encompasses not only the halal certification of MSME products, but also aspects of services, information, and the physical environment that support the strengthening of authentic and sharia-compliant religious experiences.

d. Fiqh al-Bi'ah as a Theoretical Foundation

Fiqh al-bi'ah (environmental jurisprudence) is an approach to Islamic law that views the environment as a determining factor in establishing a law. According to Al Qardhawi, fiqh bi'ah adheres to the principle of al-ashlu fi al-bi'ah al-hil (the basic principle in the environment is permissibility) as long as there is no evidence to prohibit it. This concept is relevant to the goal of creating a conducive religious tourism

environment through sharia economic practices(Indrajati dkk., 2023). There are several theories that can support this research to analyze the legalization of MSME products in religious tourism in strengthening the halal ecosystem as follows:

The Theory of Planned Behavior (TPB) in a Halal Context

Ajzen's development of the Theory of Planned Behavior continues to be relevant, even when modified for the context of halal consumption. Said's research states that in the context of religious tourism, the desire to purchase halal products is influenced not only by attitude, subjective norms, and perceived behavioral control, but also by halal assurance and religious commitment(Said dkk., 2023). Product legalization through halal certification serves as a significant support for the three TPBs, particularly in reducing perceived risk and strengthening subjective norms among tourists.

Institutional Theory in the Context of Halal Certification

Fathoni & Ismail developed an application of Institutional Theory in the context of halal certification for MSMEs. Their research suggests that institutional pressures (regulatory, normative, and cognitive) can encourage MSMEs to legitimize themselves through halal certification(Fathoni & Ismail, 2022). In the context of religious tourism, regulatory pressures stem from the Halal Product Guarantee Law, normative pressures from Muslim community expectations, and cognitive pressures from evolving industry standards exist. Therefore, halal certification is a strategic response for MSMEs to address these institutional pressures.

Resource-Based View (RBV)

Khalid & Rahman apply the Resource-Based View to analyze how halal certification can become the basis of competitive power for MSMEs in tourism areas. Their research shows that halal certification, combined with local wisdom branding, provides advantages that can create VRIO (Valuable, Rare, Inimitable, Organized) resources that are difficult for competitors to imitate(Khalid & Rahman, 2023). At Astah Pujuk Rabeh and Astah Bujuk Batu Ampar, the combination of halal legitimacy and local cultural values can be a source of excellence that can be used as a sustainable competitive strategy.

RESEARCH METHOD

This research uses a qualitative method. The qualitative approach was chosen because it aims to understand the phenomenon in depth. Field research was used to intensively explore how the legalization of MSME products and the practice of fiqh bī'ah are applied within the halal ecosystem in a specific location. Research Location: Religious Tourism Destination Area in Pamekasan Regency, Madura. The specific locus includes MSMEs around the Astah Bujuk Batu Ampar and Astah Bujuk Rabah as well as the surrounding environment.

This research is also supported by primary and secondary data. Primary data were obtained directly from the field, interviews with business owners, religious tourism operators, tourists, local ulama/community leaders, and observational activities. Secondary data consisted of supporting documents such as scientific literature, books,

journals, and books discussing environmental concepts and halal assurance. The collected data were analyzed using qualitative data analysis techniques, including Miles and Huberman's interactive model, including data reduction, data presentation, and conclusion drawing.

As for the demographics of respondents by conducting in-depth interviews to ensure the completeness and depth of the data, research informants will be selected using purposive sampling techniques, where researchers choose informants who are considered to be the most knowledgeable and can provide the best information regarding the focus of the research, such as community leaders, tourism managers and others. Researchers test the validity of the data using triangulation techniques, source triangulation: Comparing interview data with one informant with another informant for example, statements from MSMEs with tourism managers. Triangulation techniques. With this research method, it is hoped that a comprehensive and in-depth analysis can be produced regarding the legalization of MSME products in strengthening the halal ecosystem in Pamekasan religious tourism destinations, which is then reviewed through the perspective of fiqh al-bī'ah.

RESULTS AND DISCUSSION

Religious tourism is a type of tourism related to specific activities or places related to religion. Religious tourism is defined as a visit to a place that holds special significance for followers of a particular religion. These places can include places of worship and historical sites, each with its own unique characteristics and significance(Fatimah, 2015). There is a cultural concept related to Islam, namely submission and adherence to religious values. Religious tourism can also be interpreted as visiting places that have religious values throughout the world. Islamic tourism certainly has a new moral dimension based on acceptable values, such as an ethical dimension and having transcendental standards. Criteria for Religious Tourism(Abrori, 2020).

Several steps must be taken in an effort to develop MSMEs as stated in Law Number 20 of 2009 concerning MSMEs regarding the process of strengthening MSMEs as follows:(Rachmawan, 2018) First, access to funding for MSMEs, Second, the aspect of facilities and infrastructure. Third, the aspect of business information. Fourth, the aspect of partnerships, Fifth, the aspect of business opportunities. Sixth, the aspect of trade promotion, Seventh, the aspect of institutional support aimed at developing and improving the function of incubators, business development service institutions, financial consultants, bank partners, and other similar professional institutions. Eighth, the aspect of business licensing, One of the obstacles in starting a business is the difficulty in obtaining a business license. Therefore, good cooperation is needed by the government so that business permit requests can be processed easily with a one-stop service, and can provide licensing fee exemptions for MSMEs.

However, in this study, many MSMEs in Astah Bujuk Batu Ampar and Astah Bujuk Rabah are not legalized, either in the form of a business permit or registered with

halal certification. MSMEs that operate their businesses, whether in the form of food or goods, only obtain permits from the management of religious tourism, so there are many MSMEs that do not legalize. This is a leniency from the religious tourism authorities because they consider several factors, one of which is the factor mentioned above, licensing obstacles occur due to costs and considering the circumstances of business actors with factors such as age and lack of understanding of legalization. The products available are halal products, and all business actors are Muslim. This is also a reason for tourists' lack of hesitation about the products available in religious tourism(L. Hakim, komunikasi pribadi, 09 2025). Religious tourism certainly requires good facilities and infrastructure to provide comfort to tourists, especially regarding their needs at religious tourism sites, both for services and goods. Therefore, community empowerment to optimize MSMEs in religious tourism is essential and also provides benefits in the form of employment opportunities for the community. Empowerment is an effort to develop the capabilities of individuals and groups by exploring each potential according to their abilities, skills, or knowledge so that they can meet all their needs for a better life. The empowerment in question is intended to create a society that is free from dependency, independent, able to create new innovations and creativity, and able to develop the economy towards a better direction(Nashar, 2017).

The level of halal awareness and implementation of legalization is still lacking. MSMEs only rely on halal raw materials. Formal legality, such as Halal Certification, is only held by a small number of MSMEs due to procedural, cost, and technical constraints. This lack of understanding of halal certification can be strengthened by the resource-based view (RBV), which states that the Muslim community must support the implementation of halal certification to improve the halal ecosystem in religious tourism destinations. They also recognize that certified products can create branding of local wisdom with advantages that can create VRIO (Valuable, Rare, Inimitable, Organized) resources that are difficult for competitors to imitate(Khalid & Rahman, 2023). And support is needed from the regional government through the Department of Trade which has now held training and assistance related to halal certification, but its reach is not yet comprehensive.

This research also examines the perspective of Islamic jurisprudence (fiqh al bi'ah). The concept of environmental jurisprudence attempts to explain the rules applicable to humans regarding the environmental conditions in which they live, based on Islamic law. The environment is also an integrated system between space and all its existence, such as energy, objects, and conditions, which can give rise to behaviors that alter the continuity of life and the well-being of living beings. Therefore, if environmental damage occurs, it will disrupt life(Amin dkk., 2019). Regarding the facilities at the Astah Bujuk Batu Ampar and Astah Bujuk Rabah religious tourism sites, they seem comfortable and complete, especially the spacious and clean prayer area, both in the bathroom area and the good prayer area.

Based on the findings above, the analysis with the Fiqh Bi'ah perspective is as follows: Legalization of MSME products is part of hifzh ad-din (maintaining religion)

and hifzh an-nafs (maintaining the Soul). The implementation of Halal Certificates is not merely administrative, but a real form of hifzh ad-din by providing legal certainty for Muslim consumers to consume halal products, maintaining efforts to eliminate anxiety and creating their beliefs and worship, as well as environmental cleanliness, facilities and products which are one of the halal standards is a manifestation of *hifzh an-nafs* from diseases and dangerous consumption(Yusuf, 1990). Creating an Islamic environment in religious tourism destinations, where the legalization of halal certification reflects Islamic values. The presence of non-halal products and tathfif practices is a damage (mafsadah) that destroys this atmosphere and contradicts the principle of dar'u al-mafasid. This can reduce the competitive advantage of religious tourism destinations. There is a greater benefit to be achieved by creating an orderly, clean environment filled with Islamic principles and ethics, because it not only attracts material benefits but also creates spiritual tranquility for tourists(Mahfudz, 2023).

Therefore, synergy is essential as a pillar of the halal ecosystem, based on the perspective of Islamic jurisprudence (fiqh al-bi'ah), which emphasizes that product legalization must be accompanied by environmental improvements. The role of the government, as applied by Institutional Theory, is essential(Fathoni & Ismail, 2022).

The government should focus not only on certification but also on environmental improvements, providing supporting infrastructure (prayer rooms, roads, and clean water), and fostering ethical sales practices. Collaboration between tourism operators, the government, MSMEs, and the Indonesian Ulema Council (MUI) is a collective obligation (fardhu kifayah) to create a sustainable halal ecosystem(Yafie, 2006). Therefore, the perspective of fiqh al-bi'ah presents a comprehensive framework in developing a halal ecosystem that must be evenly distributed, including business actors who must comply with Islamic ethics and sharia principles, halal and thayyiban product aspects and an environment that reflects Islamic values, with legalization, especially related to halal certification, becoming a door to realizing benefits and preventing damage in the religious tourism environment.

CONCLUSION

Legalization of MSME products at the Astah Bujuk Batu Ampar and Astah Bujuk Rabah religious tourism destinations is still suboptimal. Cultural awareness among businesses and the public regarding halal certification is high, but implementation of formal legality remains weak due to a lack of understanding and support in legalization and certification applications. Despite adequate facilities, existing facilities are adequate. Local residents utilize their harvest by selling cassava chips and other local foods or goods, which can become a distinctive feature or authenticity of this religious tourism destination. The local government is expected to provide infrastructure, particularly road improvements to religious tourism sites, as well as provide education on the importance of legalization, understanding Islamic jurisprudence (fiqh muamalah), and

creating an Islamic environment. Businesses are expected to increase their commitment to supporting product legalization in religious tourism areas and implementing Sharia values in trade. Future researchers are expected to conduct research on business models and funding for religious tourism destinations to support the halal ecosystem, particularly in Pamekasan Regency.

REFERENCES

Abdul-Talib, A. N., & Abd-Razak, I. H. (2021). The halal ecosystem: A new paradigm for sustainable tourism development. *Journal of Islamic Marketing*, *12*(4), 787–803.

Abrori, F. (2020). *Pariwisata Halal dan Peningkatan Kesejahteraan*. In Literasi Nusantara. Ahmad, F. (2025, 06). *Sejarah Astah Bujuk Batu Ampar* [Komunikasi pribadi].

Amelia, A. P., & Nahidloh, S. (2024). Praktik Jual Beli Paksaan di Objek Wisata Religi Batu Ampar Pamekasan Madura Studi Analisis Maqosid Syariah. *Jurnal Mediasas: Media Ilmu Syari'ah dan Ahwal Al-Syakhsiyyah*, *7*(2), 560–573. https://doi.org/10.58824/mediasas.v7i2.217

Amin, A., S., Z., & Astuti, S. (2019). Implementasi Pendidikan Agama Islam Berwawasan Lingkungan Hidup dan Budaya Di Sekolah Menengah Pertama (SMP). *Indonesian Journal of Social Science Education (IJSSE)*, *1*(1), 96. https://doi.org/10.29300/ijsse.v1i1.1917

Djalle, A. N. F., Soi, A. B., & A.P., P. (2024). Educational Tourism Potential for Sustainable Tourism. *Jurnal Pariwisata Pesona*, *9*(2). https://doi.org/10.26905/jpp.v9i2.13577

Fathoni, M. A., & Ismail, M. H. (2022). Institutional pressures and halal certification adoption among SMEs: Evidence from Indonesia. *Journal of Small Business and Enterprise Development*, *29*(2), 245–263.

Fatimah, S. (2015). *Strategi Pengembangan Objek Daya Tarik Wisata Religi*. In Ekp. Hakim, L. (2025, 09). *Sudut Pandang Dalam Memilih Produk* [Komunikasi pribadi].

Haq, F., & Wong, H. Y. (2020). Is spiritual tourism becoming the new sustainable tourism? A conceptual framework. *Tourism Recreation Research*, *45*(4), 543–556. Huda, A., & Fitria, S. (2021). Peran UMKM dalam Mendukung Wisata Religi. *Jurnal Sosial Ekonomi, 14*(2), 201-213.

Indrajati, S., Emawati, E., & Azkar, Muh. (2023). Aktualisasi Pendidikan Fikih Lingkungan (Fiqh Al-Bi'ah) pada Masyarakat Kawasan Hutan Desa Genggelang Kecamatan Gangga Kab. Lombok Utara. *MANAZHIM*, *5*(2), 644–666. https://doi.org/10.36088/manazhim.v5i2.3323

Ismail, M. (2022). Halal Tourism and Local Economic Empowerment. *Journal of Halal Studies*, *5*(2), 112–124.

Kasdi, A. (2020). The Development of Halal Ecosystem in East Java: Opportunities and Challenges. *Journal of Islamic Economics and Business*, *5*(1), 78–95.

Khalid, N., & Rahman, I. A. (2023). Halal certification as a competitive advantage: A resource-based view of small businesses in tourist destinations. *International Journal of Tourism Cities*, *9*(1), 45–63.

Mahfudz. (2023). Peran Wisata Religi Masjid Al-Alam Terhadap Pengembangan dan Pemberdayaan UMKM. *AN NUQUD*, *2*(1), 1–7. https://doi.org/10.51192/annuqud.v2i1.413

Nashar. (2017). *Pemberdayaan Ekonomi Generasi Muda Dimulai dari Halaman Masjid*. Duta Media publishing.

Nugroho, B. (2020). Halal Ecosystem in Tourism Destination. *Journal of Islamic Tourism*, *3*(1), 34–49.

Purnomo, B. R., Adinugraha, H. H., & Faisal, F. (2024). The effectiveness of halal product guarantee law implementation in tourism sector SMEs. *Journal of Law and Sustainable Development*, 1–18.

Rachmawan, B. (2018). *Pengembangan UMKM : antara konseptual dan pengalaman praktis*. Books.Google.Com.

Rahman, A. (2021). The Role of MSMEs in Strengthening Halal Ecosystem in Religious Tourism. . . *International Journal of Tourism Research*, *4*(23), 567-580. Ratanamane, E. (2022). Halal Ecosystem: A Comprehensive Framework for Islamic Economics. *Journal of Islamic Finance*, *11*(1), 112–125.

Said, M., Hassan, F., & Abdullah, A. (2023). Extending the theory of planned behavior in halal tourism: The role of religious commitment and halal assurance. *Journal of Islamic Marketing*, *14*(3), 789–812.

Susilo, D. (2020). *Legalitas dan Sertifikasi Halal Produk UMKM dalam Perspektif Ekonomi Syariah*. Prenadamedia Group.

UU No. 33 Tahun 2014 tentang Jaminan Produk Halal. (2023, 19). [Badan Penyelenggara Jaminan Produk Halal]. https://bpjph.halal.go.id/

Yafie, A. (2006). *Merintis Fiqih Lingkungan Hidup*. UFUK PRESS.

Yusuf, M. (1990). *Politik dan Negara dalam Islam, terjemah M.Thalib*. Al-Ikhlas.