

Implementation of DSN-MUI Fatwa No. 108 Year 2016 on Hospitality in Aceh; Grand Permata Hati, Ayani Hotel, and Oasis Atjeh Hotel

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Abstract

This study describes the implementation of the DSN-MUI fatwa No. 108 of 2016 concerning guidelines for hotel management based on Sharia principles at the Grand Permata Hati Hotel, Ayani Hotel, and Oasis Atjeh Hotel. The purposes of this study are to find out the implementation of the DSN-MUI Fatwa No. 108 of 2016 and to find out the obstacles in its implementation at the three hotels. This field research uses qualitative descriptive analysis techniques through a qualitative descriptive approach. The results of this study conclude that: first, Grand Permata Hati Hotel, Ayani Hotel, and Oasis Atjeh Hotel have implemented 6 out of 7 sharia hotel provisions in DSN-MUI No. 108 of 2016. Second, the obstacles that caused the DSN-MUI fatwa not to be fully fulfilled are because, 1) apart from using sharia financial services by Grand Permata Hati, Ayani Hotel, and Oasis Atjeh Hotel, the hotels are still unable to leave conventional financial services. 2) There are still many hotel guests using conventional services in making transactions, generally they come from outside the province of Aceh and still depend on these banking services.

Keywords: DSN-MUI Fatwa, Hospitality, Implementation.

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1. INTRODUCTION

Aceh is one of the provinces located at the tip of Indonesia with the area fully implementing sharia to do business, the tourism industry in Aceh has great competitiveness in improving the economy of the people of Aceh so it requires greater support from the government in terms of facilities, infrastructure and regulations. This potential is used by the Government of Aceh to support halal tourism nprograms which include hotels, restaurants, finance and other things.

Fatwa DSN-MUI No. 108 of 2016 has been issued by the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI). 108/DSN-MUI/X/2016 on Sharia Tourism Planning Guidelines. The fatwa provides guidelines for organizing tourism following with Islamic principles, including accommodation that adheres to Islamic principles. Among the provisions are:

a. Sharia hotels do not allow the provision of access facilities for pornography and other immoral acts;

- b. Sharia hotels must not provide entertainment facilities that lead to polytheism, immorality, pornography and/or immoral acts;
- c. Food and beverages provided by sharia hotels must have obtained a halal certificate from MUI;
- d. Providing adequate facilities, equipment and facilities for the implementation of worship, including purification facilities;
- e. Hotel managers and employees must wear sharia-compliant clothing;
- f. Sharia hotels must have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services following with Sharia principles;
- g. Sharia hotels are required to use the services of Sharia Financial Institutions in performing services (Dewan Syariah Nasional-Majelis Ulama Indonesia, n.d.).

The Sharia certificate issued by DSN-MUI legitimizes hotels in Aceh that implement Sharia

values. This legitimacy is a marketing tool to increase tourist interest, so hotels in Aceh are competing to adopt principles that are in line with Islamic values.

Facilities that comply with Sharia law are referred to as "Sharia hotels" as a type of lodging business. The prohibition of bringing unmarried couples to stay and the prohibition of serving food or drinks that are against sharia provisions are examples of rules that are considered to reduce the practice of Zina and gambling in Sharia hotels (Sadiah, 2019).

The application of Sharia principles in hotels is currently an obstacle, namely many hotels have not yet received legality from the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI) regarding Sharia Certificates. Sharia tourism is not just a claim and Sharia label, but the specifications and criteria must be clear so that it is not ambiguous and becomes a business commodity, in this case, the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI) has determined and decided on Sharia guidelines that must be met by Islamic hotels.

Departing from the above reality, it certainly raises a big question mark for researchers, especially the level of application of sharia principles in hotels in Aceh. In line with the Fatwa of the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI) concerning guidelines for organizing tourism based on Sharia principles, both from products, management and services. These guidelines will be used as indicators to determine the extent to which hotels comply with sharia law in Aceh.

2. RESEARCH METHODS

This study uses comparative research methodology, which is to determine and or test the differences between two or more groups. This research is also called comparing to find similarities between two or more concepts that have a limited purpose that allows extracting as much data as possible about that purpose. Researchers chose this approach to accurately analyze data from various data sources. When viewed in terms of presentation and depth of analysis, the research used is descriptive (Sugiyono, 2007).

This study aims to describe the application of Sharia values in hotels in Aceh with DSN-MUI Guidelines No. 108 of 2016 concerning the implementation the Sharia hotel business, especially the Grand Permata Hati, Ayani Hotel and Oasis Atjeh Hotel.

Data collection techniques were carried out using observation, questionnaire interviews and documentation methods. Then the key parties to be interviewed are hotel owners, managers, staff and employees. The instrument used in this study is to measure and assess the application of sharia values in hotels in Aceh in the three-star hotel category. Therefore, the research instrument that researchers use to analyze the application of sharia values in the three-star hotel business in Aceh is based on the DSN-MUI fatwa No. 108 of 2016.

The stages carried out include:

- a. Data collection by conducting observations at Grand Permata Hati, Ayani Hotel and Oasis Atjeh Hotel and interviews with related parties as mentioned above.
- b. The next stage is to clarify the data material obtained from the location by grouping the data from observations, interviews and documentation. In addition to actual information in the field, the views and assumptions of the parties involved are also important information to identify hotel management problems following sharia provisions.

3. RESULTS AND DISCUSSION

3.1. Research Results

3.1.1. Grand Permata Hati Hotel

Grand Permata Hati Hotel is one of the hotels that is very enthusiastic and supportive following the provisions of Fatwa DSN-MUI No. 108 of 2016, This is evidenced by the application of sharia values to hotels such as prohibiting guests in pairs who are not muhrim staying in one room, prohibiting immoral acts such as gambling, alcoholic beverages, and *khalwat*. In addition, the hotel also recites Surat Yasin every Friday morning with all employees and staff of Grand Permata Hati Hotel. This has been done by the hotel since the establishment of the hotel.

Another thing that Grand Permata Hati Hotel does related to Sharia values which become a corridor in carrying out Sharia hotel operations set by DSN-MUI, namely as follows:

- a. Sharia hotels must not provide access facilities for pornography and immoral acts.

Grand Permata Hati has implemented regulations that do not allow gambling, adultery, pornography and pornoaction as written in the hospitality regulations at the receptionist. The facilities used by the hotel are followinng the

principles of Sharia hotels, where only Islamic TV channels are available. So that guests cannot access channels that lead to pornography and immoral acts.

- b. Sharia hotels must not provide entertainment facilities that lead to polytheism, immorality, pornography and/or immoral acts.

Grand Permata Hati does not provide entertainment venues such as discotheques, bars karaoke and others. These facilities will lead to things that are not good with moral damage and have a negative impact such as prostitution, gambling, drunkenness and allegedly the circulation of illegal drugs.

- c. Food and beverages provided by Islamic hotels must have obtained a halal certificate from MUI.

Grand Permata Hati is one of several hotels in Aceh that already has a halal certificate obtained from the LPPOM-MUI of Aceh Province regarding halal restaurants, both in terms of food that is free from haram elements, free from alcoholic beverages, hygienic serving processes and pantry equipment that is free from haram elements.

- d. Provide adequate facilities, equipment and facilities for the implementation of worship including purification facilities.

Implementation of worship Grand Pemata Hati Hotel In each room there is worship equipment such as *mukenah*, prayer mat, kiblat direction, sandals and Islamic magazines.

- e. Hotel managers and employees must wear sharia-compliant clothing.

Grand Permata Hati requires every male and female employee who works to dress in sharia, as this provision has become an obligation and has been stated in the rules at Grand Permata Hati Hotel.

- f. Sharia hotels must have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services following Sharia principles.

The Grand Permata Hati hotel employees on duty must be friendly and polite in service, especially for employees who serve guests such as the front office and waiters. Then in the implementation of worship alone, there is no special provision to require all employees to pray in the congregation.

- g. Sharia hotels are required to use the services of Sharia Financial Institutions in providing services.

Grand Permata Hati cooperates with Bank Syariah Indonesia (BSI) and Bank Aceh. Financial transactions at the time of payment of the employee's salary using Islamic financial services. In its services, Grand Permata Hati also provides independent cash advance (ATM) facilities next to the hotel, namely Bank Syariah Indonesia and Bank Aceh. In this case, it is following Sharia principles in management where the hotel has used the services of Islamic financial institutions. However, on the other hand, the hotel manager also still uses conventional financial services, this is due to the convenience services used for guests who come from outside Aceh province.

3.1.2. Ayani Hotel

Related to Sharia values that become a corridor in running Sharia hotel operations, which are as follows;

- a. Sharia hotels must not provide access to pornography and immoral acts.

Ayani Hotel does not provide entertainment facilities such as karaoke rooms, or billiards. However, to entertain hotel guests, the Ayani Hotel provides facilities to add Islamic nuances such as at certain times playing martial verses of the Qur'an in the lobby and waiting room. The facilities that lead to negativity are not provided by the Ayani Hotel.

- b. Sharia hotels may not provide entertainment facilities that lead to polytheism, immorality, pornography and/or immoral acts.

Ayani Hotel has implemented Sharia values in hospitality operations, starting from guests who want to stay at the hotel are required to show a marriage book for couples, as well as for guests staying at the hotel are prohibited from committing acts that are not following Sharia such as adultery, *khalwat*, drugs and others.

- c. Food and beverages provided by Islamic hotels must have obtained a halal certificate from MUI.

The food and drinks at Ayani Hotel are certainly free from haram food and drinks, even the hotel already has halal legality by having a halal certificate at LPPOM-MUI Aceh Province for hotel restaurants.

- d. Providing adequate facilities, equipment and facilities for the implementation of worship including purification facilities.

The manager of Ayani Hotel prioritizes facilities to support the worship of employees and hotel guests. The facilities available at Ayani Hotel include adequate *musalla*, with a nice, clean, holy room, *mukena* and al-Qur'an and a clean ablution place next to the *musalla*.

- e. Hotel managers and employees must wear clothes that are following Sharia.

The clothing of employees and employees is Islamic clothing and covers the *aurat*, both customer service, reception, cleaning service to cooking staff.

- f. Sharia hotels must have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services following Sharia principles.

Ayani Hotel has guidelines/procedures for implementing services following Sharia principles. These provisions can be found when entering the hotel lobby. Employees who are in charge of serving guests must be friendly, polite and courteous.

- g. Sharia hotels are required to use the services of Sharia Financial Institutions in providing services.

In performing services in financial services, the Ayani Hotel has used the services of Islamic bank financial institutions, namely Bank Syariah Indonesia (BSI) and Bank Aceh Syariah. However, conventional bank services are also still available because it is to provide excellent service for guests who come from outside the Aceh Province area. even so, the hotel manager always socializes for every visitor or hotel guest to use Islamic financial services as a transaction medium while in Aceh.

3.1.3. Oasis Atjeh Hotel

Based on sharia principles at Oasis Atjeh Hotel by implementing DSN-MUI fatwa N0. 108 of 2016, namely;

- a. Sharia hotels must not provide access facilities for pornography and immoral acts.

Oasis Atjeh Hotel does not provide facilities for pornography and immoral acts. To prevent this, the hotel conducts a selective selection of hotel guests when checking in by showing ID cards, KK or marriage books.

- b. Sharia hotels should not provide entertainment facilities that lead to polytheism, immorality, pornography and/or immoral acts.

The Oasis Atjeh Hotel does not provide entertainment venues such as karaoke, discos and others. Then the paintings and ornaments in the hotel do not contain images such as statues and animals or paintings that are contrary to Islamic law, even for paintings on the walls decorated with calligraphic paintings only.

- c. Food and beverages provided by Islamic hotels must have obtained a halal certificate from MUI.

The halal certificate owned by Oasis Atjeh Hotel is one proof of food and beverage management which aims to give visitors confidence in the halalness of the products used.

- d. Provide adequate facilities, equipment and facilities for the implementation of worship, including purification facilities.

Oasis Atjeh Hotel has available all worship equipment in each room, as well as a place for ablution inside and outside the room in the *musalla* which can be used for congregational prayers.

- e. Hotel managers and employees/employees must wear clothes that are following Sharia.

The dress code applied to Oasis Atjeh Hotel is for men with neat and women with Muslim clothing following Sharia principles.

- f. Sharia hotels are required to have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services following Sharia principles.

The manager of Oasis Atjeh Hotel as a Sharia-based inn, of course, there are requirements for guests who spend the night at the hotel, including prohibited entry for those who are not mahram, prohibited liquor and drugs, prohibited loud noises, maintaining cleanliness and not smoking and other provisions.

- g. Sharia hotels are required to use the services of Sharia Financial Institutions in providing services.

The Oasis Atjeh Hotel carries out its services by using Bank Syariah Indonesia (BSI) and Bank Aceh Syariah. However, Oasis Atjeh Hotel also still uses and uses conventional financial institutions. This is used only to provide services to guests who come from outside Aceh, generally, they use BRI, BNI and BCA services as a means

of transaction. However, local guests generally use Sharia financial services.

3.2. Discussion

3.2.1. Definition of Hotel

The French word "hostel", derived from the Latin word "nyonya rumah", was first used by the general public in 1797 and evolved into the modern word "hotel". In England before the term "hotel" was used, "inn" was a place to stay for people travelling long distances. According to the Proprietors Act of 1956 in Sulastiyono, hotels are individual businesses that provide travellers with food, beverages, and sleeping accommodations with the ability to pay a fair price for services provided without a special agreement (Sulastiyono, 2008).

3.2.2. Sharia Hotel

Sharia hotels are commercial inns that serve individuals or groups of people and provide lodging services, food and beverages, and other services according to sharia principles following the development of needs and technology (Fadhli, 2018). U. Adil described that Sharia hotels are regular hotel operations and services that have been modified following Sharia and Islamic teachings, to provide guests both Muslim and non-Muslims with peace, comfort, health, and convenience.

In general, Sharia hotel operations are the same as other hotels, still following government regulations, and operating continuously day and night. In addition, it is open to all groups, both Muslims and non-Muslims. Willingness to eat and drink with healthy ingredients and halal ingredients. Due to the presence of alcohol, drinks are not served. Hospitality, gentleness, willingness to help, politeness, and morality are the service standards of Islamic hotels (Adil, n.d.).

3.2.3. DSN-MUI Fatwa No. 108 of 2016

Etymologically, the word "fatwa" comes from Arabic as a mashdar (noun) and means an answer to an inquiry, or the result of ijtihad, or a valid guarantee of seeing an event as a settlement of an inquiry whose rules are not clear.

In contrast, terminologically, a fatwa is a statement of religious law on a topic in response to a question posed by a fatwa seeker (must fit), whether the issue is known or unknown. A fatwa is a provision that provides the party requesting a fatwa with answers from a mufti (one who makes fatwa) about sharia law. These answers include an explanation of

Islamic law or teachings regarding the problems faced or raised by the community, as well as guidance in practicing their religious teachings (MUI, 2022).

Then DSN-MUI was formed to realize the aspirations of Muslims related to economic issues and encourage the application of Islamic teachings in the economic and financial fields carried out following the guidance of Islamic law," reads the bylaws of the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI). The effectiveness and coordination of the ulama's response to economic and financial issues is measured by the formation of the DSN-MUI.

DSN-MUI Fatwa No. has been issued by the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI). 108/DSN-MUI/X/2016 on Sharia Tourism Planning Guidelines. The fatwa provides guidelines for organizing tourism following Islamic principles, including accommodation that adheres to Islamic principles. Among the provisions are:

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- f. Sharia hotels must have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services following Sharia principles;
- g. Sharia hotels are required to use the services of Sharia Financial Institutions in performing services (Dewan Syariah Nasional-Majelis Ulama Indonesia, n.d.).

4. CONCLUSION

First, Grand Permata Hati Hotel, Ayani Hotel and Oasis Atjeh Hotel have implemented 6 out of 7 sharia hotel provisions in DSN-MUI No. 108 of 2016. Second, the obstacles that cause the DSN-MUI fatwa to not be fully fulfilled are due to, 1) besides already using sharia financial services by Grand Permata Hati, Ayani Hotel and Oasis Atjeh Hotel, the hotel still cannot leave conventional financial services. 2) There are still many hotel guests using conventional services

in conducting transactions, generally they come from outside the province of Aceh and are still dependent on these banking services.

Suggestions and Feedback

- a. To the managers of Grand Permata Hati Hotel, Ayani Hotel and Oasis Atjeh Hotel so that they can run their business by paying attention to all the provisions contained in the DSN-MUI fatwa No. 108 of 2016.
- b. To the National Sharia Council-Majelis Ulama Indonesia (DSN-MUI) to socialize intensively with lodging managers regarding Sharia hotel provisions.
- c. Then it is hoped that DSN-MUI can collaborate with related agencies/ institutions in the sharia business sector by supervising hotels to comply with the provisions of DSN-MUI fatwa No.108 of 2016.

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6. REFERENCES

- Adil, U. (n.d.). *Bisnis Syariah di Indonesia Hukum dan Aplikasinya*. Mitra Wacana Media.
- Dewan Syariah Nasional-Majelis Ulama Indonesia. (n.d.). *Fatwa DSN-MUI No. 108/DSNMUI/X/2016 Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah*.
- Fadhli, A. (2018). *Manajemen Hotel Syariah*. Gava Media.
- MUI. (2022). *Pengantar Komisi Fatwa dalam Hasil Fatwa Munas VII Majelis Ulama Indonesia*.
- Sadiyah, H. (2019). *Pengelolaan Hotel Syariah Menurut Fatwa DSN-MUI Nomor 108 Tahun 2016 Tentang Pedoman Penyelenggaraan Pariwisata Berdasarkan Prinsip Syariah (Studi Kasus di Hotel Ratna Syariah Kota Probolinggo)*. *Jurnal Justisia Ekonomika: Magister Hukum Ekonomi Syariah*, 3(1), 2.
- Sugiyono. (2007). *Metode Penelitian Pendidikan: Pendekatan Kuantitatif, Kualitatif, dan R & D*. Alfabeta.
- Sulastiyono, A. (2008). *Manajemen Penyelenggaraan Hotel*. Alfabeta.