

CHAPTER I

INTRODUCTION

A. Background

Indonesia is the country with the largest muslim population in the world and sparwling nature and cultures that are not less interesting will certainly become the new an icon of the new world tour in a well manage Tourism Industry. To advice the Tourism Indonesia is how to approach or put him the frame of Islamic Sharia. Islamic Tourism religious Tourism not only as place of workship, burial site of the guardian, as well as historical relic, but include other things that are more broadly with industry involving many in it like, restaurant/dining provider are bussinesess drink, spa, sauna or massage, travel agency Shaira and Hotel Sharia. This has indicated that Islamic economic system has evolved enough that from origanally only covering the trade of product halal, evolved into the financial industry and is now evolving into the life style can be either hospitaly, recreation, health care and etc.¹

Islam is a religion manage all dimensions of life. Al-Qur'an revealed by Allah SWT to humans to provide solutions for all life problems. Therefore that, every life activity is related in Sharia rules. Likewise, inside service delivery, every activity related must be based on compliance against Sharia which is full of moral and ethical values. Development Sharia service

¹ Riyanto Sofyan, 2012, *Prospek Bisnis Pariwisata Syariah*, Jakarta, Republika, p.14.

organizations have provided new dimensions in quality measurement service.² Indonesia as the largest Muslim country in the world is a potential market for the producers. The producers are aware that Muslim consumers are easy targets for marketing their products. One of the strategies they apply is Islamic branding is to use an Islamic identity (with the words Islam, Sharia, Islamic names, halal label) in marketing their products.³ Islamic Tourism is a new trend in the world of Tourism when, this Indonesia has been widely known in the world as the best halal tourism in the world for its victory in the “The World Halal Travel Summit and Exhibition 2015” event. Indonesia managed to get three awards at once, including ; World Best Family friendly Hotels, World Best Halal Honeymoon Destination and World Best Halal Tourism Destination. This is certainly a great opportunity that makes it easier for the Indonesia state to continue to develop Sharia Tourism and the Sharia service industry. So that the Indonesia can instill that Sharia Tourism is identical with the Indonesian state in the world Tourism mindset.⁴ One of the biggest components of the Tourism industry a huge role in Indonesia Hotel Business. Viewed from its main function, the main product being sold by hotel business is rent rooms or lodging service. In line with these developments if the previous primary product or service a hotel which become the primary needs of travellers are rooms or lodging is

² Fitria Solahika Salma dan Ririm Tri Ratnasari, “Pengaruh Kualitas Jasa Perspektif Islam Terhadap Kepuasan dan Loyalitas Pelanggan Hotel Grand Kalimas di Surabaya”. *JESS* Volume 2 No. 4, April 2015,p.323.

³Muhammad Nasrulla, “Islamic Branding, Religinitas dan Keputusan Konsumen Terhadap Produk.” *Jurnal Hukum Islam (JHI)*, Volume 13, No 2, Desember 2015,p.80

⁴ Ade Ela Pratiwi, “Analisis Pasar Wisata Syariah di Yogyakarta”, *Jurnal Media Wisata*, Volume 14, No.1 (Mei, 2016),p.343

now undergoing development. Consumers expect something not just the room stay, but they are expecting other things like service, pleasant environment, good manners and respect from all its employees. Until 2010, the Indonesia Ulama Council (MUI) noted that up to now only 2 (two) hotels formally have Sharia status, namely Hotel Sofyan Group and Hotel Tuara Natama in Padang Sidempuan, Nort Sumatra.⁵

Tourism Industry stakeholders both government and Indonesia Ulama Council (MUI), private and all elements of society, should collaborate to develop Islamic Tourism Businesses. This means that should make the attraction of Sharia in Indonesia as the main sector for the travelers of the world. Islamic Tourism is that the business concept of the integrates the value of the Sharia into Tourism activities by providing facilities and service in the accordance with the provisions of Sharia. On a business hotel, business Hotel Sharia criteria include aspect of the product, service and management. The hotel business is a business that move on the field. The majority of the hotel stands in the urban areas as a place that provides lodging and accommodations for the public who are traveling or have particular interests in other areas that require the temporary resting place. People's interest in using hotels. It is characterized by the large number of hotel visitors who use the services of the hotel. Among the many hotels standing in Central Java, Namira Sharia Hotel in Pekalongan comes with the business concept of Sharia being applied in the management of the hotel.

⁵Anwar Basalamah, "Hadirnya Kemasan Syariah Dalam Bisnis Perhotelan di Tanah Air", *Binus Business Review*, II (November, 2011), p.767.

Minister of Tourism Regulation of Republic of Indonesia No. 1 of 2016 explained that the hotel entrepreneur can run his business after get a Hotel Business Certification issued by a Business Certification Agency (LSU) in Tourism, where the assessment of Absolute Criteria fulfillment (provisions and minimum requirement that must be fulfilled and implemented by hoteliers) in effect held by DSN-MUI. However in Minister of Tourism and Creative Economy Regulation of the Republic of Indonesia No. 2 of 2014 concerning guidelines for implementing Sharia Hotel Business was revoked by Minister of Tourism Regulation of Indonesia No. 11 of 2016. However, regulation regarding Implementation of Tourism Business Certification, including current Sharia Businesses enforced in the Republic of Indonesia Minister Tourism Regulation No. 1 of 2016 is more detailed and comprehensive. Hotel in Indonesia start from Sofyan Hotel in Jakarta which is a hotel the the first Sharia has halal certificate from MUI. Then along with then along with the development of Sharia business, especially hospitality.

Fatwa of DSN-MUI No.108/DSN-MUI/X/2016 concerning the Guidelines Organizing Tourism Based on Sharia Principle Point 5 related to Hotel Business Sharia in it only is Tourism specifically discussed, but also discussed all aspect that support and exist in Tourism based on Sharia principles, including provisions regarding Sharia hotels. Every entrepreneur who establish a Sharia hotel must meet the criteria that have been determined by the MUI in the Fatwa, including the following :

1. Sharia hotel may not provide pornography and action access facilities immoral and
2. Sharia hotels may not provide entertainment facilities that lead to polytheism, immorality, and pornography
3. Food and beverage provide by Sharia hotels must have been obtained halal certificate from MUI
4. Provide adequate facilities, equipment and facilities for implementation worship, including purification facilities
5. Hotel managers and employees are required to wear appropriate clothing with sharia
6. Sharia hotel must have guidelines regarding procedures hotel service to ensure the implementation of appropriate hotel services with sharia principle
7. Sharia hotel must use the service of Islamic Financial Institution in the future do service.⁶

National Sharia Council (DSN) through the DSN fatwa Majelis Ulama Indonesia (MUI). No. 108/DSN-MUI/X/2016 on guidelines on the conduct of Tourism based on Sharia principles have given the explanation that the business of Sharia hotel is provision of accommondation in the form of rooms in a building that can equipped with meal and drink service,

⁶ Alfi Khairuni Ramdan dan Asep Ramdan Hidayat dan Eva Misfah Bayuni, "Tinjauan Fatwa DSN-MUI N0. 108/DSN-MUI/2016 Tentang Pedoman Penyelenggaraan Prinsip Syariah dan Persepsi Konsumen tentang Hotel Syariah Kawasan Wisata di Lembang", *Prosiding Hukum Ekonomi Syariah*, Vol 4, No 2, tahun 2018, p,819.

entertainment activities and or facilities other on a daily basis for the purpose of obtaining profits carried out accordingly with Sharia principles.⁷ Thus this Fatwa is a reference for Sharia hotel in the process of hotel management, including at Namira Sharia Hotel in Pekalongan.

Principle of sharia that is common in the hotel business is run:

1. Does not produce, trade, rent, provide the product or service in whole or in part is prohibited within the provision of the Shari. As in the case of food, contain elements of pork; drink alcohol, gambling, fornication and others.
2. Transaction it exhausted based on the service and product is real, really, exists. Is not doubted.
3. Does not contain elements of zalim, forbidden, forbidden error or sin in the Sharia rules; either directly or indirectly.
4. There are no elements of fraud, cheating, deceit, lack, of clarity (gharar), excessive risk and harm.⁸

and the reason for the establish of sharia Hotel is Avoid polytheism, immorality obedience and *munkar* and cetaing benefit both materially and spiritually. In the guidelines for Tourism management based on Sharia prinsipel regulated by National Sharia Council – Indonesia Ulama Council (DSN-MUI). It is also regulated regarding the sharia contract. The name is *ijarah* contract.

⁷ Eko Kurnasih Pratiwi,” Analisis Hotel Syariah Adila Yogyakarta (tinjauan fatwa DSN-MUI No.108/DSN0MUI/X/2016”, *Cakrawala*, VII (Januari,2017),p.75.

⁸ *Ibid*

The Minister of Tourism and Telecommunication provides understanding, a hotel is one type of accommodation that uses part or all of the building to provide lodging services, meals and drinks as well as other services for the public, which are managed commercially, and meet the requirements. This provision also states that hotel management must provide protection to guests, maintain dignity, and prevent the use of hotels for gambling, drug use, activities that violate morality, security and public order. The Ministerial Decree shows that hotel service offerings do not basically deviate from the guidance of Islam, but in practice there have been many irregularities and no concrete actions from the government. This condition raises business opportunities for hotel owners or managers who want to improve the negative image that hit the hospitality business, by establishing a Sharia hotel. By raising the name of Sharia, of course there are some consequences that must be done by management in order to apply the prohibitions in the Qur'an and Hadith.⁹ In some areas, including Pekalongan, awareness of the guidance in the Qur'an and Hadith has been applied, which is related to lodging services, although the number is not as much as conventional accommodation. To distinguish it using the word Sharia or Islam. For example: Namira Syariah Hotels; Limaran Hotel Syariah, Islamic Hotel. The logical consequence of the appearance of the name is that the Muslim community with a certain level of faith will welcome and hope, the application is really Sharia. On the basis of

⁹Widyarini, "Pengelolaan Hotel Syariah di Yogyakarta", *Jurnal Ekonomi dan Bisnis Islam*, Vol VIII, No. 1, Desember 2013,P.1.

information from the management, Sharia lodgings in general have not carried out the business in full. But it has better management compared to conventional hotels / inns.¹⁰

In Central Java very much there is a provider that provides a wide variety of accomodation facilities, price, and uniqueness. It was all done so that consumers become interested and ultimately choose the service they offer. In this study the author choose Namira Sharia Hotel in Pekalongan. This hotel has Islamic nuances with lodging location on the road of Dr. Cipto Mangunkusumo. The thing that distinguished the Namira Sharia Hotel in Pekalongan with other hotel are service and facilities provided reflect the Islamic values and religious nuances. As a simple example, all hotel employees wear fashion that clotingcovered, the hotel only provide halal food and drinks as well as the availability of means of workship in every room. Providing good service to consumers by a company, will create consumer satisfaction. When consumers feel satisfied, they will make a repeat purchase and recommend to others for buy at the same place. Therefore the company must begin to think about its importance more mature customer service through quality of service, because it is increasingly recognized now service is a vital aspect in order maintain business and win competition.¹¹ With the nuances of religion and Islamic valus; Namira Sharia Hotel in Pekalongan are expected to still be able to

¹⁰*ibid*

¹¹Amalia Susepti dan Djamhur Hamid, “ Pengaruh Kualitas Pelayanan Terhadap Kepuasan dan Loyalitas Tamu Hotel”, *Jurnal Administrasi Bisnis (JAB)*, Vol 50, No 5, September 2017,p.28

provide maximum comfort and service for our customers. As expressed by an expert Tjipto Fandy marketing that every company should be able to understand customer behaviour and their target market, because the company's viability as an organization that is trying to meet the needs and desire of consumers depends very much on the behavior of consumers, the management company can devise the right strategies and program in order to take advantage of opportunities that exist to win this competition.

Based on the background that has been described, the authors are interested to conduct research with the title "IMPLEMENTATION OF SHARIA PRICIPLES IN SHARIA HOTEL BUSINESS AT NAMIRA SYARIA HOTEL IN PEKALONGAN" because of the uniqueness of Namira Sharia Hotel in Pekalongan who dare to position themselves as service providers through Sharia principles.

B. Research of Problems

From the background above the formulate research problems as follow:

1. How does the implementation of the sharia principle in Namira Sharia Hotel Pekalongan?
2. How does the supervision of the Sharia Principle in Namira Sharia Hotel Pekalongan?

C. Research of Objectives

As for the goals achieved in this research are:

1. Know the product, management and services on Namira Sharia Hotel in Pekalongan.
2. Assess the suitability of applying the practice of stewardship, management and existing product in the Namira Sharia Hotel in Pekalongan by the standards of Sharia in the set by the Government

D. Advantages of Research

Based on the objective of reasearch that had been determine, the writer found the Advantages of this reasearch are:

1. Theoretical Advantages

The results of this study are expected to contribute science treasure to academics about economics Islam and Islamic business ethic in a principled institution especially Sharia Holes. It is also expected to be provide input to academics to contribute to the development of Islamic economic activity.

2. Partical Advantage

The results of the study are expected to be input for Namira Sharia Hotel in Pekalongan of Islamic business institution others to keep the principle of sharia in the running business.