

LEGAL PROTECTION OF BHUJU' GEGER RELIGIOUS TOURISM IN BANGKALAN

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Abstract

Bhuju' Geger religious tourism in Bangkalan is an important spiritual destination often visited by the public but does not yet have adequate legal protection. In this context, legal protection for religious tourism areas is needed to ensure this tourism's sustainability, security, and management. This study aims to analyze the legal aspects that protect the Bhuju' Geger religious tourism area and identify challenges in implementing related laws. The contribution of this research is an effort to design a model of legal protection in the management of religious tourism or for tourists visiting religious tourism in Bangkalan Regency. The method used in this study is a normative approach, which analyzes relevant laws and regulations, literature studies, and interviews with related parties. The results of the study indicate that there is a legal vacuum and weaknesses in the implementation of regulations in force in the Bhuju' Geger religious tourism area. This study concludes that a more potent and specific legal policy is needed to protect this area, including strengthening regional regulations and active community participation in managing Bhuju' Geger religious tourism. The involvement of the community is integral to the success of these proposed changes.

Keywords: *Legal protection, religious tourism, bhuju' geger*

Introduction

Tourism contributes around 20% to Indonesia's economy globally, with religious tourism contributing 10% of total tourism revenue.¹ East Java is one of the largest centres for spiritual tourism, with an increase in visits of 5-10% per year or around 45 million tourists. Madura Island, inhabited by the Madurese tribe, is a region with a rich history and cultural heritage.² The Madurese tribe plays a significant role in preserving and promoting the island's historical and cultural potential.³ Madura is known as a highland without volcanoes and is a dry agricultural land. It has interesting historical traces, ranging from legends and heroic stories to historical relics.⁴

In the past, Madura looked like a high mountain in the ocean, one of which was Mount Geger in Bangkalan Regency. This mountain, more accurately called a hill, has an area of about 44 hectares and is 150-200 meters above sea level.⁵ This place is also the location of the sacred grave of Dewi Ratna Roro Gung (Putri Koneng), the mother of Raden Segoro, a historical figure believed to be the forerunner of the birth of Madura. The uniqueness and beauty of nature and the cultural richness of this area, including its historical significance and natural landscape, attract many visitors from various regions to make pilgrimages.⁶

¹ Andi Bahri Soi et al., "Promoting Religious-Friendly Tourism for Developing Religious Harmony: A Study of Tourist Gaze," *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 12, no. 1 (June 30, 2023): 91–117, <https://doi.org/10.31291/hn.v12i1.701>.

² Mohammad Nizarul Alim et al., "Halal Tourism in Rural Tourism Context: Field Study in Madura-Indonesia," *International Journal of Professional Business Review* 8, no. 2 (March 1, 2023): e01546, <https://doi.org/10.26668/businessreview/2023.v8i2.1546>.

³ Dedeng Permadi and Nasrulloh Nasrulloh, "Madura Island Halal Tourism Potential: A Sustainable Coastal Tourism Approach," *Al Tijarah* 9, no. 2 (December 12, 2023): 84–96, <https://doi.org/10.21111/at.v9i2.10295>.

⁴ Faidal Faidal, "Wisata Halal Madura: Strategi Destinasi Untuk Daya Saing Pasar Pariwisata Pasca Pandemi Covid 19," *Jurnal Kajian Ilmu Manajemen (JKIM)* 2, no. 2 (September 26, 2022), <https://doi.org/10.21107/jkim.v2i2.16836>.

⁵ B. Haryanto, "Pengembangan Desa Wisata Berbasis Potensi Lokal di Indonesia," *Jurnal Pariwisata dan Ekonomi Kreatif*, vol. 5, no. 2, pp. 45–46, 2020. DOI: 10.1234/jpek.v5i2.12345 B. Haryanto, "Pengembangan Desa Wisata Berbasis Potensi Lokal di Indonesia," *Jurnal Pariwisata dan Ekonomi Kreatif*, vol. 5, no. 2, pp. 45–46, 2020. DOI: 10.1234/jpek.v5i2.12345.

⁶ Farida, Zulaikha, and Hartopo Eko Putro, "Accessibility of Persons with Disabilities in Religion Tourism Destinations in Bangkalan District," in *KnE Social Sciences*, 2020, 377–389, <https://doi.org/10.18502/kss.v4i10.7427>.

According to Law No. 10/2009 on Tourism, tourism is a multidimensional and multidisciplinary activity that every individual and country needs. This law outlines the rights and responsibilities of tourists and the government's role in promoting and regulating the tourism industry.⁷ Tourism development is highly dependent on the ability of the region to manage local potential as well as the role of the community in creating a climate of openness and democratisation that supports the growth of this sector.⁸ Therefore, preserving natural wealth and local culture, such as that found in Gunung Geger, is important to maintain a legacy for future generations.

The urgency of this problem focuses on the importance of protecting tourists and managing the potential of religious tourism as one of the strategic sectors that can improve the regional economy,⁹ especially in Bangkalan Regency, the main objectives of tourism, as stated in the Tourism Law, are to increase economic growth, improve people's welfare, and preserve nature and culture.¹⁰ Tourists, as tourism consumers are entitled to adequate protection and services, including accurate information, security, health services, and insurance protection for high-risk activities.

However, the protection of tourists in Indonesia still needs to be strengthened, especially in religious tourism destinations such as Bhuju' Geger in Bangkalan. Good management can attract more tourists, increase the tourism sector's contribution, and support the local economy.¹¹ Conversely, if the government fails to provide

⁷ Muhammad Yasir Yusuf et al., "Halal Tourism to Promote Community's Economic Growth: A Model for Aceh, Indonesia," *Pertanika Journal of Social Sciences and Humanities* 29, no. 4 (December 14, 2021): 2869–91, <https://doi.org/10.47836/pjssh.29.4.42>.

⁸ I Gusti Ayu Purnamawati, Ferry Jie, and Saarce Elsy Hatane, "Cultural Change Shapes the Sustainable Development of Religious Ecotourism Villages in Bali, Indonesia," *Sustainability* 14, no. 12 (June 2022): hal 7368, <https://doi.org/10.3390/su14127368>.

⁹ Anton MinardiPasundan University Bandung Indon, Dewi Astuti, and . Suhadi, "Indonesia as the Best Halal Tourism Destination and Its Impacts to Muslim's Travelers Visit," *European Journal of Theology and Philosophy* 1, no. 3 (July 30, 2021): 43–50, <https://doi.org/10.24018/theology.2021.1.3.30>.

¹⁰ Dahruji Dahruji, Mashudi Mashudi, and Bustomi Arisandi, "SWOT Analysis of Bukit Jaddhih for Halal Tourism Village Destination in Bangkalan Regency," *Al-Insyiroh: Jurnal Studi Keislaman* 8, no. 1 (March 30, 2022): 130–48, <https://doi.org/10.35309/alinsyiroh.v8i1.208>.

¹¹ Faizal Amir and Elfira Maya Adiba, "Studi Potensi Ekonomi SUB Sektor Pariwisata Religi Terhadap PAD Kabupaten Bangkalan: Pendekatan Prediksi Panel," *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam* 5, no. 5 (April 1, 2024): 3863–82, <https://doi.org/10.47467/elmal.v5i5.1965>.

tourists with a sense of security and satisfaction, this will hurt tourism development. Consumer Protection Law No. 8/1999 emphasizes the importance of legal certainty to protect consumers from the injustice of business actors, which is becoming increasingly relevant in the ever-growing tourism sector.¹²

Religious tourism, especially in Bangkalan Regency, holds immense potential for development, which is evident from the increasing number of visitors every year. When managed effectively, this potential can lead to a thriving industry, ensuring the availability of facilities such as lodging, transportation, services, and security that meet standards. Visitors must feel safe and comfortable, which can create loyalty and increase the number of visits. Based on Bangkalan Regency Regional Regulation Number 1 of 2020 concerning the Master Plan for Tourism Development, Bukit Geger should be a leading tourism destination.¹³ However, this development should focus on tourist attractions and consider aspects of legal protection and safety guarantees for visitors, including insurance for unwanted events. This legal protection is needed to provide a sense of security and safety assurance for tourists so that tourism can function optimally as a driving force for the regional economy and maintain a positive image of Bangkalan as a safe and comfortable religious tourism destination.

Previous research shows the importance of sustainable management of religious tourism destinations and the protection of tourists. Ayub Torry S.K (2019)¹⁴ noted that religious tourism contributes significantly to tourism revenue in East Java, with annual increases in visitation. Andayani, Koesbardiati & Purnomo

¹² Fathan Budiman Fathan, M. Mustahal, and Abdul Basit, "Halal Tourism as a Means of Empowering the People's Economy," *International Journal of Social Science and Religion (IJSSR)*, February 23, 2022, 21–42, <https://doi.org/10.53639/ijssr.v3i1.57>.

¹³ Tri Widodo and Elang Roni Indriyanto, "Strategi Pengembangan Desa Wisata Religi Makam Sentono Desa Gogodalem Kecamatan Bringin Kabupaten Semarang," *ABDI MAKARTI* 1, no. 1 (April 28, 2022): 19, <https://doi.org/10.52353/abdimakarti.v1i1.263>.

¹⁴ Ayub Torry, Isharyanto, and Maria Madalina, *Hukum Kepariwisata Dan Negara Kesejahteraan; Antara Kebijakan Dan Pluralisme Lokal* (Bogor: Halaman Moeka Publishing, 2019), 1–114, <https://doi.org/https://www.halamanmoeka.com/>.

(2020)¹⁵ highlighted Madura Island's historical and cultural potential, including Bhuju' Geger, as a significant tourist attraction.

Dewa Gde Rudy and Dewa Ayu Dwi Mayasari Chotib (2015)¹⁶ emphasize the importance of legal protection and safety guarantees for tourists to create a positive experience. This research is relevant to the development of religious tourism in Bangkalan, emphasising the need to improve services, facilities, and legal protection for tourists to sustain the local tourism industry.¹⁷

Research on the 'Legal Protection of Bhuju' Geger Religious Tourism Management in Bangkalan Regency' stands out from previous research, which generally focuses on the contribution of religious tourism to the economy and the management of tourist destinations in general. This research, unlike others, gives special attention to one destination, Bhuju' Geger, and its unique legal and safety challenges.¹⁸

Meanwhile, this research explicitly examines legal protection in managing Bhuju' Geger religious tourism, focusing on local regulations in Bangkalan Regency. The approach used in this research is also different, namely with empirical juridical analysis to assess the effectiveness of regulations and legal protection for Bhuju' Geger tourists. This research aims to ensure that management practices in the tourist area meet safety and security standards according to local regulations, in contrast to previous studies that describe general conditions without in-depth analysis of specific legal aspects.¹⁹. Thus, this research provides a more focused perspective on the legal protection and management of Bhuju' Geger tourist destinations, which has yet to be discussed in depth in previous studies.

¹⁵ Qurnia Andayani, Toetik Koesbardiati, and Windhu Purnomo, "Factors Associated with Oléen amongst the Madura Tribe in Indonesia" 14, no. 5 hal. 16 (2020): 906-17.

¹⁶ Dewa Ayu Dwi Mayasari Chotib and Dewa Gde Rudy, "Legal Protection and Safety Guarantees for Tourists," *Journal of Tourism Law* 3, no. 1 (2015): 67-79, <https://doi.org/https://doi.org/10.67890/jhpar.v3i1.5678>.

¹⁷ Dewa Gede Rudy and I Dewa Ayu Dwi Mayasari, "Prinsip-Prinsip Kepariwisata Dan Hak Prioritas Masyarakat Dalam Pengelolaan Pariwisata Berdasarkan Undang-Undang Kepariwisata," *KERTHA WICAKSANA* 13, no. 2 (2019): 137-56.

¹⁸ M Dewi, "Pengaruh Pariwisata Religi Terhadap Kesehatan Lingkungan," *Jurnal Lingkungan Hidup* 10(3), 40- (2021).

¹⁹ M. Zainal, A., & Lestari, "Kolaborasi Pemerintah Dan Masyarakat Dalam Pengembangan Desa Wisata," *Jurnal Kebijakan Dan Tata Pemerintahan* 14(3), 92- (2022).

This research offers essential updates regarding religious tourism management in Indonesia, especially regarding legal protection. This research presents a more specific and contextual legal approach by assessing the implementation of local regulations related to Bhuju' Geger tourism management and the role of local governments and managers in providing legal protection to tourists. In contrast to previous studies that tend to be general, this research emphasizes the importance of guaranteeing the security and safety of tourists as part of legal protection and assessing whether the Tourism and Consumer Protection Law has protected the rights of tourists.²⁰

Other updates are seen in specific policy recommendations, including improving service standards, providing insurance for visitors, and enforcing strict regulations to ensure the safety of tourists. In addition, this research also updates the discussion on the importance of the involvement of various stakeholders, such as local governments, tourism managers, and local communities, in managing religious tourism destinations, which needed to be more in-depth. Thus, this research offers a more focused and contextualised legal analysis and provides concrete solutions to improve the management and legal protection of Bhuju' Geger, making it a relevant contribution to the development of religious tourism in Indonesia.

Methods

This research uses empirical legal research, which assesses the application of law in society through direct observation and interviews.²¹ It focuses on implementing legal tourism and consumer protection provisions in Bhuju' Geger religious tourism. A qualitative approach is used to interview the local community and tourists to obtain analytical descriptive data.²² The research data consists of

²⁰ A. Arifin, "Efektivitas Kebijakan Pengembangan Desa Wisata," *Jurnal Kebijakan Publik* 13-, no. 1 (2019): 17–34, <https://doi.org/https://festiva.ejournal.unri.ac.id/index.php/JKP>.

²¹ Jonathan H. Choi, "How to Use Large Language Models for Empirical Legal Research," *Journal of Institutional and Theoretical Economics* 180, no. 2 (2023): 214–43, <https://doi.org/10.1628/jite-2024-0020>.

²² Ranarosyidah Rihadatul'Asy, Widy Anastasya Putri, and Nor Lailatul Mutfaidah, "Comparison of Presidential Term Regulations in Several Countries with Presidential Systems: Indonesia, United

primary data obtained through interviews, legal materials, and secondary data derived from related literature. Data collection techniques included structured and unstructured interviews and desk research. The collected data was then processed through editing and coding for further analysis. Data analysis is carried out descriptively and deductively, using deduction logic to draw conclusions based on relevant facts and legal rules.²³

Discussion

Tourism Management According to the Tourism Law

The management of Bhuju' Geger religious tourism in Bangkalan Regency currently faces various challenges that affect the effectiveness and quality of services provided. Based on an interview with the Head of Geger Village, it is known that the management of tourist facilities is still mainly in the hands of landowners, with limited involvement of the village government. The management of entrance tickets and supporting facilities such as toilets, prayer rooms, and lodging needs to be better organised. The absence of an official ticket system to enter the tourist area, makeshift toilet facilities, and the unavailability of prayer rooms and lodging affect tourist comfort. Some visitors are forced to stay and do activities in the pavilion around the tomb due to inadequate facilities.²⁴

Regarding facility management and funding, the village government has not received any contribution or budget allocation from Bhuju' Geger tourism proceeds. The village head and caretaker revealed that despite efforts to coordinate the development of the tourism village with the local Tourism Office, the local government did not respond or make a significant contribution.²⁵ As a result,

States, and Philippines," *Journal of Indonesian Constitutional Law* 1, no. 2 (2024): 84–95, <https://doi.org/ejournal.pustakaparawali.com/index.php/jicl/article/view/3>.

²³ Victor Imanuel W. Nalle, "The Relevance of Socio-Legal Studies in Legal Science," *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 27, no. 1 (February 15, 2015): 179, <https://doi.org/10.22146/jmh.15905>.

²⁴ Dini Turipanam Alamanda et al., "Business Strategy for Religious Tourism in Mount Haruman, Indonesia," in *Iapa Proceedings Conference*, 2020, 369, <https://doi.org/10.30589/proceedings.2020.416>.

²⁵ Arif Zunaidi et al., "The Impact of The Development of Cultural Tourism On The Cultural, Economic, and Social Aspects of Local Communities," *Dinar: Jurnal Ekonomi Dan Keuangan Islam* 9, no. 2 (August 8, 2022): 1–18, <https://doi.org/10.21107/dinar.v9i2.14233>.

facilities in the tourism area still need to be improved, and the community and caretakers can only repair makeshift facilities with adequate support.

Improvements made in the Bhuju' Geger tourism area are limited to improving road facilities. Many other facilities, such as toilets, prayer rooms, and lodging, have yet to receive attention from the local government. The caretakers, who work without proper remuneration, show dedication to tourism management despite needing more financial support.²⁶ They hope for updates in infrastructure development, such as repairing roads that often experience flooding and puddles, so that tourists feel safer and more comfortable when visiting. Bangkalan Regency has a Regency Tourism Development Master Plan (RIPPARKAB), which should be the legal basis for integrated and local wisdom-based tourism development. Bangkalan's tourism development vision is to make it a quality and sustainable tourism destination that improves community welfare.²⁷ However, implementation on the ground still requires improvement, especially regarding facility management, supervision, and local community empowerment. To achieve this goal, better cooperation between the local government, community and landowners is needed so that Bhuju' Geger tourism can develop optimally and provide significant economic and social benefits to the surrounding community.²⁸

The Performance of the Religious Tourism Village Apparatus in Bhuju' Geger, Bangkalan Regency

The discussion on analysing the performance of village officials in Bhuju' Geger religious tourism, Bangkalan Regency, includes evaluating the implementation of tourism management and development by existing regulations. Although there is a

²⁶ Yusmita Syarif and Ansori, "The Urgency of Establishing Regional Regulations on Thematic Tourism in Sumenep Regency," *Trunojoyo Law Review* 4, no. 2 (2022): 133–48, <https://doi.org/https://doi.org/10.21107/tlr.v4i2.18114>.

²⁷ Firda Puspita Sari, Sumriyah Sumriyah, and Rhido Jusmadi, "Perlindungan Hukum Terhadap Wisatawan Di Kawasan Wisata Religi Menurut Undang-Undang Nomor 10 Tahun 2009 Tentang Kepariwisataaan," *INTERDISCIPLINARY JOURNAL ON LAW, SOCIAL SCIENCES AND HUMANITIES* 4, no. 1 (May 31, 2023): 76, <https://doi.org/10.19184/idj.v4i1.39439>.

²⁸ Novi Eka Syarifatul Laila and Nuruz Zaman, "Community Participation in The Formation Of Regional Regulations in Bangkalan Regency in The Field of Tourism Based on Sustainable Tourism," *Trunojoyo Law Review* 5, no. 1 (March 20, 2023): 56–68, <https://doi.org/10.21107/tlr.v5i1.19412>.

clear legal basis for tourism development, such as the Tourism Law and the Regency Tourism Development Master Plan (RIPPARKAB), its implementation in the field is still not optimal.²⁹ According to an interview with Ms Yeni from the legal department of the Bangkalan Regency Government, there are no specific tourism management regulations at the regional level, and the local government waits for requests from the Culture and Tourism Office regarding tourism management regulations. This shows a gap in the formulation and implementation of tourism-related regional policies. On the other hand, Mr Dimas from the Culture and Tourism Office stated that tourism management in Bangkalan Regency is entirely handed over to tourism villages, with the existing budget focused on developing human resources around the area.

The Tourism Law emphasizes benefits, kinship, fairness, balance, and sustainability in tourism management. Tourism development should follow national and provincial tourism master plans and support the development of competitiveness in tourism products.³⁰ However, applying these principles in Bhuju' Geger shows discrepancies, especially regarding facility management and protecting visitors' rights. Tourism management principles based on the Tourism Act should involve sustainable development and supporting ecological, economic, and social development. In Bhuju' Geger, the management of facilities such as toilets, prayer rooms, and lodging is still inadequate, which reflects the inability to apply these principles. In addition, supervision and support from the local government also appear to be lacking, leading to ineffective and less sustainable management.³¹

Tourism management in Bhuju' Geger must develop according to the principles of the Tourism Law and RIPPARKAB. Increased collaboration between

²⁹ Baitul Ma'mur Muntaha, Aditha Agung Prakoso, and Isdarmanto Isdarmanto, "Development of Embrio Tourism Village Into Developing Tourism Village Case Study: Telaga Biru Bangkalan Madura Tourism Village," *Journal of Social Research* 2, no. 5 (April 28, 2023): 1563–71, <https://doi.org/10.55324/josr.v2i5.831>.

³⁰ Maulinna Kusumo Wardhani, Daniel Mohammad Rosyid, and Akhmad Farid, "Optimization of Coastal Land in Modung District, Bangkalan Regency as a Conservation Effort," ed. A. Ma'arif, *E3S Web of Conferences* 499 (March 6, 2024): 01028, <https://doi.org/10.1051/e3sconf/202449901028>.

³¹ Aprilina Susandini and Darul Islam, "Konsep Pengembangan Wisata Garam Madura Dengan Analisis SWOT," *MBR (Management and Business Review)* 6, no. 1 (June 30, 2022): 59–68, <https://doi.org/10.21067/mbr.v6i1.6648>.

the local government, village apparatus, and the local community is required. Concrete steps such as improving facilities, developing detailed local regulations, and increasing support for sustainable tourism projects should be taken.³² This is important to ensure that Bhuju' Geger tourism can provide significant economic benefits to the community while maintaining the authenticity and sustainability of the local environment and culture.

The Regulation of Religious Tourism Management in Bangkalan Regency

The management of religious tourism in Bangkalan Regency must comply with some legal provisions and regulations that establish standards and mechanisms for developing tourist destinations.³³ The primary legal basis is Law No. 10/2009 on Tourism, the foundation for all tourism management and development activities in Indonesia. This law establishes the basic principles of tourism management, including religious tourism, which includes arrangements for planning, implementing, supervising, and evaluating tourism activities. This law also emphasises the importance of environmental preservation, local community empowerment, and cultural and historical wealth protection.³⁴

Furthermore, Law No. 23/2014 on Regional Government authorises local governments, including the Bangkalan Regency Government, to manage tourism objects in their areas.³⁵ This means local governments are responsible for formulating policies and regulations based on regional characteristics and community needs. In this context, religious tourism management must be adapted

³² Aprilina Pawestri et al., "Optimizing the Role of Local Governments in Improving the Fulfilment of Tourist Rights," in *SHS Web of Conferences*, ed. J.T. Collins, R.W. Carter, and N. Scott, vol. 149, 2022, 03023, <https://doi.org/10.1051/shsconf/202214903023>.

³³ Sugiyanto and Farhan Kamil, "Authority of the Bunder Village Government in Improving the Quality of Village Education," *Trunojoyo Law Review* 4, no. 114–122 (2022), <https://doi.org/https://doi.org/10.21107/tlr.v4i2.18118>.

³⁴ Eugenia Brandao Da Silva and Lin Asyiqoh, "The Idea of Legal Pluralism in Dispute Resolution of Village Head Election in Madura," *Journal of Indonesian Constitutional Law* 1, no. 1 (2024): 61–83, <https://doi.org/ejournal.pustakaparawali.com>.

³⁵ Agung Ali Fahmi, Muwaffiq Jufri, and Ansori, "The Availability of Regional Legal Products on Sharia Tourism in Madura," in ... *Conference on Social Science (ICSS 2021 ...)*, vol. 603, 2021, 72–76, <https://doi.org/https://doi.org/10.2991/assehr.k.211130.014>.

to the specific conditions in Bangkalan Regency, including local potential and the local community's needs.³⁶

For technical implementation, Government Regulation No. 50/2011 on the Implementation of Tourism Destination Development provides detailed guidelines for developing tourism destinations, including religious tourism.³⁷ This regulation emphasizes the importance of planning based on local potential and the need for management that considers the cultural and social aspects of the local community. This regulation also regulates the procedures for establishing and developing tourist zones, including arranging adequate infrastructure and supporting facilities. Furthermore, the Minister of Tourism and Creative Economy Regulation No. 2/2016 on Quality Standards and Tourism Destination Assessment establishes quality standards and assessment guidelines for tourist destinations. These standards cover service, facilities, and security, which must be met by every tourist destination, including religious tourist destinations, to ensure a satisfying tourist experience that meets expectations.³⁸

At the local level, the Bangkalan Regency Tourism Development Master Plan (RIPPARKAB) is an important document that develops a strategic plan for tourism development in Bangkalan Regency. The RIPPARKAB identifies tourism potential, sets development priorities, and devises strategies to enhance tourism attraction and community engagement. In religious tourism, RIPPARKAB should include plans for developing and managing religious tourism destinations in Bangkalan Regency, including concrete steps to improve facilities and infrastructure that support tourist visits.

³⁶ Eugenia Brandao Da Silva et al., "A Model of Election Supervision Based on Village Judicial Institutions; A Review of Legal Anthropology in Madura," *Trunojoyo Law Review* 6, no. 1 (February 28, 2024): 96–119, <https://doi.org/10.21107/tlr.v6i1.23230>.

³⁷ Moh. Nayu and Agung Ali Fahmi, "Efforts to Realize a Halal Lifestyle in Madura Through The Synergy of Islamic Boarding Schools and The Halal Center of University Trunojoyo of Madura," *Trunojoyo Law Review* 4, no. 2 (2022): 98–111, <https://doi.org/https://doi.org/10.21107/tlr.v4i2.18616>.

³⁸ Agung Ali Fahmi and Ansori, "Legal Protection on Village-Based Halal Tourism Management through Village Regulations," *International Journal of Multicultural and Multireligious Understanding* 10, no. 7 (2023): 155–1160, <https://doi.org/http://dx.doi.org/10.18415/ijmmu.v10i7.4735>.

In addition, the local government can issue a Regional Regulation (Perda) that regulates the management of tourism in more detail, including the management of religious tourism.³⁹ This regulation can include provisions regarding retribution, procedures for managing tourism objects, and establishing a management body. In this case, the Bangkalan Regent Regulation provides technical guidance on tourism management operations, covering access arrangements, facility maintenance, and environmental handling.⁴⁰ All these rules and regulations must be integrated to create a compelling and sustainable religious tourism management system. Implementing this legal framework is expected to maximize the economic benefits of religious tourism for local communities while preserving the surrounding culture and environment.

Implementing the Tourism Law in the Religious Tourism Village of Bhuju' Geger, Bangkalan Regency

The research results reveal some fundamental issues that need attention in implementing the Tourism Law in the religious tourism village of Bhuju' Geger, Bangkalan Regency.⁴¹ Based on the results of interviews and field analysis, it was found that the development of Bhuju' Geger religious tourism is still in the management stage by landowners without significant involvement from the Village Government.⁴² The landowner who manages this tourist area applies various restrictions that hinder the active participation of the village government in the management of facilities such as toilets, prayer rooms, and lodging, which until now have yet to be managed optimally.⁴³ The existing facilities are still in a makeshift

³⁹ Amini Amir Abdullah, Mohd Daud Awang, and Norsazali Abdullah, "Islamic Tourism: The Characteristics, Concept and Principles," in *KnE Social Sciences*, 2020, <https://doi.org/10.18502/kss.v4i9.7326>.

⁴⁰ A. Widodo, "Standar Pengelolaan Desa Wisata Religi," *Jurnal Destinasi Pariwisata* 7, no. 2 (2022): 134–48, <https://doi.org/ojs.unud.ac.id/index.php/destinasipar>.

⁴¹ Abd Hannan, "The Resistance of Conservative Islamic Organizations on the Development of Regional Tourism in Madura," *Jurnal Fuaduna : Jurnal Kajian Keagamaan Dan Kemasyarakatan* 5, no. 1 (July 24, 2021): 1–19, <https://doi.org/10.30983/fuaduna.v5i1.4198>.

⁴² Agung Ali Fahmi, Muwaffiq Jufri, and Ansori, "The Implementation of Islamic Value Absorption in Regional Regulations on Districts at Madura," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 15, no. 1 (2020): 157–58, <https://doi.org/http://doi.org/10.19105/al-ihkam.v15i1.2682>.

⁴³ Andina Elok Puri Maharani, Gumilang Chandra Shasmita Haningati, and Muhammad Arsyi Dewangga, "Strategi Kebijakan Pemerintah Dalam Pengembangan Desa Wisata Melalui BUMDES,"

condition, with an inadequate entrance ticket system and limited sanitation facilities, although the water supply in the toilets is still smooth.⁴⁴

In addition, some signs regulate the prohibition of littering in the tourist area, but the management of other facilities could be improved.⁴⁵ The local village head said that until now, no Village Regulation has specifically regulated the development and management of Bhuju' Geger religious tourism. However, there have been preliminary discussions on the matter. This is very important considering that Bhuju' Geger is the forerunner of the birth of the island of Madura and has high historical value. Bhuju' Geger's location on the high ground offers beautiful scenery, which should attract tourists.⁴⁶ The village Head has coordinated with the Bangkalan Regency Culture and Tourism Office to improve the management of this tourism village.⁴⁷ However, the office has not actively contributed or responded.

The tomb's caretaker has also proposed road improvements along Bhuju to improve accessibility, especially during the rainy season, which can be dangerous for tourists.⁴⁸ Efforts from the private sector to develop Bhuju' Geger religious tourism are also hampered by the need for a large budget and the absence of concrete support from the local government.⁴⁹ The results of interviews regarding tourism management in Bangkalan Regency refer to tourism management by the Bangkalan Regency Culture and Tourism Office as follows:

Mendapo: Journal of Administrative Law 5, no. 2 (June 19, 2024): 198–223, <https://doi.org/10.22437/mendapo.v5i2.31803>.

⁴⁴ Rusmilawati Windari and Tolib Effendi, "Child Rights and Human Security: Promoting Child Protection At The Tourist Attractions On Madura," *International Journal of Business, Economics, and Social Development* 2, no. 4 (November 7, 2021): 162–70, <https://doi.org/10.46336/ijbesd.v2i4.171>.

⁴⁵ Ainun Najib et al., "Regulation on Freedom of Expression on Social Media in Indonesia and Malaysia," *Journal of Indonesian Constitutional Law* 1, no. 1 (2024): 46–60, <https://doi.org/https://ejournal.pustakaparawali.com/index.php/jicl/article>.

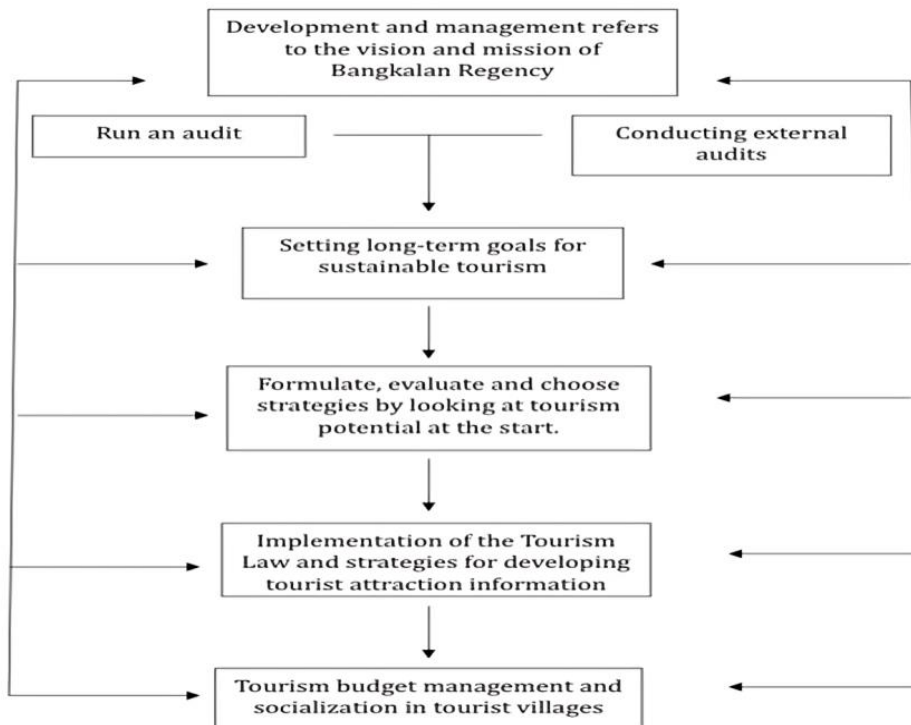
⁴⁶ Mohammad - Halili and Fatimatus Zahroh, "The Locals' Voices To A Langgher Dhatang Developmental Plan As A Religious Tourism Destination in Madura," *Muslim Heritage* 8, no. 1 (June 30, 2023): 51–64, <https://doi.org/10.21154/muslimheritage.v8i1.5360>.

⁴⁷ Muwaffiq Jufri et al., "The Strategic Role of Kiai Pesantren in Disseminating a Halal Lifestyle in Madura," *Al-Huquq: Journal of Indonesian Islamic Economic Law* 5, no. 1 (June 28, 2023): 1–19, <https://doi.org/10.19105/alhuquq.v5i1.7872>.

⁴⁸ Ristina Yudhanti, "Indonesian Village Tourism Development," *Journal of Legal, Ethical and Regulatory Issues* 24, no. 1 (2021): 1–10, <https://doi.org/abacademies.org>.

⁴⁹ Nurita Andriani, Miftahul Jannah, and Very Andrianingsih, "Key Determinants of Intention to Visit Halal Tourism in Madura," *Al-Uqud : Journal of Islamic Economics* 6, no. 2 (July 27, 2022): 220–31, <https://doi.org/10.26740/aluqud.v6n2.p220-231>.

Figure 1: Management Process of Tourism Development and Management Strategy in Bangkalan Regency



Source: Data from Bangkalan Regency Culture and Tourism Office in 2023

The results show that transparent regulations and financial support from the local government and the Bangkalan Regency Culture and Tourism Office are essential. Management by the Tourism Law and local government regulations is crucial to ensure sustainable development and prevent further losses. The Tourism Act regulates the control and management of all aspects of tourism, with critical principles emphasizing environmental sustainability and the welfare of surrounding communities.⁵⁰ Therefore, the management of tourism villages must follow these principles to encourage economic growth and the welfare of the local community.

The Village Government's role as a stimulator, stabilizer, innovator, modernizer, and pioneer in the management of tourism villages is vital. The Village Government is expected to organize activities that support the number of tourist

⁵⁰ Anak Agung Gede Ngurah Jaya Agung, "Management Model of Traditional Village-Based Tourism Objects in the Perspective of Tourism Law," *Proceedings of the 2nd International Conference on Business Law and Local Wisdom in Tourism* 605, no. 1cblt (2021): 21–25, <https://doi.org/https://doi.org/10.2991/assehr.k.211203.005>.

visits, maintain the stability of the surrounding community, and become a model in governance reform. The local government's role as coordinator and facilitator is also crucial, including socialization, infrastructure development, and procedural improvements.⁵¹ The Culture and Tourism Office is responsible for formulating policies, fostering tourism actors, and ensuring the management and development of tourist attractions by existing regulations. Local regulations governing religious tourism are urgently needed to fill the existing legal vacuum. This regulation will provide a clear legal umbrella, regulate operational licenses, governance, and supervision of tourism activities, and protect religious sites and local traditions. This regulation will also ensure that tourists are protected and their safety and comfort are guaranteed.⁵²

In managing a religious tourism village such as Bhuju Geger in Bangkalan Regency, it is essential to apply the standards set by tourism regulations to ensure the quality and sustainability of the tourist destination. Based on Minister of Tourism and Creative Economy Regulation No. 2/2016, religious tourism villages must fulfil several vital criteria. First, the town must have unique and diverse religious aspects, such as religious sites or traditions that attract tourists.⁵³

In addition, the necessity for hygienic public areas and sufficient infrastructure, like parking lots and access roads, underscores the significance of cleanliness and environmental health.⁵⁴ Additionally, tourist service must be at its best, with local communities trained to offer helpful guidance and assistance. More tourists will be drawn in with the aid of efficient marketing and transparent

⁵¹ Indah Permatasari, Ida Ayu Putu Widiati, and Luh Putu Suryani, "The Model of Tourism Village Development in the District of Tabanan," *Sociological Jurisprudence* 2, no. 2 (2019): 116–21, <https://doi.org/10.22225/scj.2.1.969.6-12>.

⁵² Firdaus, Sudarsono Hardjosoekarto, and Robert M.Z. Lawang, "The Role of Local Government on Rural Tourism Development: Case Study of Desa Wisata Pujonkidul, Indonesia," *International Journal of Sustainable Development and Planning* 16, no. 7 (November 30, 2021): 1299–1307, <https://doi.org/10.18280/ijmdp.160710>.

⁵³ A Yusran, D Koswara, and A F Hadin, "Legal Aspects In Management And Development Of Wet Land Tourism Village In Barito Kuala Regency," *Journal of Positive ...* 6, no. 10 (2022): 2361–66, <https://doi.org/http://journalppw.com>.

⁵⁴ Berlian Three et al., "A Comparison of Religious Freedom Guarantees for Adherents of Local Religions Between Indonesia and Japan," *Journal of Indonesian Constitutional Law* 1, no. 1 (2024): hal 15–28, <https://doi.org/https://ejournal.pustakaparawali.com/index.php/jicl/article>.

information on tourist attractions.⁵⁵ Community involvement in managing tourist villages is crucial to preserving local culture and traditions. Adequate security systems and emergency response procedures must also be considered to ensure visitors' security and safety.⁵⁶ By adhering to this standard, Bhuju Geger can sustainably develop its religious tourism potential, enhance the quality of tourist experiences, and provide economic and cultural benefits to the local community.⁵⁷

In this regard, implementing the Tourism Law in the religious tourism village of Bhuju' Geger requires significant improvements. The standards the law sets must be effectively implemented to ensure this tourist village meets the necessary criteria and standards. The obligation to fulfil these standards must be carried out by the Culture and Tourism Office of Bangkalan Regency so that Bhuju' Geger can be recognized as a tourist village and provide a positive impact on the local economy as well as cultural preservation.⁵⁸ Without adequate support and regulation, the community's and important regional figures' fundamental contributions will remain a dream.⁵⁹ The urgency of promptly establishing village and regional regulations, specifically regarding managing Bhuju' Geger religious tourism, has become clear to ensure sustainable development and success in attracting more tourists.

Conclusion

Religious tourism is a new sector that plays an essential role in the development of the tourism economy in Indonesia. The quality of religious tourism destinations is determined by attractions, amenities, accessibility, and good

⁵⁵ Herlan Suherlan et al., "Kemitraan Strategis Antar Stakeholder Dalam Pengembangan Desa Wisata Gubugklakah Kab. Malang, Jawa Timur," *Jurnal Pariwisata Terapan* 4, no. 1 (September 3, 2020): 59, <https://doi.org/10.22146/jpt.53303>.

⁵⁶ Yaya Mulyana Abdul Aziz et al., "Policy Model for Development of Tourism Villages Based on Local Wisdom towards Self-Reliant Village in Pangandaran Regency, Indonesia," *Otoritas : Jurnal Ilmu Pemerintahan* 13, no. 1 (April 30, 2023): 169–81, <https://doi.org/10.26618/ojip.v13i1.9060>.

⁵⁷ Absori Absori et al., "Critical Analysis of River Basin Management Regulation in Bengawan Solo for Water Tourism: Local Legislation in 7 Regency," *WSEAS TRANSACTIONS ON ENVIRONMENT AND DEVELOPMENT* 19 (September 12, 2023): 844–51, <https://doi.org/10.37394/232015.2023.19.80>.

⁵⁸ Aprilia Niravita et al., "Community Involvement in Spatial Planning: A Study of Public Participation in Lerep Tourism Village Perspective of Indonesian Spatial Planning Law," *Jurnal Hukum Universitas Negeri Semarang* 7, no. 2 (2021): 237–56, <https://doi.org/10.15294/ulj.v7i2.45745>.

⁵⁹ Muhammad Dzikri Akbar Syafi'i, Firman Arif Pribadi, and Saiful Abdullah, "Criminal Conviction of Child Traffic Offenders Reviewed From The Juvenile Criminal Justice System," *Trunojoyo Law Review* 4, no. 1 (2022): 53–67, <https://doi.org/https://doi.org/10.21107/tlr.v4i1.16235>.

management. However, the management of spiritual tourism, such as Bhuju' Geger in Bangkalan Regency, is still not optimal due to a lack of specific regulations. Currently, the management of religious tourism only refers to the general Tourism Law. The Culture and Tourism Office of Bangkalan Regency has handed over tourism management to the local village, focusing on enhancing human resources and using the regional budget to support development. Although there have been efforts from the village government, such as preparing funding proposals and concepts for community economic development, the results are still minimal and invisible. More specific regulations and better oversight from local governments and relevant agencies are needed to improve the quality of tourism.

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