

Tourism from an Islamic Perspective: A Fiqh-Based Analysis

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ABSTRACT

Tourism is a social, cultural, and economic phenomenon involving the movement of people beyond their usual environment. Within Islamic discourse, travel is evaluated not merely in terms of halal products or Muslim-friendly facilities, but through the interrelationship between intention, purpose, means, impact, and human responsibility as both servants and vicegerents of Allah. This article analyses the *fiqh* principles that shape the normative assessment of tourism and proposes a *Maqasid*-Oriented Tourism Fiqh Framework. The study adopts a qualitative approach, employing doctrinal and document analyses of Qur'anic verses, authentic hadith, works on *usul al-fiqh* and *maqasid al-shariah*, and academic literature on Islamic, halal, and sustainable tourism. The data are analysed thematically according to the five legal rulings (*al-ahkam al-taklifiyyah*), Islamic legal maxims, the concept of *maslahah*, and the five essential necessities of *maqasid al-shariah*. The findings demonstrate that the legal ruling governing tourism is contextual: an activity that is originally permissible may become obligatory, recommended, reprehensible or prohibited depending on its purpose, the traveller's capacity, sources of funding, types of activities undertaken, and resulting impacts. The analysis identifies six layers of assessment: intention, purpose of travel, means and resources, implementation, impact, and governance and accountability. This framework expands the discourse on halal tourism beyond facility-based compliance towards a comprehensive assessment encompassing the protection of religion, life, intellect, family, wealth, human dignity, the environment, and community rights. The article provides a conceptual foundation for developing destination indicators, organisational policies, Shariah compliance audits, and empirical research on Muslim tourists' experiences.

Keywords: Tourism Fiqh; Islamic Tourism; Halal Tourism; Maqasid Al-Shariah; Sustainable Tourism

INTRODUCTION

Tourism has evolved from an activity centred on mobility and recreation into a complex system that connects human movement, the service economy, culture, technology, and the environment. UN Tourism defines tourism as a social, cultural, and economic phenomenon involving the movement of people to countries or places outside their usual environment for personal or professional purposes (UN Tourism, n.d.-a). While this definition is useful for measurement and policymaking, it does not explain the moral value of travel. From an Islamic perspective, travel remains subject to legal and ethical considerations because individuals continue to bear their responsibilities under Shariah when moving from one place to another.

The Qur'an repeatedly instructs humankind to travel through the earth and reflect upon the signs of creation and the historical experiences of earlier societies. For example, Surah al-'Ankabut, verse 20, commands people to travel through the earth and observe how creation began, while Surah al-Hajj, verse 46, associates travel with the cultivation of hearts that understand and ears that hear. Surah al-Mulk, verse 15, further portrays the earth as a domain made accessible for human exploration and utilisation, accompanied by the reminder that all

humanity will ultimately return to Allah. These verses demonstrate that mobility can serve as a means of acquiring knowledge, engaging in contemplation (*tadabbur*), seeking lawful sustenance, and fulfilling devotion to Allah, rather than constituting unrestricted freedom.

Contemporary literature has introduced the concepts of Islamic tourism, halal tourism, and Muslim-friendly tourism. Although these concepts are interrelated, they do not necessarily convey identical meanings. Halal tourism generally refers to tourism-related products, services, or activities that are permissible according to Islamic teachings (Battour & Ismail, 2016), whereas Islamic tourism may refer to travel motivated by Islamic purposes or values (Boğan & Sarıışık, 2019). Muslim-friendly tourism is more operational in nature, referring to the provision of facilities and services that enable Muslim travellers to fulfil their religious requirements. Conceptual ambiguity among these terms may reduce Shariah compliance to the availability of halal food and prayer facilities and the absence of alcohol. Fiqh, however, also evaluates financing arrangements, contractual practices, safety, social interaction, human dignity, justice, community rights, and environmental impacts.

The original article underpinning this study discussed terminology relating to travel in Islam, scriptural evidence encouraging travel, the classification of legal rulings, preparations before and after a journey, ethical responsibilities towards Allah, humanity, and the natural environment, and the benefits of tourism to individuals, society, and the state (Bahrom et al., 2010). Although this foundational contribution remains significant, transformations within the tourism industry and advances in the relevant literature necessitate a more systematic reconstruction of its arguments. Issues involving health and safety, digital surveillance, community exploitation, carbon footprints, workers' welfare, the commercialisation of religion, and inconsistencies in halal standards demonstrate that tourism *fiqh* must progress beyond a checklist of facilities towards a comprehensive evaluative framework.

This study addresses three research questions. First, what scriptural foundations, Islamic legal maxims, and *maqasid* principles determine the legal rulings governing tourism? Second, how do variations in intention, purpose, means, implementation, and consequences affect the legal ruling applicable to a particular journey? Third, what components are required to develop a tourism *fiqh* framework applicable to research, policymaking, and industry operations? Accordingly, this study aims to elucidate the normative foundations of tourism, analyse the application of the five categories of Islamic legal rulings (*al-ahkam al-taklifiyyah*), and develop a *Maqasid*-Oriented Tourism Fiqh Framework.

LITERATURE REVIEW

The Concept of Travel in Islamic Sources

The Arabic language employs several terms to denote different forms and purposes of travel. *Safar* refers to a journey that involves leaving one's place of residence and is directly associated with the legal concessions (*rukhsah*) granted to travellers. *Rihlah* denotes a journey or expedition, including the trading journeys mentioned in Surah Quraysh, verse 2. *Ziyarah* refers to visitation, whereas *siyahah* is commonly used in contemporary discourse to denote tourism. Its Qur'anic meaning, however, must be interpreted according to its exegetical context and should not automatically be equated with the modern tourism industry. Hajj and umrah, in contrast, constitute devotional journeys governed by specific pillars, conditions, and legal rulings.

The expression *siiru fi al-ard*, meaning to travel through or traverse the earth, appears in verses that invite people to observe the fate of earlier communities, including Ali 'Imran 3:137, al-An'am 6:11, al-Nahl 16:36, al-Naml 27:69, al-Rum 30:42, and Ghafir 40:21. These commands do not necessarily render every journey obligatory. From the perspective of *usul al-fiqh*, an imperative form must be interpreted according to its context, underlying purpose, and accompanying textual indicators (*qarinah*). Its principal value lies in observation, reflection, and the cultivation of awareness rather than in physical movement alone.

Islamic Tourism, Halal Tourism, and Muslim-Friendly Tourism

Early studies of Islamic tourism examined the compatibility of tourism activities with religious values, the needs of Muslim travellers, and the potential of Muslim-majority destinations (Henderson, 2009; Carboni et al., 2014). Battour and Ismail (2016) conceptualised halal tourism by focusing on the permissibility of tourism-

related objects and activities according to Islamic teachings. Mohsin et al. (2016), meanwhile, highlighted the opportunities and challenges destinations face in meeting the demands of the Muslim tourism market. This body of literature has successfully identified important attributes such as halal food, prayer facilities, privacy, family-friendly environments, and the prohibition of certain activities.

Nevertheless, equating Islamic tourism with halal tourism creates analytical difficulties. Boğan and Sarıışık (2019) demonstrate that Islamic intentions and motivations can help distinguish between the two concepts. A hotel may provide halal food while simultaneously employing unjust contractual practices, exploiting its workers, or damaging the environment. Conversely, Muslim tourists may use mainstream services that do not carry halal branding while continuing to observe their religious duties, dietary requirements, moral conduct, and broader responsibilities. Therefore, the tourism product, the actor, and the purpose of travel must be analysed separately before an overall assessment can be formulated.

Maqasid al-Shariah and Sustainable Tourism

Maqasid al-shariah provides a framework for evaluating the purposes and consequences of legal rulings. The classical *maqasid* tradition emphasises the preservation of religion, life, intellect, progeny, and wealth. Contemporary approaches have broadened this analysis to encompass human dignity, freedom, justice, development, and human rights within the epistemological parameters of Islam (Auda, 2008; Ibn Ashur, 2006). Applying *maqasid* helps prevent excessively formalistic approaches to compliance. A product cannot be considered adequate merely because it is ostensibly free from prohibited elements; it should also promote public benefit (*maslahah*) and prevent or minimise harm (*mafsadah*).

Sustainable tourism considers present and future economic, social, and environmental impacts while addressing the needs of visitors, the tourism industry, the environment, and host communities (UN Tourism, n.d.-b). International destination criteria similarly encompass sustainable management and socioeconomic, cultural, and environmental impacts (Global Sustainable Tourism Council, 2019). The convergence between *maqasid* and sustainability is evident in matters involving the protection of life, natural resources, public property, cultural heritage, and community well-being. *Maqasid*, however, introduces the additional dimensions of servitude to Allah (*'ubudiyyah*), the distinction between halal and haram, and accountability in the Hereafter. This convergence enables global sustainability indicators to be evaluated alongside the Islamic principles of trust (*amanah*), justice (*'adl*), compassion (*rahmah*), and the prohibition of corruption and destruction (*fasad*).

Research Gap

Much of the existing literature focuses on destination attributes, tourist perceptions, satisfaction, visitation intentions, and marketing strategies. A systematic review of halal hotels similarly indicates a concentration on customer behaviour, hotel attributes, compliance, and marketing (Alam et al., 2023). Although these areas are important, they do not fully address how legal rulings may change when the purpose, capacity, financing, or consequences of travel vary. There remains a need for a framework that systematically integrates the five categories of Islamic legal rulings, Islamic legal maxims, *maqasid*, and governance. This article addresses that gap by developing evaluative units applicable to tourists, service providers, and destinations.

METHODOLOGY

This study employs a qualitative research design combining doctrinal analysis and document analysis. Doctrinal analysis is used to identify, synthesise, and interpret the normative sources governing Islamic legal rulings, while document analysis facilitates the systematic examination of written materials and the identification of patterns of meaning (Bowen, 2009). This design is appropriate because the study seeks to develop a conceptual explanation and normative framework rather than measure attitudes or test statistical relationships.

Source Selection

The study corpus was purposively constructed from four categories of sources. The first comprises Qur'anic

verses concerning travel, reflection upon the natural world, the history of earlier communities, the pursuit of sustenance, acts of worship, and humanity's responsibilities as vicegerents. The second encompasses authentic or otherwise accepted hadith concerning intention, travel (*safar*), legal concessions (*rukhsah*), safety, leadership during journeys, visitation, and travel-related restrictions. The third consists of works on *usul al-fiqh*, Islamic legal maxims (*qawa'id fihiyyah*), and *maqasid al-shariah*. The fourth comprises peer-reviewed journal articles and institutional documents addressing Islamic, halal, Muslim-friendly, and sustainable tourism. The original article by Bahrom et al. (2010) was employed as a foundational document and compared with contemporary sources.

Sources were selected according to three criteria: their direct relevance to the research questions, the authority of the source or publication outlet, and their capacity to support conceptual analysis. Popular sources lacking clearly established authority were not used to determine Islamic legal rulings. Regarding hadith, priority was given to narrations recorded by al-Bukhari and Muslim, followed by narrations evaluated as acceptable by recognised hadith scholars. Differences of *fiqh* opinion were acknowledged whenever they affected the conclusions, including disagreements concerning the legal status of umrah and the conditions governing women's travel.

Analytical Procedure

The analysis was conducted in four stages. First, textual units addressing the purposes of travel, legal rulings, conditions, ethical conduct, facilities, or impacts were identified. Second, these units were coded deductively according to the five categories of Islamic legal rulings and the five essential necessities of *maqasid al-shariah*, followed by inductive coding for themes not adequately captured by these predetermined categories. Third, the codes were organised into six evaluative layers: intention, purpose, means and resources, implementation, impact, and governance and accountability. Fourth, the relationships among these layers were examined through legal scenarios to determine whether the framework could adequately explain variations in the applicable rulings. The thematic coding procedure followed the stages of data familiarisation, initial code generation, theme development, theme review, and the refinement and definition of themes outlined by Braun and Clarke (2006).

The credibility of the analysis was strengthened through triangulation across scriptural evidence, Islamic legal maxims, and tourism literature; the maintenance of a transparent chain of reasoning from evidence to principle and application; and the examination of negative cases. For example, religiously motivated travel was not automatically regarded as commendable if it was financed through unlawful wealth or undertaken in a manner that neglected or caused injustice to one's dependants. This approach prevents legal determinations from being based solely on a destination's label or branding.

FINDINGS AND ANALYSIS

Normative Foundations of Tourism

The findings demonstrate that Islam recognises a wide range of travel purposes, including worship, the pursuit of knowledge, *da'wah*, employment, trade, visitation, medical treatment, diplomacy, safety, and recreation. The permissibility of mobility is supported by scriptural texts that encourage travelling through the earth and by the legal concessions (*rukhsah*) that implicitly acknowledge the realities of travel (*safar*). Such recognition, however, does not amount to unconditional encouragement. Shariah distinguishes between purposes that promote obedience to Allah and journeys that lead to sinful conduct or harm.

The hadith on intention establishes the moral orientation of an action from its outset. The hadith concerning the virtue of visiting a fellow Muslim for the sake of Allah demonstrates that socially motivated travel may acquire the value of an act of worship (Muslim, Hadith No. 2567). The hadith prohibiting the undertaking of a special journey except to al-Masjid al-Haram, the Prophet's Mosque, and al-Masjid al-Aqsa establishes the distinctive merits of these three mosques. It should not, however, be interpreted as prohibiting all other forms of visitation without further analysis of the relevant evidence (al-Bukhari, Hadith No. 1189; Muslim, Hadith No. 1397). Similarly, the hadith instructing three travellers to appoint one of them as their leader provides a normative basis for coordination and accountability in group travel (Abu Dawud, Hadith No. 2608).

Presumptive Permissibility and Variations in Legal Rulings

The governing principle in matters of customary practices (*'adat*) and transactions (*mu'amalat*) is permissibility unless there is evidence establishing otherwise. Recreational tourism financed through lawful sources, involving permissible activities and entailing no neglect of religious obligations, therefore falls within the category of permissible conduct. Nevertheless, this presumptive ruling may change according to the circumstances.

The maxim *al-umur bi maqasidiha* requires actions to be evaluated according to their purposes, while *al-wasa'il laha ahkam al-maqasid* establishes that the legal status of a means follows that of its intended objective. The maxim *al-darar yuzal* requires harm to be prevented or removed, whereas *dar' al-mafasid muqaddam 'ala jalb al-masalih* gives precedence to preventing harm when benefits and harms conflict.

Table 1. Classification of Legal Rulings on Tourism Based on Purpose and Circumstances

Legal ruling	Fiqh criteria	Illustrative applications subject to relevant conditions
Obligatory (<i>wajib</i>)	Travel constitutes the only or necessary means of fulfilling an obligation whose conditions have been fully satisfied.	Performing Hajj for a Muslim who fulfils the conditions of <i>istita'ah</i> (capacity); seeking immediate medical treatment when life is at risk; or migrating when circumstances genuinely prevent the proper observance of Islam, subject to the relevant legal requirements.
Recommended (<i>sunat/mandub</i>)	The purpose of travel is encouraged by Shariah, and its undertaking promotes benefit (<i>maslahah</i>) without neglecting an individual obligation.	Visiting family members, pursuing beneficial knowledge, reflecting upon the natural world, engaging in <i>da'wah</i> , or providing humanitarian assistance that does not constitute an individual obligation.
Permissible (<i>harus/mubah</i>)	The purpose and means are lawful, the source of funding is halal, religious obligations are observed, and potential harms are adequately controlled.	Family holidays, recreation, business travel, professional events, and cultural visits.
Reprehensible (<i>makruh</i>)	The journey does not amount to an explicit prohibition but involves extravagance, wastefulness, unreasonable risk, or the neglect of responsibilities.	Excessive travel during financial hardship or activities lacking reasonable benefit that waste time or resources.
Prohibited (<i>haram</i>)	The purpose, source of funding, method, or consequences involve an explicit prohibition or substantial harm.	Sex tourism, gambling, human exploitation, financing through unlawfully acquired wealth, trespassing into prohibited areas, or travel that inevitably results in the neglect of one's dependants.

Note: The legal classification of tourism is contextual and may change according to the traveller's intention, purpose, capacity, means, conduct and the consequences of the journey.

This classification corrects two common tendencies. First, not every journey to a sacred place is obligatory. Hajj becomes obligatory only when its prescribed conditions are fulfilled, the legal ruling on umrah remains a matter of juristic disagreement, and visiting al-Masjid al-Aqsa carries particular religious merit but does not constitute a general obligation. Second, a good intention alone does not render unlawful means permissible. Travel undertaken to pursue knowledge does not attain its intended religious value if it involves document fraud, neglect of obligatory financial maintenance, or participation in prohibited activities.

Rukhsah as a Disciplined Legal Concession

Travel (*safar*) gives rise to legal concessions (*rukhsah*), including shortening prayers (*qasr*), combining

prayers (*jam'*) under recognised circumstances, postponing the Ramadan fast, and other concessions elaborated by the respective schools of Islamic jurisprudence. Surah al-Nisa', verse 101, provides the scriptural basis for shortening prayers, while Surah al-Baqarah, verses 184–185, permits those who are ill or travelling to make up their missed fasts on other days. The Prophet (peace be upon him) described the concession of shortening prayers as a charitable gift from Allah that should be accepted (Muslim, Hadith No. 686). *Rukhsah* does not constitute the suspension of religious discipline; rather, it represents the implementation of Shariah in a facilitated form when the legally recognised grounds for the concession are present.

Applying *rukhsah* requires the determination of travel distance, intended duration of stay, purpose of travel, and actual circumstances according to the school of jurisprudence or recognised authority being followed. Muslim-oriented tourism providers should therefore offer information on prayer times, the direction of the *qiblah*, facilities for ritual purification, realistic itineraries, and access to reliable fiqh guidance. Technology can support this process, but authoritative legal judgements should not be replaced by digital applications operating without appropriate scholarly verification.

Ethical Relationships with Allah, Humanity and the Environment

The relationship with Allah requires sincerity of intention, observance of prayer, gratitude, reliance upon Allah (*tawakkal*), and acceptance of legitimate legal concessions. Interpersonal relationships require the protection of human dignity, privacy, workers' rights, safety, transparent transactions, cultural sensitivity, and freedom from discrimination. The relationship with the natural environment requires the moderate use of resources, waste reduction, biodiversity protection, and the avoidance of corruption and environmental destruction (*fasad*). The tripartite division of ethical relationships presented in the original article remains relevant but must be translated into measurable responsibilities.

Tourist ethics encompass appropriate attire, observance of proper boundaries in social interaction, courteous communication, compliance with legitimate laws, respect for host communities, and the minimisation of disturbance. The ethical responsibilities of service providers include truthfulness of information, verifiable halal compliance, food safety, fair pricing, family privacy, workers' welfare, and effective complaint management. Destinations are responsible for managing visitor capacity, safeguarding heritage, and ensuring that the economic benefits of tourism are not concentrated exclusively among external investors.

Requirements Before, During and After Travel

Before travelling, tourists should assess their physical, financial and temporal capacity; settle or appropriately manage their debts; secure the financial maintenance and safety of their dependants; review conditions at the destination; obtain appropriate travel protection; and ensure the validity of all documents and transactions. The timing of travel should account for weather conditions, natural disasters, disease outbreaks, conflicts, security concerns, and congestion that may jeopardise religious observance or human life.

During the journey, religious obligations must be observed according to the traveller's capacity and the applicable legal concessions. Travellers should seek halal food based on a reasonable standard of available information, avoid doubtful matters (*shubhah*) when safer alternatives are accessible, safeguard privacy and appropriate social interaction, respect the law, and refrain from environmental harm. The categorical claim that necessity can never arise in relation to food while travelling should be avoided. The jurisprudence of necessity (*fiqh al-darurah*) remains applicable when its substantive conditions are genuinely fulfilled, but it must not be invoked casually to justify a failure to seek halal alternatives.

After returning, the travel experience should be evaluated in terms of the benefits attained, the preservation of religious observance, its financial consequences, its environmental footprint, and its effects on relationships with host communities. Any sharing of travel experiences should be truthful, free from defamation, and respectful of the dignity and privacy of others. Feedback provided to service providers may function as a form of consumer *hisbah*, contributing to improvements in safety, halal integrity and service quality.

MAQASID-ORIENTED TOURISM FIQH FRAMEWORK

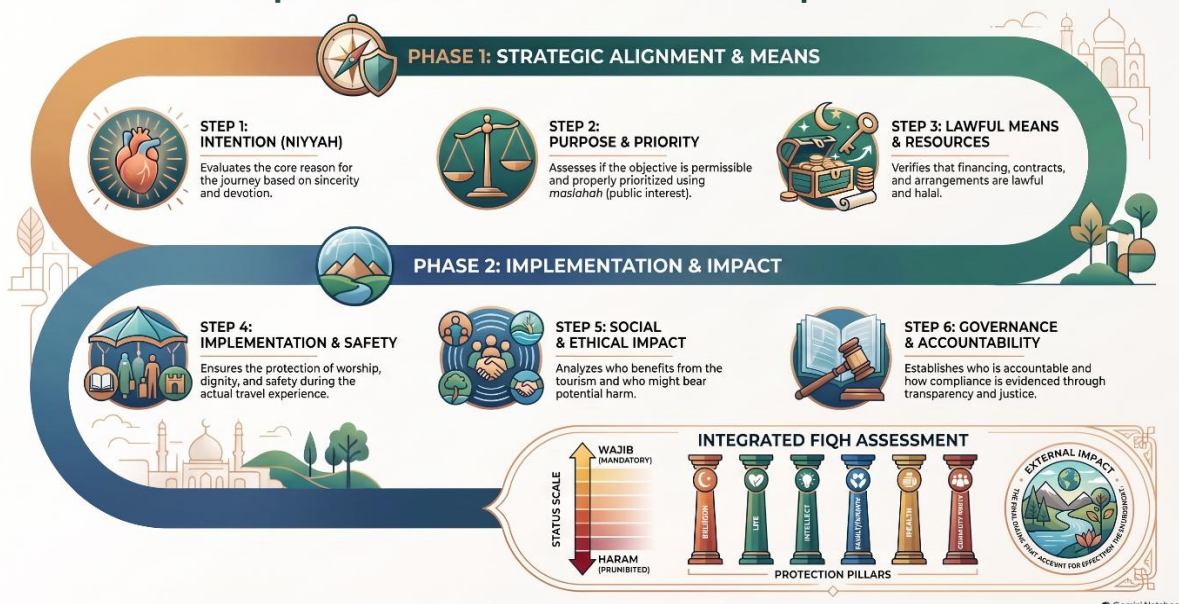
The synthesis of the findings produces a *Maqasid-Oriented Tourism Fiqh* Framework. Its unit of analysis

extends beyond the destination to encompass the entire travel chain. The assessment is conducted across six interconnected layers. A determination made at any individual layer may alter the overall evaluation; therefore, the designation of a product as halal cannot override or conceal violations relating to its sources of financing, implementation, or consequences.

Table 2. The Six Layers of the *Maqasid*-Oriented Tourism *Fiqh* Framework

Layer	Evaluative question	Core principles	Application indicators
1. Intention (niyyah)	Why is the journey being undertaken?	<i>Al-umur bi maqasidiha</i> (matters are judged according to their purposes); sincerity (<i>ikhlas</i>); servitude to Allah (<i>'ubudiyyah</i>)	Worship, pursuit of knowledge, recreation, maintaining family ties, employment, or avoidance of prohibited objectives
2. Purpose	Is the intended purpose permissible and consistent with established priorities?	The five legal rulings (<i>al-ahkam al-taklifiyyah</i>); <i>fiqh al-awlawiyyat</i> ; public benefit (<i>maslahah</i>)	Obligations are fulfilled; the purpose is clearly defined; and competing priorities are properly managed
3. Means and Resources	How is the journey financed and organised?	Means assume the legal ruling of their intended ends; lawful earnings (<i>halal al-kasb</i>); valid contracts	Halal funding; valid documentation; transparent contractual arrangements; and the absence of bribery or impermissible deception
4. Implementation	Are religious observance, halal requirements, dignity and safety adequately protected?	Legal concessions (<i>rukhsah</i>); necessity (<i>la darar</i>); blocking the means to harm (<i>sadd al-dhara'i</i>); trustworthiness (<i>amanah</i>)	Prayer, halal food, privacy, social interaction, safety, accessibility for persons with disabilities and data protection
5. Impact	Who benefits from the journey and who bears its potential harms?	Promotion of benefit (<i>jalb al-masalih</i>); prevention of harm (<i>dar' al-mafasid</i>); <i>maqasid al-shariah</i>	Effects on religion, life, intellect, family, wealth, communities and the natural environment
6. Governance and Accountability	Who is responsible, and how is compliance demonstrated?	Public accountability (<i>hisbah</i>); consultation (<i>shura</i>); justice (<i>'adl</i>); transparency	Certification, auditing, training, complaint mechanisms, corrective action, reporting and periodic review

The Maqasid-Oriented Tourism Fiqh Framework



Mapping onto *Maqasid al-Shariah*

The preservation of religion (*hifz al-din*) requires the provision of appropriate spaces for worship, reliable halal information, and protection against coercion into sinful conduct. The preservation of life (*hifz al-nafs*) encompasses travel safety, health, sanitation, disaster management, and non-discriminatory access. The preservation of intellect (*hifz al-'aql*) requires educationally meaningful experiences and protection from intoxicating substances, manipulation and misinformation. The preservation of progeny and human dignity (*hifz al-nasl wa al-'ird*) encompasses family privacy, child protection, the prevention of sexual exploitation, and the observance of appropriate boundaries in social interaction. The preservation of wealth (*hifz al-mal*) requires transparent transactions, fair pricing, consumer protection, the safeguarding of property and an equitable distribution of economic benefits.

The environment should not be regarded as an external or supplementary consideration. Ecosystem degradation threatens life, property, health, food resources and the rights of future generations. Environmental protection may therefore be understood as a cross-cutting requirement of *maqasid al-shariah* and an expression of humanity's trusteeship as vicegerents of Allah. At the destination level, this responsibility is translated into the management of waste, water, energy, visitor capacity, biodiversity and transportation. At the individual level, it encompasses mobility choices, moderate consumption and the prohibition against damaging the places visited.

Decision-Making Mechanism

The framework is applied through a sequential decision-making process. First, purposes that are explicitly prohibited must be excluded. Second, the traveller's obligations and capacity must be examined. Third, the sources of funding and the means employed must be evaluated. Fourth, the implementation of the journey must satisfy the minimum requirements of Shariah and safety. Fifth, actual and reasonably anticipated benefits and harms must be weighed. Sixth, appropriate controls, evidence of compliance and corrective mechanisms must be established.

Where a definitive prohibition (*qat'i*) applies, anticipated marketing or commercial benefits cannot override it. Where an issue falls within the domain of *ijtihad*, the determination should consider the position of the relevant local authority, the degree of necessity, the availability of alternatives and the probable consequences.

DISCUSSION

From Halal Attributes to Holistic Integrity

The proposed framework shifts the focus from a checklist of facilities to the integrity of the entire tourism value chain. Basic attributes remain important because Muslim tourists require halal food and appropriate worship facilities. Nevertheless, attribute-based compliance represents a minimum requirement rather than the sole measure of Shariah conformity. A destination that provides prayer facilities while tolerating worker exploitation, environmental pollution, or deceptive pricing has yet to fulfil the objectives of *maqasid al-shariah*.

This approach also distinguishes among three objects of evaluation. Tourists are assessed according to their intentions, choices, and conduct. Tourism products and service providers are evaluated based on their goods, services, contractual arrangements, and operational practices. Destinations are assessed through their policies, infrastructure, relationships with local communities, and cumulative impacts. This distinction prevents the overgeneralisation that an entire destination is either halal or non-halal based solely on a single attribute.

Contextuality and the Disciplined Management of Juristic Disagreement

Tourism *fiqh* operates within contexts shaped by changes in place, time, technology and customary practices (*'urf*). Issues concerning women's travel, the minimum distance for shortening prayers, the duration of residence, insurance, financing, photography, digital privacy, and food consumption in Muslim-minority countries require reference to the detailed positions of the recognised schools of Islamic jurisprudence and

authoritative fatwas. The proposed framework does not replace the fatwa process. Rather, it identifies the relevant facts and layers of an issue so that questions requiring legal determination can be presented comprehensively.

A disciplined approach to juristic disagreement (*ikhtilaf*) is essential to prevent industry standards from treating a single subsidiary opinion as universally binding upon all users. Service providers should distinguish between matters of scholarly consensus, majority positions, policy preferences, and concessions grounded in schools of jurisprudence. Such transparency is more credible than employing a general Shariah-compliant label without clearly defining its scope.

Relationship with Sustainability and Social Responsibility

UN Tourism's definition of sustainable tourism requires consideration of tourism's economic, social and environmental impacts. *Fiqh* and *maqasid al-shariah* support these objectives through the prohibitions against harm, wastefulness, injustice and environmental destruction. The Islamic normative framework, however, adds accountability before Allah and the normative priority of the halal-haram distinction. This convergence enables the tourism industry to integrate international sustainability indicators with Shariah-based indicators without simplistically equating the two systems.

For host communities, *maslahah* should be assessed through access to dignified employment, participation in decision-making, cultural protection, housing affordability, access to essential resources, and the equitable distribution of tourism revenue. Tourism that increases aggregate income while displacing residents or commodifying religious rituals generates *mafsadah* that must be appropriately controlled. Community acceptance cannot be reduced to, or replaced solely by, administrative approval.

Technology and Data-Related Issues

Booking platforms, recommendation systems and halal applications facilitate access to information but also raise concerns regarding certification accuracy, commission structures, algorithmic discrimination, fraudulent reviews, and data protection. From a *fiqh* perspective, data constitute a trust (*amanah*) and consumers are entitled to understand the basis upon which halal claims are made. Platform providers should disclose the source, validity period, and scope of certification and establish appropriate corrective mechanisms when the relevant information changes.

RESEARCH IMPLICATIONS

Theoretical Implications

This study integrates the five categories of Islamic legal rulings, Islamic legal maxims, and *maqasid al-shariah* within a unified analytical sequence. Its principal theoretical contribution lies in demonstrating that a legal ruling is not permanently attached to the label assigned to a particular journey or destination. Instead, the applicable ruling emerges from the interaction among the actor, purpose, capacity, means, operational practices, and consequences. This framework therefore explains why two individuals visiting the same destination may be subject to different legal evaluations.

Policy and Industry Implications

Policymakers may employ the six evaluative layers as a foundation for developing standards and auditing instruments. In the Malaysian context, initiatives to position the country as a Muslim-friendly tourism destination demonstrate a direct relationship among Muslim-friendly services, destination image, and tourism industry development (Department of Islamic Development Malaysia, 2020). Certification schemes should clearly specify the assessed unit, scope of assessment, validity period, and supporting evidence. At a minimum, evaluations should encompass halal integrity, religious observance, safety, transactions, workers' welfare, privacy, host communities, and the environment. Tourism organisations may also integrate the framework into itinerary design, tour-guide training, vendor selection, risk management, and complaint-handling procedures.

Research Implications

Each layer of the framework may be operationalised as a distinct research construct. Quantitative studies could examine the relationships among Shariah integrity, trust, well-being, and revisit intention. Qualitative research could investigate how Islamic legal considerations are negotiated in actual travel situations, particularly among women, families, older persons, persons with disabilities, and Muslims visiting non-Muslim-majority destinations. Comparative studies could further examine how different authorities and standards define, interpret, and assess compliance.

CONCLUSION

Tourism is recognised in Islam as a form of human mobility that may serve religious, educational, occupational, familial, medical and recreational purposes. Travel, however, does not automatically acquire the status of an act of worship. Fiqh evaluates the traveller's intention, purpose, capacity, sources of funding, means of implementation and the consequences of the journey. Accordingly, tourism that is presumptively permissible may become obligatory, recommended, reprehensible, or prohibited depending on the relevant circumstances.

The *Maqasid*-Oriented Tourism Fiqh Framework structures this evaluation across six layers: intention, purpose, means and resources, implementation, impact, and governance and accountability. It connects halal compliance with the preservation of religion, life, intellect, family, human dignity, wealth, the environment, and community rights. Compared with assessments limited to physical facilities, this approach provides a more rigorous and comprehensive foundation for future research, destination standards, policymaking, and tourism industry operations.

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