

# Implementation of the Law of the Republic of Indonesia No. 8 of 2019 in the Practice of Hajj Organization by Travel Agencies Using Non-Hajj Visas (A Case Study at PT Mirbath Tour and Travel Palu)

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**Abstract.** The phenomenon of using non-Hajj visas for pilgrimage has deprived many pilgrims of legal protection, with numerous cases of arrests by Saudi authorities resulting in deportation and even a ten-year ban on entering Saudi Arabia. This study adopts a qualitative case study design with an empirical legal research approach. Data were collected through interviews and document analysis at PT Mirbath Tour and Travel Palu. The primary data source was an interview with the Director of PT Mirbath, while secondary sources included the Qur'an, Hadith, legislation, journals, articles, theses, dissertations, and reference books. Data analysis employed reduction, presentation, and conclusion drawing. The findings highlight three key points. First, PT Mirbath facilitated Hajj departures using multiple-entry visas with significant limitations, such as the absence of tents in Mina and Muzdalifah, restricted access to facilities, and alternative routes from Riyadh to bypass checkpoints. Second, the use of non-Hajj visas indicates that the implementation of Law of the Republic of Indonesia No. 8 of 2019 on the Administration of Hajj and Umrah has not been effectively enforced, with policy gaps and weak operational oversight remaining apparent. Third, although the contractual arrangements applied appear consistent with the principles of Islamic jurisprudence (fiqh muamalah), they conflict with the foundations of sharia economic law, as the use of non-Hajj visas involves elements of gharar (uncertainty), lack of transparency, and contractual objectives inconsistent with maqasid al-shariah.

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## 1. INTRODUCTION

Islam is founded upon five pillars that must be observed by every Muslim: the testimony of faith (shahada), prayer (salat), almsgiving (zakat), fasting during Ramadan (sawm), and pilgrimage (hajj) for those who are able. These pillars are based on the hadith of the Prophet Muhammad (peace be upon him):

بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ: شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامِ الصَّلَاةِ، وَإِيتَاءِ الزَّكَاةِ، وَحَجِّ الْبَيْتِ.

“Islam is built upon five pillars: bearing witness that there is no god but Allah and that Muhammad is His Messenger, performing prayer, paying zakat, fasting during Ramadan, and undertaking the pilgrimage to the House [Kaaba] for those who are able.”

Among these five, three pillars—shahada, prayer, and fasting—can generally be performed by all Muslims, as they primarily require physical commitment. In contrast, zakat requires sufficient wealth, making it a form of ibadah māliyah (financial worship). Hajj, however, combines both financial capability and physical strength, which makes its observance more limited. Therefore, it is the only pillar qualified with the condition “for those who are able,” due to several factors:

#### **Geographical distance and travel requirements.**

The journey to Saudi Arabia demands significant time and effort. For instance, travel from Indonesia to Saudi Arabia takes approximately 9.5 hours, while distances from countries in the Americas can be nearly double. Even neighboring states such as Yemen are not without travel challenges.

#### **The physically demanding rituals of Hajj.**

Pilgrims must perform a series of rites including throwing stones at the Jamarat, circumambulating the Kaaba (tawaf), walking between Safa and Marwah (sa’i), and standing at Arafat. These rituals require extensive walking, often exceeding 30 kilometers in total, not including additional distances to accommodations and other necessities.

#### **Overcrowding during the pilgrimage.**

The massive number of pilgrims can strain physical endurance, as the crowds often cause congestion and safety risks. The tragic stampede in Mina in 2015, which resulted in hundreds of fatalities, underscores these dangers.

#### **The financial burden.**

The cost of Hajj has significantly increased over the years. For example, the 2020 regular Hajj travel cost from Makassar was IDR 38,352,602, rising to IDR 60,245,355 in 2024. This sharp increase has caused many pilgrims to withdraw, despite partial adjustments in 2025.

#### **Lengthy waiting lists.**

With the limited capacity of Masjid al-Haram, Mina, and Arafah, the number of pilgrims that can be accommodated remains restricted. For instance, Saudi Arabia allocated Indonesia 221,000 Hajj slots in 2023 and 241,000 in 2024, the largest in history. Yet, this remains insufficient compared to the 5.4 million people on the waiting list.

Saudi Arabia’s Vision 2030, under Crown Prince Mohammed bin Salman, seeks to expand Hajj and Umrah capacity to 30 million pilgrims, which may ease the long queues, particularly for Indonesia. However, alternative visa pathways such as the Furada Visa allowing immediate pilgrimage without waiting are prohibitively expensive, costing between IDR 300–450 million. This has created inequalities in access, as only the wealthy can afford such options.

As a consequence, many travel agencies offer pilgrimage through non-Hajj visas, such as visit visas (ziarah visa), which are cheaper and do not require waiting. In 2023, it was estimated that 10,000 Indonesian pilgrims traveled using such non-procedural visas. However, this practice raises legal and ethical issues. Some agencies collaborate with unregistered visa providers, bypassing official systems (Siskohat), and engaging in practices such as “quota lending,” whereby unlicensed operators place their pilgrims under licensed agencies only administratively while managing operations illegally.

Saudi Arabia issues ten types of visas, including Hajj, Umrah, visit, work, diplomatic, student, tourist, and others. Among these, the multiple-entry visit visa is often misused for pilgrimage because of its affordability and accessibility. Yet, Saudi authorities have tightened regulations, imposing penalties such as deportation, fines of 10,000 riyals, and a 10-year entry ban. Several Indonesian pilgrims have faced deportation, and organizers have been prosecuted.

The use of non-Hajj visas has therefore become a subject of academic debate, encompassing perspectives of Islamic law, national legislation, and social ethics:

- a. Opposing view: Prof. Dr. H. Ahmad Thib Raya (UIN Jakarta) argues that using non-Hajj visas constitutes manipulation, violating legal principles and undermining national Hajj governance.
- b. Conditional supportive view: Dr. Rofiqul Umam Ahmad (UIN Malang) contends that not all users of non-Hajj visas should be viewed as violators, as many are motivated by sincere religious intent rather than deception. He calls for more accommodating policies.
- c. Moderate view: Dr. H. Muhammad Iqbal (UIN Makassar) emphasizes that the phenomenon must be understood both as a regulatory breach and as an expression of unmet aspirations due to the limited quota system.

This study is significant from the perspectives of law, pilgrim protection, and governance of Hajj administration. The existence of non-Hajj visa practices indicates legal violations, insufficient protection for pilgrims, and weaknesses in health and service guarantees. The research aims to evaluate the implementation of Law of the Republic of Indonesia Number 8 of 2019 on the Organization of Hajj and Umrah and related regulations in relation to travel agencies using non-Hajj visas. It also seeks to identify the challenges faced by such agencies in implementing the law and to assess the conformity of Hajj and Umrah practices with the principles of Islamic Economic Law.

This research is conducted at PT Mirbath Travel Palu, which since 2022 has engaged in sending pilgrims using non-Hajj visas. The company has facilitated more than 50 such cases and operates both a head office and several branch offices, making it a relevant and representative case study.

## 2. RESEARCH METHOD

This study employs a qualitative case study approach, allowing an in-depth exploration of the phenomenon through interviews, observation, and document analysis. The case study design was chosen to capture the specific practices of non-Hajj visa usage at PT Mirbath Tour and Travel Palu within its temporal and operational context, thus yielding rich and comprehensive data (Creswell, 2018).

The research adopts an empirical legal perspective, focusing on the application of law in social reality. Empirical or sociological legal research examines how laws function in society and their practical consequences in daily life. This approach enables the study to assess the alignment between Hajj practices and existing regulations while also capturing the perspectives of stakeholders such as the CEO, managers, and staff of PT Mirbath. By combining normative analysis with field observation, this method provides a holistic understanding (Soekanto, 2019).

Data collection involved in-depth interviews with key informants, direct observation of practices, and document analysis of regulatory texts, fatwas, and archival records. Data sources were categorized into primary (interviews and observations) and secondary (literature, laws, fatwas, and scholarly works). Data analysis followed an inductive process through stages of collection, reduction, presentation, and conclusion drawing, enabling the derivation of generalizable conceptual insights from empirical findings (Miles, Huberman, & Saldaña, 2014).

### 3. RESULTS AND DISCUSSION

#### **Analysis of the Implementation of the Law of the Republic of Indonesia Number 8 of 2019 on the Organization of Hajj and Umrah and Its Conformity with the Perspective of Sharia Economic Law**

##### ***Analysis of Hajj Practices Using Non-Hajj Visas at PT Mirbath Tour and Travel Palu***

Hajj and Umrah travel agencies in Indonesia play a crucial role in facilitating pilgrimage services. However, the high demand and limited official quota make this issue increasingly complex. The waiting list for regular Hajj departures can reach 15–20 years, while Special Hajj and Furada Hajj, although faster, remain constrained by limited quotas and high costs. This condition has encouraged some agencies, such as PT Mirbath Tour and Travel, to offer alternative pathways by using non-Hajj visas, particularly multiple-entry visas. While this practice provides a faster and more affordable solution for prospective pilgrims, it contravenes official regulations, including Law Number 8 of 2019 and its derivative provisions, thereby exposing pilgrims to legal risks and lack of protection.

The phenomenon of non-Hajj visa utilization reflects an imbalance between high public demand and the limited official quota provided by the government. Pressures from society, particularly elderly pilgrims eager to perform Hajj, have driven agencies to seek loopholes in order to meet this demand. Nevertheless, such practices lead to serious consequences, including the absence of official facilities such as tents in Mina and Muzdalifah, access to the Raudah, and legal protection in case of disputes or emergencies. Although travel agencies attempt to preserve the spiritual values of Hajj by providing guidance and religious activities, the use of non-Hajj visas remains a violation of positive law and highlights the urgent need for policy evaluation so that regulations may more fairly and proportionally respond to societal needs.

On the 9th of Dhu al-Hijjah, pilgrims performed the wuquf ritual in Arafat, following an itinerary prepared by PT Mirbath Travel as follows:

- a. Saturday, 9 Dhu al-Hijjah 1445 H
  - 1) 03:00 – Gathering at meeting point
  - 2) 04:10 – Fajr prayer
  - 3) 05:00 – Departure for Arafat
  - 4) 08:00 – Arrival at Arafat tents (rented from foreign delegations such as Yemen to accommodate pilgrims)
  - 5) 09:00 – Duha prayer, salawat, dhikr, and religious activities
  - 6) 12:30 – Zuhr prayer (jamak taqdim), Arafah sermon, Arafah dhikr
  - 7) 19:05 – Maghrib and Isha prayers (jamak taqdim) in Arafat

- 8) 22:00 – Departure to Muzdalifah for overnight stay and collection of pebbles
- b. Sunday, 10 Dhu al-Hijjah 1445 H
  - 1) 02:00 – Departure to Mina for the stoning ritual (ramy al-jamarat) and initial tahallul
  - 2) 04:05 – Fajr prayer in congregation
- c. Monday, 11 Dhu al-Hijjah 1445 H
  - 1) Afternoon – Departure to Mina for stoning ritual, followed by overnight stay in Mina
- d. Tuesday, 12 Dhu al-Hijjah 1445 H
  - 1) 11:00 – Departure to Jamarat for stoning ritual
  - 2) Before Maghrib – Departure from Mina (completion of Nafar Awwal)
  - 3) 22:00 – Tawaf Ifadah and sa’i at Masjid al-Haram
- e. Wednesday, 14 Dhu al-Hijjah (20 June) – City tour in Taif
- f. Thursday, 15 Dhu al-Hijjah (21 June) – Departure to Madinah
- g. Saturday, 17 Dhu al-Hijjah (23 June) – City tour in Madinah
- h. Friday, 23 Dhu al-Hijjah (29 June) – Return to Indonesia

Strict surveillance has made pilgrims feel unsafe and vulnerable to arrest, prompting PT Mirbath Travel Palu to discontinue Hajj departures using visit visas. Although legally in violation of regulations, these initiatives reflect the agency’s intention to provide quality service by ensuring facilities, spiritual guidance, and logistical support for pilgrims desiring to perform Hajj without prolonged waiting times.

**Analysis of the Compatibility of Hajj Practices Using Non-Hajj Visas at PT Mirbath Tour and Travel Palu with the Law of the Republic of Indonesia Number 8 of 2019 on the Organization of Hajj and Umrah**

Law Number 8 of 2019 recognizes only two types of legal Hajj visas: the Indonesian quota visas (Regular and Special Hajj) and the Furada Visa. Pilgrims using Special or Mujamalah visas are required to go through authorized Special Hajj Organizers (PIHK) under the supervision of the Ministry of Religious Affairs. However, the extremely long queues spanning decades and the high costs of Special Hajj have driven some members of society to seek alternative routes, including the use of non-Hajj visas. These are then facilitated by travel agencies despite their incompatibility with the formal legal framework.

**Table 1.** Analysis of the Conformity of Hajj Organization Practices by PT Mirbath Tour and Travel Palu based on Law Number 8 of 2019 concerning the Organization of Hajj and Umrah Pilgrimages.

No.	PT Mirbath's Practical Aspects	Provisions of Law No. 8 of 2019	Appropriate/Inappropriate	Reason
1.	Sending Hajj Pilgrims using multiple visas (non-Hajj)	Article 17 paragraph (1): Visas outside the Indonesian Hajj quota are prohibited for pilgrims to use.	It is not in accordance with	The visa used is not a quota Hajj visa or a mujamalah visa which is recognized in the law.
2.	Does not have a permit as a PIHK	Article 1 number (11): PIHK is a legal entity that has permission from the minister to carry out special Hajj pilgrimages.	It is not in accordance with	PT Mirbath does not yet have a PIHK permit, so it is not authorized to organize the Hajj pilgrimage.

3.	Providing visa information to prospective pilgrims in brochures	Article 65: Organizers are required to provide correct, clear and honest information regarding the products and services offered.	In accordance	The use of multiple visas is explained from the start in the brochure or offer.
4.	Providing worship facilities according to the itinerary (hotel, manasik, bus, etc.)	Article 18 paragraph (2): PIHK is obliged to provide worship services, accommodation, transportation, food and health for the congregation.	Partial (Only part of it)	Facilities are provided but PT Mirbath's status is not an official PIHK.
5.	The congregation did not get tents in Arafah, Mina and Muzdalifah	Article 54 paragraph (1) The government is obliged to provide tents and accommodation in Arafah, Muzdalifah and Mina.	It is not in accordance with	The congregation did not receive state facilities because they were not officially registered.
6.	Overland travel from Riyadh to Makkah avoids checkpoints	Article 3 letter (b): The implementation of the Hajj pilgrimage must be carried out safely, comfortably, orderly and in accordance with legal provisions.	It is not in accordance with	Passing through unofficial routes is against the law and safety principles.
7.	The congregation felt anxious and uneasy during the worship service because it was illegal.	Article 4: The purpose of the law is to ensure that the Hajj pilgrimage is carried out safely, comfortably, orderly and in accordance with Islamic law.	It is not in accordance with	Inconvenience indicates a violation of the purpose of the law.
8.	PT Mirbath is a legal entity (PT) and is registered as a general travel agency.	Article 1 number (15): PPIU and PIHK must be legal entities and have a permit to organize the Hajj or Umrah pilgrimage.	Partial (Only part of it)	Legal entity, but does not have a PIHK permit.
9.	PT Mirbath will stop issuing non- Hajj visas after 2024.	Not regulated directly, but in line with the principles of social responsibility and legal compliance.	In accordance (repair)	Demonstrate evaluation and improvement of practices.

Source: data attached to the author's thesis

The analysis shows that PT Mirbath Tour and Travel Palu continues to engage in irregularities in the organization of Hajj, particularly through the use of non-Hajj visas (multiple entry), which contravenes Law of the Republic of Indonesia No. 8 of 2019. In addition to lacking authorization as a Special Hajj Organizer (PIHK), PT Mirbath still dispatches pilgrims with limited facilities that do not adequately guarantee their rights to protection, health, and security. Although the travel agency provides information regarding visa use in accordance with Article 65, such practices remain a violation of administrative regulations and pose significant risks to the pilgrims.

This phenomenon reflects the high demand among Indonesian Muslims to perform Hajj despite the long waiting lists for official quotas, which in certain regions may reach more than 30 years. This condition drives some pilgrims, especially the elderly or those with limited financial capacity, to pursue alternative routes using non-Hajj visas. Toward 2024, such practices became increasingly prevalent, leading to cases of deportation and bans from entering Saudi Arabia for up to ten years. This demonstrates that, although travel agencies may claim to assist pilgrims, the use of non-Hajj visas remains unlawful and contrary to regulations.

As a solution, Law No. 8 of 2019 provides a legal framework to ensure that Hajj services are conducted safely, comfortably, and in accordance with Islamic principles, while the Saudi government has strengthened oversight through the digital Nusuk Hajj system. Moving forward, more effective regulatory implementation is needed through public education, strict supervision of travel agencies, cooperation with Saudi visa providers, and a review of the relatively high costs of Furada Hajj. These measures are crucial to suppress

illegal practices, safeguard pilgrims, and improve the professionalism and legality of Hajj operations.

### **Analysis of the Compliance of Hajj Practices Using Non-Hajj Visas by PT Mirbath Tour and Travel Palu from the Perspective of Islamic Economic Law**

In conducting Hajj using non-Hajj visas, PT Mirbath Tour and Travel Palu is presumed to apply several contractual forms (akad) in its operations, including ijarah (lease of services) and wakalah (agency/representation). The ijarah contract is reflected in the relationship between pilgrims and the travel agency, where PT Mirbath provides services such as tickets, accommodation, meals, and transportation in Saudi Arabia, while pilgrims pay fees in return. Meanwhile, wakalah occurs when pilgrims authorize PT Mirbath to handle visas and other administrative aspects of their pilgrimage.

Both contracts are considered valid under Islamic law as long as they meet essential pillars and conditions, such as clarity of subject matter, mutual consent between parties, and lawful objectives.

An agreement in a transaction serves to validate the bond between the contracting parties. The agreement determines the course of the transaction to be undertaken, its validity, and, through the contract, it is also possible to identify events that contain elements prohibited by Sharia. Therefore, the legitimacy inherent in the agreement needs to be clarified (Kamaruddin, 2021:1).

However, if such contracts are applied in the context of Hajj using visas not designated for pilgrimage, issues of compliance with both sharia and state law arise. From a sharia perspective, the objectives of the ijarah and wakalah contracts become problematic because the subject matter is inconsistent with the official authorization granted by Saudi authorities. This creates elements of gharar (uncertainty), and within the legal frameworks of both Saudi Arabia and Indonesia, such contracts may also involve elements of ma'siyah (unlawful conduct) because they facilitate prohibited activities.

According to Primanilisa et al. (2020), several requirements govern transactions based on wakalah, including:

#### ***Conditions for the Principal (Muwakkil)***

- a. Must be the legitimate owner who has legal capacity over the delegated matter.
- b. Must be of legal competence (mukallaf) or, in some cases, a discerning minor (mumayyiz) when it concerns beneficial matters, such as receiving gifts or donations. Those who lack legal capacity (e.g., minors, the mentally ill) cannot delegate authority.

#### ***Conditions for the Delegated Matter***

- a. Must be clearly known to both parties, meaning the object of wakalah must be specific and actionable.
- b. Must not contravene Islamic law; it must concern matters that are permissible (mubah).
- c. Must be transferable according to sharia, with clear identity and lawful ownership by the muwakkil.

While such contracts may be valid from a jurisprudential (fiqh) standpoint, their application in the Hajj context using non-Hajj visas renders them invalid both in sharia and positive law, as the objective contradicts legal requirements and exposes pilgrims to harm.

The main issue lies in the purpose of the transaction, which is inconsistent with legal and sharia authorization. In Islamic law, a contract that appears valid outwardly may be

voided if its objective contravenes sharia or causes harm. For instance, wakalah becomes invalid if applied to unlawful purposes, such as facilitating Hajj with a non-Hajj visa. This not only violates state law but also deceives pilgrims about their rights and the risks involved.

Thus, although the contracts used by PT Mirbath align structurally with Islamic commercial law (fiqh muamalah), substantively they contradict the objectives of Islamic law (maqashid al-shariah), which seek to secure benefits and prevent harm.

Fiqh al-mu'amalāt is flexible, neither rigid nor outdated in responding to the development of contemporary social interactions and transactions. Therefore, guiding principles in the form of the rule of *ih̄t̄iyāt* (prudence) are required to ensure that Sharia is not violated.

From the perspective of Islamic business ethics, Hajj and Umrah operators should uphold shidq (honesty) and amanah (trustworthiness). Providing unclear information and allowing pilgrims to perform Hajj without valid visas constitutes a violation of these moral principles. Islamic sharia emphasizes justice and consumer protection, which must be applied to Hajj and Umrah services. Therefore, comprehensive evaluation of these practices is necessary to ensure no harm to pilgrims and to maintain alignment with maqashid al-shariah and national law.

Within Islamic economic law, shariah compliance refers to the extent to which activities or transactions conform to Islamic legal guidelines, including lawful objects, valid contracts, justice, transparency, and avoidance of prohibited elements such as riba (usury), gharar (uncertainty), maysir (gambling), and tadbis (fraud).

In the case of PT Mirbath Tour and Travel Palu, although contracts such as ijarah, wakalah, and ju'alah are recognized in Islamic jurisprudence, their implementation reveals significant violations when assessed through the lens of comprehensive shariah compliance.

- a. Clarity and Legality of the Contract Object: Pilgrims are offered Hajj services through visas not intended for Hajj, creating gharar as payments are made for services lacking both legal and religious guarantees.
- b. Fraudulent Practice: The use of non-Hajj visas constitutes deception, as pilgrims may not realize their visas are invalid for Hajj, leading to the loss of access to official services.
- c. Justice and Consumer Protection: Pilgrims suffer harm due to the absence of official services and facilities, contravening the principle of maslahah and resulting in mafsadah (detriment).
- d. Purpose of the Contract: Although contracts may appear valid, they lose their legitimacy when applied toward unlawful objectives, rendering them fasid (defective).
- e. Transparency and Trust: Failure to disclose risks violates shidq (honesty) and amanah, undermining the ethical foundation of Islamic commerce.

#### 4. CONCLUSION

PT Mirbath Tour and Travel Palu employs multiple-entry visas for dispatching pilgrims, which differ from Hajj and mujamalah visas in requiring biometric verification. Flights are directed to Riyadh rather than Makkah, Taif, or Madinah due to Saudi regulations restricting entry to Hajj visa holders after 10 Dhu al-Qa'dah. Pilgrims using multiple-entry visas lack access to tents in Mina and Muzdalifah, requiring relocation to transit hotels one week before wuqf for logistical convenience. They are also denied access to the Rawdah.

The use of non-Hajj visas indicates that the implementation of Law No. 8 of 2019 has not been fully realized. Consumer protection remains inadequate, with issues of unqualified services, lack of transparency, and potential harm. Although PT Mirbath is legally registered as a limited liability company in tourism, it lacks authorization to organize Hajj. The agency discloses visa information, thus avoiding outright fraud; however, while Hajj performed under such visas may fulfill its religious obligations, it remains legally and ethically defective, violating both national regulations and Islamic law.

Based on these practices, it can be concluded that although contracts such as *ijarah* and *wakalah* appear consistent with Islamic commercial jurisprudence, their application in Hajj with non-Hajj visas contradicts the principles of Islamic economic law. This includes elements of *gharar*, lack of transparency, violation of justice and consumer protection, and objectives misaligned with *maqashid al-shariah*. Consequently, the practice does not meet comprehensive standards of shariah compliance.

## REFERENCES

- Abd al-Karim Zaydan, *Al-Madkhal li Dirasat al-Syari'ah al-Islamiyyah*, Beirut: Muassasah al-Risalah, 1989. Abu Yazid, *Aspek-aspek Penelitian Hukum, Hukum Islam-Hukum Barat*, Yogyakarta: Pustaka Pelajar, 2010.
- al-Bukhāri, Muhammad bin Ismail, *Shahih Bukhari*, Muhaqqiq: Dr. Mustafa Dibul Bugha, Damaskus: Dār Ibnu Katsir, Cetakan ke 5, 1993.
- Apeldoorn, L.J. Van, *Pengantar Ilmu Hukum*, terj. Oetarid Sadino, Jakarta: PT Kresna Prima Persada, 2009.
- Amir Syarifuddin, *Garis-Garis Besar Fiqh Islam*, Jilid II Jakarta: Kencana, 2005
- Antonio, M. Syaifi, *Bank Syariah: Dari Teori ke Praktik*, Jakarta: Gema Insani, 2011.
- Fatoni, Abdurrahman, *Metodologi Penelitian dan Teknik Penyusunan Skripsi*, Jakarta: Rineka Cipta, 2011. Hadi Sutrisno. *Metodologi Reserch* Yogyakarta: Andi Ofset edisi Revisi, 2002.
- Harahap, Nursapia, *Penelitian Kualitatif*, Medan: Wal Ashri Publishing 2020.
- Hardani, et al. *Metode Penelitian Kualitatif & Kuantitatif*. Yogyakarta: Pustaka Ilmu, 2020.
- Institut Ilmu Al-Qur'an (IIQ) Jakarta. *Buku Pedoman Penulisan Proposal dan Skripsi Institut Ilmu Al-Qur'an (IIQ) Jakarta*. Jakarta: IIQ Press, 2021.
- Ibnu Majah, Muhammad bin Yazid, Sunan Ibnu Majah, Halabi, Dār Ihya' al-Kutub.
- al-Kāf, Hasan bin Ahmad bin Muhammad, *At-Taqrīrāt As-Sadīdah*, Riyadh, Dār Al-Miirats An-Nabawi, 2003.
- Kementerian Agama Republik Indonesia, *Laporan Penyelenggaraan Ibadah Haji Tahun 1444 H/2023 M*, Jakarta: Kemenag RI, 2023
- Muhammad, Abdullah Alwi, *Fiqh Muamalah: Teori dan Praktik*, Jakarta: Rajawali Pers, 2016 Muhammad al-Zuhaili, *al-Mu'āmalāt al-Māliyyah al-Mu'āshirah*, Damaskus: Dār al-Fikr, 2002 Muslim, *Muslim bin Hajjaj*, Shahih Muslim, Bairut, Dār ihya' at-Turats, 1374 H/1955 M. Muhaimin, *Metode Penelitian Hukum*, Mataram: Mataram University Press, 1969 Poerwodarminto, *Kamus Bahasa Indonesia*, Jakarta: Balai Pustaka, 1982.
- Sugiyono, *Metode Penelitian Kuantitatif Kualitatif dan R&D* Alfabeta, Bandung 2020. Suyitno, *Perencanaan Wisata*, Yogyakarta: Kanisius, 2001.
- al-Thabari, Muhammad bin Jarir, *Tafsir al-Thabari*, Makkah, Dār Al-Miirats An-Nabawi, 2003. Turisno, Bambang Eko, *Perlindungan Konsumen dalam Iklan Obat*, Harlev, 2010.
- Usmani, Muhammad Taqi, *An Introduction to Islamic Finance*, Karachi: Idaratul Ma'arif, 2002.
- Wahbah az-Zuhaili, *al-Fiqh al-Islami wa Adillatuhu*, Jilid 4 Beirut: Dar al-Fikr, 1985
- Abdullah, M.Amin, "Ibadah Haji: Ziarah ke Tanah Suci Makkah dalam Perspektif Insider dan Outsider,"

Jurnal Sosiologi Agama UIN Sunan Kalijaga.Vol.16, No.1, Januari-Juni 2022.

Astutik Sri, Dudik Djaja Sidharta, Subekti, Nur Handayati, “Problematika Hukum Bagi Jemaah Haji Indonesia Non Visa Haji” Semarang Law Review (SLR), Vol 5, No.2, Oktober 2024.

Dawud Arif Khan, Umi Khusnul Khotimah, Mohammad Alfin Ni`am, “Konsep Maṣlaḥah dan Iḥtiyāṭ pada Klausul Ta`Zīr dan Ta`Wīḍ dalam Transaksi,” al-Mizan, Vol. 8, No.1, hal 46

Fadli,Adzikri, Caniago Sulatsri “Sinkronisasi Pasal 41 Undang-Undang No.8 Tahun 2019 Tentang Penyelenggaraan Ibadah Haji Menurut Siyasah Dusturiyah Dalam Perlindungan Warga Negara Indonesia”, Jurnal Integrasi Ilmu Syari’ah, Volume 3, Nomor 3, September – Desember 2022.

Fahham, Achmad Muchaddam, “Problematika BerHaji dengan Visa non Haji, Kajian Singkat terhadap Isu Aktual dan Strategis, Vol. xvi, No.12/ii/pusaka/Juni/2024.

Fitria R. Sari, “Kebijakan Pemerintah dalam Menanggulangi Penggunaan Visa Non-Haji oleh Travel Ilegal”, Jurnal Administrasi Publik Islam, Vol. 5, No. 1, 2023.

<http://e-journal.uajy.ac.id/8848/3/2TF06024.pdf>, diakses pada tanggal 9 Juni 2024 pukul 16.33 WIB.

Maulinda Nurul, Hidayat Muhammad Faishal, “Inovasi Kepemimpinan dalam Pengelolaan Visa Haji dan Umroh: Studi Kasus Penerapan E-Visa di Tahun 2023” Mecca: Journal of Hajj and Umrah, Vol.1 No.1, 2024.

Nurhayati Ida, Elisabeth Y.M. “Perlindungan Konsumen Melalui Kontrol Sosial, Formal dan Informal,” Jurnal Ekonomi dan Bisnis, Vol.10, No.1, Juni 2011.

Sahdani Ritonga, Ida Nadirah, “Penyelesaian Sengketa Wanprestasi Oleh Travel Umrah Atas Jemaah Haji Furada/Umrah di Indonesia.” Jurnal Moralita,Vol 3 No. 2, Oktober 2022.

Siti Kurnia Primanilisa & Rahmatul Fadhil, “Analisis Penerapan Akad Wakalah Pada Produk Pendanaan Sukuk Tabungan (Sbsn) Melalui Layanan Financial Technology Syariah”, al-Mizan, Vol.4, No.2, 2020, hal 66.

Fahlevi, Reza. “Analisis Faktor-Faktor Penyebab Tindak Pidana Penipuan oleh Biro Perjalanan dengan Modus Menggunakan Visa Diyafah (Kunjungan Wisata) Untuk Melaksanakan Ibadah Haji.”(Universitas Lampung), Skripsi 2019.

Mutho. M.Izzul “Implementasi Peraturan Menteri Agama (PMA) No.8 tahun 2018 tentang Penyelenggaraan Perjalanan Ibadah Umrah Oleh Penyelenggara Ibadah Umrah (PPIU)”, (Studi Kasus PT.Solusi Balad Lumampah) . (UIN Syarif Hidayatullah), Skripsi 2019.

Sanusi, H.Muhammad Hosnan Jaini “Studi Kritis Penyelenggaraan Ibadah Haji Bagi Masyarakat Muslim Indonesia Dalam Perpektif Maqasid Asy-Syariah”, Disertasi 2021.

DSN-MUI, Fatwa No. 92/DSN-MUI/IV/2014 tentang Pedoman Umum Kontrak Syariah.

Fatwa dari Hai’ah Ulama Saudi mengenai Pelaksanaan Haji menggunakan Visa non Haji (Yang ditetapkan di Riyadh, 17 Syawwal 1445/26 April 2024).

Fatwa PBNU mengenai Pelaksanaan Haji Menggunakan Visa non Haji (Ditetapkan Oleh Pengurus Besar Harian Syuriyah pada tanggal 28 mei 2024).

Undang-Undang Republik Indonesia Nomor 8 Tahun 2019, tentang Penyelenggaraan Ibadah Haji dan Umrah.

Undang-Undang Nomor 8 tahun 1999 tentang Perlindungan Konsumen.

KMA Nomor 1251 tahun 2021 tentang Skema Dan Kriteria Akreditasi Serta Sertifikasi Usaha Penyelenggaraan Perjalanan Ibadah Umrah Dan Penyelenggaraan Ibadah Haji Khusus.

Undang-Undang Republik Indonesia Nomor 6 Tahun 2011 tentang Keimigrasian, Pasal 1 angka 18.

PMA Nomor 18 tahun 2015 tentang Standar Kegiatan Usaha Penyelenggaraan Perjalanan Ibadah Umrah dan Penyelenggaraan Ibadah Haji Khusus.

PMA Nomor 5 tahun 2021 tentang Standar Kegiatan Usaha Penyelenggaraan Perjalanan Ibadah Umrah dan Penyelenggaraan Ibadah Haji Khusus..

PMA Nomor 6 tahun 2021 tentang Penyelenggaraan Perjalanan Ibadah umrah dan penyelenggaraan ibadah Haji Khusus hal 2.

PP No.5 tahun 2005, Tentang Penyelenggaraan Perizinan Usaha Berbasis Risiko.

Abdul Basir, "Perlu SKB Menteri atur Haji Non Kuota", <https://www.kemenag.go.id/kolom/perlu-skb-menteri-atur-Haji-non-kuota>, diakses pada 7 Juni 2024 pukul 16.34 WIB.

Anindya Milagsita, detik Jogja, "Berapa jam perjalanan Jakarta ke Arab Saudi untuk berangkat Haji", <https://www.detik.com/jogja/berita/d-7339002/berapa-jam-perjalanan-jakarta-ke-arab-saudi-untuk-berangkat-Haji> diakses pada tanggal 5 Juni 2024 pukul 13.05 WIB., diakses pada tanggal 5 Juni 2024 pukul 13.03 WIB.

Anisa Rizki Febriani, Detik hikmah "Biaya Haji Furada 2025: Estimasi, Durasi, dan Cara Mendaftar", <https://www.detik.com/hikmah/Haji-dan-umrah/d-7885376/biaya-Haji-furoda-2025-estimasi-durasi-dan-cara-mendaftar> pada 7 Juni 2024 pukul 22.39 WIB.

Biaya Haji Reguler 2025 Kemenag dan Batas Waktu Pelunasannya, <https://www.detik.com/hikmah/Haji-dan-umrah/d-7868510/biaya-Haji-reguler-2025-kemenag-dan-batas-waktu-pelunasannya>, diakses pada tanggal 6 Oktober 2024 pukul 12.08 WIB.

Bakri, "Empat Juta Manusia Berkumpul di Arafah", <https://aceh.tribunnews.com/2019/08/10/empat-juta-manusia-berkumpul-di-arafah>, diakses pada tanggal 5 Juni 2024 pukul 14.30 WIB.

Chandra Dwi, CNBC Indonesia, "Daftar Waktu Tunggu Haji Provinsi di Indonesia: Terlama 38 Tahun!", <https://www.cnbcindonesia.com/research/20240516140811-128-538702/daftar-waktu-tunggu-Haji-provinsi-di-indonesia-terlama-38-tahun>, dilansir pada Kamis 26 Desember 2024 pukul 21.00 WIB.

Nusuk Hajj, "Tentang Nusuk", <https://www.nusuk.sa/id#>, diakses pada 2 Desember 2024, pukul 21.30 WIB.

DetikNews, "Modus Titipan Kuota Haji Kembali Terungkap, PIHK Terlibat?", <https://news.detik.com>, diakses pada 7 Juni 2024 pukul 22.45 WIB.

Dessy Anugranov, "Pemerintah Arab Saudi: Setiap Jemaah Haji Wajib Bawa Kartu Nusuk", <https://www.rri.co.id/internasional/748247/Pemerintah-arab-saudi-setiap-jemaah-Haji-wajib-bawa-kartu-nusuk>, diakses pada 2 Desember 2024, pukul 21.30 WIB.

Finsy Aurelia Putri Kinanti, "Inilah jumlah jarak jalan kaki jemaah Haji selama di tanah suci, berapa puluh kilometer?", <https://muslim.okezone.com/read/2024/05/16/614/3009140/inilah-jumlah-jarak-jalan-kaki-jemaah-Haji-selama-di-tanah-suci-berapa-puluh-kilometer>, diakses pada tanggal 5 Juni 2024 pukul 14.00 WIB.

Humas BPKH, "Perbedaan nafar awal dan dan nafar tsani dalam ibadah Haji", <https://bpkh.go.id/perbedaan-nafar-awal-dan-nafar-tsani/>, diakses pada 3 Februari 2025 pukul 00.14 WIB.

Jayanti Retno Mandasari, "Visi Arab Saudi 2030, BPKH: Pengaruhi Kuota Haji", <https://rri.co.id/ibadah-Haji/520300/visi-arab-saudi-2030-bpkh-pengaruhi-kuota-Haji>, dilansir pada Kamis 26 Desember 2024 pukul 21.07 WIB.

Kemenag, "Data Estimasi Keberangkatan jemaah Haji per Provinsi", <http://Hajikemenag.go.id/v3/basisdata/waiting-list>, diakses pada 23 November 2024, pukul 15.09 WIB.

Kemenag RI, "Mina hanya bisa tampung 14 Juta Jiwa", <https://kemenag.go.id/nasional/mina-hanya-bisa-tampung-14-juta-jiwa-205301>, diakses pada tanggal 5 Juni 2024 pukul 14.32 WIB.

Kemenag RI, "Keppres biaya Haji 1446 H terbit, catat besaran dan tahapan pelunasannya", <https://kemenag.go.id/nasional/keppres-bpih-2020-terbit-ini-biaya-Haji-per-embarkasi>, diakses pada tanggal 5 Juni 2024 pukul 14.13 WIB.

Kementerian Dalam Negeri Kerajaan Arab Saudi, "*Tasrib Haji Regulation*" <https://www.moi.gov.sa/wps/wcm/connect/10b4e2ad-2ea7-43dc-8981-3dda70f9d9d3/222.pdf?MOD=AJPERES&CVID=o7pz2UR>, diakses pada tanggal 9 Oktober 2024 pukul 10.46 WIB.

- Kemenag RI, "22 WNI Tanpa Visa Haji Dideportasi dan Dilarang Masuk Saudi 10 Tahun", <https://www.kemenag.go.id/internasional/22-wni-tanpa-visa-Haji-dideportasi-dan-dilarang-masuk-saudi-10-tahun-u12jp>, diakses pada tanggal 16 Juli 2024 pukul 10.31 WIB.
- Kemdikbud Data dan Sumber Data Kualitatif," Situs Resmi Kementerian Pendidikan dan kebudayaan, [https://lmsspada.kemdikbud.go.id/pluginfile.php/553988/mod\\_folder/content/0/Data%20dan%20Sumber%20Data%20Kualitatif.pdf?forcedownload=1](https://lmsspada.kemdikbud.go.id/pluginfile.php/553988/mod_folder/content/0/Data%20dan%20Sumber%20Data%20Kualitatif.pdf?forcedownload=1), hal.3, diakses pada tanggal 9 Juni 2024 pukul 16.50 WIB.
- NU Online, "PBNU Putuskan Ibadah Haji tanpa Visa Resmi Cacat dan Berdosa", <https://www.nu.or.id/nasional/pbnu-putuskan-ibadah-Haji-tanpa-visa-resmi-cacat-dan-berdosa-qIHQn> diakses pada 7 Juni 2024 pukul 21.51 WIB.
- NU Online, "Hukum BerHaji dengan Visa Non Haji", <https://www.nu.or.id/nasional/pbnu->, diakses pada 7 Juni 2024 pukul 22.51 WIB.
- Prasetyo, W.B, "203 Jemaah sidrap ditangkap di Jeddah, Timwas DPR Soroti Visa Non Haji", <https://www.beritasatu.com/nasional/2822914/203-jemaah-sidrap-ditangkap-di-jeddah-timwas-dpr-soroti-visa-nonHaji>. Diakses pada 22 Juli 2024 pukul 13.57 WIB.
- Rusmasiela Mewipiana Presilla, "Cara Mendaftar dan Syarat Membuat Visa Haji Furada, Apa Saja", <https://www.detik.com/bali/berita/d-7366955/cara-mendaftar-dan-syarat-membuat-visa-Haji-Furada-apa-saja>, diakses pada 7 Juni 2024 pukul 22.19 WIB.
- Syekh Fahd Al-Majed, Saudi Gazzet " Fatwa dewan mengenai tasrih pada banyak bukti dan prinsip-prinsip syariah, <https://www.spa.gov.sa/N2090424>, diakses pada tanggal 9 Oktober 2024 pukul 13.39 WIB.
- Saudnesia, "Macam-Macam Visa Untuk ke Arab Saudi, <https://saudnesia.id/ekspatriat/macam-macam-visa-untuk-ke-arab-saudi/>, diakses pada 16 Juni 2025 pukul 22.00 WIB.
- Setya, D. (2024, April 21) "Jangan tertipu! Kemenag tegaskan hanya Visa Haji yang berlaku untuk berHaji 2024". Detik, <https://www.detik.com/hikmah/Haji-dan-umrah/d-7303115/jangan-tertipu-kemenag-tegaskan-hanya-visa-Haji-yang-berlaku-untuk-berHaji-2024>, diakses pada 22 Juli 2024 pukul 14.01 WIB.
- Teguh Firmansya, "Sudah Bayar 300 Juta, 22 WNI Pemilik Visa Non Haji Dideportasi dan dilarang masuk 10 Tahun", <https://news.republika.co.id/berita/sedlwf377/sudah-bayar-300-juta-22-wni-pemilik-visa-nonHaji-dideportasi-dan-dilarang-masuk-10-tahun>, diakses pada 7 Juni 2024 pukul 22.55 WIB.
- Winda Galuh Desfianti, "Keputusan Menteri Agama Nomor 77 Tahun 2024 tentang Biaya Perjalanan Ibadah Haji Reguler Tahun 1445 H/2024 M dan Penggunaan Nilai Manfaat", <https://Haji.kemenag.go.id/v5/detail/article-10>, diakses pada tanggal 5 Juni 2024 pukul 14.20 WIB.
- Yudono Yanuar, "Tragedi Mina: Ratusan jamaah tewas akibat desak-desakan", <https://dunia.tempo.co/read/703495/tragedi-mina-ratusan-jamaah-tewas-akibat-desak-desakan>, diakses pada tanggal 5 Juni pukul 14.10 WIB.
- السعودية تحذر من شركات حج وهمية وتؤكد أنه لا حج إلا بتأشيرة المملكة، <https://www.almamlakatv.com//news/141052-> diakses pada 7 Juni 2024 pukul 21.44 WIB.
- "حکم الحج لمن يسافر إلى السعودية بعقد عمل" دار الإفتاء المصرية، [https://www.dar-alifta.org/ar/fatawa/11851/-](https://www.dar-alifta.org/ar/fatawa/11851/) diakses pada 7 Juni 2024 pukul 22.45 WIB.
- Rani Pilo "Manfaat memiliki Izin Usaha Travel yang Perlu diketahui", <https://effist.com/article/manfaat-izin-usaha-Travel/>, diakses pada tanggal 19 September 2024 Pukul 21.58 WIB.
- Jenis surat izin usaha Travel dan manfaat memilikinya <https://novandi.id/surat-izin-usaha-Travel/>, diakses pada tanggal 19 September 2024 Pukul 21.40 WIB.
- Siyahah Sa'udiyah, "السعودية تطلق خدمة إصدار "تأشيرة المرور للزيارة" للقادمين "جوا" إلكترونياً" <https://web.archive.org/web/20230210075107/https://www.alarabiya.net/aswaq/travel-and->

- [tourism/2023/01/30/الالكترونيًا-جواً-للقادمين-للمرور-لزيارة-اصدار-تأشيرة-الخدمة-السعودية-تطلق-الخارجية-السعودية](https://tourism/2023/01/30/الالكترونيًا-جواً-للقادمين-للمرور-لزيارة-اصدار-تأشيرة-الخدمة-السعودية-تطلق-الخارجية-السعودية), diakses pada tanggal 6 Oktober 2024 pukul 10.19 WIB.
- Saudi Visa, “انواع التأشيرات في السعودية”, <https://saudivisa.com/ar/أنواع-التأشيرات-السعودية/#employment>, diakses pada tanggal 6 Oktober 2024 pukul 10.23 WIB.
- Republika, “Provider Visa Dicurigai Bantu Jemaah Ilegal, Kemenag Minta Investigasi”, <https://www.republika.co.id>, diakses pada 7 Juni 2024 pukul 22.40 WIB.
- “\_\_\_\_\_” <https://web.archive.org/web/20230210075107/https://www.alarabiya.net/aswaq/Travel-and-tourism/2023/01/30/الالكترونيًا-جواً-للقادمين-للمرور-تأشيرة-اصدار-خدمة-تطلق-السعودية-الخارجية>, diakses pada tanggal 6 Oktober 2024 pukul 10.19 WIB.
- “\_\_\_\_\_” <https://al-marsd.com/article/157479>, diakses pada 15 November 2024, pukul 10.03 WIB.
- “\_\_\_\_\_” <https://al-marsd.com/article/157479>, diakses pada 2 Desember 2024, pukul 22.00 WIB.
- “\_\_\_\_\_” <https://al-marsd.com/article/157479>, diakses pada 2 Desember 2024, pukul 22.00 WIB.
- Apa itu visa? Pengertian, Fungsi, dan Jenis-jenisnya, Tim Bank Mega Syariah, <https://www.megasyariah.co.id/id/artikel/edukasi-tips/syariah-card/visa-adalah>, diakses pada jum'at 4 Oktober 2024 pukul 15.27 WIB.
- Jenis surat izin usaha Travel dan manfaat memilikinya <https://novandi.id/surat-izin-usaha-Travel/>, diakses pada tanggal 19 September 2024 Pukul 21.40 WIB.
- Lihat situs Traveloka.com, diakses pada 11 November 2024, Pukul 21.33 WIB.
- Perhatikan ini bila ingin berlibur menggunakan jasa Travel agent <https://www.hukumonline.com/klinik/a/perhatikan-ini-bila-ingin-berlibur-menggunakan-jasa-iTravel-agent-i-lt53f457b05faef/>, diakses pada tanggal 20 September 2024 pukul 22.31 WIB.
- Salmaa, “Pendekatan Penelitian: Pengertian, Jenis-Jenis, dan Contoh Lengkapnya,” Deepublish. <https://penerbitdeepublish.com/pendekatan-penelitian/#>, diakses pada tanggal 6 juni 2024 pada pukul 22.34 WIB.
- بشرط والسماح لهم بالتوجه إلى الرياض ب ..!منع دخول حاملي تأشيرات الزيارة إلى هذه المطارات :ذي القعدة 10 اعتباراً من <https://al-marsd.com/article/157479>, diakses pada 15 November 2024, pukul 10.03 WIB. <https://al-marsd.com/article/157479>, diakses pada 2 Desember 2024, pukul 22.00 WIB.