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## Strengthening Hajj Governance in Indonesia: Regulatory Challenges, Implementation Gaps, and Consumer Protection Strategies

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## Abstract

Hajj, as one of the pillars of Islam, holds significant religious and social significance for Indonesian Muslims, yet its governance faces complex challenges related to regulation, health, finance, and pilgrim protection. This study aims to systematically examine the regulatory framework for Hajj protection in Indonesia and identify implementation gaps and interrelationships between policies. This study employed a systematic literature identification and mapping approach based on Scopus-indexed publications for the 2019–2024 period, analyzed through qualitative synthesis and concept mapping. The results indicate that Hajj protection in Indonesia is regulated through a multi-layered framework encompassing ministerial regulations, national laws, and institutional arrangements, particularly PMA Number 29 of 2015 and Law Number 8 of 2019. However, the findings also reveal significant gaps in implementation, including limitations in controlling repeat Hajj pilgrimages, weak institutional coordination, a lack of transparency in the management of Hajj funds by the Hajj Fund Management Agency, and inconsistencies in oversight and compliance with health standards. The study concludes that strengthening regulations, increasing oversight, and developing public awareness are key strategies to improve the effectiveness of Hajj protection.

## Keywords

Consumer Protection, Financial Management, Hajj Protection, Health, Safety.

## 1. Introduction

Hajj, as one of the fundamental pillars of Islam, holds profound religious, spiritual, and social significance for Indonesian Muslims, the largest Muslim population in the world. Every year, millions of Indonesians aspire to perform the pilgrimage, yet the process is fraught with complex challenges related to long waiting periods, health risks, financial management, and compliance with legal frameworks (Zulkarnain et al., 2025; Aripin, 2025). Ensuring the protection, welfare, and safety of pilgrims is therefore a critical responsibility of the state, particularly in a context where the management of Hajj involves intricate interactions between law, policy, religious authority, and public administration (Hamzani et al., 2018; Setiawan & Soewarni, 2024). Previous studies by Prabowo and Sulistianingsih (2020), Huda and Haeba (2021), and Siddiq et al. (2024) have highlighted several concerns, including health administration, regulatory compliance, and consumer protection, but there is a lack of comprehensive mapping that integrates these dimensions into a coherent framework.

The regulatory framework governing Hajj in Indonesia is multifaceted, comprising laws, ministerial regulations, and institutional guidelines. For instance, the Regulation of the Minister of Religious Affairs Number 29 of 2015, which amends Regulation Number 14 of 2012, regulates waiting periods and prioritizes fairness by limiting repeat pilgrims for ten years (Siddiq et al., 2024). Law Number 8 of 2019 emphasizes consumer protection, supervision of Hajj service providers, and the prevention of fraud (Huda & Haeba, 2021). Meanwhile, the Hajj Financial Management Agency (*Badan Pengelola Keuangan Haji/BPKH*), established under Law Number 34 of 2014, oversees the collection and investment of Hajj funds. Despite these mechanisms, issues such as dual authority, inefficient fund management, and compliance gaps remain significant challenges (Pane et al., 2019; Zakiruddin, 2023; Hetharie et al., 2025).

Health and safety represent another crucial aspect of Hajj protection. Pilgrims face risks related to infectious diseases, physical strain, and environmental hazards. Indonesian regulations mandate health preparedness measures, including pre-departure medical screenings, immunization programs, and decentralized health policies at the district level (Rudyanto et al., 2019; Ishom et al., 2024). Nevertheless, compliance and enforcement remain inconsistent, necessitating improvements in both managerial practices and public awareness campaigns (Prabowo & Sulistianingsih, 2020; Qadariyah & Faruq, 2025). The issues of unauthorized Hajj travel (*taṣrīḥ*) highlight the need for harmonized fatwas and regulatory guidance to safeguard pilgrims' rights and spiritual obligations (Aljawi & Hoesein, 2025; Aljawi & Santiago, 2025). Given the complexity of Hajj governance in Indonesia, a systematic approach is required to synthesize existing knowledge, identify regulatory gaps, and propose actionable improvements (Jumali, 2020; Lesmana et al., 2025).

Based on these considerations, this study is guided by three interrelated research questions that aim to provide a comprehensive understanding of Hajj protection in Indonesia. First, it examines the main regulations, policies, and institutional arrangements governing the administration and protection of Hajj, with particular attention to the roles of legal frameworks and state institutions. Second, it investigates how policies related to health, safety, financial management, and consumer protection are implemented and monitored in practice for Indonesian pilgrims, highlighting potential discrepancies between regulatory design and on-the-ground execution. Third, it seeks to systematically map existing studies and regulatory instruments to identify gaps, overlaps, and interconnections that may affect the overall effectiveness of Hajj governance.

This study contributes to the literature in several important ways. It offers an integrated analytical framework that bridges fragmented discussions on legal, administrative, financial, and health dimensions of Hajj management, thereby addressing the lack of comprehensive synthesis in prior research. In addition, it provides a systematic mapping approach that not only clarifies the structure of existing regulations but also reveals critical governance gaps and coordination challenges among institutions. The findings are expected to inform policymakers by proposing evidence-based recommendations to enhance regulatory coherence, strengthen institutional accountability, and improve service delivery for pilgrims. Furthermore, this study enriches the broader discourse on public administration and religious governance by demonstrating how complex, multi-level regulatory systems can be evaluated and improved in a developing country context.

## **2. Methods**

This study uses a systematic literature identification and mapping approach to examine the regulatory framework governing Hajj protection in Indonesia. The design emphasizes an integrative review of existing scholarly works to capture multidimensional aspects of Hajj governance, including legal, policy, health, and management perspectives. Rather than relying on primary field data, the study utilizes secondary data derived from peer-reviewed academic publications indexed in Scopus. The population of this study, therefore, consists of all relevant scholarly articles discussing Hajj protection, while the unit of analysis is limited to selected publications that explicitly address Indonesian contexts and regulatory dimensions.

Data collection was conducted through AI-assisted search queries on the Scopus database, employing both natural language queries and structured keyword-based searches. The natural language search was designed to capture broader discussions on legal frameworks and governance of Hajj protection, while the keyword search applied combinations such as (“Hajj” OR “pilgrimage” OR “Islamic pilgrimage”) AND (“regulation” OR “policy” OR “law” OR “guideline”) AND (“protection” OR “safety” OR “security” OR “welfare”) AND (“Indonesia” OR “Indonesian”). The inclusion criteria focused on publications between 2019 and 2024 that discuss legal, health, policy, and management aspects of Hajj. The search identified 9 key studies that were identified and selected after a screening process based on relevance of content, particularly those addressing regulations, institutional roles, pilgrim management, health preparedness, and cultural considerations.

The data analysis technique employed in this study involves qualitative synthesis and concept mapping. Extracted information from the selected studies was systematically organized to identify recurring themes, relationships, and patterns across the literature. These findings were then structured into a concept map to visualize the interconnections between policy frameworks, implementation challenges, health regulations, and cultural dimensions in Hajj protection. This analytical approach enables the identification of both regulatory gaps and practical challenges, as well as the relationships between policy implementation, Hajj restrictions, and health measures for Indonesian pilgrims.

## **3. Results and Discussion**

### **3.1. Regulatory Framework and Institutional Arrangements Governing Hajj**

To provide a comprehensive understanding of the regulatory landscape of Hajj protection in Indonesia, it is essential to review prior studies that have examined this issue from various perspectives. Existing literature highlights that Hajj governance is not only shaped by legal and policy frameworks but also influenced by health readiness, administrative systems, and religious considerations. These studies offer valuable insights into how regulations are formulated, implemented, and evaluated

in practice, as well as the challenges faced in ensuring effective protection for pilgrims. Therefore, Table 1 presents a selection of relevant studies that illustrate the scope, focus, and key themes related to Hajj protection regulations in Indonesia.

**Table 1.** Selected Studies on Hajj Protection Regulations in Indonesia

Authors	Focus/Scope
Siddiq et al. (2024)	Restrictions on Hajj pilgrimage, Sadd al-Dzari'ah perspective
Huda and Haeba (2021)	Hajj waiting list and <i>Istita'ah</i> regulations
Ishom et al. (2024)	Health <i>Istita'ah</i> and decentralized health policies
Wardhani et al. (2019)	Quality assurance of Hajj health in the Bojonegoro district
Rustika et al. (2020)	Health policy implementation for Hajj pilgrims
Maram et al. (2024)	Fatwa on Hajj without <i>Taşrīh</i>
Rudyanto et al. (2019)	Preparing fit and healthy pilgrims through health policy
Pane et al. (2019)	Hajj cohort mortality in Saudi Arabia
Prabowo and Sulistianingsih (2020)	Health administration and governance for Hajj

The regulatory framework governing Hajj in Indonesia consists of a combination of ministerial regulations, national laws, and institutional guidelines designed to ensure the safety, welfare, and fairness of the pilgrimage process. These regulations play a critical role in addressing the complexities of managing millions of pilgrims each year, balancing religious obligations, health and safety requirements, and administrative efficiency (Palangkey et al., 2021).

One of the most important instruments is the Regulation of the Minister of Religious Affairs Number 29 of 2015, which amends the earlier Regulation Number 14 of 2012. This ministerial regulation primarily focuses on managing the long Hajj waiting list, which has been a recurring concern in Indonesia due to the high demand for pilgrimage and limited quotas allocated by the Saudi authorities. The regulation prohibits individuals who have already performed Hajj from re-registering for another pilgrimage for a period of ten years. The primary goal of this policy is to ensure fairness among prospective pilgrims by giving new applicants a chance to perform Hajj, thereby reducing the social tension and public dissatisfaction associated with long waiting periods (Siddiq et al., 2024).

By enforcing a 20-year waiting period, the regulation not only addresses equity concerns but also contributes to managing the logistical challenges of pilgrimage preparation (Rustika et al. 2020; Rosida, 2023). This includes allocating financial, health, and transportation resources more efficiently and ensuring that first-time pilgrims receive adequate guidance and support. Moreover, the policy reflects the government's intention to balance religious fulfillment with public order, preventing potential unrest that might arise from perceived unfairness in access to Hajj (Prabowo & Sulistianingsih, 2020; Hafiz & Setyadi, 2020). In practice, the regulation requires careful coordination between local religious offices, the Ministry of Religious Affairs, and the Hajj Financial Management Agency (*Badan Pengelola Keuangan Haji/BPKH*) to monitor registrations and enforce compliance.

Complementing the ministerial regulations, Law Number 8 of 2019 provides a broader legal framework for the organization of Hajj and Umrah in Indonesia. This law establishes the responsibilities of the state, institutions, and service providers in ensuring the protection of pilgrims. A key emphasis of the law is consumer protection, which includes safeguarding pilgrims from fraud, financial mismanagement, and unethical practices by travel agencies. Law Number 8 also stresses the importance of effective supervision, requiring the Ministry of Religious Affairs to implement monitoring mechanisms that prevent violations of Hajj and

Umrah procedures and protect pilgrims' legal and financial rights (Huda & Haeba, 2021).

Furthermore, Law Number 8 of 2019 provides guidance on coordination among various institutions involved in Hajj administration, such as the BPKH, local religious offices, and health authorities. It outlines responsibilities in areas such as financial management, health screening, insurance coverage, and safety preparedness. For instance, the law stipulates that Hajj funds must be managed transparently, invested according to Islamic financial principles, and used to support pilgrims' welfare. In addition, it encourages ongoing evaluation and improvement of Hajj-related services, aiming to ensure that pilgrims experience a safe, organized, and spiritually fulfilling journey (Setiawan & Soewarno, 2024).

Together, the ministerial regulations and national law form a cohesive framework designed to govern the organization of Hajj in Indonesia. While ministerial regulations address operational and procedural matters, such as waiting lists and registration rules, the national law provides overarching principles that guide institutional coordination, consumer protection, and compliance monitoring. Despite these regulations, challenges remain in implementation, particularly regarding enforcement, public awareness, and alignment between regulations and the needs of pilgrims (Arinnis et al., 2022; Chandra, 2023).

### **3.2. Financial Management, Health and Safety, and Consumer Protection**

The management of Hajj in Indonesia involves not only a robust regulatory framework but also careful attention to financial management, health and safety, and consumer protection to ensure that pilgrims' spiritual, physical, and financial well-being is safeguarded throughout the pilgrimage process. The BPKH, established under Law Number 34 of 2014, serves as the central institution responsible for collecting, managing, and investing Hajj funds. Its primary mandate is to guarantee the security and sustainability of pilgrims' savings while supporting the logistics of the pilgrimage, including travel arrangements, accommodation, health services, and other essential needs. Despite its strategic role, BPKH faces challenges such as dualism of authority, where overlapping responsibilities between institutions create inefficiencies in decision-making and fund allocation. In addition, aspects of inefficient management, such as delays in fund distribution and limited transparency in investment practices, highlight the need for improved governance, accountability, and operational oversight (Pane et al., 2019; Zakiruddin, 2023; Hetharie et al., 2025).

BPKH is authorized to invest Hajj funds in infrastructure and development projects, provided that these investments comply with *maqasid al-shari'ah*, the objectives of Islamic law. This requires that investments generate financial returns without violating ethical or religious principles and that pilgrims' savings are protected from undue risk. At the same time, investment decisions must respect pilgrims' spiritual rights, ensuring that the funds contribute to services and projects that directly or indirectly support the pilgrimage experience (Zakiruddin, 2023; Hetharie et al., 2025). By combining Islamic financial principles with modern fund management practices, BPKH seeks to create a transparent, ethical, and sustainable system that balances financial growth with the protection of pilgrims' welfare.

Health and safety considerations are another critical aspect of Hajj protection, given the physical and environmental risks associated with the pilgrimage. The state has an obligation to ensure that all pilgrims are medically fit and protected from communicable diseases, heat-related illness, and other hazards. Health administration policies in Indonesia emphasize good governance and total quality management to improve the delivery of medical services and related logistics (Prabowo & Sulistianingsih, 2020). This includes coordination with local health authorities, pre-departure medical screenings, and the provision of emergency medical services during the pilgrimage. Immunization requirements also form a key part of the health strategy, with compulsory vaccinations implemented to prevent

outbreaks of diseases such as invasive meningococcal disease. However, compliance with these requirements is not always consistent, indicating gaps in monitoring and the need for enhanced public education to ensure that all pilgrims meet health standards before departure (Rudyanto et al., 2019; Ishom et al., 2024). Ensuring the health of pilgrims is essential not only for individual safety but also for preventing public health risks in both Indonesia and Saudi Arabia.

Consumer protection is equally important in safeguarding pilgrims from fraud and unauthorized practices. Despite regulations, instances of fraud by Hajj and Umrah travel agencies continue to occur, including mismanagement of funds and the offering of unlicensed or fraudulent travel packages. Effective supervision and legal enforcement by the Ministry of Religious Affairs are therefore necessary to protect pilgrims' rights and ensure that travel providers comply with established standards (Huda & Haeba, 2021). Unauthorized Hajj travel, performed without an official visa or *taṣrīh*, also presents significant risks, both financial and spiritual, for pilgrims. To mitigate this, harmonized fatwas and targeted public education campaigns are recommended to inform prospective pilgrims about the legal and religious implications of performing Hajj without authorization, thus improving compliance and reducing potential risks (Maram et al., 2024).

The effective management of Hajj in Indonesia requires a comprehensive approach that integrates financial stewardship, health and safety regulations, and consumer protection measures (Hasan, 2016; Maram et al., 2024). The BPKH ensures ethical and sustainable fund management, health regulations safeguard pilgrims' physical well-being, and consumer protection mechanisms prevent fraud and unauthorized practices (Husen, 2024; Hamim et al., 2024). These elements contribute to a structured, safe, and well-managed pilgrimage experience, reflecting the Indonesian government's commitment to balancing religious obligations with public welfare, transparency, and accountability.

### **3.3. Systematic Mapping of Hajj Protection Regulations in Indonesia**

Improving the protection and welfare of Indonesian pilgrims requires a comprehensive approach that addresses gaps in regulations, supervision, and public awareness. Based on the systematic mapping of existing studies and regulatory frameworks, this study identifies three interrelated areas for improvement within the Hajj governance system. First, stricter regulations are necessary to prioritize first-time pilgrims while limiting repeated participation that contributes to prolonged waiting periods and inefficiencies. The mapping results reveal regulatory gaps in controlling repeat Hajj, leading to imbalances in access and resource allocation. As noted by Siddiq et al. (2024), unrestricted repeated participation creates registration bottlenecks, extends waiting lists, and strains financial, health, and logistical systems. Strengthening ministerial and national regulations is therefore essential to improve fairness and efficiency.

Second, the analysis highlights weaknesses in supervision and enforcement mechanisms. The systematic mapping indicates inconsistencies in monitoring practices and limited coordination among regulatory bodies, which enable fraud, mismanagement, and non-compliance by service providers. Empirical evidence by Huda and Haeba (2021) shows that such irregularities undermine both the financial and spiritual welfare of pilgrims. Strengthening oversight through regular audits, stricter licensing, and integrated monitoring systems is critical. Moreover, supervision is closely interconnected with other governance domains, as effective oversight enhances policy implementation and ensures compliance with health and safety standards.

Third, public awareness emerges as a key cross-cutting factor affecting regulatory effectiveness. The mapping results demonstrate that limited understanding of legal, financial, and health requirements contributes to persistent challenges, including unauthorized Hajj and non-compliance with health protocols

(Rudyanto et al., 2019; Maram et al., 2024). Public awareness is strongly linked to cultural, regulatory, and operational dimensions, suggesting that educational interventions can improve compliance across multiple areas. Targeted campaigns through digital platforms, community programs, and religious institutions can enhance understanding of registration procedures, visa regulations, and health obligations (Maslahah et al., 2025).

These findings are synthesized through a concept mapping framework that organizes four interconnected domains: cultural considerations, pilgrim management, policy frameworks, and health regulations. The mapping reveals structural gaps, overlaps, and interconnections across these domains (Pane et al., 2019; Wardhani et al., 2019). Cultural values, including fatwa and *maqāsid al-sharī'ah*, shape regulatory and ethical orientations, while policy and management domains govern operational processes. Health regulations intersect with all domains, emphasizing preparedness and compliance. Importantly, improvements in one domain can generate positive spillover effects in others, highlighting the need for an integrated approach.

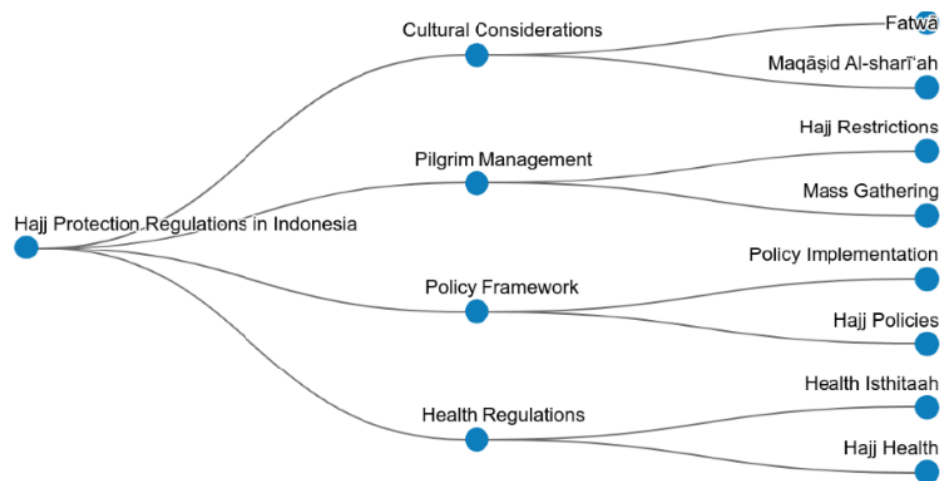


Figure 1. Systematic Mapping of Hajj Governance

Figure 1 shows that systematic mapping of existing literature and regulations effectively identifies governance gaps and interconnections in Hajj protection. By integrating stricter regulations, enhanced supervision, and increased public awareness within this framework, policymakers can develop more coherent and adaptive strategies (Rustika et al., 2020; Pratama et al., 2023). This directly addresses RQ3 by showing how existing knowledge and regulatory instruments can be aligned to improve the safety, fairness, and welfare of Indonesian pilgrims.

#### 4. Conclusion

This study demonstrates that Hajj protection in Indonesia is governed by a multilayered regulatory framework comprising ministerial regulations, national laws, and institutional guidelines. This framework is designed to safeguard the welfare, health, and spiritual rights of pilgrims while ensuring fairness in the registration system. The systematic mapping results reveal that, despite the strong regulatory foundation provided by the Regulation of the Minister of Religious Affairs Number 29 of 2015 and Law Number 8 of 2019, significant gaps persist in implementation. These include limitations in controlling repeated Hajj participation, challenges in institutional coordination, issues of transparency in Hajj fund

management by BPKH, and inconsistencies in supervision and compliance with health standards. The findings imply that strengthening regulatory enforcement, enhancing oversight of service providers, and improving public awareness are essential strategies to optimize the effectiveness of Hajj protection.

However, this study is subject to several limitations. It relies exclusively on secondary data from Scopus-indexed literature and does not incorporate primary empirical evidence, thereby limiting its ability to fully capture real-world policy implementation dynamics. In addition, the relatively small number of selected studies may affect the generalizability of the findings. Future research is therefore encouraged to adopt empirical approaches, such as stakeholder interviews and field-based policy analysis, to provide deeper insights into implementation practices. Further studies may also develop quantitative or cross-country comparative models to enrich the analysis and generate more robust and actionable policy recommendations for improving Hajj governance and pilgrim protection in Indonesia.

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The authors declare that there is no conflict of interest.

### ***Ethical Approval and Originality Statement***

Ethical approval was obtained for this study. The manuscript represents original work and has not been previously published, nor is it under consideration by another journal.

### ***Data Disclosure Statement***

The data that support the findings of this study are available from the corresponding author upon reasonable request.



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