

# **Public Policy Theory Analysis of the Distribution of Hajj Pilgrim Quotas in Indonesia**

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## **Abstract:**

This study analyzes public policy theories on the distribution of hajj pilgrim quotas in Indonesia. The objectives of the research include discussing in depth the understanding and importance of public policy in the hajj pilgrimage, as well as public policy analysis on the distribution of quotas for pilgrims in Indonesia. The research was carried out in a literature manner with a normative juridical approach through data collection by researching literature materials. From the perspective of public policy theory, the hajj visa policy must be designed with various aspects in mind including social justice, administrative efficiency, and applicable legal principles. The government must strive to optimize quota allocation by considering the needs of the community and the existing service capacity. Good management of the registration and quota distribution system can reduce dissatisfaction among prospective pilgrims and increase public trust in this process. Overall, public policies regarding hajj visas and the distribution of hajj pilgrim quotas in Indonesia must continue to be refined by taking into account feedback from the public and making necessary adjustments to face existing challenges. The government is expected to develop policies that not only meet the principles of justice and efficiency but also pay attention to social and cultural aspects relevant to the implementation of the hajj.

Penelitian ini menganalisis teori kebijakan publik terhadap distribusi kuota jemaah haji di Indonesia. Tujuan penelitian di antaranya membahas secara mendalam pengertian dan pentingnya kebijakan publik dalam ibadah haji, serta analisis kebijakan publik terhadap pendistribusian kuota bagi jemaah haji di Indonesia. Penelitian dilakukan secara kepustakaan dengan pendekatan yuridis normatif melalui pengumpulan data dengan cara meneliti bahan-bahan kepustakaan. Dari perspektif teori kebijakan publik, kebijakan visa haji harus dirancang dengan memperhatikan berbagai aspek termasuk keadilan sosial, efisiensi administrasi, dan prinsip-prinsip hukum yang berlaku. Pemerintah harus berupaya untuk mengoptimalkan alokasi kuota dengan mempertimbangkan kebutuhan masyarakat dan kapasitas pelayanan yang ada. Pengelolaan yang baik dari sistem pendaftaran dan distribusi kuota dapat mengurangi ketidakpuasan di kalangan calon jemaah dan meningkatkan kepercayaan publik terhadap proses ini. Secara keseluruhan, kebijakan publik mengenai visa haji dan distribusi kuota jemaah haji di Indonesia harus terus disempurnakan dengan memperhatikan umpan balik dari masyarakat dan melakukan penyesuaian yang diperlukan untuk menghadapi tantangan yang ada. Pemerintah diharapkan dapat mengembangkan kebijakan yang tidak hanya memenuhi prinsip-prinsip keadilan dan efisiensi tetapi juga memperhatikan aspek-aspek sosial dan kultural yang relevan dengan pelaksanaan ibadah haji.

**Keywords:** *Public policy, theory, quota, pilgrims.*

## **Introduction**

Hajj is one of the obligations of Muslims, carried out once a year in the month of Dzulhijjah, and required by His servants who are able to carry out these obligations. However, because the implementation of worship involves a series of activities and a large number of congregations, systematic management is needed. Therefore, the Saudi Arabian government has limited the quota of pilgrims in each country due to the limited capacity of the Grand Mosque, accommodation, transportation, and so on.<sup>1</sup>

The implementation of the Hajj pilgrimage in Indonesia itself is regulated in Law Number 8 of 2019 concerning the Implementation of Hajj and Umrah as

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<sup>1</sup> Qomarul Huda, and Ilham Dwitama Haeba. "Hajj, Istita'ah, and Waiting List Regulation in Indonesia." *Al'Adalah* 18, no. 2 (2021): 193-212.

partially amended by PERPU Number 2 of 2022 concerning Job Creation.<sup>2</sup> Implementing the hajj is a national task carried out by the Ministry of Religious Affairs. This is the mandate of the Constitution of the Republic of Indonesia as stated in Article 29 Paragraph (2): "The State guarantees the freedom of each citizen to embrace their respective religion and to worship according to their religion and belief".<sup>3</sup> Therefore, with this, the state is obliged to ensure the order and safety of its citizens when carrying out the worship.<sup>4</sup>

The policy regarding the provision of hajj quotas by the Saudi Government is inseparable from rational considerations for the welfare of the global community.<sup>5</sup> The provision of this quota aims to ensure that Muslims from various countries have a fair opportunity to perform the hajj every year.<sup>6</sup> Especially with the Muslim population which continues to increase, which is as much as 24.9% of the total population in the world in 2020 and will continue to increase by 2 (two) billion by 2030.<sup>7</sup> With the Muslim population continuing to grow, the Saudi government is constantly working to adjust the quota and ensure that every country has a fair opportunity to perform the hajj with an orderly and conducive environment.

Meanwhile, Indonesia as the country with the largest Muslim population reached 240.62 million people and occupied the first position as a country of Islamic believers in Southeast Asia.<sup>8</sup> With this large number, of course, the demand for performing the hajj is also very high every year, so to overcome this problem, government policies are needed to formulate strategies to solve public problems.<sup>9</sup> In

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<sup>2</sup> Rafika Hidayah Afsari, Syafruddin Syam, and Ali Akbar. "Menghajikan Anak yang Belum Baligh Perspektif Imam Hanafi dan Imam Asy-Syafi'i (Studi Kasus di Kecamatan Medan Marelan)." *Asian Journal of Early Childhood and Elementary Education* 1, no. 1 (2023): 44-62.

<sup>3</sup> Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, Pasal 29 ayat (2)

<sup>4</sup> Tareq Al-Billeh. "Freedom of religious belief and the practice of religious rites according to the Jordanian legislation: Difficult balance between international and regional requirements as well as the national legislative controls." *Balkan Social Science Review* 20, no. 20 (2022): 117-137.

<sup>5</sup> Abdullah A. Saati, et al. "A Saudi Arabian public health perspective of tuberculosis." *International Journal of Environmental Research and Public Health* 18, no. 19 (2021): 10042.

<sup>6</sup> Dedeng Yusuf Maolani, Benyamin Harits, and Iwan Satibi. "Collaborative governance of hajj implementation in Indonesia: A case study at the office of the Ministry of Religion in Bandung." *Central European Management Journal* 31, no. 1 (2023): 900-912.

<sup>7</sup> Pew Research Centre, *The Future of World Religions: Population Growth Projections 2010-2050*, (Washington DC USA, 2021).

<sup>8</sup> Muhammad Miftahul Ikhsan, et al. "Hedging Sebagai Solusi Dari Pengelolaan Dana Haji." *El-Iqthisady: Jurnal Hukum Ekonomi Syariah* 5, no. 2 (2023): 181-191.

<sup>9</sup> Ahmad J. Showail. "Solving hajj and umrah challenges using information and communication technology: a survey." *IEEE Access* 10 (2022): 75404-75427.

relation to this strategy, it is important to analyze the strategy carried out by the government through public policy theory or public policy theory on the distribution of hajj quotas for the Indonesian state.

James E. Anderson formulated policy as an action step that is deliberately taken by an actor or a number of actors in relation to the existence of certain problems or problems faced.<sup>10</sup> Meanwhile, Thomas R. Dye stated that public policy is whatever the government chooses to do or not to do (*whatever government chooses to do or bot to do*).<sup>11</sup> To find out the content of the policy, it is better to first determine the relationship between the problem and the policy, and vice versa so that certain actions will be formulated by the policymaker.

The analysis of public policy theory is very important in examining the problem of hajj quota distribution because this policy faces a big challenge in regulating the increasing number of pilgrims in the midst of the limited capacity of holy places.<sup>12</sup> The Saudi Arabian government sets quotas to ensure the safety and comfort of the hajj, but this raises the need to distribute the quotas fairly to all sending countries.<sup>13</sup> With the largest Muslim population, Indonesia often has difficulty obtaining adequate quotas to meet the high demand for pilgrims. The analysis of public policy theory helps in understanding how quota policies are determined, as well as evaluating the strategies used to ensure fair and efficient distribution. This includes an assessment of fairness in quota allocation, the social and economic impact of the policy, and how it can be adapted to better meet the needs of pilgrims in countries with large Muslim populations.<sup>14</sup> With this approach, we can ensure that the hajj quota distribution policy is not only effective in management but also fulfills the principle of fairness for all parties involved.

Based on the background of the above problem, it can be identified that the main problem studied is the theory of public policy towards the distribution of hajj

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<sup>10</sup> Teguh Imam Rahayu, and Ali Gufron. "Implementasi Kebijakan Penggunaan Dana Desa Dalam Pencegahan Covid-19 Di Desa Turitempel Kecamatan Guntur Kabupaten Demak Tahun 2020." *Mimbar Administrasi* 17, no. 2 (2020): 144-166.

<sup>11</sup> Rijalul Fikri, et al. "Rencana Pemekaran Kelurahan Selat Panjang Timur Kecamatan Tebing Tinggi Kabupaten Kepulauan Meranti Dilihat Dari Prinsip Equity Theory." *Jurnal Niara* 16, no. 1 (2023): 20-27.

<sup>12</sup> Aldri Frinaldi, "Policy Analysis For the Determination of BIPIH For Indonesian Hajj Pilgrims in 2023." *Ilomata International Journal of Social Science* 4, no. 2 (2023): 267-277.

<sup>13</sup> Nursyirwan Bustanul Arifin, et al. "The Shifting Meaning of Istiṭā 'ah in Performing Hajj for the Bone People in the Perspective of Islamic Law." *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no. 3 (2023): 1557-1576.

<sup>14</sup> Hanna Khairunnisa Adjie, and Tulus Warsito. "The Reason Why Indonesia Refuses to Add Hajj Quota from Saudi Arabia." *International Journal of Multicultural and Multireligious Understanding* 9, no. 10 (2022): 392-402.

pilgrim quotas in Indonesia. In order for the research to be directed to the purpose and not extensive, the author provides limitations in the form of research objectives, including the understanding and importance of public policy in the hajj, public policy analysis of the distribution of quotas for pilgrims in Indonesia. This study is expected to contribute to thinking related to the distribution of hajj quotas in Indonesia based on public policy theory and become the basis for policy considerations so that the distribution of hajj quotas in Indonesia can be further maximized.

## Method

In accordance with the title and problems discussed in this study and in order to provide useful results, this research was carried out with normative juridical (normative legal research method). The normative juridical research method is a literature law research conducted by researching literature materials or secondary data.<sup>15</sup> This approach includes the study of documents from various sources such as books, articles, journals, and relevant news. The data collected will be analyzed qualitatively to assess the effectiveness of existing policies and regulations, as well as identify key issues in the distribution of hajj quotas. In this study, the scope will be carried out by drawing legal principles, which is carried out on positive law and qaidah fiqh which are related to Hajj as well as its quota and distribution. This aims to know the Islamic law derived from as-Shari' (Allah and the Messenger).

## Discussion

### Definition and Importance of Public Policy in Hajj

In the language Hajj means *القصد*, which means going somewhere.<sup>16</sup> According to Nuruddin Atar, the word Hajj (*حَجَّ*) can be read the letter ha' (*حَجَّ*) and can also be read kasrah (*حُجَّ*). Some scholars are of the opinion that in the language of Hajj means going to a glorified object (*القصد الى المعظم*) to perform certain worship with certain conditions.<sup>17</sup> Hajj is the fifth pillar of Islam, which is the perfection of one's Islam. Hajj contains elements of physical obedience, such as prayer and fasting, Maliyah elements, such as zakat, and elements of mujahadah al

<sup>15</sup> Soerjono Soekanto, dan Sri Mahmudji, *Penelitian Hukum Normatif, Suatu Tinjauan Singkat*, (Jakarta: Raja Grafindo), 2003, h. 13.

<sup>16</sup> Abdul Karim Zaidan, *al-Mufasshal fil ahkam al-Mar'ah wa al-Bait al-Muslim fi al-Syari'ah al-Islamiyyah*, juz 2 (Beirut: Muassasah al-Risalah, 1993), h. 147.

<sup>17</sup> Saprun Mappanyompa. "Efektivitas Bimbingan Manasik Haji Dan Umroh Di Masjid Riadhilus Sholihin Dusun Bertais." *Ibtida'iy: Jurnal Prodi PGMI* 7, no. 2 (2022): 1-12.

mujāhadah al-nafs wa al-badan (soul and sports). These elements show how complex the implementation of the hajj is so that visas and hajj quotas are important aspects to ensure the safe and orderly implementation of the pilgrimage.

Indonesia is the country with the largest Muslim population. Based on the Data Agency of the Directorate General of Population and Civil Registration (Dukcapil) in 2021, the number of Muslims in Indonesia is 86.88% or 236.53 million people spread across 38 provinces from Sabang to Merauke. The province with the largest number of adherents of Islam is in West Java Province with 46.3 million people, second is East Java with 39.85 million people.<sup>18</sup> As a country with a Muslim majority, the demand for hajj has also increased, this can be seen from the many waiting lists for many years.<sup>19</sup> By looking at this, it is appropriate to consider the distribution of quotas as something urgent. This is none other than to ensure the implementation of these rights fairly and evenly.

Of course, in realizing this, the role of the government concerned is needed. When we look at Law Number 8 of 2019 concerning the Implementation of Hajj and Umrah, especially in Article 21, it is stated that "The government is responsible for the implementation of Hajj"<sup>20</sup>. Furthermore, in Article 1 number 26 of Law Number 8 of 2019, the Government referred to in this case is the President who is assisted by the Minister who carries out government affairs in the field of religion. So that in this case it is the Ministry of Religion that acts as a facilitator for the implementation of Hajj and Umrah, this is confirmed through the Regulation of the Minister of Religion Number 13 of 2021 concerning the Implementation of Regular Hajj.

Every year Indonesia has dispatched more than two hundred thousand pilgrims to the Holy Land to carry out the Hajj. The amount is adjusted to the quota of each country from the decision set by the Saudi State. The adjustment of the quota for each country is based on a decision between countries that are members of the Organization of the Islamic Conference of the OIC Summit in 1987, that the number of pilgrims for each country is uniformly set at 1:1000 of the

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<sup>18</sup> Nora Maulana. "Potensi Pengembangan Industri Halal Indonesia di Tengah Persaingan Halal Global." *Jurnal Iqtisaduna* 8, no. 2 (2022): 136-150

<sup>19</sup> Dwi Ayu Damayanti, Slamet Muchsin, and Hayat Hayat. "Analysis of Dynamic Governance In The Implementation of Hajj at The Office of The Ministry of Religious Affairs of Blitar Regency." *Return: Study of Management, Economic and Bussines* 3, no. 10 (2024): 786-797.

<sup>20</sup>Undang-Unadang Republik Indonesia Nomor 8 Tahun 2019 tentang Penyelenggaraan Ibadah Haji dan Umroh, Pasal 21

total Muslim population of a country.<sup>21</sup> In the sense that for every 1000 (thousand) Muslims, there is 1 (one) person who is allowed to perform Hajj. If a country has a Muslim population of 1 million people, then there are 1000 (thousand) people who are entitled to perform the hajj.

This division is, of course, the quota that has been issued by the Government of Saudi Arabia is a comprehensive quota, including the quota of regular hajj, special hajj, and Indonesian hajj officers (TPHI). The provision of regular hajj quotas in the last 9 (nine) years is as follows.

Table 1. Hajj Quota for the Last 9 Years (2016 – 2024)

Year	Hajj Quota
2016	168.000
2017	221.000
2018	221.000
2019	221.000
2020	Dibatalkan
2021	Dibatalkan
2022	100.051
2023	229.000
2024	241.000

Source : Ministry of Religious Affairs of the Republic of Indonesia

From data from the Ministry of Religious Affairs, the provision of hajj quotas changes almost every year. In 2016, Indonesia's quota was reduced by 20% from the existing quota in 2012 due to the expansion project of the Grand Mosque. In 2017, Indonesia's hajj quota increased to 52,200 pilgrims so that the quota became 168,000. However, after President Jokowi's visit to Saudi Arabia in 2015, Indonesia's quota was increased by 10,000 so that the total quota in 2017 was 221,000.<sup>22</sup>

The same quota was given in 2018 and 2019 until in 2020 and 2021 Saudi Arabia on the grounds of state security and safety had limited the quota to 50%, 30%, 25%, and 5%.<sup>23</sup> Coupled with the issuance of the Decree of the Minister of Religion of the Republic of Indonesia Number 660 of 2021 concerning the Cancellation of Hajj Pilgrim Departures so that in that year no departures were

<sup>21</sup>Fadhilla Ilham Mulkin, and Sabri Fataruba. "Kajian hukum Islam terhadap kebijakan pemerintah atas pemberian kuota lebih kepada jemaah haji." *TATOHI: Jurnal Ilmu Hukum* 1, no. 7 (2021): 708-721.

<sup>22</sup>Kementerian Agama RI, <https://kemenag.go.id/nasional/kuota-haji-indonesia-tahun-2017-bertambah-52200-9cj09i>, diakses pada 11 Agustus 2024, pukul 22. 35 WIB.

<sup>23</sup>Olivier Durand-Lasserve. "Nationalization of the private sector labor force, quotas, matching and public jobs, an illustration with Saudi Arabia." *The Quarterly Review of Economics and Finance* 86 (2022): 98-117.

carried out. The departure of pilgrims was carried out again in 2022 as many as 100,051, this number is not as many as the quota in 2018 and 2019 because it is still in the post-Covid-19 transition. Moreover, the distribution of this quota this year is also mandatory or given by the Ministry of Hajj of Saudi Arabia, so there is no room for negotiation and there is no discussion of the MoU between Ministers as in previous years.<sup>24</sup>

The distribution of this quota must also be aligned with the growth and number of the Muslim population. When the Decree of the Minister of Religion of the Republic of Indonesia Number 201 of 2016 concerning the Determination of Quotas was issued, it was emphasized that the distribution of hajj quotas must pay attention to fair and proportionate pronsip.<sup>25</sup> As stated in Article 12 paragraph (2) of Law Number 8 of 2020 concerning the Implementation of Hajj and Umrah 1, namely "The determination of quotas as referred to in paragraph (1) is carried out with the principle of transparency and proportionality. The total amount of the quota will be divided by all provinces proportionally using the formula of 1 per mile. Meanwhile, the special hajj quota is used by pilgrims who want to get special services offered by special hajj organizers who have been given permission by the Minister of Religion."<sup>26</sup>

### **Public Policy Analysis on the Distribution of Hajj Quotas**

Public policy is a series of decisions that must be implemented or not, containing government decisions that are followed by one or a group of actors. This opinion is also affirmed by Thomas R. Dye that public policy is "*whatever governments choose to do or not to do*".<sup>27</sup> This opinion emphasizes that public policy includes not only the actions taken by the government, but also the decision to act on certain situations.

Meanwhile, Abdul Wahab also explained that public policy is a sanctioned action that leads to a certain goal that is directed at a certain problem that is

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<sup>24</sup> Silviani Kesuma. "Pengurangan Risiko Pandemi Corona Virus Disease (Covid19) Pada Calon Jamaah Haji Dan Umrah Indonesia di Era New Normal." *Islamic Management and Empowerment Journal* 3, no. 1 (2021): 1-18.

<sup>25</sup> Keputusan Menteri Agama Nomor 210 Tahun 2016 tentang Pentapan Kuota Haji Tahun 2016.

<sup>26</sup> Fadhilla Ilham Mulkin, and Sabri Fataruba. "Kajian hukum Islam terhadap kebijakan pemerintah atas pemberian kuota lebih kepada jemaah haji." *TATOHI: Jurnal Ilmu Hukum* 1, no. 7 (2021): 708-721.

<sup>27</sup> Rijalul Fikri, et al. "Rencana Pemekaran Kelurahan Selat Panjang Timur Kecamatan Tebing Tinggi Kabupaten Kepulauan Meranti Dilihat Dari Prinsip Equity Theory." *Jurnal Niara* 16, no. 1 (2023): 20-27.

interrelated and affects most of the citizens of the community.<sup>28</sup> In this case, the relevant theories regarding public policy with the distribution of hajj quotas are;

### 1. Substantial Policy on Hajj Management

Substantial policy is a policy theory initiated by Jamaes Andreson which explains that substantial policy is a policy that concerns what the government will do in managing the hajj quota that has been given by the Saudi Government. In the sense that the government has the authority to make legal regulations aimed at the good of the community, including how the government will distribute quotas precisely and fairly. This is in accordance with one of the postulates of fiqh:

تصرف الإمام على الرعية منوط بالمصلحة

Meaning:

Government policies must be based on *maslahah*.<sup>29</sup>

Ideally, substantial policies must be based on clear problems and solutions with legitimacy to deal with the problems. Likewise in the problem of the distribution of hajj quotas. In the management of the hajj, the government must ensure that the policies taken must have a strong legal basis. In this case, Law Number 8 of 2019 concerning the Implementation of Hajj and Umrah is an important legal basis. This law stipulates that the government is fully responsible for the implementation of Hajj and Umrah. This regulation is the foundation for the hajj pilgrimage to be held safely, comfortably, and in an orderly manner.<sup>30</sup>

### 2. Distributive Policy and Procedural Policy

Distributive policies are related to the distribution of services or utilization to the community or individuals. In this regard, the distributive policy includes how the government distributes the hajj quota that has been given by the Saudi Arabian government to prospective Indonesian pilgrims. Based on Law Number 8 of 2019 concerning the Implementation of Hajj and Umrah, the distribution of quotas must be carried out with the principle of proportionality, taking into account the number of Muslim residents and the existing waiting list. This must be in accordance with the principle of justice from the purpose of the legislation itself,

<sup>28</sup> Gita Oktaviana Santoso. "Perlindungan Hukum PT. Pln (Persero) Akibat Dikeluarkannya Kebijakan Migrasi Sepihak Layanan Listrik Pasca Bayar ke PRA Bayar." *Jurnal Education and Development* 10, no. 2 (2022): 688-696

<sup>29</sup> Achmad Musyahid Idrus. "Kebijakan Pemimpin Negara Dalam Perspektif Kaidah Fikih: Tasarruf Al-Imam Manutun Bil Maslahah." *Al Daulah: Jurnal Hukum Pidana Dan Ketatanegaraan* 10, no. 2 (2021): 123-137

<sup>30</sup> Winda Galuh, Sosialisasi Kebijakan Penyelenggaraan Haji dan Umroh, Kasi PHU Banjarmasin: Sineritas Diperlukan, <https://haji.kemenag.go.id/v5/detail/sosialisasi-kebijakan-penyelenggaraan-haji-dan-umrah-kasi-phu-banjarmasin-sinergitas-diperlukan>, diakses pada 14 Agustus 2024, pukul 23.04 WIB.

as the rules of fiqh, namely:

العدلُ أساسُ الملك

Meaning:

Justice is the foundation for the government.<sup>31</sup>

The distribution of the hajj quota as contained in Article 12 of Law Number 8 of 2020 concerning the Implementation of Hajj and Umrah that "The Minister determines the Indonesian hajj quota and the provincial hajj quota for regular pilgrims. In determining the national hajj quota to the provincial quota, the Minister will consider the overall number of Muslim population in the province and consider the number of hajj waiting lists in each province according to the provisions of the OIC 1:1000 so that the principle of fairness and proportionality is evenly distributed to all Indonesian citizens.

Because there is a delegation of authority from the regulations per law above to the Minister, the policy is further regulated in the Ministerial Regulation.<sup>32</sup> The provincial hajj quota is then further regulated in Article 10 paragraph (3) of Government Regulation Number 79 of 2012 concerning the Implementation of Hajj which basically regulates the consideration of determining the provincial quota, namely:

- a. The quota determination is based on the proportion of the Muslim population in each province.
- b. Proportion of the number of waiting lists for pilgrims in each province.<sup>33</sup>

The results are outlined in the Decree of the Minister of Religion (KMA) for the current year. When we look at the data regarding the proportion of the Muslim population, the number of waiting lists, and the Hajj quota per province in 2024 as stated in KMA Number 1005 of 2023 concerning the Indonesian Hajj Quota for 1445/2024 AD is as follows:

Table 2. Indonesian Hajj Pilgrim Quota based on KMA Number 1005 of 2023

Number	Province	Quota	Number of Registrants	Total Muslim Population
1	Aceh	4.378	135.915	5.356.635

<sup>31</sup> Budi Sulistiyo, Fauzan Ali Rasyid, and Chaerul Saleh. "Relevansi Prinsip-prinsip Hukum Ekonomi Syariah dalam Membangun Keadilan Sosial melalui Distribusi Ekonomi yang Adil." *AHKAM* 3, no. 1 (2024): 38-48.

<sup>32</sup> Juwita Putri Pratama, Lita Tyesta ALW, and Sekar Anggun Gading Pinilih. "Eksistensi Kedudukan Peraturan Menteri terhadap Peraturan Daerah dalam Hierarki Peraturan Perundang-Undangan." *Jurnal Konstitusi* 19, no. 4 (2022): 865-885.

<sup>33</sup> Muhammad Hosnan Jaini Sanusi. "Penyelenggaraan Ibadah Haji Indonesia dalam Perspektif Maqāṣid Asy-Syari'ah." *CONTEMPLATE: Jurnal Ilmiah Studi Keislaman* 2, no. 2 (2021): 24-71.

**Public Policy Theory Analysis of the Distribution of Hajj ...**

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2	Sumatera Utara	8.328	155.752	10.244.655
3	Sumatera Barat	4.613	102.163	5.528.423
4	Riau	5.047	119.662	5.870.015
5	Jambi	2.909	85.167	3.514.415
6	Sumatera Selatan	7.012	150.039	8.508.999
7	Bengkulu	1.636	12.153	2.017.860
8	Lampung	7.050	149.918	8.598.009
9	DKI Jakarta	7.926	202.946	9.491.619
10	Jawa Barat	38.723	1.132.019	48.029.215
11	Jawa Tengah	30.377	888.034	36.773.442
12	D.I.Yogyakarta	3.147	92.226	3.433.129
13	Jawa Timur	35.152	1.115.230	40.179.566
14	Bali	698	17.978	34.941
15	Nusa Tenggara Barat	4.499	150.851	5.361.920
16	Nusa Tenggara Timur	668	14.014	523.523
17	Kalimantan Barat	2.519	73.640	3.320.719
18	Kalimantan Tengah	1.612	45.576	2.011.763
19	Kalimantan Selatan	3.818	133.141	4.054.044
20	Kalimantan Timur	2.586	75.599	3.446.652
21	Sulawesi Utara	713	10.605	533.675
22	Sulawesi Tengah	1.993	42.576	2.450.867
23	Sulawesi Selatan	7.272	245.060	8.359.166
24	Sulawesi Tenggara	2.019	50.254	2.593.226
25	Maluku	1.086	31.755	997.224
26	Papua	1.076	24.657	320.442
27	Bangka Belitung	1.065	27.187	1.344.903
28	Banten	9.461	236.390	11.033.998
29	Gorontalo	978	15.303	1.191.484
30	Maluku Utara	1.076	31.466	1.005.727
31	Kepulauan Riau	1.291	37.742	50103
32	Sulawesi Barat	1.453	42.510	1.205.065
33	Papua Barat	723	21.137	438.841
34	Kalimantan Utara	416	12.174	135.821
	Sum	203.320	4.316.428	183.871.939

Source : Ministry of Religious Affairs of the Republic of Indonesia

Seeing that there are thousands of pilgrims who need to depart every year, public policy is very much needed. Based on Law Number 8 of 2009 and Government Regulation Number 79 of 2012, the principles of justice and proportionality are the main foundations. This policy takes into account;

## a. Number of Muslim population per province

For example, the provinces with the largest Muslim population, such as West Java and East Java, get a higher portion. West Java, with a Muslim population

of more than 48 million, gets the highest quota of 38.723, while provinces with a smaller population such as Bali only get a quota of 698.

b. Waiting list for prospective pilgrims

The longer the waiting list, the higher the quota given. This aims to accelerate the departure of prospective pilgrims who have been waiting for a long time. For example, East Java, which has a waiting list of up to 1,115,230 registrants, gets a large hajj quota, which is 35,152.

c. OIC (Organization of Islamic Cooperation) Provisions

The distribution of this quota is carried out based on the provisions of the OIC, namely the ratio of 1:1000, which means one Hajj quota for every 1000 Muslims in a country. This keeps the distribution of quotas proportional at the national and provincial levels.

From the available data, it can be seen how the hajj quota distribution policy takes into account important aspects such as the number of registrants and the Muslim population. While it generally seems fair, the main challenge of this policy is to overcome the long waiting lists in some major provinces such as Central Java, East Java, and South Sulawesi, which can lead to very long waiting times for prospective pilgrims.

Thus, public policy in the distribution of hajj quotas plays an important role in creating social justice, by allocating quotas based on considerations that relevant laws and regulations have determined.<sup>34</sup> This shows that this policy also seeks justice and equitable hajj services distribution for all Indonesian people.

## Conclusion

In analyzing public policies related to hajj visas and the distribution of hajj pilgrim quotas in Indonesia, several key points must be considered. This policy plays a very important role in regulating the implementation of the hajj in the country with the largest Muslim population in the world. Public policy theories, such as substantive, distributive, and procedural policy theories, provide a useful framework for understanding how these policies are designed and implemented. In this context, the Indonesian government is responsible for distributing the limited hajj quota fairly across the provinces, taking into account factors such as the number of Muslim population and the length of the waiting list for prospective pilgrims.

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<sup>34</sup> Didi Subandi, and Yon Machmudi. "The Role of the Governments of Indonesia and Saudi Arabia in Organizing the Hajj Pilgrimage 2015–2021." *Journal of Strategic and Global Studies* 5, no. 1 (2022): 4.

One of the main challenges is managing quota distribution in a way that is socially acceptable and meets the principles of justice. Given the long waiting lists in some major provinces, such as West Java and Central Java, the government must implement an efficient system to ensure that the distribution of quotas is not only fair but also transparent. Regulations governing the registration and selection of pilgrims need to be strengthened to avoid irregularities and ensure that all prospective pilgrims get the same opportunity to perform the hajj pilgrimage.

From the perspective of public policy theory, the hajj visa policy must be designed with various aspects in mind including social justice, administrative efficiency, and applicable legal principles. The government must strive to optimize quota allocation by considering the needs of the community and the existing service capacity. Good management of the registration and quota distribution system can reduce dissatisfaction among prospective pilgrims and increase public trust in this process. Overall, public policies regarding hajj visas and the distribution of hajj pilgrim quotas in Indonesia must continue to be refined by taking into account feedback from the public and making necessary adjustments to face existing challenges. The government is expected to develop policies that not only meet the principles of justice and efficiency but also pay attention to social and cultural aspects relevant to the implementation of the hajj pilgrimage.

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