

SHARI'AH COMPLIANT HOSPITALITY SERVICES" OR "MUSLIM FRIENDLY HOSPITALITY SERVICES": SEARCHING FOR A BALANCE*

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Abstract

There has been some confusion between the use of the term, Shari'ah compliant hospitality services" and "Muslim friendly hospitality services" amongst practitioners in the Halal tourism industry. This article discusses the core differences and similarities between the two terminologies. It is crucial to resolve any conflicting understanding on the concept in order to ensure that there are no misunderstandings and conceptions when dealing with consumers and the general public. Aside from that, this article also aims at providing a clear picture of how the Shari'ah requirements for Muslim tourists are embedded in the concept of Muslim friendly hospitality services. This is a matter of import for those interested in providing or intending to provide services that cater specifically to the needs of Muslim tourists. This is a conceptual analysis of the Shari'ah legal position as manifested in the Qur'an and Sunnah of the Holy Prophet s.a.w as well as existing legal and administrative framework primarily the MS 2610:2015 Muslim Friendly Hospitality Services Requirements, Malaysia. Concentration is made on the Shari'ah compliant hotels and accommodations in Malaysia, as an example of how these terminologies inter-relate with each other.

Keyword: Shari'ah compliant hospitality, Muslim friendly hospitality, Shari'ah compliant hotels, Muslim friendly hotels

Introduction

The word "Halal" today is not only concerned with food and drinks that are permissible for Muslims. The increase in the knowledge and awareness of many Muslims on the need to abide by the Shari'ah as well as the increase in the purchasing power and changes in life style amongst Muslims around the world has significantly influenced the concept of hospitality services in the tourism industry to look for an acceptable hospitality concept that can cater to the needs of Muslim tourists and travellers. Muslim travellers, like any other travellers, travel for religious reasons, leisure, business, education, sports and recreational activities. Their choice of destination is no longer limited to Muslim countries where Muslims are the majority in that country, but also to countries where Muslims are a minority. When travelling, Muslims would be concerned with the availability of halal food and drinks, accommodation choices that are "friendly to Muslims" and tourist products and activities that are compatible with the Shari'ah.

In Muslim majority countries such as the Republic of Turkey, Indonesia, Brunei and many Middle Eastern countries where Muslims are the majority, Halal food and beverages as well as Shari'ah compliant accommodations and hotels may be easy to find. Similarly, the touristic products and activities within these countries are ready to

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cater to many of the interests of Muslim tourists. However, this may not be the case in many non-Muslim countries where Muslims are the minority such as Australia, New Zealand, Japan, Korea, United Kingdom, Europe and the United States where finding Halal food and beverages as well as Shari'ah compliant accommodations and hotels as well as touristic products and activities may prove to be challenging. Hence, in these countries, to expect non-Muslim service providers in a non-Muslim country to fulfil all the requirements of the Shari'ah, it is submitted that it would therefore suffice if these service providers were able to meet some if not all of the needs of Muslim tourists. In such a situation, the Muslim friendly hospitality services concept is considered to be a more workable and acceptable to all tourism industrial players, regardless of whether they are providing for Muslims or non-Muslims.

Therefore, this article seeks to clarify whether there are significant differences between the concept of "Shari'ah compliant hospitality services" and "Muslim friendly hospitality services"? This article discusses the core differences and similarities between the two terminologies. It is crucial to resolve any conflicting understanding on the concept in order to ensure that there are no misunderstandings and conceptions when dealing with consumers and the general public. Aside from that, this article also aims at providing a clear picture of how the Shari'ah requirements for Muslim tourists are embedded in the concept of Muslim friendly hospitality services. This is a matter of import for those interested in providing or intending to provide services that cater specifically to the needs of Muslim tourists.

In dealing with this issue, the article is divided into four parts. The first part discusses the concept of travelling and the importance of hospitality in Islam, while the second part extrapolates the difference between Shari'ah compliant hospitality services and Muslim friendly hospitality services. This will then lead to the third part which looks at the challenges faced in making this a reality and finally part four concludes that for Muslim majority countries, the term Shari'ah compliant hospitality services may be more accurately used. However, for Muslim countries where the tourism industry is largely controlled by the non-Muslims and in countries where Muslims are a minority but are interested to offer Halal tourism products, then the term Muslim friendly hospitality is more appropriate.

Methodology

This is a conceptual analysis of the Shari'ah legal position as manifested in the Qur'an and Sunnah of the Holy Prophet s.a.w as well as existing legal and administrative framework primarily the MS 2610:2015 Muslim Friendly Hospitality Services Requirements, Malaysia. Concentration is made on the Shari'ah compliant hotels and accommodations in Malaysia.

Differing Terminologies

There has been some confusion in the use of several terminologies used to generally describe services offered to Muslim tourists and travellers. Before the terms "Shari'ah compliant hospitality services" and "Muslim friendly hospitality services" were made known, terms such as "Halal tourism" and "Islamic tourism" were the most commonly used terms (Battour, M. and Nazari, M., 2015). However, whilst acknowledging that there are differences in the meanings of these two terms, many writers have used the

term interchangeably (See Battour and Nazari, 2015). However, Battour and Nazari opine that it is more appropriate to use the term, “Halal tourism”, instead of “Islamic tourism” because the word “Halal” itself seeks to indicate to Muslims what acts or items that are “permitted” and thus may be done or consumed, “without any restrictions”(Al-Qardawi, 2013) The term “Islamic”, on the other hand, refers to matters which relate “directly to the faith and its doctrine”(Battour and Nazari, 2015). Hence, according to Battour and Nazari (2015), Halal tourism refers to, “any tourism object or action which is permissible according to Islamic teachings to use or engage by Muslims in tourism industry”.

Meanwhile, other writers such as Kamaruddin have also used the term “Muslim tourism”. (See Kamaruddin, L.M., 2016; Kamarudin, L.M. and Ismail, H.N., 2017; Rasit, R.M., Hamjah, S.H., and Mansor, S.F., 2016). Nevertheless, the use of this terminology would not be appropriate as explained by Battour and Nazari. They were of the opinion that the word “Muslim” refers specifically to the person who professes the religion of Islam. Therefore, whilst it would be correct to say a “Muslim tourist”, it would be wrong to say, “Muslim tourism”.

While the current authors agree to the inappropriateness of the terms “Islamic” and “Muslim” tourism, the term “Halal tourism” and “Muslim friendly tourism” may be used inter-changeably. At this point, it would be useful to note that writers are aware of the term Shari’ah compliant” products (Battour and Nazari, 2015; Jafari & Scot, 2014; Battour, Battor and Ismail, 2014). Similarly, the term “Muslim friendly” has been used to describe touristic products or services that are suitable for Muslim tourists travelling to a country where Muslims are a minority such as Japan and Korea (Battour and Nazari, 2015). It must be noted that Battour and Nazari had equated the term “Muslim friendly” as similar to Shari’ah compliant”. It is submitted that this is not entirely correct as it is submitted that the term “Shariah compliant” has a more restrictive meaning if compared to the term “Muslim friendly”. In order to further understand this difference the discussion shall proceed to examine the two terms when dealing with hotels and accommodations.

Hospitality Services

Hospitality is the act of kindness in receiving and attending to the basic needs of the guest, customers or strangers (food, drink and accommodation) who are on short or long visit at one’s place such as hotel, resort, inn, homestay and etc for leisure, business or meeting purposes (Ramli, 2015) . In short, hospitality refers to the relationship between a customer and a host. On the other hand, the hospitality industry refers to the business entity or organisations which provide food and/or drink and/or accommodation to people who are “away from home”.

Similarly, Muslim Friendly Hospitality Services (MFHS) also comprises of the act of kindness in welcoming the guest or customer in the modern business context and looking into the basic needs of the customers such as food, drink, accommodations with extra requirements of accommodating their religious requirements such as prayer facility, food that met their religious diet (halal) ie. free from any substances that is not permitted by the Islamic religion. Muslim Friendly Hospitality services are products or services in the travel and tourism industry guided by Shari’ah requirements that cater to or provide facilities suitable for Muslim travellers. In the contemporary business

context Muslim friendly hospitality and services it includes airlines, hotels, entertainments, health and wellness, transportation and food services. Although, there are similarities between the concept of Muslim Friendly Hospitality Services and Shari'ah Compliant Hospitality services, there are some significant differences, as will be discussed further in the next part.

Muslim Friendly Hotel Concept

The growth in Muslim friendly hospitality/tourism have somehow encouraged the service providers particularly the hoteliers to introduce and to adopt the new concept at their hotels i.e "Muslim Friendly Hotel". Is this concept similar to Shariah Compliant hotel as discussed by several writers in certain academic journals (Abu Karim, M.H., Ahmad, R., Zainol, N.A., 2017) In order to answer this issue, this article would like to draw a comparison between the two concepts.

Ideal Concept of Muslim Friendly Hotel

Table 1 shows the proposed ideal criteria for "Muslim Friendly Hotel" which is generally acceptable and friendlier to the hoteliers. It is strongly believed that in order to encourage participation from the industry a moderate yet friendlier approach must be adopted.

Table 1: Ideal Concept of Muslim Friendly Hotel

No	Criteria	Yes	No
1	Availability of halal food/drinks	√	
2	If there is no halal food available, the hotel management is able to give adequate information on the nearest halal restaurant	√	
3	Prayer mat (available upon request)	√	
4	Prayer Time (available upon request)	√	
5	The organisation shall ensure the guest rooms have a clearly marked <i>kiblat</i> direction.	√	
6	Adequate floor space for a Muslim to perform prayer in the room	√	
7	Alcoholic beverages and intoxicants shall not be stored in the room's refrigerator	√	
8	Alcohol drinks in a closed area of the hotel lobby or restaurant	√	
9	Decent dress code for staff	√	
10	Personal care products provided in the washroom are suitable for Muslim use.	√	
11	Washroom shall be equipped with bidet or hand shower or water hose.	√	

Source: Malaysian Standard (MS) 2610:2015 Muslim friendly Hospitality Services-Requirements (2015)

Shariah Compliant Hotel Concept

Several writers concluded that Shariah Compliant Hotels is defined as a hotel that provides services in accordance to the Shariah principles where it is not only limited to the availability of halal food and drink, but also the entire operation of the hotel. It was also in their findings that the hotel should be funded by Islamic finance as shown Table 2.

Table 2: Characteristic of Shariah Compliant Hotel

No	Criteria	Yes	No
1	Halal foods and no alcohol to be served on the premises or hotels	√	
2	Having the Holy Book Quran, prayer mat and arrow that indicating the direction of qiblat	√	
3	Beds and toilets positioned not to face the qiblat	√	
4	Prayer room available on the premises and hotels	√	
5	No inappropriate entertainment	√	
6	Predominantly Muslim staffs with a proper Islamic code of dressing	√	
7	Separate salon, recreational facilities and swimming pool for men and women	√	
8	Separate room/ floor for unmarried couple between male and female	√	
9	Tourists dressing code	√	
10	No gambling and alcohol drinks in the hotel lobby or restaurant	√	
11	No prohibited foods and beverages in the hotel fridge	√	
12	Islamic funding used in building the hotel and business	√	

Source: Hesham Ezzat Saad* Badran Nabil Ali, Abdel-Aleem Magdy Abdel-Ati (2014)

Analysis

- a) Table 1 proposes the ideal criteria for “Muslim Friendly Hotel” which is generally more relaxed, friendly and acceptable to the hoteliers and service providers which may or may not be Muslims. It is strongly believe that in order to encourage participation from the industry a moderate yet friendlier approach must be adopted.
- b) Table 2, it is perceived that Shariah Compliant Hotel concept is achievable fully in an Islamic country where Shariah is the governing law. The table suggested

that all elements must be fulfilled in order to be regarded as Shariah Compliant hotel. Failure to meet one of the requirements will deprive the hotel to be rated as “Shariah Compliant Hotel”.

- c) Both Muslim Friendly hotel concept and Shariah Compliant hotel concept is voluntary. Thus, the industry should be given ample time to understand the concept.
- d) It is strongly believed that the Muslim friendly hotel concept has a great potential in winning the industry confidence provided that there should be a continuous awareness programme conducted in order to expose and educate the industry players on the concept of Muslim friendly hotel.
- e) In a non-Islamic countries, with a great demand for Muslim friendly hospitality such as Japan and Korea where Muslims are the minority, the Muslim friendly hotel concept is more favourable to the industrial players.
- f) No doubt the Shariah compliant hotel concept is good and looked for by the Muslims. However, to ensure its full enforcement and application it requires a full commitment from the government agencies (policy maker), stake holders and the public. It has to be implemented in a fully Shariah compliant/Halal eco system.

Muslim Friendly Hospitality Service Standard (MS 2610:2015)

The intense growth in the Muslim friendly hospitality and the increase in the Muslim friendly hotel concept require the relevant authorities to interfere in order to control and to monitor its application. An initiative was made to work on the development of Malaysian Standard (MS) Muslim friendly Hospitality Services-requirements. The Ahmad Ibrahim Kulliyah of Laws, IIUM together with Islamic Tourism Centre, Ministry of Tourism Malaysia, Department of Standard Malaysia, Ministry of Science and Innovation Malaysia, Department of Islamic Development Malaysia (JAKIM), Ministry of Education Malaysia (for the research grant, NRGs 130010001) and the Malaysian tourism industries had successfully completed the draft which was accepted and approved by Islamic Standard Committee in December 2014.

Although Muslim friendly hotel concept is voluntary, a standard is required in order to ensure and to preserve the integrity of products and services catered for Muslim. The Malaysian Standard (MS 210:2015) is developed with the aim of ensuring that products and services catered for Muslim travellers are in accordance with the Shari’ah principles. The objectives of this standard are:

- a) to demonstrate the ability of an organisation/individual to produce and/or manage Muslim friendly tourism products and services that meet the Shari’ah principles;
- b) to preserve and protect the integrity of Muslim friendly tourism products and services through effective application of the standard; and
- c) to enhance customer satisfaction by meeting customer requirements.

Salient Features of Malaysian Standard (MS 2610:2015) Muslim Friendly Hospitality Services-Requirements

Ideally the organisation shall establish, implement, maintain and continually improve the internal MFHS management system, including the processes needed and their interactions. This helps to demonstrate the ability of an organisation/individual to produce and/or manage Muslim friendly tourism products and services, to preserve and protect the integrity of Muslim Friendly tourism products and services through effective application of the standard; and to enhance customer satisfaction by meeting customer requirements. Hence, the MS 2610:2015 requires the Management to adhere to the followings;

Management Responsibility

Similarly to halal certification requirements, the management adopting the Muslim friendly hospitality services concept are expected to adopt and adapt certain principles that requires the management to demonstrate leadership and commitment with respect to the Muslim Friendly Hospitality Services (MFHS) by ensuring that the MFHS policy and objectives are established; ensuring the integration of the MFHS requirements into the organisation's business processes; ensuring that the resources needed for the MFHS services are available; communicating the importance of effective MFHS management and of conforming to the MFHS requirements; ensuring that the MFHS management system achieves its intended outcome(s); directing and supporting persons to contribute to the effectiveness of the MFHS management system; promoting continual improvement of the MFHS; and supporting other relevant management roles to demonstrate their leadership as it applies to their areas of responsibility.

Muslim Friendly Hospitality Policy

To support the implementation of the Muslim Friendly Hospitality practices the Management must establish a MFHS policy that is appropriate to the purpose of the organisation; provides a framework for setting MFHS objectives; includes a commitment to satisfy applicable requirements; and includes a commitment to continual improvement of the MFHS.

The MFHS policy shall be available as documented information; effectively communicated within the organisation; and should be made available to any interested parties, as appropriate. The management shall ensure that the responsibilities and authorities for relevant roles are assigned and communicated within the organisation.

The Management to appoint a trained Muslim officer, irrespective of other responsibilities shall have responsibilities and authorities to ensure effective implementation of the MFHS. The management shall be responsible to ensure participation and commitment of staff at all levels within the organisation towards compliance of MFHS.

Muslim Friendly Hospitality Best Practices

Muslim friendly Hospitality Policy alone is not sufficient to ensure the sustainability of the principles within the organization. Hence, several steps or best practices need to be implemented as well. Among others it includes the followings:

- **Staff training**

Staff training (periodic or refresher courses) is one of the mechanism to ensure effective implementation of MFH policy and services within the organization. The staffs need to be reminded and fully aware of the practices adopted by the organization and should be able to implement to meet the expectation of the customers. Thus, the organisation or the service provider is required to provide training for all personnel doing work under its control that affects its MFHS performance. The relevant personnel shall be trained by training provider recognised by the relevant authority. The organization should also consider continuous training programme and its practical effectiveness shall be periodically assessed. The training programmes shall be available and approved by the MFHS committee or MFHS executive officer.

- **Documentation and Storage Requirements**

The organisation shall establish a documented procedure to define the controls needed for the identification, storage, protection, retrieval, retention time and disposition records. The organisation shall properly observe the placement, storage and handling of documents which contain Quranic verses. The organisation shall ensure the disposition of records that contain Quranic verses is conducted according to the Shariah requirements when necessary. Records shall remain legible, readily identifiable and retrievable.

- **Effective Communication of MFH Policy**

Effective communication of the Muslim friendly Hospitality Policy is very much important in order to ensure the policy are implemented and uphold effectively within the organization. It is the responsibility of the management to ensure appropriate communication processes are established within the organisation and that communication takes place regarding the compliances to Shariah requirements. The organisation shall determine the need for internal and external communications relevant to the MFHS management system including on what it will communicate; when to communicate; and with whom to communicate. Besides, the organisation shall ensure that every personnel working for and on behalf of the organisation is fully informed of MFHS management system. In addition, the organisation shall determine and implement effective arrangements for communicating with customers in relation to their product and service information, updated list of all Muslim friendly products and services offered at the establishment in order to ensure Muslim guests are making an informed decision in their purchase; and customer feedback, including customer complaints.

Conclusion

It is finally concluded that the term “Muslim friendly hospitality services” or “Halal tourism” would be the most appropriate terms to be used when referring to tourism

products and services that are offered to Halal conscious travellers, regardless of the purpose of the travel, all of which must be Halal or permissible (COMCEC Standing Committee, 2017). The Muslim friendly hospitality services are not intended to cause extra responsibilities on part of the service provider. Similarly to the conventional hospitality concept the service provider is expected to render the same service to both Muslim and non-Muslim. However, in certain aspects the Muslim requires facilities and services that in compliance to their religious belief. These include choice of halal food, prayer facilities, entertainment that is in line with the Islamic principles, and etc. The MS 2610:2015 was developed with an objective to facilitate the service provider in meeting the Muslim guest needs during their stay. In this respect it is hope that a balance could be achieved between the service provider as well as the Muslim customer.

References

- Standing Committee for Economic and Commercial Cooperation of the Organization of Islamic Cooperation (COMCEC), (2017). *Muslim Friendly Tourism: Understanding the Demand and Supply Sides In the OIC Member Countries*, Turkey: COMCEC Coordination Office.
- Department of Standards Malaysia Malaysian Standard (MS) 2610:2015 Muslim Friendly Hospitality Services-requirements, (2015)
- Euromonitor International, World Travel Market Report, (2007),
- Henderson, Henderson, J.C. (2010). Sharia-Compliant Hotels. *Tourism and Hospitality Research*, 10 (3), 246-254
- Hesham Ezzat Saad*, Badran Nabil Ali, Abdel- Aleem Magdy Abdel-Ati, (2014) *Sharia-Compliant Hotels In Egypt: Concept And Challenges*, Faculty of Tourism and Hotels, Fayoum University, *Advances in Hospitality and Tourism Research (AHTR)*, 2(1): 1-15, 2014, An International Journal of Akdeniz University Tourism Faculty
- Lina Munirah Kamarudin, (2016). Why Muslim Tourism in Malaysia. *SalaamGateway*, Accessed from http://www.salaamgateway.com/en/travel/story/why_muslim_tourism_in_malaysia-salaam26052016093001/
- Lina Munirah Kamarudin and Hairul Nizam Ismail, (2017). Muslim Tourism: The Tendency of Islamic Travelling Attributes from Malaysia Perspective. *Proceedings of the International Social Science and Tourism Research Conference*, UNISZA, Terengganu. Accessed from ResearchGate: https://www.researchgate.net/303805260_Muslim_Tourism_The_Tendency_of_Islamic_Traevelling_Attributes_from_Malaysia_Perspective
- Mohamed Battour and Mohd Nazari Ismail, (2015). Halal tourism: Concepts, practices, challenges and future, *Tourism Management Perspectives*, Accessed from Elsevier: <http://dx.doi.org/10.1016/j.tmp.2015.12.008>
- Mohd Fadil Mohd Yusof, Mohd Zulkifli Muhammad,(2013). *Introducing Shariah Compliant Hotels As A New Tourism Product: The Case Of Malaysia*, 1142 *Entrepreneurship Vision 2020: Innovation, Development Sustainability, And Economic Growth, The 20th International Business Information Management Conferences (IBIMA)*. international business information management Association

- Mohd Rizal Razalli, Suzzaini Abdullah and Mohamad Ghozali Hassan, Developing a Model for Islamic Hotels: *Evaluating Opportunities and Challenges*, *Universiti Utara Malaysia*, Retrieved from <http://www.ipedr.com/vol42/018-ICKCS2012-K10008.pdf>
- Nor Zafir, M.S, Abu Bakar, A.H., Hashim, N.H. and Omain, S.Z. (2014). *The practice of Shariah-compliance hotel in Malaysia*. *International Journal of Trade, Economic and Finance*. Vol . 4(1), pp. 26-30
- Nor Zafir Md Salleh, Abu Bakar Abdul Hamid, Noor Hazarina Hashim, and Siti Zaleha Omain, (2014). *The Practice of Shariah-Compliant Hotel in Malaysia*, *JTEF* 2014 Vol.5
- Rosmawati Mohamad Rasit, Salasiah Hanin Hamjah and Siti Fatima Mansor, (2016), *Provision of Shariah-Compliant Hotel Services Towards Muslim Tourism in Malaysia*, *BESSH-16*, ol. 157. Issue 7, 14-20.
- Siti Aishah Binti Mohamad, Wan Kalthom Bt Yahya, Ilyani Bt Azer Hamnah Bt Che Hamzah, (2013) *The Opportunities and Challenges to be a Shariah Compliant Hotel: A Case of LKPP De Rhu Beach Resort, KONAKA*
- Yusuf al-Qardhawi, (2013) *The lawful and the prohibited in Islam*. Sharouk International.
- Zakiah Samori, Fadilah Abd Rahman (August 2013) *Establishing Shariah Compliant Hotels In Malaysia: Identifying Opportunities, Exploring Challenges*, *West East Journal of Social Sciences-*, Volume 2 (2), *Academy of Contemporary Islamic Studies (ACIS)*, Selangor, Malaysia.