

FRAMEWORK FOR  
MUSLIM FRIENDLY SPA RATING SYSTEM

BY

NOR SABIRAH NAJIHAH BINTI JAMALUDDIN

A thesis submitted in fulfilment of the requirement for the  
degree of Master of Halal Industry Management

International Institute for Halal Research and Training  
International Islamic University Malaysia

FEBRUARY 2021

## ABSTRACT

Nowadays, the emergence of Muslim friendly spa has been seen as an alternative to the generic spa, this is due to the fact that its services cater the needs of Muslim customers. However, the guideline is still nowhere to be established although the concept is known in Malaysia. The absence of the guideline has resulted to the confusion and self-proclaiming issues. Hence, this research aims to develop the framework of a rating system for the Muslim friendly spa which provides the understanding of the concept, the core elements and requirements. The framework is useful to develop the intended guideline. The objectives of this research include the identification of the Shari'ah compliant elements that can be used for setting up the standards of requirements for the Muslim friendly spa concept, the analysis of the implementation of Shari'ah compliant elements in the Muslim friendly spa premises in Klang Valley, and to develop framework for Muslim friendly Spa Rating System (MFSRS). The methodology adopted is the literature research, case studies on the five existing Muslim friendly spas in Klang Valley area and the expert review discussions triangulated for validation in the qualitative research. In addition, the proposed framework is validated by the experts through two stages to improve the suitability and usefulness. Eight core elements of the spa functional areas are identified and integrated with the Shari'ah principles to develop the Shari'ah compliant elements, with two critical core elements, namely spa products and treatments, and its staff. A total of 31 Shari'ah compliant elements have been identified after triangulation and two discrepancies are found from the case studies pertaining to the two critical core elements. Therefore, the proposed framework of Muslim Friendly Spa Rating System is essential to standardize the Shari'ah compliant elements and define the guidelines to the spa providers in understanding the concept of Muslim friendly spa.

## ملخص البحث

في الوقت الحاضر، يُنظر إلى ظهور المنتجات الصحية الصديقة للمسلمين على أنها بديل للمنتج الصحي التقليدي العام حيث تلبى الخدمات احتياجات العملاء المسلمين. ومع ذلك، ورغم كثرة المنتجات الصحية المفتوحة، مازال الدليل الإرشادي غير محدد في أي مكان على الرغم من أن المفهوم معروف في ماليزيا، مما يؤدي إلى الارتباك لأنها هي التي تعلن وتنسب نفسها بنفسها كصديقة للمسلم. لذلك، جاء هذا البحث بثلاث أهداف وهي: أولاً، تحديد العناصر المتوافقة مع الشريعة الإسلامية واستخدامها لضبط وتوحيد القياس ووضع المعايير لمتطلبات المنتج الصحي (صديق المسلم) المتوافق مع الشريعة الإسلامية. وثانياً، تحليل التنفيذ للعناصر المتوافقة مع الشريعة الإسلامية في المنتج الصحي المتوافق مع الشريعة بماليزيا. وثالثاً، يهدف البحث إلى تطوير إطار عمل لنظام تصنيف المنتج الصحي صديق المسلم أو المتوافق مع الشريعة بشرط فهم المفهوم والعناصر والمتطلبات الأساسية في إطار العمل المفيد لتطوير الدليل الإرشادي المقصود. تمت دراسة خمس (5) مباني لمنتجات صحية في وادي كلانج، وتم وضع إطار عمل لنظام تصنيف المنتجات الصحية الصديقة للمسلمين (MFSRS). المنهجية المعتمدة هي البحث في الأدبيات المنشورة، ودراسات الحالة حول المنتجات الخمسة الصديقة للمسلمين الموجودة في منطقة وادي كلانج، ومناقشات الخبراء التي تم تقييمها حسب أهداف البحث الثلاث للتحقق من صحة البحث النوعي. كما تمت المصادقة على الإطار المقترح من قبل الخبراء عبر مرحلتين ولتحسين الملاءمة والفائدة تم تحديد ثمانية (8) عناصر أساسية من المجالات الوظيفية للمنتج الصحي ودمجها مع مبادئ الشريعة لتطوير العناصر المتوافقة مع الشريعة، مع عنصرين أساسيين مهمين، وهما منتجات المنتج المستخدمة في العلاجات والموظفين. تم تحديد ما مجموعه 31 عنصراً متوافقاً مع الشريعة الإسلامية وتم العثور على تناقضين من دراسات الحالة حول العنصرين الأساسيين المهمين. لذلك، فإن الإطار المطور لنظام تصنيف المنتجات الصحية الصديقة للمسلمين مفيد لتوحيد العناصر المتوافقة مع الشريعة الإسلامية وتحديد القواعد والإرشادات لمقدمي الخدمة لأجل الفهم الجيد للمنتج الصحي الصديق للمسلمين.

## APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Halal Industry Management.

.....  
Nurrullhidayah Bt Ahmad Fadzillah  
Supervisor

.....  
Khairusy Syakirin Has-Yun Hashim  
Co-Supervisor

.....  
Nurul Jannah Bt Zainan Nazari  
Co-Supervisor

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Halal Industry Management.

.....  
Mohammed Farid Ali Al-Fijawi  
Internal Examiner

.....  
Khairil Wahidin bin Awang  
External Examiner

This thesis was submitted to the International Institute for Halal Research and Training and is accepted as a fulfilment of the requirement for the degree of Master of Halal Industry Management.

.....  
Yumi Zuhani Has-Yun Hashim  
Deputy Dean, Academic and Student  
Affairs, International Institute for  
Halal Research and Training

.....  
Hamzah Mohd Salleh  
Dean, International Institute for  
Halal Research and Training

## DECLARATION

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## ACKNOWLEDGEMENTS

First and foremost, all praise be due to Allah, the Almighty, for giving me the ability, health, and knowledge to complete this work, for without Him, I would not have been able to start, let alone to finish it. And may His peace and blessing be upon the Prophet Muhammad, his Family and his Companions.

Firstly, it is my utmost pleasure to dedicate this work to my dear mother Khoriah binti Abd Hamid and my family especially my sisters, who granted me the gift of their unwavering belief in my ability to accomplish this goal: thank you for your support and patience. Special dedication goes to my dear late father, Jamaluddin bin Kamisan. May Allah grant him the rewards of *Jannah*.

I wish to express my appreciation and thanks to my closest friends and those who provided their time, effort and support for this project. To the members of my research committee, thank you for sticking with me.

Finally, a special thanks to my respected supervisor Dr. Nurrulhidayah binti Ahmad Fadzillah, for her patients, continuous support, encouragement and diligent supervision, and for that, I will be forever grateful.

My deep gratefulness, thanks, and respect go to both my Co-supervisor Dr. Nurul Jannah bt Zainan Nazari and Dr Khairusy Syakirin Has-Yun Hashim for their continuous help and supports.

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## LIST OF ABBREVIATIONS

AD	Anno Domini
AMSPA	Association Malaysia Spa
BC	Before Century
CAGR	Compound Annual Growth Rate
CE	Core element
COEs	Center of Excellences
COMCEC	Standing Committee for Economic and Commercial Cooperation of The Organization of Islamic Cooperation
EPPs	Entry Point Projects
GMTI	Global Muslim Travel Index
GNI	Gross National Income
GWJ	Global Wellness Institute
i.e.	That is
ISP	Islamic spa practices
ISPA	International Spa Association
IGPs	Islamic Guiding principles
JAKIM	Jabatan Kemajuan Islam Malaysia
LOP	Level of Priority
LOR	Level of Requirement
MENA	Middle East-North Africa
MFS	Muslim friendly spa
MFSRS	Muslim Friendly Spa Rating System
MHTC	Malaysia Healthcare Travel Council
MOTAC	Ministry of Tourism and Culture
n.a.	No author
NKEAs	National Key Economic Areas
Pg.	Page
PEMANDU	Performance Management & Delivery Unit
SCEs	Shari'ah compliant elements
SRI	Stanford Research Institute

# CHAPTER ONE

## INTRODUCTION

This study begins with the introduction which discussed the background of the study. It consists of the research objective, research problem, research question and finally, focuses on the scope of the study. After the introductory section, the review of the literature of this study is covered. The next section guides the readers through the methodology of the research.

### 1.1 BACKGROUND OF THE STUDY

The spa industry in Malaysia is estimated to contribute to Gross National Income (GNI) worth of RM400<sup>1</sup> million and noted to offer over 3500 job opportunities by the year 2020 (Kementerian Pelancongan dan Kebudayaan Malaysia, 2014). The government's support plays a significance role in ensuring the sustainability of the spa industry in the future. Under the National Key Economic Areas (NKEAS) for the Tourism sector, Entry Point Projects (EPPs) "9a" is developing local expertise and better regulating the spa industry (Performance Management & Delivery Unit (PEMANDU), 2013). Malaysians thus are encouraged to engage in the spa industry. The industry had shown excellent progress for the past ten years (Othman et al., 2015), with good development and progression compared to 20 years ago. Indeed, the spa industry offers a great potential in generating high income.

Muslims in Malaysia come to realize that Shari'ah compliance does not restrict the activities that are related to the economy, law and education but it rather covers all aspects of life including hospitality (Othman et al., 2015) and spa industry. Recently, there has been a growing interest in Malaysian spa industry concerning the Muslim

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<sup>1</sup> 3.49 MYR = 1 USD (2014)

friendly spa concept, or often known as the *Muslimah* spa. The spa industry players swiftly responded by introducing Muslim friendly spa that provides Shari‘ah compliant elements such as halal products, separated facilities and treatment by gender and space for praying. When ‘Muslim friendly’ is embedded by the spa, the spa thus can create a better paradigm and have an added value in promoting Shari‘ah compliant of beauty care services. Enthrillingly, according to Spafinder Wellness 365, the Muslim friendly spa concept was predicted to become more popular in 2015 as it has been listed as the Top 10 Spa and Wellness Trends for 2015 (Othman et al., 2015).

Nevertheless, the argument regarding Shari‘ah compliant comes into the picture when it does not look harmonious with the surrounding physical environment (Saffinee, 2017). Ahmad (2000) highlighted that activities that are in accordance with Shari‘ah must be based on four philosophic foundations; *tawhid*, *rububiyyah*, *khilafah*, and *tazkiyyah*. *Al-Juwaini* proposes that the purpose of Shari‘ah is the protection or inviolability (*al-‘Ismah*) for people’s faith, souls, private parts, and money (Auda, 2008a). Shari‘ah compliant thus aims to fulfil basic human necessities in terms of religion, life, property, intellect, and progeny (Al-Sari, 2010).

At present, researchers have shown an increased interest in evaluating the compliance of services and facilities provided in spa with Shari‘ah (Yaman et al., 2012; Othman et al., 2015; Jamal & Husain, 2016; Yusof, 2016). Lack of standardization resulted in the use of different elements and numerous terms to describe a spa that upholds Shari‘ah principles and values in operation. The argument comes into picture when there are no guidelines available for spa operators, local authorities and all stakeholders’ reference. These arguments and phenomenon lead to the need of a framework of Muslim friendly spa rating system (MFSRS) which would comprise of tangible and intangible elements together with Shari‘ah compliant elements that are

useful in setting up standard requirements for Muslim friendly spa concept and operation within the Shari'ah context.

## **1.2 STATEMENT OF THE PROBLEM**

The spa industry in Malaysia has gained popularity since 2002 and performed very well for the past ten years ( Yaman et al., 2012; Othman et al., 2015). Malaysia's government has focused the attention to boost up this industry through the NKEAs under the Tourism sector. The spa industry has been outlined into one of EPPs and targeted to contribute about RM374.1 million into GNI with 3540 projected jobs by 2020 (Performance Management & Delivery Unit (PEMANDU), 2013).

However, HealthInvestor Asia (2016) has highlighted two challenges pertaining to the spa industry in Malaysia. First, a proportion of the population still associates the industry with the sex trade. Second, since wellness centers in Malaysia are not regulated, there is a perception that they are not professionally managed. The second issue has been addressed with the official criteria rating for spas developed by the National Spa Council of Malaysia. As for September 2014, 217 spas in Malaysia have been rated with 30 spas had been rated as Five-Star Spa (Othman et al., 2015). On the other hand, the first issue remains unchanged (HealthInvestor Asia, 2016).

The emergence of Muslim friendly spa concept in Malaysia could be an initiative to overcome the first issue mentioned above. The Muslim friendly spa is a service innovation to turn around the negative perception toward spa industry in Malaysia while at the same time can compete with conventional spas. The existence of Muslimah or Muslim friendly spa concept in Malaysia has been quite accepted among citizens in general (Othman et al., 2015; Jaswir & Ramli, 2016). They refer to Muslimah

spa as a spa or wellness center that provides Shari‘ah compliant services (Yaman et al., 2012) and only entertain Muslim females (Jaswir & Ramli, 2016).

In fact, the label of the ‘Muslimah spa’ itself is a service innovation to attract Muslim women. It offers an attraction in terms of concept, ambiance, design, decoration (Yaman et al., 2012), services, treatments and practices (Yaman et al., 2012; Othman et al., 2015) according to Shariah. The demand for a healthy lifestyle and beauty while considering Shari‘ah law is the reason Muslimah spa becomes popular among Muslim customers. This resulted in the existence of many Muslimah spas in Malaysia nowadays. However, despite having a significant number of Muslimah spas in Malaysia, some problems should be concerned and highlighted to improve this concept and later place Malaysia as a pioneer in the Muslim friendly spa industry, since this concept is a new field of interest.

First, limited studies have been conducted on the implementation of Muslim friendly spa concept in Malaysia. There are few journals and articles that focused on Muslim friendly spa concept which emphasize the customer understanding and awareness (Jamal & Husain, 2016), design and space planning (Yaman et al., 2012), services and products (Halim & Hatta, 2017), while no established model for Muslim friendly spa was being discussed in academic literature since it is new field of interest. Even though in practice, there is one model of Islamic Spa Practices (ISP) that has been developed, its usage is limited as private and confidential (Othman et al., 2015). In addition, the current practices are more focused on offering services, products and facilities in accordance with Shari‘ah principles while the other Shari‘ah aspects of spa operations still remain undiscovered.

Second, there are limited comprehensive standards or guidelines for the establishment of the Muslim friendly spa concept. In terms of operation and

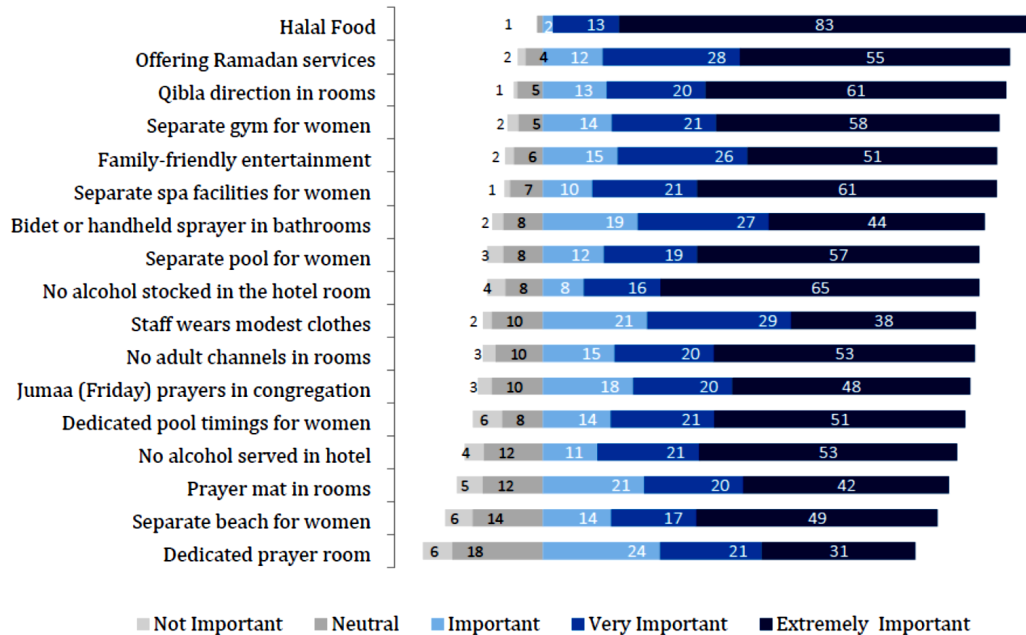
management, there are no regulations, standard documents nor guidelines to monitor its operation, management and monitoring (Jaswir & Ramli, 2016) and almost no system can be used as a guide to be translated into Standard Operating Procedures (SOP) that ensure the implementation is in line with Shari‘ah law (Yaman et al., 2012).

The absence of a unified standard or established model of the Muslim friendly spa as a guideline makes it ambiguous for the spa operators regarding the Muslim friendly spa concept. Lack of unified standard will create confusion and misunderstanding, which contribute to the occurrence of different elements or attributes in Muslim friendly spa operation. A case study reported by Yaman and his research colleagues showed that the similarities between two chosen spas who have self-claimed their spas for the Muslims are both providing segregated facilities based on genders while only one of them provided *musolla* for customers and used Al-Qur’an verses as medium of Islamic concept (Yaman et al., 2012). It shows that the absence of unified standards, results in unstable and unstandardized elements among self-claimed Muslim friendly spas in Malaysia.

Third, there are no rating systems that can audit the Shari‘ah compliant elements implemented in self-claimed Muslim friendly spa premises in Malaysia. The Muslim friendly spa operators claim that their spas are following the Shari‘ah principles while their claim has been neither recognized nor proven by authority body (Othman et al., 2015). In addition, a survey done by DinarStandard (COMCEC Coordination Office, 2017) had revealed the importance of spa facilities for women needed to be regulated is ranked sixth place with 61% and 21% responding extremely important and very important respectively in Figure 1.1 (pg. 6). Even though the survey was dedicated to spa facilities in Muslim Friendly Tourism (MFT) accommodation sector, the finding

identified the need for regulation and rating of spa facilities, particularly spas that identified themselves as Muslim friendly without external verification.

**How important is it for various Muslim-friendly services to be regulated by an MFT accommodation standard?"**



(Source: Muslim Friendly Tourism: Regulating Accommodation Establishments in the OIC Member Countries, (COMCEC Coordination Office, 2017)

Figure 1.1 How important for Muslim friendly facilities to be regulated

Therefore, being aware of this gap, there is a need for having the proper rating system to be used as guidelines for the standardization of the Muslim friendly spa concept and later undermining the issue of self-claimed in the Muslim friendly spa sector. The pattern of Muslim friendly spa concept needs to be standardized (Othman et al., 2015) in order to cater the needs of Muslim spa-goers through offering the best Muslim friendly spa practices and ensuring the consumers are protected (Jaswir & Ramli, 2016).

### **1.3 PURPOSE OF THE STUDY**

This study aims to develop a framework for Muslim friendly spa rating system (MFSRS) that is useful to propose guidelines for Muslim friendly spa (MFS) in line with the Shariah. This study also attempts to cater to the issue of self-claim of Muslim friendly spa by providing the authority with the framework of a rating system to assess the Muslim friendly spa in Malaysia.

### **1.4 RESEARCH OBJECTIVES**

The objectives of this study are as follows:

1. To identify the Shari‘ah compliant elements that can be used for setting up the standardization of requirements for the Muslim friendly spa concept.
2. To analyze the implementation of Shari‘ah compliant elements in the Muslim friendly spa premises in Klang Valley area.
3. To develop a framework for Muslim friendly spa rating system (MFSRS).

### **1.5 RESEARCH QUESTIONS**

The following research questions need to be addressed:

RQ1: What are the Shari‘ah compliant elements that can be used for setting up the standardization of requirements for the Muslim friendly spa concept?

RQ2: How the Shari‘ah compliant elements are implemented in the Muslim friendly spa premises in Klang Valley?

RQ3: How can these spa requirements be presented in Muslim friendly spa rating system?

### **1.6 SIGNIFICANCE OF THE STUDY**

As Muslim friendly spa sector is still at the infancy stage, the confusion regarding this concept could happen because of the inadequate research and publication that focused

on this concept. This study discusses the implementation of the Shari'ah compliant elements in a spa and later develops the concept of Muslim friendly spa based on the Shari'ah as guiding principles. The outcome of this research would contribute to the body of knowledge. In addition, from the stakeholders' point of view, this research helps the spa managers in understanding the concept of Muslim friendly spa and later applying the Shari'ah compliant elements in their spa operation and management.

### **1.7 SCOPE OF STUDY**

The scope of this research is to discuss the Shari'ah principles and emphasizing more on the luxuries (*Tahsiniyyat*), which concern the beauty care services offered by the spas in Malaysia. The three (3) necessities levels: essential (*Dharuriyat*), complementary needs (*Hajiyyat*) and the luxuries (*Tahsiniyyat*) with the five (5) objectives of Maqasid Shariah, namely protection of faith (*deen*), soul (*nafs*), mind (*'aql*), progeny (*nasl*) and wealth (*mal*), will be discussed and set up as fundamentals. *Al-Qawa'id al-Fiqhiyyah* (Legal Maxim) will be used as a tool to analyze the elements that can be complied with Shari'ah principles for the Muslim friendly spa concept. The area of case studies is Muslim friendly spa located at the Klang Valley area only. The research focuses on the structure of the spa; tangible and intangible elements. The tangible is defined as the physically elements that can be seen while the intangible is non-physical element. Both are the essential elements constituted the Muslim friendly spa concept. Finally, the framework is designed to describe the concept of spa according to Shari'ah principles and is proposed as a Muslim friendly spa rating system (MFSRS).

### **1.8 DEFINITION OF TERMS**

Muslim friendly spa : Spa that practices Shariah compliance concept to fulfil Muslim customer's needs.

- Shari‘ah compliant : The conformity to Shariah (Islamic Law). The crucial principles in the Shariah is regarding public interest (*maslahah*) that secure the welfare of humanity physically, morally, and spiritually in this world and the hereafter.
- Maqasid Shari‘ah : The objectives behind the Islamic rulings to hold the protection of the five fundamentals. The traditional classifications of Maqasid divide them into three ‘levels of necessity,’ which are: essential (*dharūriyāt*), complementary needs (*hājjiyāt*), and luxuries (*tahsīnīyāt*)
- Islamic Guiding principles: A principles derived from Qur’anic and Prophetic texts to guide through our worldly matters, to ensure the compliances to Shariah
- Framework : A basic structure underlying a system, concept or text
- Tangible element : The elements that can be physically seen
- Intangible element : The non- physical element

## **1.9 STRUCTURE OF THESIS**

This research is written in five (5) chapters that discuss the framework of the Muslim friendly spa rating system. The elements and principles pertaining to both subject matters are briefly discussed and explained throughout the research. A depth discussion on conclusion and future recommendations are provided in the final chapter after gathering and analyzing primary and secondary sources.

Chapter one (1) discusses the current issues pertaining to the spa industry in Malaysia and the development of Muslim friendly spa concept in Malaysia. The research objectives have been stated with the research questions derived from the

problem statement. The significance and scope of research are described within this chapter. Overall, chapter one (1) provides the general framework of the research.

In chapter two (2), the concepts and elements related to the spa industry, the Shari'ah principles comprise of Maqasid Shari'ah and *al-Qawa'id al-Fiqhiyyah* (Legal Maxim) as the Islamic Guiding Principles (IGPs). The concept of Muslim friendly spa and the development of framework for Muslim friendly spa rating system are discussed as well. Secondary sources such as online journals, academic articles, student's thesis, books, and newspaper articles are collected and analyzed for a better understanding of the subject.

In chapter three (3), the research methodology provides detailed explanations regarding the approach involved in conducting the research. The research combines a conceptual and exploratory approach. The qualitative approach is adopted to collect the primary data. The primary data is collected through case studies using interviews and on-site observation techniques. The data is analyzed, validated by the experts, and triangulate for data validation in qualitative research. The case study, sampling and the source of data are briefly explained.

Chapter (4) provides the solutions to the issues discussed in the problem statement. The data obtained was analyzed comprehensively to understand the elements of spa that can be complied with the Shari'ah principles and included as requirements for the Muslim friendly spa concept. Both primary and secondary data were used as the main information for developing the framework for MFSRS.

Chapter (5) is the final chapter of this research. The result of all three (3) objectives are revisited and highlighted the revision of the framework. The contribution, limitation and the recommendation for future research are presented in this chapter as well.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **INTRODUCTION**

This section consists of three parts; the first part begins with the review of the literature that focuses on spa. The second part discusses the Muslim friendly spa and its development and the practices applied in Malaysia. Finally, the development of framework for MFSRS is explained detailing the definition, identification of framework and the development process that plays an important role in building the framework for the MFSRS.

#### **SPA**

##### **2.1 INTRODUCTION TO SPA AND THE OVERVIEW OF ITS HISTORY AND TYPES**

Spa is an acronym of Latin “*salus per aquam*” that means “health from water.” According to some researchers, spa is derived from the name of the small Belgian town where mineral springs is used by Roman soldiers to treat aching muscles and wound upon battle since medieval times (SRI International, 2008; Yaman et al., 2012). Some researchers account to trace the word to the old Wallon word *espa* meaning “fountain” (Paul De Vierville, 2003; SRI International, 2008).

Historically, spas have been founded on local natural features, and even when in private, commercial hands have usually been seen as symbols of local identity, distinctiveness, and pride (Walton, 2012). The Roman Empire left a legacy of incredible spas, including Bath in United Kingdom (76 BC), Spa in Belgium (100 BC), Baden Baden in Germany (year 21) (Rancic et al., 2013) and the oldest Roman spa which still