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UNDERSTANDING OF ISLAMIC HOTEL CONCEPT THROUGH THE MUDZAKARAH OF ISLAMIC SCHOLARS

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Abstract

In spite of the interchangeable uses of the terms such as Sharia, Islamic, Halal and Muslim friendly, there is still no clear and consistent use of terminology among destinations which resulting in numerous organization glitches. Numbers of studies have been done to investigate Islamic hotel concept (IHC) attributes, practices and challenges. Howbeit, not many of these studies were done accordingly to the Islamic scholars' perspectives. **Purpose:** The study attempted to establish an understanding of Islamic hotel concepts through the Mudzakarah (discussion/convocation) of Islamic scholars (Ulama'). **Methodology:** Qualitative research methodology had been chosen to gain a comprehensive understanding by interviewing five Sunni Muslim jurisprudence Islamic scholars. **Findings:** This research concludes that there are important components of Islamic hotel concept which are a separation of gender, emphasis on halal and public awareness. **Research Limitations:** Islamic scholars interviewed in this study were five Sunni Islamic school lecturers expertizing in Islamic Jurisprudence (fiqh) practising madhab Shafie'. Hence, this study has not interviewed other mazhabs' Islamic scholars' point of view or other Islamic figures from various Islamic organizations. **Practical Implication:** This study enriches the existing literature on IHC by underlining the components governing IHC as described by Islamic scholars and therefore, could be used as a guideline for many parties. **Academic Implications:** This study provides more insight into a field little explored. It encourages other researchers to study in-depth about IHC development as in fact, the study on IHC is rather fundamental. **Originality/Value:** The current study contributes to the existing body of knowledge by providing a comprehensive review of the components and Islamic jurisprudence (fiqh) guidelines underlying Islamic hotel concept while previous literature focuses on the attributes and requirements.

Keywords: Islamic hotel concept, mudzakarah, Islamic scholars

Introduction

Muslims are ruled by their Islamic religious law (sharia) that rules not only religious rituals, but aspects of daily life in Islam (Majid, Denan, Abdullah, & Noor, 2015) and its teachings in their daily lives, and unquestionably they are inclined to keep an eye on the same rules and regulations even during their vacation to international destinations (Mohsin, Ramli, & Alkhulayfi, 2016). A study conducted by Shah Alam, Mohd, and Hisham (2011) had proven that religion has a bigger impact on purchase decision of Muslim consumers which explains that in Islam, a consumer's behaviour is ruled by religious commands. Mujtaba (2016) stated that the natural expectation of practising Muslims is that the tourism industry makes an effort to recognize their dictum since the Islamic rule is an established standard that surpasses all conducts of life. The result of comprehending the dictums of their faith should be applied and mirrored in the business tactics, procedures and behaviour (Mujtaba, 2016).

With the development of Islamic hospitality in Malaysia, there are many upcoming possibilities for hotel managers to comply with Islamic Hotel concept due to the demand from the Muslim travellers (Abu-Karim, Ahmad, & Zainol, 2017). It is highly encouraged for hotels to implement the right Islamic themes, Islamic ambience and Islamic architecture in order to make the travellers feel at ease in performing their religious obligations which are five times a day daily prayers, zakat, obligatory fasting in Ramadhan and optional fasting in certain days in a month, later helps in creating value, image and brand for the hotel (Samori, 2013). For that reason, it is necessary to develop and endorse Malaysia's universal image as the manufacturer of high-quality halal¹ products and services (Azmin, Khalifah, Ismail, & Salleh, 2015).

Yusof and Muhammad (2010) stressed that in order to bring more innovation to the hospitality industry the concept should be clear and can be measured. However, there is a lack of agreement about the features of Islamic Hotel (Razalli, Abdullah, & Hassan, 2012). Muslim-friendly motto, slogan, logo, and other creative promotional advertisement are strongly recommended as effective marketing communication tools (Boediman, 2017). In spite of the interchangeable uses of the terms such Islamic, Muslim friendly and halal, Khan and Callanan (2017) contended that there is no clear and consistent use of terminology among destinations. This has led to numerous organization glitches to the industry players such as capacity management, Muslim and non-Muslim guests misunderstanding as well as conflict among hoteliers (Henderson, 2010; Razalli, Abdullah, & Hassan, 2012).

Numbers of studies have been conducted in order to investigate Islamic-related hotel concept, attributes, practices and challenges. However, Mckercher (2018) outspokenly stated that having more papers published do not certainly contribute more knowledge, and more knowledge does not certainly contribute to better understanding (McKercher, 2018). Specifically, not many of these Islamic hotel concept studies were done accordingly from the Islamic scholars' perspectives. According to El-Gohary (2016), good mutual understanding of tourism development in a country which offers Muslim-friendly facilities cannot be established without having a good understanding of religion, practices and its impact on the tourism activities and also on the tourists. It is common knowledge that the Islamic scholars (Ulama) are well acquainted and divinely inspired of the spiritual needs of the masses. Hence, the advice of these Islamic scholars should be studied over and over again with deep deliberation. It is rather odd not to have mudzakarah (discussion) with the scholars about religious practices, which has caused many assumptions and conflicts in developing Islamic guideline for many facets of hospitality and tourism industry.

Islamic scholars are diamonds of the Muslim community as a whole, therefore regardless of what issue it is – it should be referred to them. Especially, not many of these Islamic hotel concept studies were done accordingly from the Islamic scholars' perspectives but instead circling around among investors, accommodation providers, associations, regulators and tourists. This situation has resulted in more and

¹ Halal is 'permissible' or 'lawful' in Arabic (Mukhtar and Mohsin Butt, 2012; Rehman and Shahbaz Shabbir, 2010).

more study seems to be muddying the waters rather than adding insights. But it is also something we must fight against to ensure our field remains vibrant and legitimate! Therefore, this research attempts to establish an understanding of Islamic hotel concepts through the Mudzakarah (discussion/convocation) of Islamic scholars (Ulama') by having two main objectives to investigate the various Islamic hotel concepts on the market and to identify components of an Islamic hotel concept according to the Islamic scholars.

Sharia Hotel or Islamic Hotel

Shariah compliances or Islamic concept have been adopted in various industries namely the financial, hospitality, services, insurance and manufacturing (Jais, 2016). The term Shariah-compliant hotel generally refers to hotels which strictly adhere to many other requirements (CrescentRating, 2015). The sharia-compliant hotel can be defined as a hotel establishment that provides all the services in accordance with the sharia principles (refers to the totality of Allah² commands that regulate the life of every Muslim in all aspects) including food and beverage and all the operation and management (Mohsin et al., 2016; Samori, 2013). On the same token, Islamic Hotel concept tagline is then created for international marketing strategies as a majority of the non-Muslim hotel guests quite scared when they read about word of sharia because of the misleading information (Abu-Karim, Ahmad, & Zainol, 2017; Ibrahim & Jamal, 2016). A number of the hotel operator's states that they did not want to be fully sharia compliance, for them Islamic Hotel concept is more marketable and did not scare the non-Muslim customer (Abu Karim, et al., 2017).

Muslim-Friendly Hotel

The hotel has taken into account some faith-based needs of Muslim travellers but not all their needs (CrescentRating, 2015). Although "Halal-friendly hotel" may also convey the same meaning, the term "Muslim friendly hotel" is more appropriate. Muslim friendly hotel complies with the needs of Muslim travellers but doesn't benchmark itself to a certain legislation, law, and standards (Jais, 2016). For an example, Muslim friendly hotel provides halal food and Muslim amenities in the room but has an entertainment outlet such as a nightclub and separate bar services. Muslim friendly hotel denotes that the hotel does provide all the necessities for Muslim such as prayer mats, bidet in the bathroom as well as halal food (Jais, 2016).

Halal Hotel

Indeed the very terminology of 'halal tourism' appears to be quite recent in the academic literature (Ryan, 2016), with Scopus revealing that one of the earliest papers appeared as recently as 2010 (Battour et al., 2010). Prior to that, the common terminology was that of 'Islamic tourism,' as used, for example, by (Henderson, 2009). Therefore, it is not surprising that minimum studies are found in literature about a halal hotel. Halal hotel is a hotel which has taken into account all the key needs of Muslim travellers including having only Halal food & beverages at the Hotel (CrescentRating, 2015). Batrawy, (2015) provides examples of a rental company in Orlando, Florida, that provides 'halal vacation homes' complete with curtained pools, rooms with prayer mats and copies of the Koran. Some studies have shown that halal hotel is also similar to Muslim friendly hotel and may convey the same meaning (CrescentRating, 2015; Jais, 2016).

Dry Hotel

The dry hotel can be defined as the hotel establishment which does not provide alcohol in its food and beverages outlet while other operations and services maintain with conventional style (Rosenberg & Choufany, 2009). Some 'dry hotels' called themselves as a sharia-compliant hotel by only emphasizing on

² The name for God, the Supreme Being, in the Arabic language; the common name for God in Islam.

the prohibition of selling alcoholic beverages in the hotel but not imply a full commitment as Sharia-compliant hotel requirements (Henderson, 2010). According to Abu-Karim et al., (2017), the operators are willing to provide more facilities better than the dry hotel concept, in fact, the needs and wants of the Muslim travellers in the guest rooms and at the public area also will be provided.

Methodology

A qualitative research methodology has been chosen to gain a comprehensive understanding regarding the area of study. The sample of this study was five Islamic scholars in Klang Valley, Malaysia. The selection of Islamic scholars began with the identification of Sunni Muslim jurisprudence scholars that used to travel and stay at Sharia-compliant hotel, Islamic hotel or any conventional hotel or have never stayed at any type of hotel for some reasons whether for leisure, academic or missionary activities. In order to meet the research objective, semi-structured interviews with several questions were developed. This study used interview protocol or guide as the instrument to collect data.

After finalizing the questions, the questions were reviewed by four experts. Three were holding doctorate degrees, have been lecturing for more than 10 or 15 years and actively involved in qualitative research. Since the interview questions could only be answered by Islamic scholars expertizing in fiqh (Islamic jurisprudence), the other one who reviewed the questions was an Islamic scholar who helped the researcher in identifying these fiqh Islamic scholars. The process was done to ensure that the questions are aligned, relevant and valid to answer each research questions.

Data Collection Process and Data Analysis

Interviews were audio recorded at the informants' administrative office, with informant permission, and lasted between 50-60 minutes. The interview audios were then transcribed and analysed. The transcript was systematically and thoroughly read through to identify the outcomes with codes allocated to portions of the text codes concerning various outcomes will be group based on their similarities into a small number manageable themes (Creswell, 2012).

The data collected were analysed using the thematic analysis to manage, describe and explore the original data in relation to the underlying Islamic hotel concept. Braun and Clarke (2006) defined thematic analysis as identifying, analyzing and reporting patterns within data. Each period of interviews was recorded, and the data gathered was codified. The interview transcripts were indexed and mapped on the basis of recurring themes. The synthesized data were examined to identify explanatory accounts, and a preliminary set of themes were developed (Lewis, 2003). Although only a small number of interviews were conducted, data saturation (i.e. where no new themes were emerging) was achieved after only five interviews and confirmed with the two final interviews. Fifth interviews can be considered as favourable as too many opinions from various Islamic scholars could result in disagreements, prejudice and difficulty in arranging the overlapping information.

Results and Discussions

After analyzing the transcript meticulously, all the research questions were answered accordingly. Overall, there are three themes emerged from all the research questions. Three themes emerged are separation of gender, emphasis on halal and public awareness.

Separation of Gender

The main idea of Sharia hotel by separating guests based on their gender captured the Islamic scholars' interest very well. They were mainly interested in the separation of the gender in many aspects such as health facilities, floors and pathways. The Islamic scholars also highlighted how important it is to separate guests and staff according to their gender in order to avoid ikhtilat (intermingling between women and men either individually or collectively).

"If they manage to do that (separation of gender), it is very complying with the sharia."

(Informant: IS1)

There is a hadith from the prophet Muhammad (peace and blessings of Allaah be upon him) who described on one occasion that he had seen the mix between men and women on the street, and he ordered women to walk by the roads to avoid the 'ikhtilat' between them.

"One particular hadith stressed the separation of gender is when women walk alongside men in a way that can cause intermingling (ikhtilat) which possibly bound to happen in pathways and building floors."

(Informant: IS1)

Islam restricts ikhtilat because of its ability to encourage them (men and women) to meet each other, look and talk about who they are without stone solid purpose. Allah Almighty stated in the Holy Quran:

"Tell the believing men to reduce [some] of their vision and guard their private parts. That is purer for them. Indeed, Allah is acquainted with what they do." (Quran 24:30)

Then, it is furthered emphasis by the prophet Muhammad (peace and blessings of Allah be upon him) in following hadiths:

"Do not let one of you be with a woman because the devil is the third person among them." (Ahadith)

"And whoever believes in Allah and the Last Day shall not be without a woman who has no mahram with her, for the third one is the devil" (Ahadith)

"Whoever believes in Allah and the Last Day should not be with a woman without any mahram the woman, because Satan becomes the third person among them." (Ahadith)

A famous Yemeni Islamic scholar, Dr Majid Zindani explained the type prohibited ikhtilat is the gathering of men and women who have doubts that things may plunge into unlawful things. On the same note, another prominent Islamic scholar Sheikh Abdul-Karim Zaidan in his book al-Mufassal Fi al-Ahkam al-Mar'ah remarks the law of association between men and women are illegal, and then it is something obligatory to be avoided except in forced or the urgent need.

However, there are two opinions among the Islamic scholars regarding ikhtilat. First opinion states it is counted as prohibited. Secondly, it is allowed for the required matters such as learning, community service, and charity/welfare activities etc. that require the merger between two parties. Prohibition for women who are travelling alone without being accompanied by their mahram (ineligible to marry) and prohibition of intermingling between genders is confirmed through the sayings of the prophet Muhammad (peace and blessings of Allah be upon him) as below:

"No women can travel outside unless she is accompanied by her mahram, and no one can be together with the woman unless the woman is accompanied by her mahram." (Ahadith)

"No man can be with a woman unless the woman is accompanied by her mahram." (Ahadith)

The above arguments clearly show the 'ikhtilat' is prohibited between men and women. The essence of the prohibition of 'ikhtilat' is its capability to stir fitnah (trials) which is the root cause many unlawful things such as promiscuity, adultery, problems at the workplace, household problems and divorce. The effect of ikhtilat is long evident way over fourteen years as reported by the Counseling Unit report by Ministry of Women, Family and Community Development of Malaysia, 70 percent of the cause of divorce in workforce in society due to the relationship with a third person representing 80 percent of the total, the relationship it was built among colleagues (Utusan Malaysia, 2004).

Emphasis on Halal

Muslims are highlighted to eat whatever is Halal-un-Tayyaban meaning 'permissible, allowable and wholesome'. Muslims are free to eat whatever they like as long as they observe the food and beverage permitted by the sharia rules underlined by the Holy Quran and the hadith.

"O ye who believe! Eat of the good things wherewith WE have provided you and render thanks to Allah if it is He whom you worship" (Quran 2: 172).

"O mankind! Eat of that which is lawful and wholesome on earth...." (Quran 2:168)

"He hath forbidden you only carrion, and blood, and swineflesh, and that which hath been immolated to (the name of) any other than Allah..." (Quran 2:173)

"Forbidden unto you (for food) are carrion and blood and swine flesh, and that which hath been dedicated unto any other than Allah, and the strangled, and the dead through beating, and the dead through falling from a height, and that which hath been killed by (the goring of) horns, and the devoured of wild beasts saving that which ye make lawful (by the death-stroke) and that which hath been immolated unto idols. And (forbidden is it) that ye swear by the divining arrows. This is an abomination.... (Quran 5:3)

When it comes to beverages, alcohol and other intoxicants are also prohibited as it is evidently banned by Islam as stated in the Holy Quran. It seeks no further elaboration or justification as Allah Almighty has clearly stated one verse below is out of many:

"O ye who believe! Strong drink and games of chance, and idols and divining arrows are only an infamy of Satan's handiwork. Leave it aside in order that ye may succeed" (Quran 5: 90)

The Arabic term for alcohol is 'khamr' means that whatever is fermented including everything this affects the consciences of someone like all whiskey, beer, brandy, liquor, drugs and wine etc. Henceforth, when briefed about Muslim – friendly hotel, Islamic scholars were found displeased with it due to its association with alcohol. They encourage avoiding haram food or beverages at all cost.

When asked whether or not they would stay at Muslim – friendly hotel, they rather not if they had other options. The Islamic scholars further advised Muslim travellers to opt another type of Islamic hotel concept on several factors such as price, distance and accessibility. Consequently, from the interviews among the Islamic scholars regarding the status of dry and Muslim – friendly hotels (specifically their associations with/without alcoholic beverages) the hierarchy of Islamic hotel concept (IHC) choice for Muslim travellers can be demonstrated as available after reference. On top of that, inspired by Figure 4.3.1 (The Hierarchy of Islamic Hotel Concepts Choice for Muslim Travellers), classification of Islamic hotel concept can also be illustrated as well.

By referring the hierarchy of Islamic hotel concepts (IHC) choice for Muslim travellers (figure 4.3.1), Sharia hotel is located on the highest tier due to its prominent virtue in upholding Islamic attributes in the hotel followed by Islamic hotel and halal hotel. Meanwhile, Muslim – friendly hotel located at the bottom tier

due to its association with alcoholic drinks. As result, Muslim – friendly hotel cannot be classified as Islamic hotel.

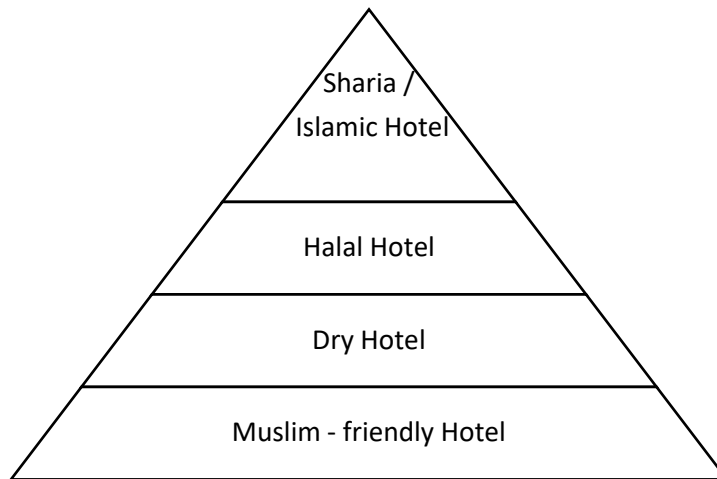


Figure 4.3.1 - The Hierarchy of Islamic Hotel Concepts (IHC) Choice for Muslim Travellers

By the same token, dry hotel also cannot be placed under Islamic hotel as it caters no special needs for Muslim travelers even though they (dry hotels) claimed themselves as a sharia-compliant hotel (Henderson, 2010) by only emphasizing on the prohibition of selling alcoholic beverages in the hotel but not providing key needs of Muslim travellers. Hence, the study confirms that any dry hotel cannot fall under Islamic hotel category as well.

The Islamic scholars stated that they (dry hotel operators) cannot claim themselves as Islamic or even close sharia compliance hotel. They (dry hotel operators) are highly encouraged to upgrade their offerings as they are in fact way better than Muslim – friendly hotel which has an association with an alcoholic drink. Therefore, it is highly advisable for them (dry hotel operators) to grab this golden opportunity to install more Islamic hotel attributes in their dry hotels. Or, they can just be regarded as a conventional hotel.

“Some investment should be made in order to venture your hotel (dry) to a whole new level. It is worth a try.”

(Informant: IS3)

Public Awareness

Generally, customers are not really aware of the Islamic hotel concept (especially sharia-compliant hotel) due to misconception even though the demand is sky high (Nur’Hidayah Che Ahmat, Ridzuan, & Zahari, 2012). Parallel with that notion, Huang, Qiu, Bai, & Pray (2006) theorized that customers’ attitude towards (Syariah Compliant) concept could be influenced through the effective use of knowledge and information. Thus, the hotel operators need to educate their guests by putting a clear status/stand about their Islamic hotel concepts and offerings. In fact, these Islamic scholars collectively agreed on pushing hotel operators

on putting a clear status about their hotels such as sharia, Islamic, Muslim- friendly, halal or dry as it enhances guests' understanding and awareness.

"They (hotel operators) need to portray themselves and how their business works in order to enlighten guests."

(Informant: IS2)

Customers' awareness (We (Islamic scholars) are also not aware of their (Islamic hotel concept) existence. It is important for us (customers/guests) to know the existence of these types of Islamic hotel concepts. It (awareness) will guide us in decision making when checking in into a hotel. And it will also boost demand.

(Informant: IS4)

Responding to the terror of *Sharia* word reported by previous studies due to deceptive information (Abu-Karim, Ahmad, & Zainol, 2017; Ibrahim & Jamal, 2016), Islamic scholars mutually agreed that, *Islamic* word brings more warmth, openness and friendliness which can be used as effective international marketing strategies on non-Muslim travellers.

"The misunderstanding of the word 'sharia' cannot be solved in a short time. It takes time. Thus, the right step to take now is to portray our hotels as Islamic hotel. Which will attract customers."

(Informant: IS5)

"Islamic word sounds more familiar to non-Muslims customers compared to sharia word."

(Informant: IS1)

Moving on to the Halal hotel, when the Islamic scholars were informed that halal hotel is a hotel which has taken into account all the key needs of Muslim travellers including having only Halal food & beverages in the Hotel (CrescentRating, 2015), they were not expecting that it was only referring to food. According to them, an interaction of different gender between staff and guests is also not halal (which we have covered in the first theme – separation of gender). Thus, they suggested using a proper label indicating which aspect of halal they (operators) are referring to.

"The common misconception about halal and haram status is that it covers about food and beverage only. But, the interaction of different gender is also haram. The concept (halal and haram) extends to great length."

(Informant: IS5)

The Islamic scholars affirmed that it is fine to a word halal to a hotel or any other establishment but they (operators) need to clarify which aspect of halal they are referring to. For example, putting on a sign "We serve halal food and drinks only here". Che-Ahmat et al., (2012) conclude that the higher customers' awareness about the concept and practices, the higher percentage of customers' acceptance.

Limitations of study

There were a few limitations that need to be considered in this study. Islamic scholars interviewed in this study were five Sunni Islamic school (Madrasa) lecturers expertizing in Islamic Jurisprudence (fiqh) practising madhab Shafie'. Hence, this study has not interviewed other mazhabs' Islamic scholars' point of view or other Islamic figures from various Islamic organizations. Also, these Islamic scholars are Sunni Muslims who hold mazhab Shafie'. This study has not covered other mazhabs' Islamic scholars' point of view due to several reasons such as research length, clashes between the school of thought and time-bound. Therefore, it is highly recommended for researchers from other countries with different mazhabs to take this opportunity and compile Islamic scholars' thoughts on various Islamic hotel concepts around

the world. Plus, more Islamic scholars from various study background and organizations should also be approached qualitatively in order to elicit more remaining understanding, knowledge and wisdom.

Conclusion

Islamic hotel concept is very rich, clear and beautiful to implement. The beauty of Islam itself can be translated into the hospitality industry. Islamic scholars have stepped up to enrich the understanding of Islamic hotel concept. Their willingness to contribute knowledge to the hospitality industry is truly noble and praiseworthy. Investors, accommodation providers, associations, regulators and tourists should be taking enormous benefits from their wisdom and knowledge. The main results of this study should be put forward into implementation as it all contributes highly to the industry and Islam specifically. On top of that, both government bodies and practitioners need to understand well the needs and wants of Muslim travellers to set a good environment for Islamic tourist destination. Islamic hotel concept is not new, but currently fine-tuning itself in the industry. Therefore, it is undeniably tough to understand, shape and execute it properly but in time, it (IHC) will flourish beautifully. It is also hoped that in the future, there will be more mudzakah (discussion/convocation) with Islamic scholars regarding all facets of industries.

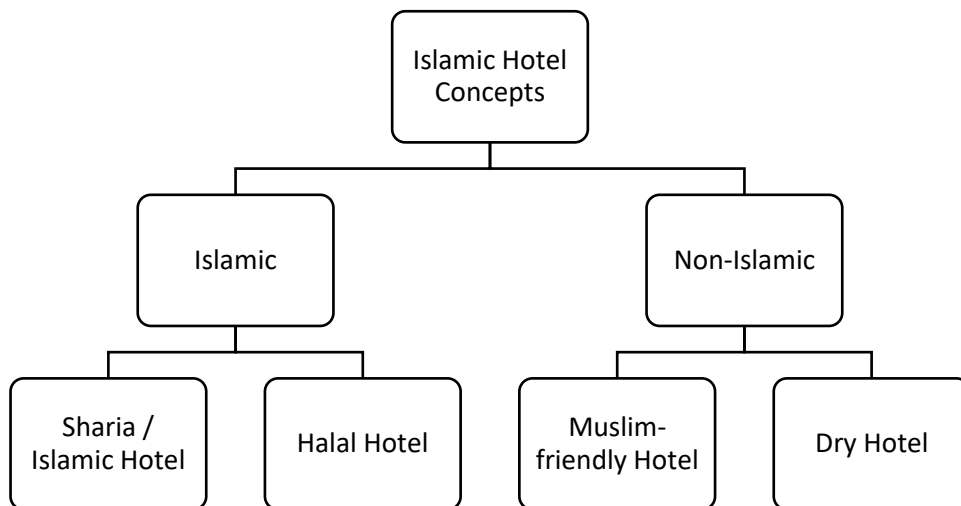


Figure 4.3.2 - Classification of Islamic Hotel Concepts (IHC)

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