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Exploring Muslim Tourist Needs at Halal Spa Facilities to Support Indonesia's Sharia Tourism

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This study reviews Islamic laws related to body spa services and describes the spa facilities which Muslim tourists need. This descriptive qualitative study involved spa consumers, owners, therapists, and religious leaders. The data were collected using interviews, focus group discussions, and observation. This study was analysed via *Maqasid al-Shariah* (the objectives of Islamic law) and the Classification of Benefits based on Shariah theory. The results show that the process and purpose of spas should be for the sake of *maslahah* (public interest). Based on *Maqasid al-Shariah* (the objectives of Islamic law), spa services benefit the *Hifd al-'Aql* (preservation of intellect) and *Hifd al-Nafs* (preservation of life). There were three levels of Complementary Needs for spas, categorised as *Daruriyyat* (Basic Necessities), *Hajjiyyat* (Complementary Needs), and *Tahsiniyyat* (Embellishment), while the spa facilities comprise 14 elements.

Key Words: body, halal spa, *Maqasid al-Shariah*, Muslim, travel

Introduction

Halal is not only a brand but also a lifestyle that gives additional value to consumers. Along with high economic growth, traveling becomes a fundamental need or even a lifestyle for some people. The great potential of the Muslim world market also influences the development of halal tourism. In several countries, halal tourism uses several terms, such as Islamic Tourism, Sharia tourism, Halal Friendly Tourism Destinations, Halal Travel, Muslim-Friendly Travel Destinations, and Halal lifestyle. Halal or Islamic tourism is defined as tourism and hospitality created by producers for consumers, following Islamic values (El-Gohary, 2016). According to this definition, Sharia tourism includes all tourism types that do not conflict with Islamic values and enable Muslim tourists to meet their needs.

Halal tourism remains limited to Muslims and has not yet been accepted globally. Therefore, the UAE has made a breakthrough by integrating the two and encouraging both Muslim and non-Muslim tourists to visit and enjoy halal tourism. Moreover, halal tourism is being encouraged as a global product that could be accepted by everyone. The UAE is transitioning from an oil and natural resources economy to an economy based on industry, services, and tourism (Al-Hammadi *et al.*, 2019). In the second quarter of 2019 for example, Dubai introduced a new Islamic tourism destination named Quranic Park, which has been established to educate tourists about Islamic culture. Dubai's Quranic Park is on TIME Magazine's World's 'Greatest Places' list (Saundalkar, 2019).

The Mastercard-Crescent Rating Assessment ranked Indonesia and Malaysia as the best halal tourism

destinations in 2019. This assessment is based on four criteria: access, communication, environment, and service (Mastercard-Crescent Rating, 2019). In relation to service, many resorts and hotels provide spas; there are also many public spas. This is one of 13 fields of the Indonesian tourism industry (The Ministry of Tourism and Creative Industry of the Republic of Indonesia, 2009).

A spa is a place for body care or treatment through various services, including facials, hair treatments, and body care. 'Spa' comes from the Latin phrase *Solus Per Aqua*, which means treatment using water. In Indonesia, spas are well-known by the term *Tirta Husada* (Yurcu, 2017). Spa is also the name of a small city in Belgium with an efficacious mineral water source for body treatment and health. In ancient Egyptian civilisation, royalty such as Cleopatra habitually bathed in water full of flowers, herbs and milk, as indicated by Cleopatra's bathing artefacts (Bender *et al.*, 2005). In Europe, a spa is usually associated with treatment using mineral water from natural spring sources. In Turkey, spa centres and treatments are known as Turkish Baths, while in Germany, they are called '*Kurhaus*' (Gay, 1987).

The halal spa industry is now developing along with Muslims' halal lifestyle and their increasing welfare. The halal spa one of the complementary needs of Muslim consumers and is used for rejuvenating their bodies. Thus, the spa has become one of the four pillars of halal-tourism product development besides hotels, restaurants, and travel agencies (Tawat, 2019). As reported by The Global Wellness Economy Monitor (GWEN) in 2015, the global spa industry reached US\$99 billion, with 121,595 spas operating in the world, earning US\$77.6 billion in revenue and employing more than 2.1 million workers (Global Wellness Institute, 2017). GWEN reported that Indonesia ranked 17 in the Top 20 Spa Markets in 2015, with 2,070 spa facilities, 60,682 spa employees, and US\$0.92 billion in revenue (Global Wellness Institute, 2017; Kurniawan, 2018).

The Spa Business Survey, conducted in April 2015, shows that Bali Province had the highest number of spa businesses in Indonesia, with 34.82%, followed by DKI Jakarta Province with 29.04%. The other spa businesses are in West Java province (7.63%), East Java province

(5.18%), and D.I. Yogyakarta (4.56%), while the rest (2%) are in other provinces (Widoyono, 2015). The data indicate that the spa business is dominated by the provinces or regions that are the main destinations for foreign tourists.

Based on the 2019 Global Muslim Travel Index (GMTI), the total number of Muslim travellers in the world data reached 140 million in 2018 (Mastercard-Crescent Rating, 2019). In 2017, there were about 131 million international Muslim visitors – increasing significantly from 121 million in 2016 - at that time it had been predicted to continue growing up to 156 million visitors by 2020 representing 10% of the travel segment. Once the COVID pandemic has eased, the Muslim travel market is on course to continue its fast-paced growth to exceed a value of US\$220 billion (originally targeted for 2020) and should reach in the region of US\$300 billion by the end of the decade (Mastercard-Crescent Rating, 2018).

During 2017, the number of foreign tourists visiting Indonesia reached 14.04 million, a 21.8% increase over the previous year, (which was about 11.5 million) (Statistics Indonesia, 2018). In 2019, the number of international tourist arrivals was 16.1 million, generating revenues of US\$ 17.6 million (Statistics Indonesia, 2020). The Muslim segment of these travellers spend between US\$2000-2500, while other tourists spend only around US\$1100. The growth of Indonesia's halal tourism is the most significant in the world and large investment in five-star hotel accommodation is an opportunity to pamper tourists with appropriate halal spa services (Sofyan, 2019).

The halal market's popularity requires tourism business managers to offer and improve suitable services for Muslim tourists' complementary needs, including spa services. Muslim travellers have six faith-based needs. While most Muslim travellers adhere to some of these needs, their level of importance varies. Those are Halal food, prayer facilities, Ramadan services, water-friendly washrooms, no non-Halal activities, recreational facilities, and privacy (Mastercard-Crescent Rating, 2018).

Muslim travellers are not homogeneous in their adherence to faith-based needs. To cater to these needs from a

services and facilities perspective, service providers can look at grouping these needs into

- Need to have,
- Good to have and
- Nice to have.

A spa is one of the private facilities and services that foreign tourists seek when traveling. Among the service indicators for Muslim tourists is a spa (Mastercard-Crescent Rating, 2018).

There are several arguments for researching the Halal spa as a requirement for Muslim travellers, but the main reason is lack of information. The National Sharia Board – Indonesian Council of Ulama - has five regulations governing spas:

- (1) no pornography or pornographic activities;
- (2) protections for tourist privacy;
- (3) halal cosmetics;
- (4) No non-halal services; and
- (5) prayer facilities (The National Sharia Board – Indonesian Council of Ulama, 2016).

GMTI included the halal spa among the ‘Nice to Have’ components which would spoil Muslim travellers. Furthermore, Halal spa criteria have not been studied (Global Muslim Travel Index, 2019).

The Shariah-compliant spa, formulated and discussed by Siti Farah, was more concerned with halal products, spa room structure, Muslim therapy, and not offering forbidden practices (Halim & Hatta, 2018). Tawat’s (2019) study of Halal wellness spa services in Thailand specified the following criteria:

- Wellness of spa manager;
- Therapist;
- Spa services;
- Spa products, Equipment/Accessories;
- Services and;
- Safety.

In contrast, the study in this paper will inspect Halal spas from an Islamic law perspective to specify Islamic Halal spa criteria and spa levels according to Islamic concepts.

As Halal tourism developed in Indonesia, several Halal spa venues began to emerge and develop. However, most

Muslim tourists cannot enjoy Halal spas since most spa facilities are conventional, even in reputable Indonesian hotels. Therefore, it is necessary to incorporate Halal spa components, including those aspects of service and facility related to the complementary needs of Muslim tourists (Fahham, 2017).

The halal spa is a new issue in the tourism field. Therefore, this study is an effort to explore the spa concept following Islamic perspectives. We invite academics and tourism practitioners to participate in our work by producing reliable resources in the field of Halal spas in the near future. Specifically, this study aims to describe Spa facilities for Muslim tourists and review Islamic law concerning body spa services.

Literature Review

Spa: Indonesian Experience

According to Indonesian Law Number 10 in 2009 concerning Tourism, a spa business provides services with a combination of water therapy, aromatherapy, massage, herbs, healthy food and beverage services, and physical activity. It is useful to relax the soul and body by referring to the local tradition and culture. Spa services provide body relaxation to get a balanced body, mind, and spirit. The spa relies on natural sources of mineral water and hot water (thermal therapy) as well as other elements, such as aromatherapy, massage, herbal ingredients, and a soothing atmosphere that includes music and soft room colours (The Ministry of Trade of The Republic of *Indonesia*, 2009). Indonesian Spas are well-known for aromatherapy and the art of caring for the body, mind, and soul with each essential oil (Ali *et al.*, 2015).

The spa is a holistic health service that combines traditional and modern health care. According to the treatment goals, Spa services are categorised as Wellness or Health spas that provide health maintenance and preventive services that focus on relaxation and rejuvenation. Medical spas provide services covering health improvement, maintenance, and prevention by prioritising recovery, also called revitalisation or rehabilitation (Trihas & Konstantarou, 2016). In terms of facilities, there are six main spa categories:

Table 1: The Categories of Spa in Indonesia

Category	Approach	Treatment Goal	Opportunities
Medical Spa	Curative	Rehabilitation	Halal Medical Spa
Wellness Spa	Preventive	Revitalisation / Rejuvenation	Halal Wellness Spa
Health Spa	Preventive	Relaxation	Halal Wellness Spa

- (1) Day / salon spas;
- (2) Destination spas and health resorts;
- (3) Hotel / resort spas;
- (4) Thermal / mineral springs spas;
- (5) Medical spas and;
- (6) Other spas (Global Wellness Institute, 2017).

The Ministry of Health of the Republic of Indonesia divides spas into three categories (see Table 1) based on the treatment they offer:

- (1) Medical Spa;
- (2) Wellness Spa; and
- (3) Health Spa

(The Ministry of Health of the Republic of Indonesia, 2014).

Therefore, several important components in spas are as follows:

Water therapy or hydrotherapy uses water and natural ingredients from plants, minerals, essential oils, salt, milk, mud, and scrubs for body healthcare by regulating temperature, pressure, current, moisture, and water content.

Massage is a body care or treatment technique of massaging muscles using limb movements (e.g., hands, fingers, elbows, and feet) or other assistive tools that are soft to the skin, muscles, and nerves. The massage stimulates blood and lymph circulation.

Aromatherapy is a body care technique using efficacious essential oils. The oils can be used by inhaling, compressing, or applying to the skin. Such efforts can be more effective if accompanied by massage. The ingredients are active substances taken from aromatic plant extracts such as flowers, leaves, roots, stems, and fruit seeds. They have stimulation or relaxation effects.

Relaxation is an effort to reduce fatigue and tension, both physically and mentally.

Rejuvenation is an effort to rejuvenate the body to reveal more beautiful looks.

Revitalisation is an effort to empower the function of organs to be more healthy.

A spa therapist is a person who has a defined competence level of providing spa services and is licensed to carry out their profession.

Each spa venue offers at least seven specific concepts and services (The Ministry of Health of the Republic of Indonesia, 2014). The elements involve massage techniques, cosmetics/ingredients used, the therapist's appearance and skills, the spa's spatial design, linens and equipment, music, and aromatherapy. Currently, various spa concepts with ethnic nuances are being developed, such as Javanese, Balinese, Madurese, Middle Eastern, and Sundanese. In a spa house with a Javanese concept, for instance, all of the spa's decor, interior, exterior, music, material, aroma, linens, furniture, cosmetics, and clothing reflect the distinctive Javanese culture. There are also spas featuring a blend of two cultures, such as a Javanese spa at the Inna Beach Bali hotel that combines Balinese and Javanese cultures (Yuswati, 2018). The spa is a type of service that is full of cultural and ethnic nuances and traditions. Spas developed in a country could help preserve local (Indonesian in this instance) traditions.

Any spa service should be offered in a clean, comfortable, safe, and healthy environment based on cultural and moral norms. Several important aspects include the lighting, colour, sound, aroma, temperature, and treatment room (The ASEAN Secretariat, 2016). These aspects are essential because customers are bio-psycho-sociocultural and religious beings who want comprehensive and complete services to achieve optimal health. Thus, whatever spa concept is carried out provides a broad opportunity to integrate Islamic values (Faidah, 2017). The Halal spa can also have an ethnic connection by including local elements in offered services and facilities.

Islamic Concept of Spa

Islam provides guidance to its adherents to look clean, beautiful, and pleasant:

Verily Allah is beautiful and loves beauty (Agus et al., 2018).

In a direct interaction with Allah, Muslims are required to clean themselves from the *Hadath Akbar* (major ritual impurity such as nocturnal orgasm, menstruation / hayd, sexual intercourse, etc.) by doing ‘ghusl *al-Janaba*’ (the mandatory major or full-body ritual purification with water before performing various rituals) and from *Hadath Asghar* (minor ritual impurity that invalidates *wudu* or a state occurs for one as a result of invalidation of *wudu* such as defecation, passing wind, urination, deep sleep, etc.) by *wudu* (the minor of ritual purification or ablution with water) (Kiani & Saeidi, 2015). Moreover, there is also a recommendation to wear beautiful clothes while praying, as mentioned in the Holy Quran, Al-A’raf 31:

Wear your beautiful clothes every time you enter the mosque (Quran, 2019).

In the context of the relationship with Allah, a Muslim is commanded to be fresh, clean, and purified. Likewise, they need to do the same thing in the context of interaction with humans. The Prophet Muhammad SAW once said to his companions when they wanted to come to their brother; he said:

Cleanliness is half of faith (as Narrated by Shahih & Muslim: 223 (Bukhari & Muslim, 2020).

The *Hadith* also provide a clear depiction a Muslim’s profile. Both inner and outer beauty are Islamic teachings; therefore, one’s outer appearance is as important as the inner appearance. Rasulullah SAW has declared that an inappropriate appearance or clothing is haram or against Islam. Islam asks Muslims always to look good. Thus, a Muslim must show his Islamic identity by how he looks, including cleanliness, purity, and beauty. The balance between a good appearance of the body and mind is the guidance of Islam.

Islam introduces five dispositions in terms of body care depicted in the *Sunnah*, including removing armpit hair and shaving pubic hair. As a Muslim, maintaining cleanliness and beauty are highly recommended. Therefore, a Muslim should not leave the *Sunnah* for more than 40 days. The *Hadith* state that

Five things included in fitrah (purity) involve shaving pubic hair; circumcision, thinning mustache, removing the armpit hair; and cutting nails (Narrated by Bukhari Muslim) (Al-Munajjid, 2014).

Islam also recommends maintaining oral hygiene by cleaning the teeth using a *siwak* or toothbrush. Brushing teeth is recommended in every circumstance, and it is emphasised when performing *wudu*, praying, reading the Qur’an, entering the house, and waking up at night to do midnight prayer. Rasulullah SAW said,

If it is not burdensome to my people, surely I will order them to do toothbrushing every time they will pray (Depth et al., 2019).

Table 2: The Five Objectives of Shariah

Objectives	Description	Example
Preservation of Religion	The preservation and protection of religion under all circumstances or conditions.	Jihad (defending Islam if it is attacked by the enemies).
Preservation of Life	The preservation and protection of life under all conditions.	To protect life, a severe punishment is given to those who kill another (<i>qisas</i>) and abortion is prohibited, the order or healthy life, etc.
Preservation of Intellect	The preservation and protection of the intellect and mind under all conditions.	The prohibition of liquor consumption or harmful substances that will affect or damage the brain.
Preservation of Lineage	The preservation and protection of descendants and family honour under all conditions.	The prohibition of committing adultery or other immoral behaviours.
Preservation of Property	The preservation and protection of property under all conditions.	Distribution of wealth fairly through <i>Zakat</i> (The Religious obligation for all Muslims who meet the necessary criteria of wealth) or <i>infaq</i> (giving some possession or income).

(Dar alifta al-Misriyyah, 2020)

Table 3: The Categories in Descending Order

Categories	Description	Example
<i>Daruriyyat</i> (Basic Necessities)	Primary needs. Essential elements for human life. The absence of these elements may cause destruction and damage.	Spas for healing diseases.
<i>Hajiyyat</i> (Complementary Needs)	Secondary needs. The lack of any of these needs is not a matter of life and death. Its existence is needed to provide convenience and eliminate difficulties.	Wellness Spa
<i>Tahsiniyyat</i> (Embellishments)	Tertiary needs. The needs related to comfort and ease life - offering more spacious and luxurious life.	Health Spa.

Also, a Muslim should protect her / his mouth from unpleasant odours.

Whoever eats shallots and garlic and chives, then do not approach our mosque (Muslim, 2011).

The unpleasant smell disturbs angels and people who are in the mosque by distracting them from prayer. Hence, Muslims should maintain clean breath.

Islamic spa concepts can be elaborated upon from the Maqasid Shariah perspective. In the context of Islamic law, it can refer to the purposes of the Islamic faith. The objective of Shariah is to promote the well-being of all humans (Anas *et al.*, 2016). It is necessary to establish welfare in this world and the world hereafter to prevent *fasad* (chaos and disorder). There are five objectives, as listed in Table 2

Muslim scholars have classified the objectives of Shariah into three categories, in descending order of importance (Kamali, 1999 - See Table 3):

The differences between *Daruriyyat*, *Hajiyyat*, and *Tahsiniyyat* are their influences on human existence. The spa fulfils the objectives of Shariah, including *Hifd al-Nafs* (Preservation of Life) and *Hifd al-Aql* (Preservation of Intellect) by maintaining, improving, and restoring health in terms of freshness and beauty and achieving a balance between body, mind, and soul (spirit) for optimal health conditions. According to the circumstances, judging from the three categories, the spa moves from *Daruriyyat* to *Tahsiniyyat*, and *Hajiyyat*. The implication of this theory is the formula for spa facilities, based on the level of need.

Methodology

Research Design

This study utilises a descriptive qualitative approach. This descriptive study aimed to undertake a systematic, factual, and accurate description concerning traits and relationships between the investigated phenomena. The qualitative descriptive approach was used to review the spa concept in Islamic law and link this to the needs of the traveller.

This research was conducted between June 2016 and May 2017 in three cities in East Java, Indonesia, namely Surabaya, Tuban, and Malang. There were seven spa brands included:

- (1) Kayla Spa;
- (2) Aliya Spa;
- (3) Nayyara Spa;
- (4) Naura Spa;
- (5) House of Annisa;
- (6) Alfafa Spa and
- (7) Ida Salon.

Observations focus on spa facilities (rooms, equipment, materials, cosmetics, layout, and infrastructure) and services. The informants included 63 regular spa customers - to explore consumers' needs for Halal spa facilities. The researchers also interviewed 15 therapists, spa experts, and religious scholars to explore the industry's readiness in responding to customer needs. Researchers also conducted a Focus Group Discussion (FGD) in a discussion room at the Universitas Negeri Surabaya. Religious scholars attended the FGD, which was led by a moderator and included seven participants. Table 4-6 present details on the range of data collection tools.

Aspects	Questions
Reasons to Choose Halal Spa	Why do you choose body treatments at the Halal spa? Do you also receive body treatments at a conventional spa?
Spa Facilities	In terms of facilities, what distinguishes Halal spa and conventional spa? What spa facilities do tourists need? What space is needed so that consumers feel protected? Do the Spa facilities fulfil your needs? Are all ingredients / cosmetics Halal?
Spa Services	In terms of service, what distinguishes Halal spa and conventional spa? What are your expectations of a therapist?
Treatment Types	What type of treatment is preferred? What is the purpose of visiting a spa (treatment, relaxation, entertainment)?

Issues	Discussion
Halal Spa Policy in Indonesia	Policy and support for the development of Halal spa in Indonesia Halal spa service standards in Indonesia Standardised Halal spa facilities in Indonesia An institution that is authorised to conduct Spa certification
Spa and Islamic Ethics	Limits on body care that are allowed and not The purpose of body care in Islam
Halal Spa and Tourism	Spa's position in supporting the tourism sector
Spa Facilities	Spa facilities needed by Muslim tourists

Types	Conditions
Spa Room	Consultation room, bath / jacuzzi room, sauna room, treatment room
Treatment Room Furniture	Bed, material / cosmetic display table, lockers, chairs
Lighting	Natural lighting, artificial lighting
Sound System	Relaxation music and communication system with clients
Air Conditioning	Air circulation, closed air circulation, aromatherapy
Colour	Following the concept (natural, modern, semi-modern)
Concept of Spa Building	Interior, landscape (according to the spa concept; modern, semi-modern, traditional, natural)
Water System	Cold water, hot water, warm water, clean water, ice water, and drainage management
Fire Protection System	Fire alarm, fire extinguisher, building security system
Supporting Facilities	Cosmetic display room, cafe, and restaurant
Additional Facilities	Lobby, waiting room, corridor, cleaning room, dressing room, toilet, parking
Management Room	Manager and staff room, reception room, employee restroom
Equipment	Body steam, bath, ear candle, treatment tools for women's sensitive part, aromatherapy furnace
Ingredients / Cosmetics	Scrub, massage cream, soap, cleanser, mask, cream scrub, body lotion
Clothes	Blanket, bed sheet, women's traditional cloth, loincloth, towel

The data were processed by manually coding, compiling concepts based on coding results, creating categories, and analysing the results. The obtained data were analysed following the pattern of Miles and Huberman with four stages:

- 1) field data collection through FGD with owners, therapists and religious experts about the concept of a spa. Also, the interviews with Muslim consumers and checklist documents to explore the spa facilities.

- (2) data reduction covering a process of selecting, focusing, abstracting, transforming rough data in the direct field. At this stage, the interview results were interpreted as consumer needs and organised into three categories: primary facilities, secondary facilities, and tertiary facilities

- (3) data presentation was a series of information. At this stage the relative importance of consumer needs was determined

(4) conclusions were drawn by reflecting on the results and processes (Miles *et al.*, 2014). This study is limited to seven spas in East Java province and 85 informants.

Data Validity Test

The validity testing used triangulation, comparing various sources by checking the data obtained via the different tools. The techniques were triangulated by matching the interview results with the document checklist. The sources were triangulated by matching explanations of therapists, owners, and religious experts about the spa concept.

Results

Legal Review of Body Spa

There are various spa services, such as hair styling, pedicure-manicure, body spa, and V-spa. This discussion focuses on body spa. Body spa is a series of body treatments consisting of several stages:

- (1) whole-body massage therapy to improve blood circulation and to give muscles relaxation;
- (2) body scrub to remove dead skin cells, smooth and clean the body, and eliminate the body odours;
- (3) body steam to open pores, remove toxins and facilitate blood circulation;
- (4) body mask to close the pores, lighten and tighten the skin;
- (5) body soak with flower water / milk bath / aromatherapy (The ASEAN Secretariat, 2016).

The spa process usually takes up to two hours, including massage, scrubbing, and then bathing, using refreshing herbs. Body areas treated during massage include back to buttocks, back legs, front legs, hands, and chest. The comfort of a body spa ensures the clients might fall asleep while taking the chosen treatment. Therefore, the spa offers treatment, health, and pleasure.

Based on Islamic law, spa services contain two aspects: transaction elements and service operations. Based on the transaction elements, there is a provision that everything in *muamalah* (the commercial transactions between the parties) is allowed unless it is prohibited by the rules:

Al-Aslu fi al-Muamalat al-Ibahah, Illa an Yadulla al-Dalil ala Tahrimihi

(The original law in muamalah is permissible unless there is dalil (an argument) that forbids it) (National Sharia Board - Indonesian Council of Ulama, 2016).

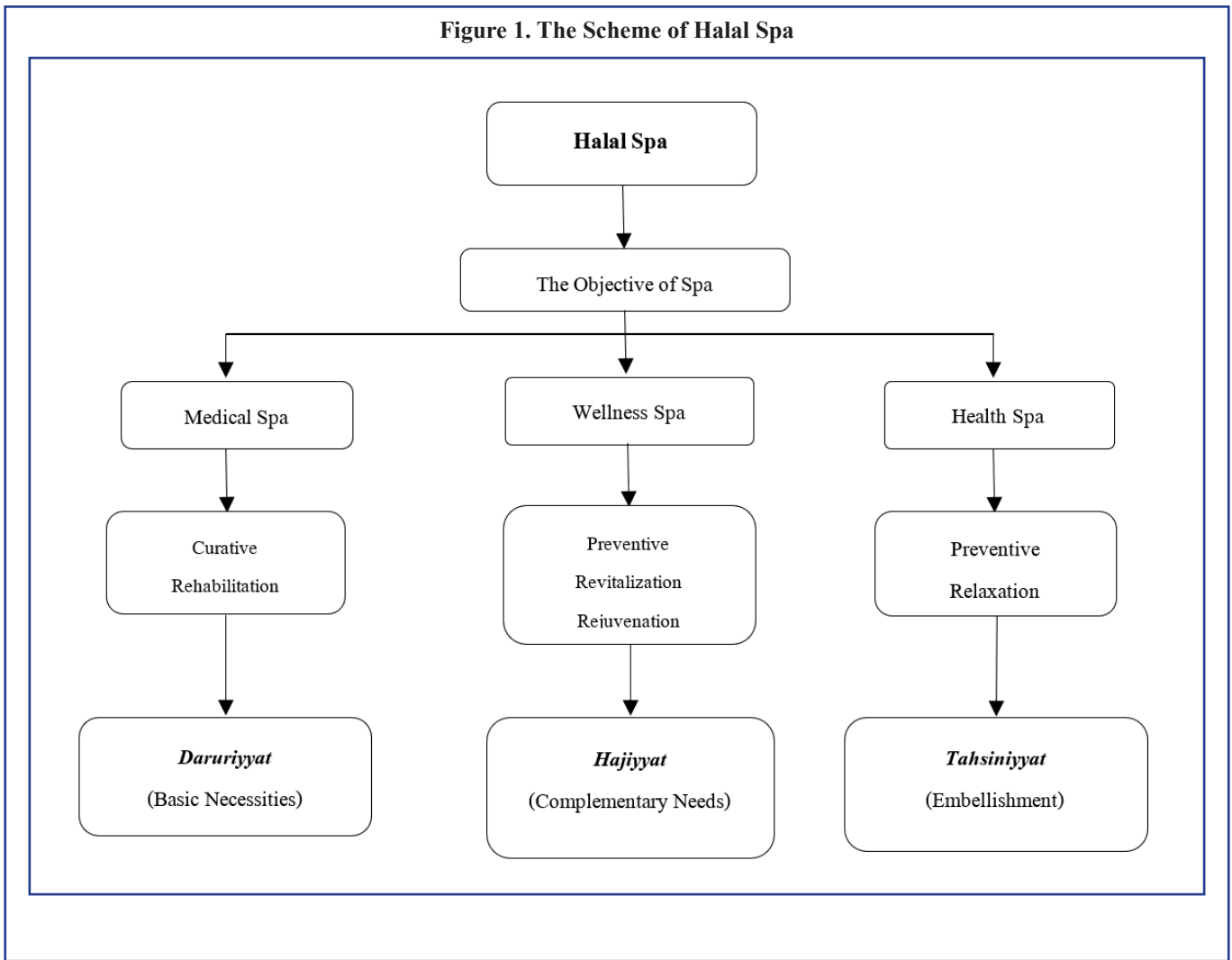
Islam does not prohibit a *Shara'* contract if the contract adheres to the rules of *Shara'* in general. For this reason, seven contract principles must be fulfilled in the Islamic economy, i.e.,

- no *riba* (usury) practice,
- no fraud,
- no gambling,
- no harm,
- no injustice,
- no immorality, and
- no prohibition (Najeeb, 2014).

Transactions for using spa services are permitted as long as they do not violate any of the above seven contract principles. In the context of Islamic economics, spa services meet business transaction regulations. The transaction is about selling and buying services or benefits. The therapist's ability to massage and scrub is a useful skill; therefore, the therapist should be compensated. Moreover, body steam and flower bathing processes make clients enjoy the services and provide the *ujrah* (fee or the financial charge for using services). As a service business, the spa does not violate the law in a business context. The activities, including all the systems and management of spa services, had fulfilled the *ijarah* (the type of contract in Islamic transaction) contract (National Sharia Board - Indonesian Council of Ulama, 2016). However, a business would be legal if conducted according to the *Shara'* provisions, starting from the contract, the process, and the goals. The spa is not only economically beneficial but also contains *maslahah* (the best public benefit or interest) according to *Shara'*.

Regarding *Maqasid al-Shariah*, spa services provide benefits for '*Hifd al-'Aql*' (Preservation of Intellect) and '*Hifd al-Nafs*' (Preservation of Life) (Anas *et al.*, 2016). Following *Hifd al-'Aql*, spa services can neutralise tension, break down the pressure of mind, reduce fatigue and boredom both physically and mentally with the

Figure 1. The Scheme of Halal Spa



relaxation offered. Regarding ‘*Hifd al-Nafs*,’ spa services can help rejuvenate the body and empower the function of healthy organs to obtain a more optimal health level. While reviewing the level of spa ‘complementary needs’, Islamic law could be categorised into three criteria (Figure 1): *Daruriyyat* (Basic Necessities), *Hajiyyat* (Complementary Needs) and *Tahsiniyyat* (Embellishment). To cope with *Daruriyyat* (Basic Necessities), the spa’s treatments include techniques such as healing pain that can be treated with therapy. *Hajiyyat* (Complementary Needs) is described as the condition when the spa helps to optimise body organ performance. *Tahsiniyyat* is the condition when the spa aims for beautifying the physical appearance. These three levels of need result in the different legal status of different spas. Differences in legal status also have an effect on the legal differences in operational services, as explained in the following sections:

1. If the therapy is aimed at ‘*Daruriyyat*’ (Basic Necessities) treatment, a therapist may see and touch private parts of the body, by following the rule of ‘*al-Darurat Tubih al-mahzurat*’ (an emergency condition allowing normally prohibited things). However, if the spa has the dimensions of *Hajiyyat* (Complementary Needs) and *Tahsiniyyat* (Embellishment), then the limit of the female’s naked body must not be seen or touched, whereas the other body parts could be seen and touched.
2. The touch that occurred between the therapist and the clients should always be within the bounds of professionalism. On the contrary, touch wrapped in lust violates one of the seven transaction principles: no infidelity.
3. The occurrence of *ikhtilat* (mingling) between men and women is forbidden. Spa services, according to Islam, only provide opportunities for therapists and

those being treated to be of the same gender. Mixing treatment (for men and women) should not occur, either from the side of the spa room or the therapist.

4. Food, drinks, and cosmetics provided in the spa series must be guaranteed halal products.

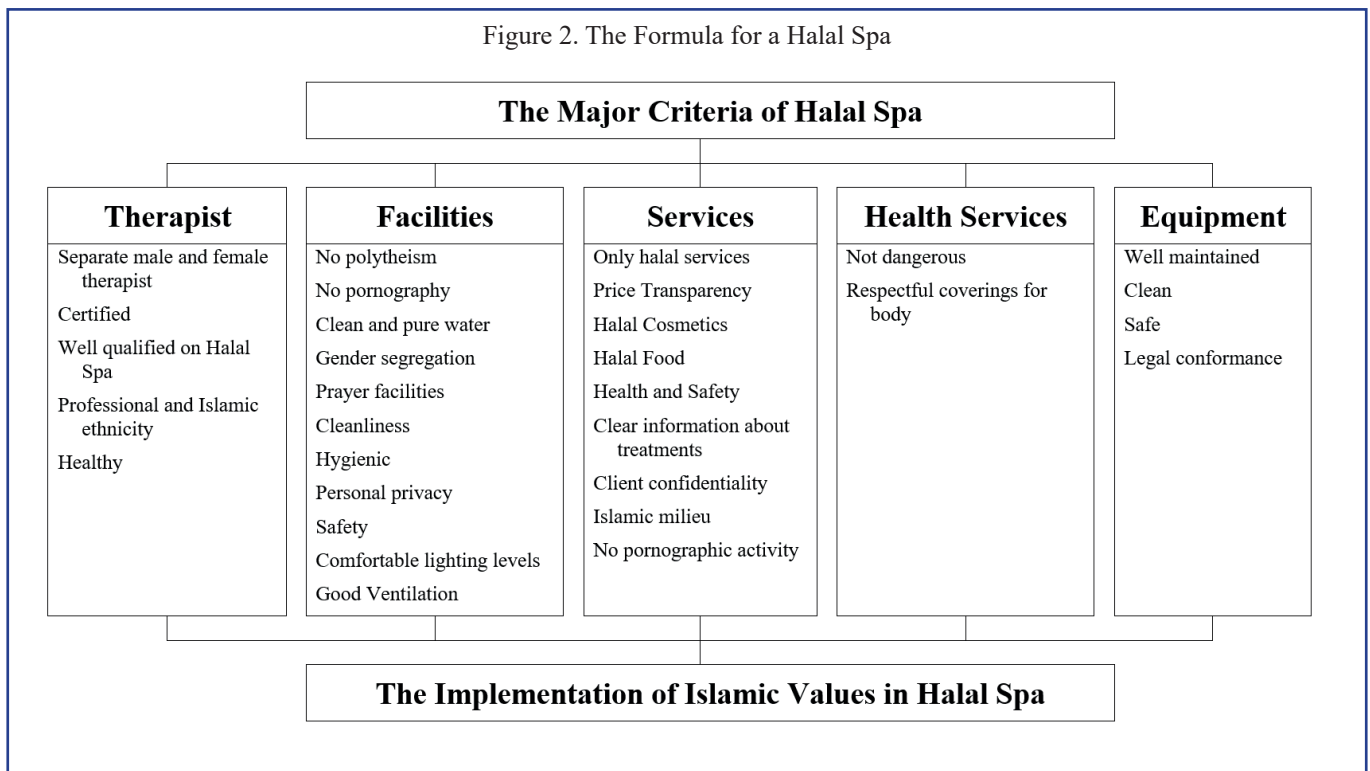
The Halal spa framework is presented in Figure 1.

Halal Spa Facilities

Based on the interview results with spa consumers, and the checklist research related to the spa facilities which are needed, the elements of spa facilities required by Muslim consumers can be presented as follows:

1. The lobby area is a terrace room near the entrance. It usually has tables and chairs like a waiting room. The lobby should have Islamic reading materials such as magazines, tabloids, or books.
2. The front office needs to be equipped with written information explaining
 - (1) this is a Halal spa;
 - (2) types of spa services;
 - (3) the price of each service; and
 - (4) the type of cosmetics used. Cosmetics / ingredients with the official halal logo or made from herbs need to be displayed in the room.
3. A clean toilet is another important thing. The toilet should be well-maintained and separated between male and female toilets. Each toilet should be equipped with practical tools for washing.
4. The place of prayer needs to be equipped with
 - (1) clean and well-maintained prayer equipment,
 - (2) *Qibla* directions,
 - (3) a clean and well-maintained prayer room,
 - (4) good air circulation with air cooler or fan,
 - (5) bright lighting,
 - (6) place for *wudhu* in a clean and well-maintained condition,
 - (7) the prayer time schedule; and
 - (8) clean water installation for washing.
5. Interior and ornaments do not lead to polytheism or pornography.
6. The spa room must have the following elements and criteria;
 - (a) the room for customers is neatly arranged, clean, well-maintained, and comfortable
 - (b) changeable lighting;
 - (c) halal therapeutic ingredients;
 - (d) good air circulation with cooling air or fans;
 - (e) complete *lenna* (kimono, spa wardrobe, towel, washcloth, and slippers) which are clean and free of germs and maintained according to general health regulations;
 - (f) dressing room with guaranteed privacy;
 - (g) well-maintained, neatly arranged, safe, and clean spa equipment;
 - (h) neatly arranged furniture following the principles of safe, comfortable, and efficient;
 - (i) bathtubs must be clean, well-maintained, and guaranteed customer's privacy;
 - (j) well-maintained trash cans following general health principles;
 - (k) first aid equipment and;
 - (l) locker where customer's belongings are stored.
7. Therapist room must be appropriate for taking a rest and self-preparation.
8. Music is dignified with no sexual nuance.
9. Bathtubs are used personally. If the bathtubs are used together, each client must use a cloth.
10. The rinse room is used personally by each spa customer to rinse their body after treatment.
11. Washing sink is equipped with cleansing soap and antiseptic, including adequate clean water.
12. Locker is available for customers' personal belongings during the spa treatment.
13. An eating and drinking area is available for eating and drinking after the treatment.
14. Lighting control should be considered appropriate according to the type of treatment.

The critical points in spa facilities provide for a conventional spa. Spas must provide space for two sets of - i.e men and women. A single space is not allowed because the spa room would no longer be a private space due to the presence of two non-*mahram* sexes.



In addition to space, the second critical point is the use of bathtubs together at one time. If the bathtubs are simultaneously used, customers need to wear an available treatment clothing. Meanwhile, men and women sharing a bath is not permitted for any reason.

The third critical point is ornament and interior space. The spa must be equipped with a place of worship completed with offerings and burned incenses in some places. Also, there are no paintings or pictures in the room depicted a woman’s naked body. The Halal spa must be free from elements that might lead to polytheism or pornography (Yaman *et al.*, 2012).

The fourth critical point is the gathering of men and women during the treatment process. In the Halal spa, male clients are treated by male therapists, while female therapists treat female clients in accordance with professionalism and ethics. Spa services for men and women should be separate (Othman *et al.*, 2015).

Official standards and ratings

Thus, to ensure that spa treatments do not conflict with Islamic values, a minimum standard of the spa must be first established, including (Al-Hasan, 2017):

1. Separate treatment rooms for men and women.

2. Mind and physical therapy do not lead to Sharia violations or lead to shirking of beliefs.
3. Male therapists are only for male clients, while female therapists are for female clients.
4. Facilities for the customers to pray are important.
5. Cosmetics used are officially certified halal products.

Based on the BPS survey results, 81.55% of spa businesses in Indonesia provide music facilities, 60.52% provide soaking tubs, 95.39% provide clean toilets, and 68.04% provide lockers or luggage storage (Widoyono, 2015).

Crescent Ratings provide standards and awards to the Halal spa business by giving two ratings, namely: ‘A’ rating and ‘AA’ rating. A spa with an ‘A’ rating adheres to Islamic criteria and provides a satisfying spa service for Muslim tourists. The spa with an ‘AA’ rating is designed specifically for Muslims. One of the main elements of ranking is the level of privacy offered by the spa. The Crescent Rating requires separate areas for men and women. A spa with ‘AA’ rating provides completely separate areas, while an ‘A’ rating facility provides separate times for men and women (Widoyono, 2015). Second, the therapist has professional qualifications and a competency certificate. A female employee serves a

spa for women while the male employee is in the male department. Additionally, the clothing worn by therapists and staff should be in accordance with Islamic rules. Third, spa businesses must be registered with local authorities and obtain licenses from them to run the business. Fourth, the products used are halal certified or herbal products. Finally, the spa informs Muslim customers that the spa is in accordance with Islamic requirements and is visitable.

Based on the result of this research, a full list of criteria for a Halal spa is presented in Figure 2. The importance of these criteria is evident in the words of one of our respondents:

I really hope there are some standards for spa service and facilities according to Islam. There are no clear references. It makes me doubt about halal and haram. These findings are very useful.

Conclusion

This study's findings can be used to develop Halal spas based on Islamic values. Spa services must fulfil the principles of sharia business transactions that cover selling and buying services or benefits. The business must comply with the provisions of *Shara'* and the sale contract for the sake of *maslahah*. Following *Maqasid al-Shariah* (the objectives of Islamic law), spa services provide benefits for '*Hifd al-'Aql*' (Preservation of Intellect) and '*Hifd al-Nafs*' (Preservation of Life). The levels of spa complementary needs can be categorised into three criteria, namely *Daruriyyat* (Basic Necessities), *Hajiyyat* (Complementary Needs), and *Tahsiniyyat* (Embellishment). There are 14 elements of spa facilities as outlined above, and the critical point in such facilities that often occurs is that the spa room is no longer private if male and female customers can be in the same room. The second critical point is if both sexes use bathing facilities at the same time. The third critical point is related to the ornament and interior because Halal spas should be free from polytheism or pornographic elements. The last critical point is the presence of a mixing area for men and women. Hopefully, this research can be followed up with work which measures the level of readiness and willingness of conventional spas to provide services and facilities according to the Halal spa concept.

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