

The Zakat Pages

The Halal Certification Fiasco

Posted on June 25, 2012 by (Hajj) Amal Abdalhakim-Douglas

A Khutbah delivered at the Jumuah Mosque of Cape Town by the Imam Shaykh Habib Bewley.
(courtesy of <http://jumuamosquect.com/> (<http://jumuamosquect.com/>))

الحمد لله، الحمد لله الذي أحل الطيبات، وحرّم الخبيثات، نحمده تعالى ونستعينه، ونشكره تعالى ونستغفره ونستغيثه، نعوذ بالله من شرور أنفسنا ومن سيئات أعمالنا، من يهّد الله فهو المهتد ومن يضلّل فلن تجد له وليا مرشدا، ونشهد أن لا إله إلا الله وحده لا شريك له، له الملك وله الحمد، يحيي ويميت، بيده الخير، وهو على كل شيء قدير، ونشهد أن سيدنا و مولانا محمداً عبده ورسوله، وحبّيبه وصفيه، بلغ الرسالة وأدى الأمانة ونصح الأمة، النبي الأمي الذي أرسله الله بالهدى والدين الحق، بشيرا ونذيرا بين يدي الساعة، صلى الله عليه وسلم وعلى آله وأصحابه ومن تبعهم بإحسان إلى يوم الدين.

أما بعد! فيا عباد الله اتقوا الله حق تقاته ولا تموتن إلا وأنتم مسلمون. يأيها الذين ءامنوا اتقوا الله وقولوا قولا سديدا يصلح لكم أعمالكم ويغفر لكم ذنوبكم. ومن يطع الله ورسوله فقد فاز فوزا عظيما. اتقوا الله فيما أمر وانتهوا عما نها عنه وجزر. قال الله تعالى في كتابه الكريم: يَا أَيُّهَا الَّذِينَ آمَنُوا كُلُوا مِن طَيِّبَاتِ مَا رَزَقْنَاكُمْ

Allah says in His Noble Book, the translation of which is, "You who have iman, eat of the good things We have provided for you."

We have all been shocked by recent developments in the news concerning the abuse of halal certification and the fraudulent labelling of pork products as halal by certain unscrupulous businessman. But it is important that we do not let the details of the case at hand, or the particulars of the parties involved, distract us from the essence of the matter, from the true problem with which we are confronted – halal certification itself. In recent years, this practice has become the accepted norm, the easiest way for Muslims to swiftly and safely determine whether a particular product may be consumed or not. And from humble beginnings, the halal stamp or halal certificate has become big, big business and developed into its own industry, an industry that according to the International Market Bureau of Canada, is worth over \$560-billion every year, and brings in tens of millions of rands into the coffers of the organisations who are in charge of doing it here in South Africa.

Now, we are not here to talk about the motives of those who implemented and pioneered this process of certifying products and foods as halal, for they may have originally done so with what they saw as the best interests of the Muslims at heart, seeking to make things easier for the Muslim consumer and allay their doubts as to the permissibility of the food that he was buying and eating. But what we are here to talk about is the presence of such an industry, for it clearly runs counter to a number of essential governing principles of the Deen, The first of those is that everything is halal until there is some definite proof that it is haram, as is indicated by Allah's Words,

مُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا

the translation of which is, *“It is He who created for you, everything that is on the earth.”* Everything on the earth is for us to make use of, is halal, except for what Allah and His Messenger tell us is haram. But halal certification works on the exact opposite principle, that everything is haram unless it is declared by them to be halal. This is clear when one examines their operating procedures. For example, one of these organisations on its website stipulates the following conditions for businesses that want to obtain their halal certificate:

“Only Halaal food and beverages approved by us are to be served, sold, stored and or processed on the approved premises.” And:

“In the event of private purchases by stores, this will be permitted only from suppliers who have been explicitly approved by us.”

They are expressly forbidding businesses, shops and restaurants from purchasing goods from sources other than those approved by them. And, by extension, they have declared all non-approved goods forbidden, haram. They do exactly what Allah commands them not to do. Allah says,

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرَمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ

the translation of which is, **“You who have iman! do not make haram the good things Allah has made halal for you.”** And what Allah has made halal for us is far more broad than these certifying organisations would have us believe. For example, Allah says:

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ

the translation of which is: *“Today all good things have been made halal for you – the food of those given the Book is halal for you...”* There are two things you should note about this aya. First Allah uses the word tayyibaat to describe the food of the people of the Book, and it is this same word, tayyibaat, that He forbade us from making haram in the aya we mentioned earlier. And second, He uses the word uhilla which means to make halal. Qadi Abu Bakr ibn al-Arabi discusses this aya extensively in his book Ahkam al-Quran and in the course of his discussion says that it does not matter whether they sacrifice the animal to Allah or not, so long as they are Jews or Christians and they slaughter it properly, its meat is halal for us. Qadi Abu Bakr narrates that Imam Malik said,

تؤكل ذبائحهم المطلقة إلا ما ذبحوا يومَ عيدهم أو لأنصابهم

“Absolutely all their sacrifices may be eaten except for what they sacrifice for their religious holidays or sacrifice to their idols.” And he narrates that Imam ash-Shafi’i went one step further, saying,

تؤكل ذبائحهم وإن ذُكر غيرُ الله عليها

“Their sacrifices may even be eaten when a name other than that of Allah’s is mentioned over them.” So, all of their food is halal for us, except for what Allah has expressly forbidden us such as pigs, blood, and animals which have died on their own or been strangled or killed by a blunt instrument. This is the position of many of the great a’imma and was that of the Prophet who himself ate the meat of the Jews without questioning them as to how they slaughtered it. So what is halal and what is haram is not as black and white as those who issue the certificates would have us believe, and nor is it remotely complicated, for the Prophet said,

al-halal bayyin wa-l-haramu bayyin

The second principle of the deen is that the sole Lawmaker is Allah. And it is not for us nor our ulama to set ourselves up as the only people allowed to determine those laws. There is no such thing as a priesthood in Islam, a special class of people through whom God works and in whose hands lies the key to the salvation of the rest of mankind. This concept is totally alien to us. Ulama are simply people to whom Allah has granted 'ilm, knowledge of His deen and His rulings. And it is their duty to freely transmit that knowledge to the rest of us, not to withhold it and sell it to the highest bidder. They cannot sell rulings because they are not theirs to sell, they are Allah's. And thus they cannot charge people a premium for ruling their products to be halal. By doing so, they are doing exactly what Allah criticises the rabbis of the Jews for doing, when He says in surat al-Baqara,

وَلَا تَشْتَرُوا بِآيَاتِي ثَمَنًا قَلِيلًا

the translation of which is, *"Do not sell My signs for a paltry price."* It is totally reprehensible that make a profit from selective issuing of the rulings of the deen. And the fact that they charge such exorbitant fees for their services puts the Muslim customer at a distinct financial disadvantage in the market place, for the price the companies have to pay is passed directly onto the customers. And so food that has the halal certificate almost always tends to be more expensive than that without it. Halal certification has become a form of stealth tax, taking money from the pockets of the ordinary Muslims and putting it into the coffers of the Islamic organisations and ulama.

And it is not just the Muslim on the street who has suffered financially as a result of halal certification, but also many small Muslim businesses. Before the halal stamp became widespread, almost all Muslims used to purchase their meat from their local halal butcher. But, since the advent of the stamp, the supermarkets, most non-Muslim owned and run, have stolen the majority of those butchers' customers by setting up halal sections and undercutting them, thus cornering the market and driving them out of business.

And those few halal shops and restaurants that remain are greeted with suspicion because of their lack of certificates. No longer is a Muslim's word taken at face value that his food is halal. As a consequence of this industry, Muslims now trust a printed stamp more than the word of a fellow believer.

And that, despite the fact that we are even forbidden from asking Christians and Jews where the food they are serving comes from when they invite us to eat with them, let alone Muslims. When the Prophet was given the poisoned sheep to eat by the Jews of Khaybar after he had defeated them, he did not ask them about where the meat had come from and would have eaten it were it not for the fact that the meat itself told him that it was poisoned.

And, furthermore, as we have seen by the recent debacle, the stamp is far being a foolproof determinant of whether something is halal, for it can, unbeknownst to us, be forged and transferred from one product to another. And that has been done on numerous occasions, for the corporations who buy these stamps sole interest is the bottom line – scruples do not come into it. If they can do something that will make them more money and open up a new market for them and they think they can get away with it, they will do it. Indeed, it might be said that the existence of halal stamps has caused Muslims to consume a lot more haram food than they would otherwise have done.

And it is not just within those companies to whom those certificates are sold that the potential for abuse resides, but even within the ranks of the ulama themselves who issue them. The majority of those 'ulama may well be scrupulous, honourable and honest, but the fact that they have knowledge does not make them proof against corruption. History is full of judges taking bribes, and scholars being bought by rulers to endorse their policies. Today, we see it in the great number of Muslim scholars who speak out in favour of Islamic banking in exchange for being placed on those

bank's boards. Muslim societies of the past were well aware of these dangers and used to guard against the corruption of their qadis by paying them huge salaries so that they would feel no need to accept bribes. But today there is no one to pay them but themselves, and no one to govern them but themselves, and so the temptation to line their pockets must be huge. And no matter how God-fearing the current crop of 'ulama may be, the system they have put into place has opened the door fully for other less principled individuals to take advantage. And, that is something that is already happening in other parts of the world where halal stamps have knowingly been granted to products later found to not be halal at all. And it is happening here, with the desire for profit getting in the way of common sense, and stamps being sold to be affixed on products such as water, tooth picks and black pepper. This is a clear misuse of the system. We ask Allah to restore the trust that once united us and guide us and our ulama back to the sirat al-mustaqim.

أقول قولي هذا وأستغفر الله لي ولكم ولسائر المسلمين من كل ذنب فاستغفروه إنه هو الغفور الرحيم الحمد لله الحمد لله رب العالمين، وأشهد أن لا إله إلا الله وحده لا شريك له وأشهد أن محمداً عبده ورسوله، صلى الله وسلم وبارك عليه وعلى آله وصحبه، والتابعين وتابعي التابعين ومن تبعهم بإحسان إلى يوم الدين. أما بعد! فيأيتها الذين ءامنوا اتقوا الله ما استطعتم واسمعوا وأطيعوا وأنفقوا خيراً لأنفسكم. يا عباد الله أوصيكم وإياي بتقوى الله وطاعته وأحذركم وإياي عن معصيته ومخالفته

The halal stamp was originally developed based upon a system put in place by the Jews to distinguish kosher products from non-kosher ones. And although this may seem to many to simply be an example of following one of their better ideas, the drawbacks of certification that we have mentioned seem to suggest otherwise. And, indeed the Messenger of Allah warned us against following them or the Christians saying,

لَتَتَّبِعَنَّ سُنَنَ مَنْ قَبْلَكُمْ شَيْبَرًا بِشَيْبَرٍ، وَذِرَاعًا بِذِرَاعٍ، حَتَّىٰ لَوْ سَلَكَوا جُحْرًا ضَبَبٌ لَسَلَكَتُمْوه فقلنا: يا رسول الله اليهود والنصارى؟ قال فمن؟

“You will follow the practices of those who came before you, inch by inch and cubit by cubit until even were they to enter a lizard’s hole, you would follow them.” We said, “Messenger of Allah! (Do you mean) the Jews and Christians?” He replied, “Who else?” And Allah gives us an even stronger warning in the Qur’an when He says:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِن تُطِيعُوا قَرِيبًا مِّنَ الَّذِينَ أُوتُوا الْكِتَابَ يَرُدُّوكُمْ بَعْدَ إِيمَانِكُمْ كَافِرِينَ

the translation of which is, ***“You who believe! if you obey a group of those given the Book, they will make you revert to being kafir after you have had iman.”*** No matter how good or sensible their practices may seem, they will inevitably bring us down and not raise us up.

Another major problem with halal certification – and indeed the halal industry as a whole – is that it focusses purely upon the mechanics of slaughter and preparation and does not take into account what should be fundamental when declaring something halal. Allah says:

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا

the translation of which is, ***“Mankind! eat what is halal and good on the earth.”*** The food that we eat must be wholesome and good as well as halal – the animals should have been treated well and with mercy (for the Prophet was sent as a mercy to all the worlds, including animals and the environment), not living their entire lives stuffed in small cages as is the case with many chickens; and not bought and sold with the proceeds of ribaa and exploitation.

But perhaps the worst thing about halal certification is that it distracts the ‘ulama and the general Muslim populace from more important elements of the deen. It is as if the deen of Allah has been reduced to food – the sole thing that distinguishes us from our non-Muslim counterparts is that what we put into our bellies bears a halal sticker. Is that really all that the deen is about and is that what our ‘ulama should be spending all their time and energy discussing and arguing about? In Cape Town, a city where at least a quarter or a third of the population is Muslim, how can the impact of the Shari’a be limited to halal stickers on food. Should not at least an equal amount of effort be expended to make all the other aspects of our lives halal as well? Why do we not question the kuffar based ethos when it comes to finance and currency? We should not be trying to carve ourselves a comfortable niche in society where we can cocoon ourselves from what is going on around us – so long as we have our halal meat and our mosques we are okay. No, the message of the deen is universal. The Messenger of Allah was sent to all of mankind wherever they are. We have no more right to Islam than those around us and so we are honour-bound and duty-bound to tell them about it and call them to it. We must show them its superiority in all walks of life, not spend all our time and effort cutting ourselves off from them and isolating ourselves in ghettos. And our ‘ulama must take the lead in this – they must step up and deal with the issues and problems that plague South Africa today. They must start acting like true inheritors of the Prophets, for the Messenger of Allah has said,

العلماء ورثة الأنبياء

“The ‘ulama are the inheritors of the Prophets,” and must start putting their knowledge into action. And they must cease to squabble and bicker among themselves and engage in their absurd infighting. That does nothing but tarnish the name of the deen. We ask Allah to set them and us on the right path and join our hearts together. We ask Him to protect all of the people of knowledge among us and increase them in wisdom and right action. We ask Him to reward them for their efforts fi sabili-llah and grant them and us the success to do what is best for His deen. We ask Him to make everything in our lives pure and halal and keep us away from everything that is impure and haram. We ask Him to grant us discrimination and increase the trust and brotherhood among the Muslim umma. We ask Him to guide the people of Cape Town and South Africa to Islam and establish the deen here in its full glory and entirety. And we ask Him to purify our intentions until everything we do is for Him and for Him alone.

إِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ، يَا أَيُّهَا الَّذِينَ آمَنُوا صَلُّوا عَلَيْهِ وَسَلِّمُوا تَسْلِيمًا. اللَّهُمَّ صَلِّ وَسَلِّمْ وَبَارِكْ عَلَيْهِ وَعَلَى آلِهِ وَصَحْبِهِ أَجْمَعِينَ. وَأَرْضِ اللَّهُمَّ عَنِ الْخُلَفَاءِ الرَّاشِدِينَ أَبِي بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَعَلِيٍّ، وَعَنْ خَدِيجَةَ وَعَائِشَةَ وَسَائِرِ أَزْوَاجِ النَّبِيِّ، وَعَنْ سَائِرِ الصَّحَابَةِ أَجْمَعِينَ، خُصُوصًا الْأَنْصَارَ مِنْهُمْ وَالْمُهَاجِرِينَ، وَعَنْ التَّابِعِينَ وَتَابِعِي التَّابِعِينَ وَمَنْ تَبِعَهُمْ بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ اللَّهُمَّ اهْدِ وِلَاةَ أُمُورِ الْمُسْلِمِينَ لِمَا يَرْضِيكَ وَلِاتِّبَاعِ سُنَّةِ نَبِيِّكَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَتَبَّتْ أَقْدَامُهُمْ عَلَى الصِّرَاطِ الْمُسْتَقِيمِ، وَأَصْلِحْهُمْ يَا رَبَّ الْعَالَمِينَ.

اللَّهُمَّ بَارِكْ عَلَى شَيْخِنَا، وَعَلَى أَمِيرِنَا، وَعَلَى جَمِيعِ أَمْرَاءِ وَرُعَمَاءِ الْمُسْلِمِينَ.

اللَّهُمَّ بَارِكْ عَلَى الْمُسْلِمِينَ فِي هَذِهِ الْمَدِينَةِ، وَوَقِّفْهُمْ لِمَا تُحِبُّهُ وَتَرْضَاهُ يَا أَكْرَمَ الْأَكْرَمِينَ.

اللَّهُمَّ أَعِزِّ الْإِسْلَامَ وَالْمُسْلِمِينَ (3) وَأَخْذُلِ الْكُفْرَ وَالْكَافِرِينَ، وَأَنْصُرِ الْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ. وَأَجْعَلْ كَلِمَتَكَ هِيَ الْعُلْيَا وَكَلِمَةَ الْكُفْرِ هِيَ السُّفْلَى.

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ.

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَى، وَيَنْهَى عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ، يَعِظُكُمْ لَعَلَّكُمْ تَتَّقُونَ، وَلَذِكْرُ اللَّهِ أَكْبَرُ وَاللَّهُ يَعْلَمُ مَا تَصْنَعُونَ. وَفُؤُوا إِلَى صَلَاتِكُمْ بِرَحْمَتِ اللَّهِ

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6 Responses



Suleyman Busby, on June 26, 2012 at 4:23 am said:

A superb discourse which I will be drawing to the attention of all who may listen. The corollary with nonsensical "Islamic banking" was also a very valid side point in this excellent piece.

Reply



Abdullah, on July 9, 2012 at 12:39 pm said:

Frankly, this article is a real disaster and it is very destructive.

Alhamdulillah that we Muslims in Europe have halal signs on some of the products so we can eat them without fear that they contain pork and other haram ingredients.

Reply



(Hajj) Amal Abdalhakim-Douglas, on February 23, 2013 at 7:24 am said:

Well, recent news would suggest this article was not such a disaster, but in fact a timely warning

Reply



Yahya, on August 12, 2012 at 2:12 pm said:

Salams, I think you have missed the point of the khutbah!

Reply



S. Smith, on August 13, 2012 at 11:16 am said:

Although I agree on principal, I think the khutbah falls short of some very key facts – which I am surprised – since it comes from a well respected individual.

1) The halal certification in the UK potentially has the same problems, but with organisations like HMC, they really do have a stringent system in place where you can comfortably say consume it knowing that it meets the most strict requirements for 'Muslim' halal meat. This is not to say other places aren't Halal, this isn't about halal or haram, but about how the animal is actually slaughtered.

At the time of the Prophet it was common practice to slaughter an animal with a knife/sharp object and at the throat – this was done by Jews and Christians – hence there was a comfort in knowing that at least they slaughter was done right (doesn't matter if it was in the name of Allah, Yeshua or Jesus etc). The animal was cleansed properly of blood and typically prepared according to the culture of the time.

The big problem in the west (and modern era of mass consumption and supply), in particular to the UK, is that 95%+ of all meat and poultry is machine slaughtered, this is after potential death of an animal prior to slaughter due to bolt stunning or a captive-bolt to the head rendering it unconscious and dead in many cases (cattle mainly). Since an animal that is dead before slaughter is rendered haram, it is not fit for consumption – my question is how can you verify that this isn't the case for every supply?

This also occurs in many Muslim factories. Add to that, many of them have also machines doing the 'halal' slaughter with pre-recorded audio no real Muslim standing there other than to press the on-switch.

2) Non-Muslims in the west cannot be defined as Christian or Jews easily, many are athiest and non-religious. If we assume they are and accept the clause that we can eat of their supply of meat, what about the following issues:

- Contamination – a lot of mixed meat, stuffed with remnants of other meat, pork contamination and a lot of preservatives in some cases.

- That almost all the meat is slaughter by machines, bolt stunning and captive bolt / death before slaughter and very poor drainage of blood (they prepare the meat before the blood has drained thoroughly).

- No way to determine they are Christians or Jews, as supply chain isn't listed usually or mentioned in most retail/restaurants places.

- Treatment of animals – caged hens, animals treated badly, killed in front of each other etc. Where is the 'tayyib' in this?

- Fried or cooked using the same oil and utensils with other products such as pork. This is very common and vegans also raise this issue a lot in restaurants.

-

We can say there isn't a 'sin' legally to consume the meat, but since we know very well how the industry works and supply is, we can't fool ourselves and continue blindly.

I also bring into question the high number of Chicken supplied to Middle Eastern countries, where Muslims blindly consume without questioning the source – one has no way to verify if the Brazilian chicken even meets the basic halal requirements or not.

I hope I have brought to light that in some cases certification is badly needed to determine what is right and wrong. But I totally agree that certification can be abused (as you mentioned) and there should be no restriction imposed on an outlet/retailers. What is made halal and haram may not be determined by us easily, but what we know to be haram outright should not be ignored.

-

I have no affiliation with the Halal food industry, I saw this post via FB and wanted to give a couple of points.

Reply



Phil, on August 26, 2012 at 4:01 am said:

Hello There,

I simply love your opinion. Impressive job on the design of your website.

.

Bye for now.

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