

Challenges to The Halal Industry: A Study on The Legal Acceptance from Some Non-Muslim Countries

Santhira Morgan¹, Jasni Sulong²

¹Phd Student, School of Humanities, Universiti Sains Malaysia, ²Acting Dean and Associate Professor, School of Humanities, Universiti Sains Malaysia, School of Humanities, Universiti Sains Malaysia.

Email: morgansanthira@gmail.com, jasni@usm.my

To Link this Article: <http://dx.doi.org/10.6007/IJARBSS/v11-i12/11869> DOI:10.6007/IJARBSS/v11-i12/11869

Published Date: 19 December 2021

Abstract

The Global Halal Industry is under threat and proactive action is needed to arrest the threat. The global halal industry is worth USD2.3-trillion. However, it is poised to decline in the coming years for it faces many challenges. In the West, the issue is not stunning animals before slaughter, in China, the Chinese authorities are battling to erase halal signs displayed on restaurants and in India, it is the Jhatka food industry. Since 2015, the Jhatka industry is gaining support from the majority Hindu population who feel that the minority Muslim population have imposed their religious practices on the majority Hindus, who regard the halal way of slaughtering is haram according to Hindu standards. The objective of the study is to examine all the opposition to the halal industry and suggest ways to minimize the adverse effects of the opposition. This study employed library research methods. Data was gathered mainly through newspaper reports published in the last 5 years. It was analyzed by examining the current trends in the meat industry and the reasons for introducing the Jhatka system of slaughter. It was found out that the Hindu revivalism and the perceived need for a more humane way of slaughtering animals by the West, as the main causes for the opposition. While nothing much can be done to religious claims of Hindus, it is proposed that the Halal industry introduces a mild form of stunning to place the animal in a semi-conscious state before slaughter, while remainly true to Islamic standards.

Keywords: Halal, Jhatka, Food Industry, Slaughter.

Introduction

The Halal food industry has enjoyed a monopoly and they have made inroads in areas beyond the food industry like cosmetics, fashion, tourism etc. Since the late 2010s the Halal industry has been challenged in the West as being too cruel in the method of animal slaughter and some countries have banned halal meat altogether. In China the Chinese authorities are talking down Arabic and Islamic symbol like the halal logos in restaurants all over the country

to Sinicize China. In India, the word, *jhatka* was unheard of among the wider population prior to 2015. However, it became popular after a Sikh, Eshwinder Sethi, opened India's first *jhatka* meat processing plant in Pune (Tfipost, 2021), as an alternative to the halal method of slaughter based on religious grounds. *Jhatka* method of slaughtering is method in which an animal is slaughtered in one go, from the neck top to the bottom unlike the halal method which starts the slaughter with a very sharp knife, from the bottom of the neck to the top which allows the animal to die after cutting the veins.

The halal food industry, which until now, had enjoyed a sort of monopoly finds itself having to confront Western powers and the Sikh and Hindu population of the world who have begun to assert their economic power against the Muslim halal market. They find it hard to believe that the minority Muslim populations in the West and India are able to wield their economic power over the majority Atheists and particularly Christians the Hindus, who consider halal meat as being haram. But according to Selvaraja, Che Musa and others, the situation in Malaysia is different as 80% of those involved in the halal industry are non-Muslims (Krishnan et al, 2017). However, critics say that the *jhatka* move is an attempt by the ruling pro-Hindu, Bharatiya Janata Party, to divide India's Hindu and Muslim communities (Dillon, 2021).

Halal Concept in Islam

The Quran guides mankind by instructing us that all food is halal, except when it explicitly says that it is otherwise. Halal according to Surah Al-Baqarah verse 172:

O you who have believed, eat from the good [i.e., lawful] things which We have provided for you and be grateful to Allah if it is [indeed] Him that you worship. (Sahih International)

Foods that are unlawful are specifically mentioned in a few verses in the Quran. In Surah Al-Baqarah verse 173, which says:

He has only forbidden to you dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allah. But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit], there is no sin upon him. Indeed, Allah is Forgiving and Merciful. (Sahih International)

In Surah Al-Maidah verse 3, Allah says:

O you who have believed, fulfill [all] contracts. Lawful for you are the animals of grazing livestock except for that which is recited to you [in this Qur'ān] - hunting not being permitted while you are in the state of iḥrām.2 Indeed, Allah ordains what He intends. (Sahih International)

Muslims are permitted to consume only animals slaughtered while pronouncing the name of Allah at the time of slaughter. Muslims would be committing shirk otherwise. Eating meat that is slaughtered by Islamic principles makes the meat halal. Surah Al-An'am verse 121 states:

And do not eat of that upon which the name of Allah has not been mentioned, for indeed, it is grave disobedience. And indeed do the devils inspire their allies [among men] to dispute with you. And if you were to obey them, indeed, you would be associators [of others with Him]. (Sahih International)

And when it come to drinks, Allah have categorically forbidden alcohol in any form to be consumed. Alcohol cannot be drunk and a liquid neither can it be mixed with other food items and eaten or instance, like a cake. Intoxicants were prohibited in Surah Al-Maidah verse 9.

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone altars [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid1 it that you may be successful. (Sahih International)

Objectives

- To examine the oppositions to the halal industry.
- To minimize the adverse effects to the halal industry

Methodology

Qualitative research method has been utilized in this research employing mainly Library Research method of fact finding, on theory and halal narrative based in Islamic law – gathered from al-Quran dan al-Hadith, and the kitabs of the four outstanding schools in Islam. Meanwhile in field research, data is sourced through newspaper publications from all over the world, since 2019, as they reflect the contemporary development to the present. Data is analysed through content analysis in term of library sources and in-depth analysis in term of field sources. The analysis is chronologically conducted to see the trend and development of the growth as well as the opposition to the halal industry. The future of the Halal industry can only be determined by analysing what is happening now.

Analysis Data

Based on data gathered, many issue have been identified about the halal industry. Some of the issues come from Muslim communities and some of them, from the non-Muslim countries. In this study, the discussion revolves around issues that come from non-Muslim countries, which stems from their sceptism about Islam, as was as a sign of faithfulness towards their own religions. Among the issues are:

(a) The Halal-Stunning Dispute

It is standard practice in the slaughtering industry to stun an animal before slaughter. Stunning ensures that the animal becomes unconscious and insensible to pain before it dies because of blood loss. The Islamic criteria for halal slaughter is clear-cut, i.e., the animal must be alive at the time of slaughter and the blood must be drained out. Any deviation from this will make the slaughtered animal unfit for Muslim consumption. On many occasions stunned animals reach the slaughter house dead either because of the high voltage or because of the time delay in getting to the slaughterer house, especially chickens. Furthermore, the animals are deprived of 'tasmiyyah,' as it would be in an unconscious state, at the time of slaughter. Therefore because of all the negative aspects of stunning, the Halal Monitoring Committee has set a blanket ruling disallowing stunning in any form (Dillon, 2021).

In April 2019, UK based news agency THE WEEK, carried an in-dept analysis on the controversy surrounding halal meat industry, titled, *Halal meat: what is it and why is it so controversial: Islamic ritual slaughter has been attacked as cruel, but Muslim authorities say the method is humane*. The Islamic method of killing an animal for meat is called *zabiha*. After reciting a blessing, the slaughterman uses a surgically sharp instrument to cut the animal's throat,

windpipe and the blood vessels around its neck. The blood is then allowed to drain off, from the carcass. Only one animal can be ritually slaughtered at a time and the other animals must not witness any death. In both Muslim and Jewish religious slaughter, they claim that their religious slaughter is the most humane method of slaughter but animal health experts and campaigners disagree.

The People for the Ethical Treatment of Animals (PETA) calls halal slaughter cruel with animals gasping and struggling while the blood drains from their necks. While UK's largest animal welfare charity group, the Royal Society for the Prevention of Cruelty to Animals (RSPCA) argues that killing animals without stunning them causes unnecessary suffering. The British Veterinary Association argues that cutting an animal's throat causes massive injury which results in significant pain and distress before the animals faint and therefore the British Veterinary Association is calling for all animals to be effectively stunned before slaughter.

Existing European law requires animals to be stunned before they are slaughtered, but grants exemptions on religious grounds. By 2019, Denmark, Switzerland, Sweden, Norway, Iceland and Belgium, voted to remove this exemption and ban religious slaughter on the ground that 'animal rights come before religion.' Both halal and kosher ways of killing are now illegal in the southern region of Flanders, where animals now have to be electronically stunned before they can be killed. In 2018, the Lancashire council became the first local authority to ban un-stunned halal meat in school dinners and it was followed by a bitter debate with the local Muslim community. This means that the only place one can buy halal or kosher meat will be Brussels, which is home to around 500,000 Muslims and 30,000 Jews.

Chinese Battle Arabic Symbols

And in China, Article 36 of the Constitution of the People's Republic of China, 1982, says that citizens enjoy freedom of religious belief and forbids state organs, public organizations, or individuals from compelling citizens to believe or not to believe in any particular religion. Despite the Constitution, under Premier, Xi Jinping, the Chinese Communist Party (CCP) which is an atheist party, prohibits its members from holding religious beliefs. It has pushed to make religions conform to the officially atheist party and the customs of the majority Han Chinese population. New regulations came in early 2020 which require religious groups to accept CCP ideology and values (Albert & Maizland, 2020).

In July 2019, the Jakarta Post carried a news article titled, *Sign of the times: China's capital orders Arabic, Muslim symbols taken down* (Wu, 2019). The Chinese government in their efforts to Sinicize the Muslim population in China has ordered halal restaurants and food stalls to remove Arabic script and symbols associated with Islam. One of the managers, who declined to be named, told Reuters that the officials have instructed them to stop using foreign culture and start using more Chinese culture. The campaign against Arabic script and Islamic images includes the removal of Middle Eastern-style domes on many mosques around the country in favour of Chinese-style pagodas. The same thing happens to Christianity, where the authorities have torn down crosses of some churches deemed illegal by the government. The government opines that its actions in Xinjiang are necessary to stamp out religious extremism. Officials have warned about creeping Islamisation, and have extended tighter controls over other Muslim minorities. According to Darren Byler, an anthropologist at the University of Washington, Arabic is seen as a foreign language and they want Islam in China

to operate primarily through the Chinese language. Beijing is home to at least 1,000 halal shops and restaurants and several big shops visited by Reuters had already replaced their signs with the Chinese term for halal - "qing zhen" - while others merely covered up the Arabic and Islamic imagery with tape or stickers. The Beijing government's Committee on Ethnicity and Religious affairs declined to comment, saying the order regarding halal restaurants was a national directive.

The Halal-Jhatka Dispute

A debated erupted in India in 2013 on whether Hindus ought to be forced to eat halal meat. Social activist, Shabnam Hashmi of Safdar Hashmi Memorial Trust told Al Jazeera, right-wing Hindus are extremely Islamophobic (India Tomorrow, 2014). Hindus actually couldn't care less what kind of meat they ate. According to a truly liberal Hindu outlook, meat sanctified in the name of Allah would not be problematic if both Hindus and Muslims believed that Ishwar Allah tero naam (Ishwar and Allah are God's names). But that is not the case. Hindus find themselves handing over a monopoly of the meat industry to the Muslims. Many restaurant chains, government establishments and even airlines serve only Halal meat not giving any choice to Hindus.

In January 2020, Syed Ameen Kader wrote about the Halal Industry, in *Salaam Gateway* (Kader, 2020), which carried the title, *Beyond meat: India's halal industry prepares for major growth as awareness, demand rise*. He sounded very positive and went on to say that the Halal industry is still in its infancy in India. Niaz Ahmed Farooqi, the secretary of India's Halal Certification Agency, Jamiat Ulama-I-Hind-Halal Trust, was upbeat about the bright future for the Halal Industry in India. Syed Ameen also reported that demand for halal certified products received a push after Islamic countries like Malaysia and Indonesia started insisting on importing only halal certified meat and cosmetics products from India.

Six months later in June 2020, Gaurav Srivastava voiced his concerns about the halal industry in RT News, *As Halal industry grows in India, many are concerned about its 'discriminatory' effect*. He expressed his concern that many people in India have started speaking against the halal industry as it seems to be discriminatory and imposes its choices on others. Hindu groups complaint that practically everyone involved in the halal industry has to be a Muslim, from the person who slaughters the animal, the agency who issues the halal certificate, the exporter and importer, all have to be Muslims. It appears like the entire meat industry has been reserved for Muslims. Apart from that non-Muslims are forced to eat halal meat.

Campaigns Against Halal

As a result of the debate mentioned above a flurry of activities has been happening in India. Back in January 2020, the South Dehli Municipal Corporation announced that all restaurants and shops in South Delhi have to mandatorily display whether the meat they sell is halal or *jhatka*. Then in May 2020, the North Delhi major, made the same announcement to display either the halal or the *jhatka* signs at all restaurants and shops in North Delhi (Press Trust of India, 2021). Since then, *jhatka* meat has become a subject of intense debates. One person wrote to McDonalds via twitter and inquired if the meat served as halal. McDonalds proudly replied that 'The meat that we use, across our restaurants, is of the highest quality and is sourced from government-approved suppliers who are HACCP (Hazard Analysis Critical Control Point) certified. All our restaurants have HALAL certificates. You can ask the respective

restaurant Managers to show you the certificate for your satisfaction and confirmation' (McDonald's India, 2019) There was a huge backlash by the public and the Hindus threatened to boycott McDonalds. One Harish Sharma had filed a legal notice to McDonald's India, saying that such a practice amounts to social, racial and religious discrimination and violates basic fundamental rights as enshrined in the Constitution. Furthermore, the process of halal slaughter is extremely painful for the animals and hence, McDonald's is hurting the religious sentiments of many groups. However, the legal notice received statements by McDonald's UK and Canada that specifically mention that their eateries do not serve Halal meat and they have no plans of introducing the same any time soon (OpInida, 2019).

Then, in January 2021, Shuriah Niazi wrote an article in AA World News, *Halal certificate no longer mandatory for Indian meat exports; Move may end domination of Muslims in Indian meat sector, say analysts*. Under new rules, meat from India no longer needs to be certified halal and this means the end of the domination of India's minority Muslim community on the meat business. India's top government body responsible for promoting farm product exports, Agricultural and Processed Food Products Export Development Authority (APEDA), under the Ministry of Commerce and Industry, removed "halal" from its manual on red meat. The new manual states: 'The animals are slaughtered according to the requirement of the importing country.

This makes halal no more an important condition for exporting meat. The authority explained that halal certification agencies are approved directly by the respective importing nations and that the Indian government has nothing to do with the issuing of halal certificates. With the requirement for halal meat removed, non-Muslim communities are likely to grab a big chunk of the market. A Christian group in the southern state of Kerala recently launched a campaign ahead of Christmas to reject halal meat and products, saying they cannot consume food that does not follow their religious beliefs. Harinder Sikka from Halal Niyantaran Manch, or the Halal Control Forum, said it has supported exports of all types of meat, not just halal. Sikka told AA news that traders selling *jhatka* meat were at a big disadvantage due to halal requirements. Vishwa Hindu Parishad (VHP) says that it makes no difference if the meat is halal or *jhatka* for meat exports to China. According to the VHP's Vinod Bansal, consuming halal meat is forbidden in Sikhism. People of the Sikh faith can consume only *jhatka* meat. The ideology of a particular religion should not be imposed on others, he told AA News.

The Growth of Muslim Apostasy

The growth of Atheism means Ex-Muslims do not see halal meat a necessity. If while they were Muslims they only ate halal meat and once they become ex-Muslims they have a wider choice. This naturally would reduce the demand the halal meat. A case in point is that of Tunisia, the most Atheistic country among the Arab Countries, where US Trade Representative Robert Lighthizer and U.S. Secretary of Agriculture Sonny Perdue announced in mid-2020 that the government of Tunisia and the United States have finalized US export certificates to allow imports of U.S. beef, poultry, and egg products into Tunisia. Halal certification is not required for export to Tunisia, but it is likely that most product requests will be for halal-certified beef (Euromeat, 2021). Tunisia has 46 per cent of its people identifying themselves as being irreligious (similar to that of the United States), without being fearful of reproach or reprisal of any kind.

In February 2021, Jennifer Holleis wrote in D.W. News, Middle East: *Are people losing their religion*, where she mentioned that recent surveys indicate strongly that across the Middle East and Iran, almost half the population is loosening their ties to Islam. A research carried out by Princeton University and the University of Michigan, found that 43% of Lebanese identified themselves as being less pious and only a quarter of the population identify themselves as religious. And in Iran, the Group for Analysing and Measuring Attitudes in Iran (GAMAAN) studied Iranians' attitudes toward religion and found that no less than 47% reported 'having transitioned from being religious to non-religious.' The article went on to report that the author of the book, *Religion's Sudden Decline*, Ronald Inglehart research results from 100 countries, showed that the rise of the so-called 'nones,' those who are religiously unaffiliated, have been noted in Muslim majority countries like Iraq, Tunisia, and Morocco.

The implication of these surveys is that, these ex-Muslims would eat both halal and non-halal meat. The importance of halal certification would not be important for these people anymore. While Muslims claim that halal meat is healthier, Carol O'Neil, professor of nutrition and food sciences at Louisiana State University Agricultural Center says that there aren't any studies done to confirm that (Park, 2015). The U.S. Department of Agriculture, which serves as the reference for nutritional content of food, does not separate out Halal meat or kosher meat for its nutritional information.

Uproar Over Halal Meat in School

In July 2021, Anurag wrote on OpIndia an article with the title, *Dehradun: Bajrang Dal stops Welham school's Halal meat tender, objects to Hindu students being forced to eat Halal* (Anurag, 2021). The facts of the case is that, Welham Boys School, a prominent boarding school in Dehradun, in Uttarakhand, India, had on June 26, 2021, published a notice of tender for the supply of halal meat and poultry products, in the local classified section a newspaper. Retaliating against the 'halal' specification for meat procurement, the Dehradun chapter of Bajrang Dal, (Brigade of Hanuman) a nationalist militant Hindu organization, protested outside the school and urged the Police to take action against the school. Vikas Verma, City Convenor of Bajrang Dal, said that the majority of the students are Hindus and it is not right for the school to impose meat butchered by Islamic method on Hindu children. They claimed that the halal meat for Hindu students is an insult to Hindu students and their community. Bajrang Dal, threatened that if school did not stop the practice, they would take to the streets and protests.

Way back in 2007, Laura Clark wrote in Daily Mail, UK with the title, *Parents in uproar over school meals for Muslims*, (Clark, 2007) saying, that furious parents have staged protests outside a Muslim majority school in Kingsgate Primary in West Hampstead for serving only halal food to their children during lunchtime. One of the parent, Jacqueline Gomm, said: We allow people to come into this country and we end up being in a minority. While a Muslim parent, Solveig Francis, accused the protesters as racists.

A similar story was reported in 2012, by Standard News, UK with the title, *Parents angered as every pupil is given halal school meals*. Halal meat is being served to pupils in state schools without parents knowledge and reacted furiously after getting news about it. Halal meat was introduced at four schools in the Reading area but non-Muslim parents say that they were

not consulted. Coach driver Andrew Weston, 37, who has a son and daughter at St John's primary school, said that he was shocked for the way the animals are killed for this meat is cruel.

And in France, Chrisafis wrote in the *Guradian* in 2015 an article titled, *Pork or nothing: how school dinners are dividing France* (Chrisafis, 2015), in which she said that pork has become the new battleground in the nation. She relates the story of a French nurse, Aïcha Tabbakhe, who was puzzled the box she would usually tick to say that her Muslim children didn't eat pork wasn't there. "Confused, I called the town hall and I was bluntly told: 'From now on, that's the way it is,'" she said. "Pork or nothing."

Chrisafis reports that unlike in the UK, French state schools do not offer halal or kosher meat. Muslim or Jewish children who stay for lunch eat the same meat as everyone else. But they do offer choice in a large number of town halls, like turkey sausage or vegetarian options. Children who eat only halal or kosher either go home for lunch or attend private faith schools.

Greece Bans Kosher and Halal Meat

In October 2021, the Greek Court banned Kosher and Halal meat which are central to Jewish and Muslim beliefs. The Panhellenic Animal Welfare and Environmental Federation requested that the court annul an exemption in a law that allowed religious slaughtering practices to take place without anesthetic. The courts ruled that the religious duties did not outweigh animals' welfare, and decided to annul the exception offered to Muslims and Jews to slaughter animals without anesthesia. It is now clear that the decision is in line with the European Union states which favor animal welfare than wishes of religions. Other countries that have banned Halal and Kosher mean include, Belgium, Poland and Cyprus.

The Conclusion

The Halal industry which enjoyed tremendous growth over the years suddenly finds itself being challenged by many sectors. These challenges make Muslims lose our monopoly over the halal food industry. Non-Muslims who bought halal meat without question have begun to assert their religious rights as well as their freedom of choice of food. These results in loss of business opportunities and a shrinking demand for future growth of the industry. In the West, it is challenged by the stunning method of slaughter, in China, it is challenged by the forced removal of Arabic script and the halal signs in restaurants. The growth of Atheism among Muslims is another, but the biggest challenge the halal industry faces is the challenge from India, in the form of the introduction of the *jhatka* meat industry which demands, from the government of India, the issuance of a certificate similar to that of the halal certificate to non-Muslims. Since halal meat is haram to the Sikhs, Hindus and Christians, and in an effort to break the monopoly on the meat industry from the Muslims, the government of India relented to the demand of the Hindus to create equal opportunities to both Muslims and Hindus. The choice is left to the consumers to choose whatever meat they want. Will all these have a big impact on the halal food industry in general? The answer is a yes as far as India is concerned but in other parts of the world, the Researcher feels that the status quo would remain, at least until the Atheist population becomes significant enough to make an impact. This study is significant to the halal industry for it forewarns the threats to the industry all over the world. Up till now, the halal industry has been taking things for granted for its steady growth but it is time to realize that the challenges are real and imminent. The halal industry

might not be able to counter the jhatka industry and also the Chinese government but it is suggested that the halal industry introduce a mild form of stunning to place the animal in a semi-conscious state before slaughter, while remaining true to Islamic standards. This could placate some parents in western countries.

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