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TITLE

Consuming, Producing, Defining Halal: Halal Authorities and
Muslim Consumers in South Africa

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Contents Page

Contents Page	ii	
List of Tables	iii	
Acknowledgments	iv	
1	Introduction	1
2	South Africa: Muslim history, Muslim identity, Halal Authorities	30
3	Ruling on Halal: Halal Authorities	52
4	Selling Halal: SANHA Communications	75
5	Buying Halal: Consumer Behavior, Choice and Identity	109
6	Conclusion	149
7	Bibliography	154
8	Interviewees	161
9	Appendix I - Halaal Gazette No. 1	163
10	Appendix II - Halaal Gazette No. 2	167

List of Tables

Table 1: Muslim Judicial Council Fatwā on the Permissibility of Gelatin	64
Table 2: Muslim Judicial Council Fatwā on the Permissibility of Shellac	68
Table 3: Halaal Gazette Titles	83

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Chapter 1

Introduction

Nineteen eighty-five was the year in which the first halal-certified non-meat product appeared in South African stores. The certifying authority was the Muslim Judicial Council of Cape Town and the product was Flora-margarine. The certification of a non-meat product signaled a major shift in halal in South Africa. It represented the development of a halal consciousness that extended beyond the realm of purely meat products and into the unseen, intangible, expert-controlled world of food-technology.

Other developments also contributed to the growing halal industry in South Africa. The end of apartheid resulted in freedom of movement for the previously disadvantaged Muslim community. The newfound freedom resulted in increased demand for halal consumption in places previously restricted or considered unwelcoming. Changes in lifestyle resulted in an increase in dual income households and overall standards of living amongst middle class Muslims. These changes contributed to an increase in demand for packaged food, dining out and the cost effective, one-stop shopping that mass retailers offered. Muslims began to spend more time on vacation, at shopping malls and at restaurants. This change in consumption behavior resulted in a demand for halal products. This demand precipitated into requests for certification.

These new places of consumption were predominantly owned, managed and frequented by people who were not Muslims. The increase in demand for halal certification was mainly from non-Muslim businesses. The supply of halal by non-Muslims resulted in complications and risks to halal consumption that had not

surfaced before. Halal products could come into contact with non-halal products in the preparation, storage and retail of food. Ingredients that were impermissible could be introduced through the ignorance of the non-Muslim staff. The halal industry coined a phrase to describe this new condition; they called it the risk of cross-contamination. This risk identified was represented changing consumption behavior resulting in new Muslim consumer identities. Muslim consumers were demanding the consumption of food from places dominated by non-Muslims while demanding their right to consume in line with their religious beliefs.

Improvements in consumer freedom were accompanied by the de-regulation of the meat industry. De-regulation meant that farmers could choose their point of slaughter based on cost, and were therefore not limited to use central municipal abattoirs. The result was the immediate expansion of the market for private abattoirs. This de-regulation presented both a problem and opportunity for halal certification. The risk of access to *ḥarām* meat was greatly increased as it became more and more difficult to control and trace the source of slaughtered meat.

However, the increased number of abattoirs meant that the potential for certification services also increased. This introduced an additional risk of cross-contamination.

Halal authorities developed procedures to mitigate the risk of cross-contamination, through separate places of slaughter, separate transport, separate fridges, separate kitchens, and in some instances, even separate cutlery and crockery.

Through the risks of cross-contamination and food technology, halal considerations expanded into every single product and place of Muslim consumption. No longer was halal confined to the permissibility of consuming meat products or the personal assurance of a Muslim supplier. The increased proliferation of halal necessitated the need for halal authorities to conduct checks on the production of both meat and

non-meat products. The checks combined knowledge regarding Islamic dietary law with secular knowledge regarding the risks of cross-contamination and food technology.

However, the risks of cross-contamination and food technology that necessitated the expansion of the industry were not immediately apparent to the Muslim consumer. The average consumer could not be expected to be aware of the distant origins of meat consumed, nor the chemical make up of flavourants and additives so commonly used in manufactured food. The expansion of the industry can therefore not be solely correlated to the changes described. An important factor in the expansion stemmed from the Muslim consumer discourse, led by communications in the form of e-mails, pamphlets, gazettes and road shows that highlighted the modern risks of halal to the Muslim consumer. Through this discourse consumers were exposed to the modern risks represented by food technology and cross-contamination. Consumers were encouraged to call in and query the status of doubtful products through the use of toll-free hotlines and email forums where concerns could be investigated and served. This communication generated, or attempted to generate, trust in the halal certification services. The halal certification logo increasingly became the means through which trust in halal consumption was established, taking the place of personal relationships in the assessment of halal.

Halal authorities can be understood as organizations created by the changing conditions of the contemporary world. By communicating risks to consumers they both serviced and created demand for halal certification. In the process halal as a religious ritual went through a transformation. The impersonal trust in the halal certification logo replaced the personal trust in the Muslim supplier. This transformation perceived the Muslim as a consumer, and halal as a commodity. The

commodification of halal was accompanied by the development of a Muslim consumer identity. This Muslim consumer identity was articulated through halal consumption as defined by the halal certification industry.

Research Question

This dissertation will focus around a main research question, with a number of sub-questions. The questions seek to elaborate how halal certification authorities and Muslim consumers engaged with the modern economy and the creation of new structures of trust in the construction and re-construction of Muslim identity.

How have modernity, the market economy, and the development of halal authorities impacted on the manner in which halal consumption is understood and practiced in South Africa?

This thesis will attempt to unpack this question. The aim will be to understand how contemporary life has transformed the practice of halal. There will be three areas of focus: the *‘ulamā’*, communications, and individuals. The aim will be to understand how changing conditions of modernity and the market economy have impacted on these aspects of Muslim life.

An understanding of the scholarly analysis of Islamic dietary law in the pre-modern period will provide an insight into the formation of the law and the identities generated by food consumption. Analyses of halal consumption will focus on the difference and continuity in the development of Islamic dietary law between pre-modern and modern conceptions. A theoretical framework of modernity will provide a lens through which the contemporary expression of halal and the development of halal authorities in South Africa. A post-Marxist critique of the advertising industry and the ritual of modern consumerism provides a lens through which modernity and consumerism can be understood to have resulted in a merger between the ritual of

consumption and the ritual of halal. Halal consumption is thus seen as an area of religious life where contemporary individualistic concerns triumph over the group concerns often associated with religion. This focus on the individual and his or her consumption behavior allows for an analysis of the development of a Muslim consumer identity.

Literature Review

Islamic dietary law is derived from the Quran and the prophetic traditions known as the Sunnah. The Quranic prohibitions refer to swine, dead meat, and meat that has been sacrificed in the name of other deities. The prophetic traditions introduced other elements to the ritual of halal that included the use of sharp knife, the pronunciation of God's name upon slaughter, an indication over how deep the slaughterer should cut, and a requirement that the animal's blood must be drained from the body. Together these requirements constitute the common understanding of halal as meat that has been slaughtered in a particular way (Riaz and Chaudry 2004, 15-18). For Muslims, the halal ritual produces meat which is pure and permissible, as opposed to that which is not. In this section I will draw on two theorists of rituals before turning towards an analysis of the development and debates that have characterized the study of halal.

Durkheim understood ritual as the basic foundation for the building of "laws and morals" (Durkheim 2001, xv), through a public performance that centers the participant in a community, and contributes to the development of social norms. This establishment of social norms becomes a way in which the identity of participants and non-participants is constructed. According to Durkheim, rituals are able to do this because of the manner in which they manage time and space. Rituals "establish a relationship between the past and present which is mediated by the

dramatic performance of things, actions and people past” (Cossu 2010, 40). Through commemorative practice, a mythical, utopian past is conjured which serves as the basis for model social behavior. The performance of ritual “set apart sacred intervals of religious festivities from profane seasons of work” (Durkheim 2001, xxv). Ritual serves to create a sacred time when the rituals are being performed, and a sacred place where the rituals are being performed. Both the per-formative aspect of ritual and their ability to create sacred time and space, through the commemoration of some primordial time, are central to a Durkheimian understanding of ritual activity.

Mary Douglas builds on Durkheim’s understanding of ritual by rejecting the commemorative aspects of Durkheimian ritual while retaining its ability to demarcate and differentiate people, spaces and time. For Douglas, rituals are “conventions which set up visible public definitions” (Douglas 1992, 25). Public definitions are markers of identity that solidify and signify a group as opposed to those not part of the group. These markers serve to create the other through simultaneous inclusion and exclusion of participants and non-participants.

Furthermore, according to Douglas, “the most effective rituals use material things” (Douglas 1992, 25). She identifies goods as “adjuncts to ritual” (Douglas 1992, 25), and the “consumption of goods as a ritual process” (Douglas 1992, 26). For Douglas, it is the public display of material goods that makes ritual effective. The consumption of material goods is a ritual process, whereby the display of those goods sets up “visible public definitions” that serve to assert identity. By incorporating consumption into the definition of ritual, Douglas’ definition is particularly useful for understanding religious ritual in modernity. By broadening the definition of ritual to include everyday repetitive behavior within the realm of ritual, Douglas identifies consumption as a ritual activity.

Following Douglas' argument, the aspect of the halal ritual that would be most effective in this thesis is the function of creating public definitions through the marketplace consumption of halal food. Accordingly, it can be argued that the public act of frequenting a particular butcher, or restaurant, or halal counter at the local supermarket, could be the acts that "sets up visible public definitions" (Douglas 1992, 25), whereby demarcation is fulfilled. A view of past debates in the area of halal studies is necessary to illustrate how these issues of social and individual identity, as argued by Durkheim and Douglas, have been discussed with regard to halal. I will begin with two studies of halal in pre-modern Islam before turning to the contemporary period.

Michael Cook, in his study of early Islamic dietary law, argues that identity was a prominent impetus in the formation of the dietary legislation. According to Cook, the Quran is considerably more vague in its prescription of what is prohibited in comparison with the traditional schools of law. He investigated where and how specification developed, suggesting that the *fiqh* scholars' rulings on the permissibility of food were based on a variety of sources including the Quran, Prophetic Traditions, traditions of the companions of the Prophet and their successors. The conglomerate of sources, and the differences of opinion regarding the importance of each source indicate a nuanced, progressive development of Islamic dietary law (Cook 1986). This progressive development of determining restrictions developed through competition.

Cook cites a narration of Ibn 'Abbās to support his argument: "The Jews do not eat the eel, but we do" (Cook 1986, 243). There was a clear demarcation of difference in this legal pronouncement. This is significant in the development of halal ritual, since eel was not one of the Quranic prohibitions. The dietary rules surrounding the eel

can therefore be understood as a means of demarcating Muslims from Jews in order to assert a distinct and separate Muslim group identity. Secondly, Cook argues that intra-Muslim identity based on location was a key element in the early development of dietary law. He shows how dietary laws developed differently in different areas in response to the geographical or biological availability of certain animals, thereby setting up differences between different schools of law (Cook 1986, 259). Thirdly, Cook argues that there was a trajectory of increasing restrictiveness over time amongst schools of Islamic law. According to Cook, the “liberal tendency was established at an early date in the evolution of Islamic law” (Cook 1986, 272), and later eroded as geographical expansion and the desire to assert identity became dominant. Cook’s study demonstrates halal ritual practice as the development of identity. Dietary rules differentiated Muslims from Christians and Jews but also within Islam, one school of thought from another.

Freidenreich’s study of a later period adds to our knowledge. His study analyses the various attitudes of Muslims towards the food of foreigners. He argues that medieval Muslim Sunni scholars were not particularly concerned about making such food impermissible. He found that it was the minority Shi’a who first began to emphasize the impurity of the people of the book and initiated the strict adherence to the consumption of meat slaughtered by Muslims (Freidenreich 2006). Freidenreich’s analysis demonstrates how early Islamic dietary restrictions were developed as a desire to assert a group identity. Moreover, he points towards the importance of food, and the restriction of the food of others as a useful tool aimed at maintaining internal coherence and solidarity.

Studies on modern halal-debates in Europe also indicate identity as a key determinant in the development of halal rules. In Europe, the introduction of the

stunning of animals prior to slaughter triggered a response first from Jews who asserted their right to slaughter without the use of pre-stunning (Bergeaud-Blackler 2007, 966). Jews in Germany demanded this exemption on the basis of religious freedom. Muslim's did not have a clear prohibition of stunning in Islamic discourse. In fact, a ruling from "Sheik Muhammad Al-Najjar, from the University *Al-Azhar* declared that stunning itself was not illicit" (Bergeaud-Blackler 2007, 966). In 1982, West German authorities relied on this view that "the exemption [of stunning prior to slaughter] was not a formal requirement of the Islamic religion" (Bergeaud-Blackler 2007, 968). The decision, however, was subsequently subject to much debate and appeal by Muslims in Germany who demanded the same concession that had been made for Jewish people. They were successful as the German constitutional court in 2002 granted Muslim butchers the right to slaughter animals without stunning (Bergeaud-Blackler 2007, 969). The prolonged struggle for exemption, despite an Egyptian religious ruling to the contrary, indicates the manner in which the interpretation of halal has been intricately woven into the desire of particular groups to assert a separate and recognized identity. Muslim minorities in Germany did not accept stunning, in contrast with Muslim-majority Egypt. This example indicates a form of identity assertion that is not based on sectarian affiliation or geographical difference as Freidenreich and Cook previously saw. Rather, this case is distinctly modern in that it espouses the desire of a minority group to assert its relevance and recognition in light of the laws of the nation state. In effect, German Muslims had introduced a new element to Islamic dietary law, namely, the prohibition of stunning prior to slaughter. This development was premised on the desire to assert a significant Muslim minority identity deserving equal recognition as the Jewish community.

Similarly, Bonne and Verbeke's study have shown that consuming halal food has become a means of affirming Muslim identity and difference in France, where Muslim groups have been under increasing pressure from the state to reduce their visibility (Bonne and Verbeke 2008, 36). Halal consumption has become an increasingly common expression of confirming Islamic identity. In response to this demand, Burger King Muslim was opened in 2005 (Bonne and Verbeke 2008, 36). Bonne and Verbeke argue that the appearance of this store, which clearly distinguishes itself from other non-halal outlets, was an indication that public halal consumption was a means through which French Muslims asserted a separate Muslim identity. The desire for halal consumption was driven by the desire to inscribe identity. The difference in the French case was a move to assert a consumptive and therefore individual identity. Drawing on Douglas it becomes clear that in the French case, this separate identity was asserted through the visible, public consumption of a commodity – halal burgers.

Muslims in the United Kingdom provide another European example of how debates over halal have evolved into a discussion regarding consumer rather. The state demanded that all animals be stunned prior to slaughter. The Muslim community was opposing that law on the interpretation that it was against the principles of Islamic ritual slaughter. They were requesting a special exemption on the grounds of religious freedom. Bergeaud-Blackler argued that consumer identity became pre-eminent, even surpassing religious identity: "the debates are characterised by the entry of new 'actors' no longer motivated by opposition to the principle of exemption, but which claim the 'right' for consumers to choose their meat products according to mode of slaughter" (Bergeaud-Blackler 2007, 970). The consumer rights discussion of halal placed the debate in the same category as hormone-free or

free-range products, with the result “that anti- and pro-ritual slaughter lobbies are joining forces to ask for traceability of food intended for religious consumption” (Bergeaud-Blackler 2007, 972). The argument was that both groups of consumers wanted certain consumer goods to serve their goals. The importance of this development was that the right to consume and spend, not the right to believe, had become the central manner in which halal identity was formed. The consumer rights discussion indicated a move from the desire of communities to assert a separate group identity, towards the desire on the part of individuals to exercise their intrinsic, individual right to consume.

A comparison of the European examples indicates a shift in the halal discourse. In the German example, Muslim minorities fought in unison to demand their recognition. However, in the French example, market demand and the commodification of halal became a means through which consumers could assert their separate Muslim identity. The French case represents a movement towards the focus on the individual consumer as the bearer of wealth, rather than the bearer of rights. Similarly, in the United Kingdom, the right to consume became the basis through which Muslims demanded an exemption to the laws of stunning animals. These examples indicate a shift in the debate towards an individuals’ ability to assert identity through (halal) consumption.

In China, Maris Boyd Gillette, conducted research into Islamic dietary law and its observance amongst the Hui Muslim minority. Gillette found evidence to concur with the concept of halal as a means of asserting group identity. However, she noticed peculiarities regarding the manner in which identity was being expressed. According to Gillette, Qinzhen, which can be roughly translated as halal, was both a label on halal food and an important marker of identity that separated the majority

Han from the Muslim minority Hui. The Hui Chinese actively sought the halal label on all food products, unless it was food considered foreign and western such as potato chips, soft drinks and other manufactured and machine-packed products. Gillette argues that the exception of Western food from halal considerations was that the Hui Chinese identified goods that they thought were western as being more advanced, produced by machines and therefore clean and acceptable. With regards to these foods they would not actively query factors that could lead to abstinence. This exception, she argues, is an example of how “by eating ... Western factory foods, Hui linked themselves to progress, scientific knowledge, and prosperity”(Gillette 2005, 116). This example is a further indication of how halal was becoming a means of inscribing identity. Here the identity was both an individual consumptive and ethnic group identity.

The Chinese example of the Hui indicates how local Chinese ethnic identity was established through separate Muslim consumption. However, the exclusion of Western packaged food from halal restrictions indicates a different form of identity assertion. Along with the desire for high rise apartments, modern media technology and foreign travel, the consumption of mass-produced Western foods was another arena in which the Hui pursued modernity. The Hui’s desire to be modern and for their children to be modern was being pursued through the consumption of goods. Gillette argues that the Hui were involved in a kind of preparation for their children that would “introduce them to things foreign and equip them to live in an industrialized, technologically advanced, cosmopolitan world”(Gillette 2005, 117). The Hui, therefore, extended the realm of halal beyond traditional areas in order to enable them to construct an identity that was both Muslim and modern.

These examples suggest that halal consumption was a means of expressing identity. According to Cook and Freidenreich, traditional Islamic dietary law evolved to entrench geographic differences, to demarcate Muslims from each other, and from Christians and Jews. Contemporary studies of Muslim societies indicate that the desire to assert a separate Muslim identity has been the impetus behind debates regarding halal. Of particular interest was the change in the way that identities were asserted in France, the United Kingdom and China. In France, Muslim identity was expressed through consumption at halal outlets. In the United Kingdom, the Muslim prohibition of stunning evolved from an issue concerning religious freedom to a discussion about consumer rights. Muslims in China asserted a modern, progressive identity through consumption. This emphasis on the individual consumption indicates a change in the way that Muslim identity was expressed. This difference appears to have been a recent development that has accompanied the commodification of halal as well as other consumption labels such as hormone-free or free-range. This movement towards a consumer discourse and the focus on the Muslim consumer will be a major part of understanding how modernity and the market economy have influenced the manner in which halal is practiced in South Africa. But what do we mean by modernity and how have consumption and identity become markers for modern halal conceptions? In order to answer this question, we need a short excurses into the theoretical reflections of modernity that have guided this thesis.

Theoretical Framework

Anthony Giddens provides some valuable insights into defining modernity and its effects on individuals. Giddens understands modernity as the coalescence of three distinct factors. The first is the “articulation of social relations across wide spans of

time-space, up to and including global systems”(Giddens 1991, 20). According to Giddens, modernity and the resultant increase in physical movement beyond traditional boundaries have created an increased potential for the individual to encounter world-views or systems that disagree with his or her own world view or basic sense of security. Furthermore, the technologies of modernity such as telecommunications, the Internet and the media have allowed space to be crossed almost instantaneously. One result of this has been “the intrusion of distant events into everyday consciousness” leading to the experience of the individual feeling increasingly fragmented and dissociated from local reality (Giddens 1991, 28). The effect of the increased distance in relationships and mediated experience has been an increased awareness of the possibility for threats to the individuals’ practices, beliefs or physical well-being.

The fragmenting effects of the separation of time and space create individual and social risks that need to be addressed. Giddens argues, therefore, that modernity is also characterized by the dis-embedding mechanisms of abstract systems. Abstract systems can be understood as new institutions of trust that have replaced old affiliations based on traditional relationships. These new structures of trust are the result of the exponential increase in expert knowledge. The result is that “everyone living in conditions of modernity is affected by a multitude of abstract systems, and can at best process only superficial knowledge of their technicalities” (Giddens 1991, 22). Everyone is turned into a layperson in some area or the other, and therefore required to place trust in an abstract system for guidance. Furthermore, abstract systems can transcend the separation of time and space through institutional structures designed to accommodate the conditions of modernity. These institutional structures and expert knowledge provide the groundwork for new forms of trust.

These new structures of trust are de-personalized institutions that are defined by their institutional structure and expert knowledge, not personal affiliation.

The third aspect of modernity, according to Giddens, is the institutional reflexivity of modernity and modern institutions. That is, “the regularised use of knowledge about circumstances of social life as a constitutive element in its organisation and transformation” (Giddens 1991, 20). This process of reflexivity results in a society in which risks are actively expected, experienced and then used to generate new expectations in order to mitigate the experience of future risks. Giddens describes this aspect of modernity as different from traditional cultures in that it includes a “routine contemplation of counterfactuals” or risks (Giddens 1991, 29). According to Giddens, this characteristic of modernity is the routine consideration of future possible outcomes or failures in the decision making process of both institutions and individuals.

The increased awareness of risks in late-modernity is a result of the rapidly changing nature of global relationships. The rise of global media and the ease of global movement have resulted in an increased awareness of risk by both institutions and individuals. This phenomenon has been accompanied by the increasing complexity of knowledge, which has resulted in a reliance on expert systems that, in performing their function, possess knowledge far beyond the needs, or interest of the end users (Giddens 1991, 18). The effect of these expert systems permeates “social life in conditions of modernity - in respect of the food we eat, the medicines we take, the buildings we inhabit, the forms of transport we use and a multiplicity of other phenomena” (Giddens 1991, 18). The world is now perceived to be more risky. However, it is also a world where the individuals’ ability to deal with those risks is increasingly held within the grasp of abstract systems, and therefore not fully

apprehended by the layperson. Competing expert systems representing varying interests, offer different assessments of risk, or even different definitions of risk itself. Individuals find themselves in a precarious position where increasing information has resulted in an increased awareness of risks, together with the knowledge that these new risks are increasingly difficult for them to comprehend. People rely on abstract systems of experts for the assessment and regulation of risks. Halal authorities can be understood as systems of experts that represent a new form of trust articulated. They provide some sense of security and assurance in an increasingly risky world. This new form of trust is distinct from that offered by elites in the pre-modern era. According to Eisenstadt, 'ulamā' formed patterns of elite coalitions based on personal affiliations. (Eisenstadt et al. 1987). The personal influence and charisma of the pre-modern elites has been mitigated and replaced by institutional structures that incorporates the use of strict procedure and access to expert knowledge in order to evince a level of authority. Institutions such as halal authorities incorporate the 'ulamā' into the abstract system for their expert knowledge, but not for their personal influence or charisma.

These abstract systems include the capability for institutional reflexivity with regards to the assessment of risks. However, the risks perceived by the abstract system are not the same as the risks of the end user, even if the abstract system is designed as a representative of the end user. There exists, therefore, a conflict between the interests of the abstract system and the interests of the end-user. In the context of the market economy and the commodification of halal, there is a potential conflict between the interests of the halal authority to survive market competition and earn a profit, and the interest of the consumer to consume a permissible product. The area of potential conflict is in the particular interpretation of Islamic

law with regards to what actually constitutes halal. The abstract system, or halal authority, attempts to align the interests of the consumer and themselves through a process of communication and advertising that emphasizes the relevance of the halal authority and its importance.

The work of Bourdieu is relevant for understanding how the interests of the halal authorities are aligned with the interests of the consumer. Halal authorities, as abstract systems, are presiding over expert knowledge that is itself contentious and open to interpretation. They therefore possess the expert ability to research and rule on certain findings, but also have to communicate and motivate their particular position in order to gain prominence and acceptability. In the context of halal authorities, this communication and motivation takes the form of advertising pamphlets, radio shows, magazines, gazettes and road-shows that communicate the particular position of a particular authority to the Muslim consumer. Bourdieu has coined the term “cultural intermediaries” to refer to “occupations involving presentation and representation (sales, marketing, advertising, public relations, fashion, decoration and so forth) and in all the institutions providing symbolic goods and services” (Bordieu 1984, 359). These cultural intermediaries are described as “need merchants” who sell themselves as “models and guarantors of the value of their products, and who sell so well because they believe in what they sell” (Bordieu 1984, 365). Maguire elaborates this point:

...cultural intermediaries are ...central in the promotion of consumption; not simply producing goods and experiences for sale in the consumer marketplace, they are also, crucially, involved in mobilizing and motivating consumers to connect their specific

aspirations, fears and desires to particular product qualities and to the realm of consumption more broadly... (Maguire 2008).

She argues that the advertisers of products appeal to the “aspirations, fears and desires” of the modern individual in order to position their products as goods that will satisfy those needs. These include the fear of not being beautiful enough, thin enough or even religiously observant enough. In the context of halal certification, it is the halal authorities that are the cultural intermediaries who assure Muslim that the goods consumed are pure enough. They provide symbolic goods to the Muslim consumer who desires to limit him or herself to halal. Halal authorities generate demand by highlighting risks that the modern world represents to halal consumption.

This symbolic production was already identified by Marx in his critique of capitalism. Marx provides an explanation for the relevance of these communications for generating demand. According to Marx, the nature of the commodity is that it is “a very queer thing, abounding in metaphysical subtleties and theological niceties” (Marx 1887, 319). Commodities inspired a sense of wonder, mystery and desire, which he termed the fetishism of commodities. For Marx this fetish for commodities was the religious component of capitalism. He argued that commodities possessed a mystical character that went beyond their use value (Marx 1887, 320). They assumed a value equal to the value of exchange and in the process denied the consumer the ability to comprehend the means, nature and place of its origin and production (Marx 1887, 321). From this perspective, the need for consumer communications to emphasize risk and generate demand becomes clear. Consumers could not be expected to be able to assess the risks to halal that were inherent in the commodities that they consume. Following Marx, consumers would be more readily

enamored by the finished product than willing to question its origins. The process of communication was therefore a necessary demand generating activity that emphasized the importance of the halal authority as a necessary intermediary in the ritual of halal consumption.

Post-Marxist critiques of modern consumption have continued with an analysis of the importance of the commodity and consumption in the contemporary world. It has been argued that the increasing awareness of risks has been accompanied by an increased desire to consume material goods in the increasingly unstable, increasingly uncontrollable modern world. In this perspective, the tangibility of consumption has become a compensation for the increasingly intangible risks that modernity presents. Storper argues that this development has been closely related to contemporary capitalist society that has witnessed a removal of production to the distant, low-wage corners of the globe. The result has been a shift in the majority of the world's economies from production to consumption. This development has signaled the victory of consumption as the primary indicator of an economy's health, with the result that consumption is increasingly encouraged and promoted through advertising and communication by a variety of stakeholders. Consumption has become a means by which people "approach the world and how they present themselves to others" (Storper 2001, 106). Storper's conclusion is that in the modern consumer economy people are increasingly drawn towards consumption as a tangible means of asserting a separate individual identity.

Consumption is created by cultural intermediaries who market and advertise goods and services as tools that can overcome the identity deficiencies of the modern individual. The result has been the increased commodification of a variety of cultural, religious and lifestyle products. According to Campbell, this process has

resulted in consumption becoming a religious experience, where the act of exercising autonomous choice has become the basis through which the individual manages to assert his or her ontological significance (Campbell 2002, 4). Slater agrees with Campbell's notion that consumption has become a means of modern metaphysical self-discovery - "many of our questions about the form we take as modern subjects, about our moral and social value, about our privacy, about who we are, are taken up in relation to consumption and our social status as a rather new thing called a consumer" (Slater 1997). The result is that "values are no longer defined by Holy Scriptures but by the culture industry" (Varul 2008, 237), as individuals demand products that enable them to assert their choice of values and identity. Appadurai emphasized the place of things in the life of the modern individual. Things, or inanimate objects, are not radically distinct from persons. He argues that "the transactions that surround things are invested with the properties of social relations" (Appadurai 2006, 15). This idea of things having social relations links Storper, Varul and Slater's idea of consumption as a religious form of identity assertion and Douglas' idea of public consumption as the most effective part of ritual activity. The profusion of products in the modern world has resulted in an almost unlimited array of consumer choice. The result has been the elevation of things to the level that their consumption or non-consumption has become statements about the identity of the self.

The increased awareness of risks has been accompanied by the realization that those risks are beyond control. This has resulted in a turn towards consumption as a means of obtaining ontological security. This turn towards consumption has been fuelled by the development of the market economy, where suppliers engage in the active creation of demand through an appeal to the individual's awareness of risk. In

the context of halal, this means that Muslim consumers increasingly desire the consumption of certified products as a means of asserting their own, personal, Muslim identity. The desire for the labeled, tangible consumption of halal is related to the increasing awareness of the risk of transgressing halal. The providers of halal as a commodified product have been engaged in an advertising and promotion campaign that simultaneously promotes the commodification of halal and appeals to the increased potential for risk that modernity represents. Halal authorities are therefore servicing and creating demand for halal certification.

The commodification of halal, then, can be understood as a demand imposed by the Muslim individual who, in the increasingly risky modern world, identifies consumption as a means of asserting ontological significance, and desires the affirmation from an abstract system of experts with regards to the risks of transgressing halal. On the other hand, halal authorities as Bordieu's intermediaries are an example of an abstract system that is crucially positioned to both service and create demand for halal authorization through the communication of risk to potential customers.

Methodology

This study has been completed through a qualitative study of interviews conducted with halal authorities and the Muslim consumer.

Halal Authorities

The purpose of the first part of this research was to identify how the existence of halal authorities influenced the meaning and practice of halal consumption. A detailed understanding of the industry was sought in order to comprehend how halal authorities approached their product and their target market. The research included

interviews with past and present employees of halal authorities as well as a collection of their advertising and promotional material. Interviews were structured in order to probe how and why halal authorities came into existence, and secondly, to understand how they arrived at opinions regarding the permissibility or impermissibility of certain products. Advertising and promotional material were obtained directly from halal authorities, through forwarded emails, and via the Internet.

Fieldwork was carried out in Johannesburg, Cape Town and Durban through interviews with the four dominant halal authorities. Where possible, two interviewees from each of the four authorizing bodies were conducted in an attempt to obtain both an operational and theological perspective. A total of eight senior members of the various halal authorities were interviewed. Interviewees were sourced via their organization's websites. Contact details were obtained, and my position and research project was described.

All of the interviews took the form of semi-structured personal interviews. Participants were asked questions relating to the initial establishment of halal authorities, as well as any subsequent challenges that arose from competition. Participants were also questioned regarding their organizations' opinion and approach to certain controversial issues that have arisen in public debate over the past few years. Particular information requested included the interviewee's personal education, previous career and personal motivation for entering the field of halal certification. Halal authorities are public organizations that are in constant interaction and communication with the Muslim community. There was therefore no apprehension to be interviewed. Interviewees did, however, express a desire for information to be withheld from competing authorities. Wherever it was considered

relevant, sensitive or otherwise private information has been disclosed in a confidential manner.

Interviews were requested with the theological directors at each of the four dominant halal authorities in South Africa. All but one of them obliged to offer an interview. Secondary interviews were also conducted with individuals involved in the operations. Six interviews were conducted with eight people in total. This was possible as one interview was a group interview with three respondents. Of the eight people interviewed, six of them have had theological training, either in South Africa or abroad. Of the remaining two, one of them had a background in private business, while the other had a background in religiously inclined community outreach and development. None of the participants had any prior formal business training.

All but one of the participants had an outwardly religious appearance in terms of style of dress. Of the eight participants, five had a clear command of the English language, and business-like presentation skills. Three of the *‘ulamā’*-trained interviewees, expressed some difficulty in both English and clear presentation. They were more proficient in Afrikaans.

The interview questionnaire was designed in order to draw upon the process of negotiation between halal as a religiously instructed obligation and halal authorization as a profit motivated industry. The interviews were thus analyzed to extract certain information that could contribute to this thesis. This information includes the indication of changes that have lead to the impetus for halal authorization, evidence of consumer rights considerations and particularly, the theological approach of the authority with regards to the permissibility of controversial products. Advertising and promotional material was inspected and

analyzed for the manner in which they fused religiously inspired prescriptions and advertising techniques in order to create demand for halal certification.

Muslim Consumers

The second part of this research project sought to determine how Muslim consumers experienced changing consumption behavior as well as the increased proliferation of halal products and halal authorities. The interviews were structured in order to elicit information on the experience of consumption in general as well as halal consumption in particular. The interviews aimed to understand how consumers understood halal, why they chose halal, and their responses to the increased publicity and discussion surrounding halal. Muslim consumers were approached at random in shopping areas and a request for a separate interview time was arranged. The snowballing method was used for locating interviewees through referrals from friends, colleagues and other interviewees.

With regards to the consumer focus, fieldwork was spread amongst the three largest cities in South Africa, namely Durban, Johannesburg and Cape Town. In these areas the focus was on obtaining interviewees from a broad spectrum of age groups. There was no intentional racial or class discrimination in the sample targeted. A range of middle to working class consumers was targeted. Some consumers were highly educated professionals while others were from the working class. This lack of bias allowed for a comparison of any potential difference in the approach to halal between these two groups. No significant differences were noted. As Chapter five will argue, the differences in consumer behavior were mostly a result of individual choice than class affiliation. Indeed, the use by halal authorities of online publications and emails to convey information was more accessible to middle and

upper class groups. However, interviewees with no access to the Internet expressed awareness of halal issues via word of mouth and mosque noticeboards.

My intention was to interview a total of ten interviewees in the three cities identified. In the end ten interviews were conducted in Johannesburg, twelve interviews in Durban, and six interviews in Cape Town. The reason that fewer interviewees were sampled in Cape Town was that it was difficult to source respondents that would agree to be interviewed. Interviewees in Durban and Johannesburg were, in comparison, eager to be interviewed. The reason for this may have been that Durban and Johannesburg experienced much more community discussion and controversy surrounding halal. These areas had also received more exposure to consumer communications.

All of the interviews were in the form of semi-structured personal interviews. Interviewees were asked to describe something about themselves, their occupation and their allegiance, if any, to a particular *madhhab* (school of jurisprudence). Interviewees were then asked to identify or explain their experience of changes in consumption behavior with regards to places of shopping and for example, eating out. Interviewees were asked questions regarding their exposure to communications from halal authorities either in the form of Internet publications, radio programmes, pamphlets, emails and road shows. The questions were structured in order to ascertain if the interviewees felt that these communications had an impact on their understanding of halal and the importance of halal in their everyday lives. The interview was concluded with questions aimed at uncovering the potential for the existence of brand loyalty and brand awareness in the halal certification industry. Interviews were aimed at understanding how changing consumption behavior and the increased awareness of halal risks created a need for authorization, by abstract

systems, as a new form of trust through which the modern Muslim consumer was able to assert his or her identity.

Participants were split between those with a seemingly secular appearance and those in some form of traditional dress. All interviewees were proficient in English as a first language. The age of the participants was not considered a factor. The reason for this lack of bias was so that differences could be analyzed. A built in bias was that most people living on their own and doing their own shopping were married and therefore older. However, two younger interviewees in their twenties were also approached and their views recorded.

Consent forms were provided to each of the interviewee. Only interviewees that expressed comfort at being interviewed were recorded. No pressure was placed on potential interviewees to participate. Recording only took place when the interviewee was fully aware and comfortable with the prospect of being interviewed. The identity of all interviewees has remained confidential. All names presented are fictitious. All interviewees cited have been included in the bibliography. After the bibliography, fictitious names of all interviewees, whether they have been cited or not, and the actual dates of the interviews have been listed.

When preparing this paper, English transliterations of Arabic words were used. The word halal was not transliterated due to its regular use in English. Certain communication materials did spell halal with an extra 'a' (halaal). In those cases a direct quotation was used. In Muslim society, the fraternity of religious scholars are known as '*ulamā*'. The singular, '*ālim*', has been used to refer to one religious scholar.

Limitations and Directions for Future Research

During the course of this study, a number of limitations became apparent. This study excluded Muslim businesses, which were facing public demand for certification. This

would have enhanced an aspect of the halal discourse. Secondly, further follow-up interviews with the authorizing bodies may have helped to expose sensitive issues regarding market competition, and the detail regarding the approaches of different authorities towards gaining market share. Thirdly, since interviews were conducted in English and at places of mass consumption, predominantly Indian and Cape-Malay interviewees were approached. These communities constitute the majority of the South African Muslim community. African Muslims whose mother tongue was Zulu or Xhosa were not included in this survey. Finally, only one of the halal authorities publically published their financial statements. It was therefore very difficult to obtain full financial information and conduct a proper financial analysis of the halal industry. That information would have allowed for a detailed analysis of the impact that consumer communications have had, the growth of the industry, and market fluctuations over the years.

Conclusion

The aim of this study was to investigate the effect of modernity and the market economy on the meaning and practice of halal consumption in South Africa. This was achieved through a focus on the Muslim consumer as well as the halal authorities. This focus served to provide an understanding of how halal has been changing, both in terms of its supply in commodity form but also its consumption as a commodity.

The theoretical framework for understanding halal authorities in modernity is that they are abstract systems that utilize expert knowledge and institutional structure in order to create new forms of trust that supersede old personal affiliations. In the context of halal authorities, it is their knowledge of Islamic law, access to manufacturing procedures and food technology experts that affords them a position

of authority beyond any particular individual. At the same time however, the interest of halal authorities to survive competition and continue to remain successful was independent of the needs of the Muslim consumers. In this respect halal authorities can be understood as religious intermediaries who service demand for new structures of institutional trust with regards to halal, but who also create that demand through strategic communications that emphasize their indispensability. Drawing on Marx's analysis of commodities as things that betray the nature and place of their origin, the need for these communications becomes apparent.

With regards to the demand for new structures of trust, the identity deficiencies of the modern consumer are relevant for understanding halal commodity demand.

With regard to the topic of this research, it is the the fear of transgressing a religious requirement and the desire to be a good Muslim. Appadurai's analysis of the social relations invested in things and Douglas' understanding of ritual as public consumption, are intricately related in the public consumption of halal as both a thing and a religious ritual. Also, Campbell's understanding of consumption as a religious activity has bearing on religious consumption as well. Consumers engage in the consumption of commodities that allow them to allay their fears and fulfill their desires with regards to religious compliance. The exercise of choice and subjectivity in the ritual of consumption points towards the construction of an individual, religious consumer identity.

An analysis of halal authorities within this framework will be first located in the history of Muslim organizational development and representation in South Africa (Chapter Two). This will be followed by an analysis of their religious rulings (Chapter Three). Consumer communications will then be analyzed in order to understand the effect of demand generating activity on consumer identities (Chapter

Four). Finally, interviews with consumers will provide an insight into the development of a Muslim consumer identity that incorporates both religious obligation and consumer choice (Chapter Five).

University of Cape Town

Chapter 2

South Africa: Muslim history, Muslim identity, Halal

Authorities

Introduction

The history of Muslims in South Africa has spanned a period of over three hundred years. The earliest Muslims arrived in the Cape as slaves from the Indonesian archipelago. After two hundred years Indian Muslims arrived in Natal as indentured laborers and traders. These were the two most prominent Muslim communities in South Africa. Early evidence suggests that the identity of early Muslims was closely tied to other native groups facing similar conditions of oppression. Over the twentieth century the fortunes of the Muslim community have improved. Along with the increasing prosperity of the community, there has been a trend towards the development of an educated religious class, called '*ulamā*', who espoused a distinctly separate Muslim identity. This articulation has occurred in different contexts and has often taken the form of the organizational development of '*ulamā*' as representatives of the Muslim community. These '*ulamā*' organizations can be understood to be a move away from the personal influence and charisma of individual leaders in the pre-modern era as described by Eisenstadt (Eisenstadt et al. 1987).

Halal authorities have developed along this trajectory of organizational development and more specifically, abstract systems of trust. As associations of '*ulamā*', they command the authority and trust of the Muslim community. Through the promotion of halal consumption they signal the development of a Muslim consumer identity. Halal authorities are divided along ideological and sectarian lines, reflecting the plurality of Muslim life in terms of theology, class and cultural backgrounds.

Muslims, Muslim Identity and Muslim Organizations in South Africa

The first Muslims arrived in South Africa in 1658. They were slaves, tasked with the responsibility of protecting the Dutch colony from attack by the local population (Tayob 1995, 39). Many more slaves and prisoners were transported from the Malay speaking Indonesian Islands to South Africa. These first Muslim communities practiced various forms of mystical Sufi Islam in secret, since the public observance of Islam was punishable by death (Tayob 1995, 40). According to Tayob it was only in the second half of the eighteenth century that social changes made the emergence of a public Islam possible. In 1804 the government developed a more liberal stance and extended an ordinance on religious freedom (Tayob 1995, 43).

However, as Jeppie explains, this nineteenth century community of Muslims, though tolerated, still faced harsh economic and social realities. Religious leadership was, at least initially, not determined by formal *'ulamā'* training. In the early 19th century religious authority was produced through various forms of community service. These included the supervision of ceremonies at naming newborn babies, marriage and death rituals, as well as the provision of basic education. Shell reports that as early as 1820 there was a school in Cape Town run by a local imam which taught the Quran and the reading and writing of Arabic. It was attended by as many as 370 slave children. There were also many other smaller schools that were presided over by elderly, often retired individuals teaching Islam to young children (Shell 1993). With the abolishment of slavery in 1834, the performance of the holy pilgrimage to Mecca became possible. Jeppie reports that the first Hajj pilgrimage was performed between 1834 and 1837 (Jeppie 1996, 144). Going on pilgrimage indicated an improvement in the living standards and status of some Muslims in the Cape. This upward social mobility resulted in an increasing number of claims to religious

authority as more people were able to perform the pilgrimage and establish schools. By the latter half of the nineteenth century, formal religious training was considered an important condition for religious authority (Jeppie 1996).

These nineteenth century ‘*ulamā*’ did not develop any formal associations among themselves. Instead, they developed places of learning and worship, around which they could act as “undisputed spokesmen for the faithful” (Jeppie 1996, 141). Tayob concurs by arguing that Imams served as important leaders and educators who affirmed their social impact by providing ritual and educational services. In this manner, religious leaders maintained religious authority over their congregations by providing the places and spaces for religious instruction and practice. This context provided the setting for disputes over religious practice to emerge as an area through which religious leaders vied with each other to define Islamic knowledge and obtain authority (Tayob 1995).

An example of the authoritative power of formal religious training was Abu Bakr Effendi who came to the Cape in 1863 from the Ottoman Empire. He was invited by the colonial authorities to serve as an arbitrator over internal Muslim conflicts. Abu Bakr Effendi was a Ḥanafī scholar who arrived in a predominantly Shāfi‘ī community. He commanded respect in the Muslim community, and began to vie for power and authority with locally established religious leaders. In 1869, for example, he declared that certain seafood including snoek and crayfish were *ḥarām* for Muslim consumption. His ruling stemmed from the Ḥanafī legal tradition that considered these items reprehensible (*makrūh*) rather than impermissible. Effendi was extending the Ḥanafī legal position on these food items for all Muslims (Tayob 1995, 49). Effendi’s prominence and juridical opinions exhibited the authoritative power of formal ‘*ulamā*’ training.

From 1860 onwards the first Muslims from India had begun to arrive in Natal. These Muslims arrived as indentured workers and traders. According to Vahed, approximately 7-10% of indentured migrants were Muslims, one third of which were women (Vahed 2001, 194). The conditions under which these laborers worked were severe. Laws at the time “viewed all contractual offences as criminal acts and sanctioned legal action against Indians for laziness and desertion” (Vahed 2001, 199). Indentured Indians could not travel more than two miles from their place of employment without their employers’ written permission. Religious life on the plantations was orientated towards the observance of popular practices from India and revolved around ‘holy men’ who carried out ‘spiritual’ work among laborers. The first and most prominent of these was Sheikh Allie Vulle Ahmad, later entitled Badsha Peer, who resided in Natal from 1860 until his death in 1894. Ahmad was apparently recognized by the colonial authorities as a holy man and freed from his contract. He continued to visit the plantations “where he provided a source of inspiration for those who found plantation life difficult” (Vahed 2001, 218).

Despite the ostensibly Muslim character of this religious leader, Vahed argues that the severity of the conditions and the demographic condition of the workers revealed an identity that was equally Indian and Muslim. This was evident from a petition in 1886 to the government to allow the public celebration of Muharram, a popular festival that commemorates the death of the grandson of the prophet Muhammad. Only “nine of the 25 petitioners were Muslim” (Vahed 2001, 218).

Muharram became the first communal Indian ceremony to be observed in Natal and included participation from across the Muslim-Hindu divide. This did not mean that certain exclusively Muslim rituals were not observed. Vahed describes evidence of Muslim concern over halal meat consumption, and their “habit of using their money

to buy special meat” (Vahed 2001, 216). From the Muharram petition it is clear that, for purposes of public representation, Indian identity superseded Muslim identity in the daily lives of indentured laborers.

The visible public display of Muslim-ness for indentured Muslims became more evident after 1895, with the arrival of Abu Bakr Siddique of the Chisti Sufi Order, later to be known as Soofie Saheb (Vahed 2001, 220). In 1896, Soofie Saheb purchased land on the banks of the Umgeni River on which was built a mosque, school, hostel and cemetery for the Muslim community. According to Vahed, “between 1898 and his death in 1911, Soofie Saheb focused on consolidating Islam amongst indentured Indians and their descendants by building mosques, madrasahs, cemeteries and orphanages” in ten other sites around Natal (Vahed 2001, 221). The work of Soofie Saheb facilitated a progression amongst indentured Muslims in Natal towards a distinct Muslim identity.

The second group of Indians to arrive in Natal were traders. This community established itself as a trading class who served the indentured laborers as well as the indigenous populations. According to Tayob, “by 1874, Indians had moved to other regions of the country as they followed the discovery of mineral deposits at Johannesburg and Kimberley” (Tayob 1999, 61). In their pursuit of trading and political rights, the Muslim traders were closely aligned with the Hindu and Parsi traders, and commonly known as Arabs (Vahed 2001, 214). But unlike indentured Indian Muslims, they soon developed a distinctive Muslim identity in South Africa. The discriminatory practices of the colonial governments, coupled with the prestige and wealth of some of the traders resulted in the formation of a Muslim identity. Tayob has suggested that this identity was articulated through an extensive network of mosques and schools. Traders established Mosque committees and acted as

powerful brokers and mediators between the state and communities (Tayob 1999, 62). They founded two mosques in Durban during the 1880s in Grey Street and West Street (Vahed 2001, 214). Permission to build these mosques was obtained through negotiations with state authorities. The religious leaders of these mosques lacked the power and prestige of their counterparts in the Cape, and were mere employees of mosque committees performing their ritual duties. In the early period, these religious leaders were brought from the subcontinent by the mosque committees and were wholly dependent on them for their travel and entrance into the country (Tayob 1999, 70).

The position of the *'ulamā'* in the Indian mosques progressively changed over the course of the 20th century, driven by a greater degree of institutionalization and theological specialization. The first *'ulamā'* body in South Africa was the Jamiatul Ulama Transvaal. It was formed by a group of Cape Imams in 1922 (Tayob 1999, 69). The first publication of the organization was produced in 1927 in Afrikaans (Naude 1982). This attempt at forming an *'ulamā'* association was unsuccessful - their lack of success perhaps reflecting the local distribution of power between the *'ulamā'* and the mosque committees. Mawlana Ebrahim Sanjalvi revived the organization in 1934 with the support of the wealthy Mia trading family. According to Naude, this association presented itself as a source of "religious guidance to the Muslim community and invited inquiries from the public concerning the shari'ah" (Naude 1982, 27). The 1934 revival of the Jamiatul Ulama Transvaal was the beginning of a trend wherein groups of Muslims created organizational structures from which to regulate and guide religious life. In 1940, the Waterval Islamic Institute for training *'ulamā'* was established on land provided by the Mia family. This organization encouraged students to travel to Islamic centers of learning in

India and Pakistan. The *‘ulamā’* were developing formal organizational structures to seek and establish authority. Tayob argues that this development was driven by *‘ulamā’* who claimed orthodoxy and orthopraxis from which to claim control over the mosques and congregations (Tayob 1999, 70).

The organized representation of Muslim interests and identity was not solely the preserve of the *‘ulamā’*. As modern schooling and education spread in society, professionals and youth began to espouse a different conception of Islam from that which was espoused by the *‘ulamā’* bodies (Tayob 1995, 82). The first reformist movement in South Africa was founded in Natal in 1943, as the Natal Muslim Council. The organization was the “principal agent behind the development of integrated Islamic schooling in Natal” (Tayob 1995, 92). The impetus behind this organization was the desire to integrate secular and Islamic education. According to Tayob they “campaign for state-aided schools to provide for the best of both the Islamic and modern worlds” (Tayob 1995, 92). The council promoted the value of modern, western education and criticized the low level of traditional education in South Africa. The Natal Muslim Council, like many other reformist organization to follow, promoted a sense of Muslim identity that was both public and congruent with life in the modern world. This was a different representation of Islam than that of the *‘ulamā’*.

Around the same time a Jamiatul-Ulama (Natal) was formed in 1952 (Tayob 1995, 95). The theological orientation of this organization did not at first reflect the *‘ulamā’* conflicts that would later develop in South African Indian community. The development of this *‘ulamā’* organization was part of a trajectory towards the establishment of organizations that promoted and represented a distinct, religious Muslim identity.

Similar developments took place in the Cape. As earlier discussed, Cape Islam had been characterized by the existence of influential imams whose authority hardly extended beyond their congregations. Their positions were entrenched by correct interpretation of Islamic practices. In 1945, a centralized point of authority was found with the establishment of the Muslim Judicial Council (Tayob 1995, 52). The imams agreed to represent the broader community rather than individual congregations. Their choice of title indicated a body with legal authority over Islamic jurisprudence in matters of marriage, divorce and inheritance. Jeppie argues that the Muslim Judicial Council “constituted itself as the only legitimate representative of Muslims and Islam to the Christian state” (Jeppie 1996, 140). With this claim, the Muslim Judicial Council was attempting to overcome internal divisions among individual Imams in order to present a unified religious Muslim identity.

As in Natal, modern reform movements also appeared in the Cape. The Cape Muslim Youth Movement was formed in 1957 by a group of Indian and Malay Muslims who opposed the racial classifications of the Apartheid state (Tayob 1995, 83). The group read modern Islamic literature and discussed political ideologies. The community soon banned from some mosques them for being too overtly political. According to Tayob, their efforts “gave rise to a number of local Muslim Youth Movements in towns and suburbs around Cape Town” (Tayob 1995, 83). One of these organizations was the Claremont Muslim Youth Association formed in 1958 by Imam Haron. The organization issued a newsletter called Islamic Mirror, which disseminated the works of Mawdoodi and Sayyid Qutb in the local community (Tayob 1995, 83). According to Tayob, this organization was drawn to the applicability and rationality of Islam for the modern world, rather than the language

of ritual and magic of the established *'ulamā'* (Tayob 1995, 88). In doing so these organizations promoted and presented a public Muslim identity that was both pious and compatible with progress and development.

Arguably the most successful reform movement in South Africa was the Tablighi Jamat, which appeared in South Africa in 1962. Unlike the reform groups mentioned so far, the Tablighi Jamat was a conservative reform movement that was closely aligned to the Deobandi *'ulamā'*. The success of the Tablighi Jamat precipitated a strong divide in the South African Muslim Indian community between Deobandi and Brelwi *'ulamā'*. This tension had not surfaced in South Africa before, yet reflected the *'ulamā'* differences in India and Pakistan. Both the Deobandi and Brelwi schools were established in 19th century British India.

According to Metcalf, the Madrasa at Deoband began in 1867 and represented an “important incipient trend toward a formal bureaucratization of the *'ulamā'* and their institutions” (Metcalf 1978, 111). The focus of Deoband was to establish an *'ulamā'* class that was purely religious in its functioning and free from political patronage. According to Metcalf, the school of Deoband promoted “the diffusion of scripturalist practices and the cultivation of an inner spiritual life” (Metcalf 1978, 134). This was achieved through a focus on Hadith and Quran and a preference for “universal practices and beliefs to local cults and customs” (Metcalf 1978, 132). The school established a network of community funding through annual pledges from supporters, which included both ordinary members of the community as well as wealthy individuals. Religious rulings from the leading Deobandi scholars reflected a “vision of the law” that was premised on a Sufi-inspired determination to resist the temptation of the lower self. According to Moosagie this vision meant that legal technicalities and concepts were sidelined by the use of rhetorical questions that

appealed to personal piety and abstinence (Moosagie 1995). The Brelwi school was established in Bareilly, India by Ahmed Riza Khan (1856-1921) as a reaction to the Deobandi attack on traditional practices. Tayob describes their formation as an “almost militant reinstatement of tradition” (Tayob 1999). Khan established schools in Bareilly, Lahore and Philbitt to train ‘*ulamā*’. The schools “emphasized rituals and authority and defended orthodoxy in alliance with the hereditary pirs of the countryside” (Vahed 2003, 318). The Brewli ‘*ulamā*’ provided scriptural and theological defenses of popular practices.

The Tabligh Jamat was closely aligned with the Deobandi school. Members aimed to convert Muslims to a particular brand of Sufi austerity by imitating the lifestyle of the prophet and focusing on the rewards of proper ritual practice. The Tabligh Jamat was established in South Africa after an Indian businessman from the Natal area was exposed to their ideas during a pilgrimage to Makah and decided to visit the headquarters in Delhi. A vital component of the Tabligh Jamaat is that each individual was encouraged to become an active participant in the dissemination and teaching of religion. The sympathetic attitude of the local Deobandi ‘*ulamā*’ to the Tabligh activities provided support and legitimacy to the organization. By the mid-70’s the organization was able to attract thousands of followers to its annual gathering, known as the *ijtimā*’ (Moosa 1997). Moosa argues that the religious experience of the Tabligh activist resulted in the discovery of new self-identity. It was a form of conversion from indifference towards the active fulfillment of a prophetic lifestyle and ritual compliance. As a grassroots movement, the organization espoused a particular form of religiosity that focused on lifestyle and ritual adherence. The Tabligh Jamat promoted a Muslim identity that was outwardly pious and Indian but also private and focused on individual spirituality.

According to the Tablighi-Deobandi position, religious authority needed to be earned through knowledge and not birthright. In South Africa, this appealed to some in the trader community who offered the support of the mosque committees to the Tablighi Jamat. Problems arose because the Tablighis criticized popular practices in mosques and shrines. This resulted sometimes in heated controversies within mosques, leading eventually to the founding of new mosques. Mosques were founded in almost every community, splitting Muslims along reformist (Tablighi-Deobandi) and Brelwi lines (Vahed 2003, 82). This conflict highlights many of the old dynamics in South African Indian Islam whereby wealthy traders had control over mosque committees. The difference here was that many of the traders had converted to Tablighi-Deobandism and were attempting to use their power to influence the religious practice of the congregations.

According to Vahed, the adherents of popular practices “formalized the tradition in the local context by building institutions and giving coherence to their beliefs and practices” (Vahed 2003, 319). This formalization was given organizational expression when *‘ulamā’* adherents of these popular practices broke away from the Jamiatul Ulama Natal and established the Sunni Jamiatul Ulama in 1978. This was later followed by the establishment of the Ahmed Raza Academy in 1986 (Vahed 2003, 319). Soon, according to Vahed, “followers of Badsha Peer and Soofie Saheb” also established a teaching center or “Darul Uloom Aleemiyah Razvia in January 1983” (Vahed 2003, 320). These institutions expressed a Muslim identity that focused on the observance of popular rituals at shrines and mosques. Following developments in India a century earlier, this Muslim identity was aligned against the one promoted by the Tablighi Jamat and the now vocal, Deobandi *‘ulamā’*.

During the 1970's a more conservative and austere '*ulamā*' voice emerged. In 1972 the "Jami'at ul-Ulama of Port Elizabeth which subsequently became better known as the Mujlisul Ulama of South Africa" was formed (Haron 2003, 2). The organization was founded by Maulana Ahmad Sadeq Desai. Desai had studied at Miftah ul-Uloom, a Deobandi school in Jalalabad, Pakistan. In 1980, the Majlisul Ulama of South Africa started monthly newspaper called *The Majlis*, which continues in both print and on the Internet. According to Haron, it "articulated an ultra-conservative discourse" which claimed to reject any form of modern change. From this conservative vantage point, Mufti Desai, as he would come to be known, launched severe attacks on any kind of Muslim involvement in modern affairs. This included attacks on the modern reform movements as well as other '*ulamā*' bodies. Whilst the traditional '*ulamā*' were becoming prominent in South Africa, another national modern reformist movement was being established throughout the country in the early 1970s. According to Tayob the Muslim Youth Movement or MYM "introduced new structures, forms and ideas into Islamic life in South Africa" (Tayob 1995, 106). Similar to modern reform movements elsewhere and in the 1950's in South Africa, the aim of the MYM was to integrate secular and religious activities of believer's. This sentiment was summed up in the 1974 convention when a Transvaal member, Abdul Sattar Ganie, made the case for Islam as a "way of life" that included business, social and sporting activities (Tayob 1995, 119). According to Tayob this "signaled an intention to expand the scope of Islam to cover all facets of life" and criticized what was perceived as the narrow '*ulamā*' interpretation of Islam around mosques, rituals and festivals (Tayob 1995, 120). The activities of the MYM included the establishment of bookstores, a printing press and an educational programme. The MYM also inaugurated a number of organizations to rationalize religious

practice. Amongst their many endeavors were the establishment of the Islamic Council of South Africa (ICSA), the South African National Zakah Fund (SANZAF) and an investment trust known as Jaame.

ICSA was formed in 1976 with Hafiz Abu Bakr of the MYM as the first president. Its goal was to develop a national organization for the representation of Muslims. ICSA included many madrasah, mosque and welfare organizations. It also included membership of the Jamaitul-Ulama Natal, which at the time contained both Deobandi and non-Deobandi *‘ulamā’*. However, ICSA’s lack of *‘ulamā’* leadership was criticized by the Jamiatul-Ulama Transvaal as well as the Mujlisul Ulama. According to Tayob, “the continuing non-*‘ulamā’* leadership in the Islamic Council of South Africa was unacceptable to these Deobandis” (Tayob 1995, 129). ICSA did not gain widespread credibility until 1984 when Shaykh Abu Bakr Najjar (d.1992), a prominent Cape imam and ex-president of the MJC, joined the organization.

In 1977, the South African National Zakah Fund (SANZAF) was established to organize and collect the Islamic ritual of *zakat* (almsgiving). It was to institutionalize *zakāt* collection in order to “alleviate the suffering of the poor and inaugurate the goals of social justice” (Tayob 1995, 144). In accordance with its ideology, the MYM was attempting to rationalize alms-giving as a ritual with a broader social impact, rather than merely a ritual duty. In its first five years of operation, SANZAF collected a total of R119 049. In its sixth year, the first year under the *‘ulamā’* leadership of Shaykh Faik Gamiieldien, R153 376 was collected (Tayob 1995, 146). SANZAF continued to operate and expand its operations. According to its 2010 financial statements it collected over R41 million Rands of *zakāt* contributions for disbursement (SANZAF 2010).

Jaame was a venture established in 1980, to combine Islamic values and economic practices (Tayob 1995, 143). Jaame enjoyed limited success, beginning with only 762 members. When the organization accommodated the criticism of the *'ulamā'*, its shareholders increased nine hundred per cent (6500) by 1987 (Tayob 1995, 146). As a result of poor management and accusations of un-Islamic practices, however, Jaame was forced to cease operations in 1989 (Tayob 1995, 180).

Each of these organizations was an attempt to organize the representation of Muslim interests. These organizations were rationalizing Islamic belief and practice in accordance with the demands of the modern world. However, in terms of popular support, the MYM was not successful in establishing itself as a relevant force in Islam in South Africa. Its activities were severely criticized by *'ulamā'* bodies that were interested in maintaining religious authority. It was increasingly clear that even the success of the MYM-inspired organizations was dependent on the support of the *'ulamā'*. On a popular level as well, the MYM was unable to compete with the activities of the Tabligh Jamat, who had the full backing of the Deobandi *'ulamā'*. In democratic South Africa Vahed has argued that democracy galvanized Muslim religious and secular leaders to present a united Muslim front. He cited the formation of the United Ulama Council of South Africa (UUCSA) in 1994 as one such attempt to form a national body (Vahed 2003, 330). This followed ICOSA's earlier attempt in 1975. However, UUCSA was by name and composition an *'ulamā'* organization.

The United Ulama Council of South Africa (UUCSA) was founded in 1994 with the object of providing a unified, credible and competent leadership on behalf of the major theological formations in South Africa. The advent of a new democratic dispensation created the need for a cohesive forum that would lend itself towards the preservation,

promotion and protection of the distinct Muslim identity in South Africa (UUCSA 2011a).

The list of members included the Cape based Muslim Judicial Council, the Sunni Jamiatul Ulama and the various Deobandi inspired bodies of South Africa. The formation of UUCSA was an bid by *'ulamā'* to represent national Muslims. Almost twenty years later it was following in the footsteps of the Islamic Council of South Africa. Now, it was emphasizing the representative nature of religious leaders.

UUCSA is equally remarkable for its ability to incorporate religious and secular knowledge in the service of the Muslim community, something that will become best articulated in halal authorities. A lecture on UUCSA's website highlights the extent to which the islamisation principles of modern reform movements were incorporated in its vision. The title of the lecture was "Islam and Climate Change" and was intended as a resource that religious leaders could use when preparing their Friday presentations. The information presented scientific data on climate change as well as religious resources from the Quran and Hadith, which emphasized the sacred nature of God's creation (UUCSA 2011b). Through a combination of religious and secular knowledge this publication emphasized the Islamic imperative for supporting nature conservation activities. This example illustrated the impact or adoption of modernist Islamic rhetoric promoted by movements in South Africa since the 1950s.

Despite its ambitious beginnings, UUCSA failed to transcend *'ulamā'* differences. Conflicts and differences of opinion between the various bodies that constituted UUCSA remained. Such competition challenged the activities and authority of UUCSA that aimed to represent a united South Africa Muslim community. Powerful individuals often claimed authority through competing organizations. A prominent example were the Majlisul Ulama South Africa which regarded UUCSA as a "paper

entity” that fictitiously claimed to represent South African Muslims (Majlisul Ulama South Africa 2011).

The history of Muslims in South Africa has spanned a period of over three hundred years. In the early period religious leadership was characterized by economic position and community service, and Muslims were closely tied to other oppressed groups. Over time Muslims experienced improvements in their social and economic position. This was accompanied by increased access to the centers of Islamic learning and an increase in Muslim public representation, as mosques and schools became part of the country’s landscape. With these developments there emerged an ‘*ulamā*’ class that claimed specialized religious training. These ‘*ulamā*’ commanded respect on the basis of their religious knowledge, and in the twentieth century began to form organizations that represented Muslim interests. Through these organizations, ‘*ulamā*’ have increased their authority in the community. However, this authority was not universal and was continuously contested by competing organizations of both ‘*ulamā*’ and non-‘*ulamā*’. I have shown how non-‘*ulamā*’ attempts at representing modern Muslim interests were thwarted by their inability to command religious authority. The result has been the development of ‘*ulamā*’ organizations that compete for community authority across sectarian lines. Ironically, these ‘*ulamā*’ bodies have adopted some of the modernization practices espoused by non-‘*ulamā*’ movements such as the MYM.

The Development of Halal Authorities

The development of halal authorities in South Africa can be understood as part of this organizational history of Islam in South Africa. The makeup of these organizations reflected many of the sectarian divisions that had developed within the Muslim community. Organizations of ‘*ulamā*’ were created in order to specialize

in halal food certification that combined secular knowledge of production processes and food technology with religious knowledge and authority. The extent of this combination was illustrated by the principal of the Dar al-Ulum al-Arabiyyah al-Islamiyyah in Strand near Cape Town. He explained that classes in food technology had become part of the curriculum for trainee *‘ulamā’*.

Individuals and organizations in South Africa did criticize halal authorities.

However, the increasing prominence of halal authority logos in places of consumption bore testament to their success in establishing themselves as intermediaries for the representation and expression of Muslim identity. I will now present a history of the formation of these halal authorities.

In 1958, the Muslim Judicial Council was approached by the Muslim Butchers Association (MBA) to provide religious sanction for halal certification procedures. The early establishment of the halal certification industry can therefore be tracked to an initiative between two organizational representatives of Muslims in the Cape. At this stage of the halal certification industry, no halal certificates were issued and no non-meat items were certified. Member butchers received certificates, which attested that all meat on their premises had been inspected as halal. The Muslim Judicial Council and Muslim Butchers Association administered the only halal authority in South Africa, uncontested for 26 years.

In 1985, the first halal certificate for non-meat products was issued. The product certified was Flora-margarine. This was the first time that halal authorization had been extended into the corporate manufacturing process and food technology. The certification of non-meat services represented a major development in the South African halal industry as it represented a huge increase in market potential. This soon led to the formation of the MJC Halal Trust in 1986 to specialize in the

administration of halal affairs (Harris 2010). The head office and only office of the MJC Halal Trust is in Cape Town. The organization does have permanent employees based in Durban and Johannesburg. These employees conduct their inspection activities in these areas. All administration is sent to Cape Town for processing. The MJC was initially extremely hesitant to publicly disclose their financial information. Towards the end of 2011 a controversy over their certification procedures placed the MJC under the public spotlight. Succumbing to this pressure, they agreed to disclose their 2011 financial statements. For the year ended February 2011, the MJC Halal Trust earned revenue of R7.7 million Rands, with a net profit of R431,510. Included in expenses was an amount of R4.3 million Rands, the majority of which constituted a donation to the MJC for its community work (MJC 2011).

The second organization to begin certification services was the Islamic Council of South Africa (ICSA). In 1984, Shaykh Najjar, an ex- MJC president and halal inspector at the local municipal abattoir, joined ICSA as president. He was a prominent Cape imam, who commanded significant respect in the community. His joining of ICSA revived the credibility of the organization in the Cape, and presented a challenge to the MJC. A conflict between the MJC and the MBA over the issue of whether non-Muslims could sell halal meat, ended the partnership. The MBA approached Najjar who had recently left the MJC, and thus ICSA became the second halal authorizing body in South Africa (Harris 2010). ICSA's head office is in Cape Town, and it has offices in Johannesburg and Durban. ICSA has the contract to nationally certify three major national fast food brands. They are Kentucky Fried Chicken, Nando's and Hungry Lion. I have been unable to obtain any figures of their revenue or certification market share due to their reluctance to disclose this information.

In 1995 a third major competitor in the halal industry was established. The South African National Halal Authority (SANHA) was an idea developed by a number of *‘ulamā’* and butcher associations in Durban and Johannesburg. They were interested in standardizing halal authorization on a national basis. In fact, SANHA attempted to use UUCSA to campaign for a nationally inclusive body. This move was, however, rejected by the MJC (SANHA 2006). SANHA ‘s head office was in Durban, and was founded as a combined effort by the Deobandi-aligned Jamiatul Ulama KZN and the Jamiatul Ulama based in Gauteng. SANHA has an administrative head office in Durban. They also have an office in Johannesburg where their theological director was based. They also have an office in Cape Town which has been in operation since 2001. During the 2011 financial year, SANHA disclosed revenue of R11.2 million Rand and certified approximately 1,275 establishments. It generated a Net Profit for the year of R842 020 (SANHA 2011a). SANHA has since grown into the largest halal authorizing body in South Africa (Mahomedy 2010). The success of SANHA has been their consumer communications, to which I will turn in the fourth chapter.

The last major competitor in the South African halal industry is the National Independent Halal Trust (NIHT), which was established in 2000. The NIHT was formed in the aftermath of a conflict between the Witwatersrand Muslim Butchers Association (WMBA) and SANHA. The former approached the rival Sunni Jamiatul Ulama and a number of other Sunni *‘ulamā’* organizations to form the NIHT. The head office of the NIHT is in Lenasia, the apartheid township for Indians in Johannesburg. The NIHT has an office in Durban from which inspection and administrative activities are conducted. I have neither been able to obtain full figures regarding their certification services, nor annual revenue. The creation of the

NIHT against SANHA reflects some of the long-standing religious tensions in South Africa between the Deobandi and Brelwi '*ulamā*'.

At the moment, the largest authorizing body is the recently established SANHA. They are followed closely by the Cape Town based MJC. The dominance of SANHA in terms of certification revenue reflects the success of their consumer discourse with regards to halal consumption. Closely trailing the two major players are the Lenasia-based NIHT and the Cape Town-based ICSA. Only SANHA publicly discloses their revenue and operating statistics. For 2011 the MJC also disclosed this information. This brief history of the development of the South African halal authorities indicates an increase in market competition. This is especially evident given the long history of halal authorization in South Africa. The success of the halal authorization organizations has been their ability to establish themselves as intermediaries between producers, retailers and consumers. This trend towards organizational representation has been an integral part of the development of Islam in South Africa. As in the past, this development has been wrought with conflict and opposition, with multiple organizations competing for authority. The involvement of '*ulamā*' in the halal industry reflects their ascendancy as the religious representatives of the Muslim community in South Africa. Their position as intermediaries has become entrenched with Muslim consumption.

Conclusion

The development of halal authorities in South Africa has followed a trajectory towards the organizational representation of Muslims in South Africa. The first Muslims to arrive in South Africa were slaves brought to the Cape. At this time the public practice of Islam was punishable by death. Over the following three hundred years, Muslim life in South Africa experienced a growth in social and economic

status. The increasing status was accompanied by the development of an independent '*ulamā*' class as the religious representatives of the Muslim community. Into the twentieth century, these '*ulamā*' formed associations and organizations for Muslim representation.

The ascendance of the '*ulamā*' as Muslim representatives has been challenged. Starting in the 1940's, an emerging professional class began to develop organizations that presented a reformed version of Islam in the modern world. Islam, they argued, was congruent with modernity. The most successful of these were the Muslim Youth Movement. The MYM provided scriptural justifications for modern practices and formed a number of organizations aimed at rationalizing Islamic practices and beliefs. However, modern organizations have not been able to survive without the support of the '*ulamā*'. The success of many of the MYM ventures was directly dependent on receiving '*ulamā*' support. The most successful reform movement in South Africa was the Tabligh Jamat. It was a conservative reform movement that was supported by the Deobandi '*ulamā*'. The activities of the Tabligh Jamat resulted in sectarian conflicts and the emergence of competing '*ulamā*' organizations.

The advent of democracy in South Africa led to the establishment of a united '*ulamā*' association (UUCSA) to serve as national representation for all Muslims. These efforts have not managed to transcend old sectarian differences. However, the activity of this new '*ulamā*' body points towards the appropriation of modernization principles from modernist reformist movements. The history of the halal industry in South Africa reflects this development. Each of the major halal authorities in existence in South Africa today is presided over by a number of '*ulamā*'. In ensuring that the food that Muslims consume is halal, these '*ulamā*' combine their religious knowledge and authority with secular knowledge regarding food technology and

modern manufacturing processes. Even institutions for religious training now include classes on food technology. This development has however not resulted in the abandonment of sectarian affiliations. The development of the halal industry has occurred along sectarian lines, with competing *'ulamā'* organizations developing independent halal authorities.

University of Cape Town

Chapter 3

Ruling on Halal: Halal Authorities

Introduction

Halal authorities have followed the trajectory towards the organizational representation of Muslim interests by *‘ulamā’* bodies. Halal authorities have developed around the major sectarian differences in the South African Muslim community. They can be classified as abstract systems in Giddens’ theory in that they combine religious and secular expert knowledge to mitigate modern risks to halal on behalf of the Muslim consumer. As I have argued, the conflicted risks assessments between the halal authority and the Muslim consumer results in a desire by the halal authority to promote halal consumption in order to generate revenue and survive industry competition. Halal authorities are in a position to define proper halal consumption and benefit from the Muslim acceptance of that consumption. These are the practical considerations of the halal certification industry. This desire to promote halal consumption is a demand generating activity that allows for a comparison to Bourdieu’s cultural intermediaries. This chapter will analyze the extent to which religious decisions regarding Islamic dietary law incorporate these practical considerations into legal (*sharī‘ah*) decision-making.

Recalling the literature review in Chapter One, Freidenreich and Cook argued that minority issues, religious identity and geographical considerations underpinned the development and formation of early Islamic dietary law in the pre-modern period. Contemporary studies of Muslims in Germany revealed that the desire to assert a recognizable Muslim minority identity led to the formation of modern parameters to their understanding of Islamic dietary law. Studies in France, the United Kingdom

and China showed that halal rituals had become expressions of individual, consumptive, Muslim identities. In the pre-modern examples Islamic dietary law developed in relation to the construction of distinct identities. In the contemporary period, the labeled consumption of halal has become a means of asserting identity. Halal authorities are the intermediaries that produce these halal labels and thereby define the expression of a Muslim consumer identity.

This chapter aims to use this framework of cultural beneficiaries and consumptive identities to analyze the legal decisions of halal authorities. I will illustrate the extent to which the different halal authorities agreed and differed on certain issues. The issues upon which the halal authorities converged and differed indicate interpretations of Islamic dietary law that promotes their interests in the certification industry. Moreover, these decisions contribute to a particular expression of Muslim identity. Extremely liberal interpretations of Islamic dietary law would result in halal products that were not clearly identifiable from those that were not halal. However, in the context of halal authorization, practical implications don't always tend away from liberal interpretations. In some instances, liberal interpretations were followed. In such cases I will show that liberal interpretations were also driven by the practical considerations of competition, revenue-generation and the promotion of Muslim consumption.

Background Information

All of the authorities interviewed admitted to what they termed a mutli-*madhhab* approach to their rulings. They argued that their openness to follow different schools of jurisprudence (*madhhab*, pl. *madhāhib*) suited the broad spectrum of believers that

they served. In order to illustrate the practical implications of religious rulings on halal, I present a synopsis of traditional scholarly opinions. English translations of the following texts have been consulted as a basis of comparison to which the rulings of the halal authorities can be compared – *The Muwatta* of Mālik ibn Anas ibn Mālik ibn ‘Āmr al-Asbahi (d.179AH/795AD), *The Risala* of ‘Abdullah ibn Abi Zayd al-Qayrawānī (d.386AH/985AD), *Minhaj el Talibin* of Yahya ibn Sharaf al-Nawawī (d.676AH, 1278AD), and the *Fiqh Us-Sunnah* of Sheikh Sayyid Sabiq (d. 2000AD). The first text is the source text of the Māliki *madhhab* and the earliest written compilation of prophetic traditions. The *Risala* is the work of a renowned, medieval Mālikī i scholar. The *Minhaj el Talibin* is the work of a scholar from the Shāfi‘ī school during medieval times. The *Fiqh Us-Sunna* was written by a contemporary *salafī*¹ scholar drawing on a variety of *madhāhib* to reach his conclusions.

The diversity of traditional opinions will then be contrasted to the particular opinion of each halal authority. A sample of particular issues has been considered for investigation. They are: the use of pig bristles, the pronunciation of the *tasmiya* (the invocation of God’s name upon slaughter), and food of the people of the book. Three modern examples have been included. These examples are the use of gelatin from non-halal animals, the permissibility of shellac (an insect derivative), and cross-contamination. The recent development of these issues prevents traditional comparisons. However, the practical implications of certification will become apparent by illustrating how and why authorities differ on their permissibility or impermissibility of the products in question.

¹ The term Salafī refers to a medieval and modern tendency or school that adopts a literalist approach, as opposed to a rationalist one, to the founding texts of Islam.

The Use of Pig Bristles

With regards to the use of the hair of a prohibited animal, Imam Mālik had no judgment. His follower and fellow jurist, al-Qayrawānī, was of the opinion that “you can use wool of a carrion animal or its hair or any other thing which could be taken from the animal when alive, but according to us it is better for it to be washed first.” He went further and said that “all of the pig is impure, except the hair” (al-Qayrawani 985). Al-Nawawī, however, did not agree with this opinion. In his view “everything that comes or has been cut from a living thing is considered, so far as regards its purity or impurity, as the body itself, after such thing has ceased to live” (Nawawi 1914). Accordingly, the hair of the pig would be considered the same as the body of the pig after death, which was impermissible. In the 20th century, Sayyid Sabiq agreed with al-Qayrawānī. With regards to prohibitions on carrion, swine and blood, only the flesh was forbidden. According to a prophetic tradition quoted by Sayyid Sabiq, “what is forbidden to eat of is its flesh. As for its skin, it is used for waterskins and teeth, bones, fur and wool are lawful to be eaten”. Sabiq quotes the advice given by the prophet when explaining the Quranic verse 145 of chapter 6 that prohibits carrion, blood and the flesh of swine (Sabiq 1940, 24).

Prohibited to you are dead animals, blood, the flesh of swine... - The
Quran, Chapter 5, verse 5.

Three of the traditional scholars consulted made explicit rulings on the use of pig hair. Al-Qayrawānī appeared to interpret the Quranic reference to flesh as excluding any product that could be removed from the animal while it was still alive. Sayyid Sabiq didn't include this nuance, and opted for a literal interpretation of the flesh as referring to the meat only. Sabiq therefore excluded all other products that could

have been derived from the animal. However, al-Nawawī ruled that the entire pig was forbidden and therefore all of its associated products.

The difference of opinions between these scholars was in stark contrast to the unanimous conclusion among South African halal authorities that the pig was essentially impure, and that, therefore, any of its parts was impermissible, including the hair. Halal authorities were opting for a popular traditional interpretation in line with al-Nawawī's position.

“Anything related to the pig is not acceptable” (Imam Harris 2010).

“The pig and everything to do with the pig is najis (impure)” (Mr Adams 2010).

“Be that as it may, you find that a pig for instance is not permissible for consumption, or any by-product of a pig would equally not be permissible” (Mowlana Hookay 2010).

“Divine injunction confirms it's a repugnance and impurity which is sufficient basis for man to shun and abstain from pig or any of its by-products” (Mowlana Navlakhi 2010).

There was a lack of nuance from the different authorities regarding the pig and any of its associated products. For halal authorities, this position ensured that any product that potentially used or contained anything related to the pig required independent certification. The liberal position of Sayyid Sabiq would preclude the need for certification. Similarly, the nuanced approach of al-Qayrawānī could have resulted in a ruling that all pig-bristle basting brushes were permissible for use. Educating the public regarding the use of pig-bristle basting brushes has been integral to generating demand for halal certification services. The opinions of the halal authorities can, therefore, be assumed to have been governed by the desire to promote the necessity of halal certification.

The Pronunciation of the *Tasmiya* Upon Slaughter

The *tasmiya* is the Arabic word for the invocation of the name of God over an animal before it is slaughtered by a Muslim person in order to render meat halal. With regards to the pronunciation of the *tasmiya* before slaughter, Imam Mālik had two specific references:

Yahya related to me from Mālik from Hisham ibn Urwa that his father said, "The Messenger of Allah, may Allah bless him and grant him peace, was asked, 'Messenger of Allah! Some people from the desert bring us meat, and we do not know whether the name of Allah has been mentioned over it or not.' The Messenger of Allah, may Allah bless him and grant him peace, said, 'Mention the name of Allah over it and eat.' Mālik said, 'That was in the beginning of Islam.'

Yahya related to me from Mālik from Yahya ibn Saïd that Abdullah ibn Ayyash ibn Abi Rabia al Makhzumi ordered one of his slaves to slaughter an animal. When he wanted to slaughter it, he said to him, "Mention Allah's name." The slave said to him, "I have mentioned the name!" He said to him, "Mention the name of Allah, bother you!" He said to him, "I have mentioned the name of Allah " Abdullah ibn Ayyash said, "By Allah, I shall never eat it!" (Malik 2000, 327).

In the first narration, the prophet instructed his followers to eat the food of unknown origin as long as the *tasmiya* had been recited before consumption. In the second narration, it was a companion of the prophet who was understood to have been disgusted with the idea of eating meat over which the *tasmiya* may have been omitted. There appears to have been a difference of opinion regarding the timing of the *tasmiya*, at the time of slaughter, or at the time of consumption.

Al-Qayrawānī's position on the *tasmiya* was that "If you forget to say '*Bismillah*' when sacrificing an animal for the ʿĪd or at any other time you are permitted to eat it. However, if the *Bismillah* is left out deliberately the animal cannot be eaten"(al-Qayrawani 985). Al-Qayrawānī did not accept the intentional omission of the *tasmiya*. According to the Shāfiʿīite al-Nawawī, the slaughterer "should pronounce

the formula, ‘In the name of God,’ and invoke His blessing upon the Prophet” prior to slaughter. However, al-Nawawī heads the section by acknowledging that this particular rule for slaughter was introduced by the *sunna* and therefore not compulsory (Nawawi 1914, 474). Sayyid Sabiq did not specifically address the pronouncement of the *tasmiya* in his work.

Mālik narrates that the prophet Muhammad accepted the recitation of the *tasmiya* upon consumption. Al-Nawawī also indicated limited importance to the *tasmiya* when he listed it as a *sunna* tradition (not obligatory, *farḍ*). Al-Qayrawānī, however, considered the intentional omission of the *tasmiya* to render the animal *ḥarām*.

The decision amongst the halal authorities in South Africa was that the pronunciation of the *tasmiya* was necessary. SANHA’s position on the status of the *tasmiya* was clearly conveyed in a publication that elevated it to a “divine command” (SANHA 2005). It would appear that any space for difference of opinion amongst scholars had been eliminated. According to SANHA’s theological director:

It is very clear in terms of Quranic law and in terms of majority view that it is imperative to take the life of the animal you slaughter and take this Quranic *ayat* [verse] to substantiate that: “eat of that upon which the name of Allah has been mentioned.” There are schools of *hadith* [prophetic statement], which would also emphasize that (Mowlana Navlakhi 2010).

By specifically referring to Quranic law, this particular SANHA director was collapsing the distinction between Hadith and Qur’an that had been made by traditional scholars, particularly Imam Mālik and Imam al-Nawawī.

According to the NIHT, a difference of opinion with regards to *tasmiya* did exist.

...if you’re a Shāfi‘ī, you say that you leave out the *tasmiya* intentionally the animal is still halal. If you are Mālikī i or Ḥanbalī or

Ḥanafī, if you leave out the *tasmiya* intentionally, the animal or the bird is considered to be non-halal.

However, the NIHT also emphasized that the majority opinion preferred the *tasmiya*.

Additional factors requiring Muslim involvement were provided:

Then you say, out of the veins, you need to cut the esophagus and the food pipe, the windpipe and one of the veins for that animal, to be halal. Therefore we only allow Muslim slaughterers in this country (Mowlana Hookay 2010).

The MJC also pointed out these differences of opinion with regards to the recitation of the *tasmiya*. However, Imam Harris was reluctant to allow for its omission.

...slaughterers are instructed to recite the *tasmiya*...(Harris 2010).

The difference of opinion amongst the schools of law could not totally be ignored. However, the South African halal authorities found reasons to suppress them by various ways. Emphasizing the importance of the *tasmiya*, halal authorities ensured Muslim slaughter, Muslim prayer, and their own involvement in the meat production process. Their views were generally accepted in the South African context, and community controversies broke out when Muslims have been discovered to be selling meat upon which the *tasmiya* has been omitted. However, the emphasis on the compulsory nature of the *tasmiya*, and therefore, Muslim involvement in slaughter, despite the traditional differences of opinion, indicates a desire to account for the practical implications of the halal certification industry when making legal decisions.

The People Of The Book

In the Qur'an, "the people of the book" referred to the Christians and the Jews. The following Quranic verse indicates that their food was permissible.

The food of the People of the Book is halal for you and your food is halal for them – The Quran, Chapter 5, verse 5.

The food of “the people of the book” had not been specifically addressed by Imams Mālik, al-Nawawī or Sayyid Sabiq. According to al-Qayrawānī, “there is no harm in the food of the people of the Book and their slaughtered animals” (al-Qayrawani 985). He made no exception or clarification regarding the nature or intrinsic belief of the slaughterers. The only requirement appears to have been that they should be part of that community. This view was highlighted in the study of Freidenreich, who argued that early Islamic dietary law was not unreceptive towards the food of these communities. He argues that discussions regarding the impermissibility of their food first surfaced amongst minority *Shi‘a* scholars at the time. He argues that it was the minority status of the *Shi‘a* community, and their desire to emphasize their Muslim identity, that lead to them questioning the purity of the people of the book. The effect was the imposition of a strict adherence to Muslim-slaughtered meat (Freidenreich 2006).

South African halal authorities were unanimous that the people of the book were impure, and that their meat was impermissible. They reasoned that the faith of Christians and Jews was in doubt:

Essentially what you’d find is that today the ‘ulamā’ questioning the issue of Ahl al-Kitab and a lot of them out there are of the opinion that they do not exist anymore. Mufti Desai from Durban particularly has issued a *fatwā* on the issue and his opinion. And this is the fact that a lot of the people who claim to be Christians in this country also at the same time follow their own ancestors and traditions and so forth (Mowlana Hookay 2010).

That is an issue for the halal department...the *fatwā* department. But they don’t see that there is people of Ahl al-Kitab currently, because they violate their own principles and laws (Harris 2010).

The Ḥanafī *madhhab* will say that either a Muslim slaughters it or a Kitabi slaughters it. That’s a universal accepted fact. The only difference is that ... if I know that this is a practicing Jew and he has

read the name of Allah when he slaughtered that animal is halal for me. I know him personally, I know what he does, I've seen him doing it. Where are we going to have the opportunity whether every Peter, Paul or John is actually Christian. He may be agnostic. So for halal certification purposes we cannot apply the general rule (Mowlana Navlakhi 2010).

Halal authorities in South Africa denied the faith and commitment of self-professing “people of the book.” The SANHA director noted the impracticality of the rule for halal certification purposes, because he doubts the belief of someone who appears to be Christian. Interestingly, there does not appear to be an equivalent assessment for a Muslim slaughterer. There is thus an emphasis on Muslim involvement in the meat slaughtering process, without consideration for the piety, religiosity or intra-Muslim allegiance of the individual involved. The agreement amongst different authorities on this crucial issue of Muslim involvement points towards a consideration of the practical implications of the halal certification industry. This absolute requirement suited the necessity of the halal certification industry to conduct inspections and ensure that Muslims slaughterers were employed.

Gelatin from a non-halal source

The permissibility of gelatin had no direct comparison to traditional sources. This was due to the recent development of gelatin as a chemical extract from animals that was used as a food stabilizer. The position of the four halal authorities regarding its permissibility indicates the interplay of competition and practical considerations. The practical consideration was the desire to encourage Muslim consumption in order to generate certification revenue and survive market competition.

The largest and longest-running halal authority, the MJC Halal Trust, agreed with the use of gelatin that had been sourced from non-halal animals. This was explained by the ex-president, Imam Yasin Harris:

Ever since I came here 25 years back – that was an issue. Now it isn't a very easy method to deal with because there's two opinions regarding the issue and halal foods today and processed foods, for example: 80 – 85% of processed foods have some type of stabilizer. And the halal slaughtered animals for example is too little to get any amount of gelatin required or raw materials from the skins – you know? (Harris 2010).

From this statement, Imam Harris was acknowledging two practical factors when considering gelatin from non-halal sources. The one was the prevalence of gelatin in processed foods, and the other was the scarcity of halal slaughtered animals that could be used in alternative halal production. The MJC had issued a juridical opinion on the permissibility of gelatin. The *fatwā* was originally issued in 1983 (See Table 1).

<p>TABLE 1: MJC <i>Fatwā</i> on the permissibility of Gelatin</p> <p>MUSLIM JUDICIAL COUNCIL</p> <p>CLARIFICATION OF CERTIFIED GELATINE AS A HALAAL INGREDIENT IN FOODS</p> <p>Introduction</p> <p>The MJC being an organization entrusted by the Muslim community with ensuring that food consumed is halaal has therefore thoroughly investigated the matter and can confidently say that whatever products is certified by the Muslim Judicial Council is halaal and in particular gelatine used in foods consumed by Muslims.</p> <p>However, we wish to reassure the community that the use of gelatine if certified by the MJC is halaal.</p> <p>The issue of the use of gelatine in food products has been dealt with in detail by the Muslim Judicial Council</p> <p>Part 1</p> <p><u>GELATINE</u></p> <p>What is Gelatine?</p>
--

A colourless or slightly yellow, transparent, brittle protein formed by boiling the specially prepared skin, bones and connective tissue of animals.

Gelatine is manufactured from bovine hides (bones and skins of cattle and / or animals).

How is Gelatine produced?

The process to manufacture gelatine as mentioned henceforth, are virtually applicable to all circumstances wherein gelatine is produced or, at least, the process we approve of:

Preparation of bovine skins:

Raw skins are soaked in lime water in order to remove all impurities, meat, blood hair, etc. After having been soaked in lime baths for a considerable length of time, the skins then transform into a sort of neutral substance.

Preparation of bovine bones:

Bones are first cleaned and all meat and fatty substances are removed. The bones are then crushed into smaller pieces. These bone pieces are then soaked into hydrochloric acid to remove the potassium chloride. The bones are now softer and ready to be transformed into Gelatine.

* In both cases, under the influence of heat, water and pressure the product is changed into a liquid gelatine substance. Following various processes, this liquid is transformed into a solid spaghetti-like substance, which is finally dried and crushed into gelatine granules of various sizes. These processes are irreversible. In other words, the end product (the gelatine) cannot be reverted back into skins or bones.

Uses of Gelatine:

Gelatine is used in: foodstuffs, medicines, a supplementary source of protein, as a carrier material, as a bonding agent stabilizer and emulsifier; as an aid for frothing up flavour enhancement, common salt replacement, clearing of drinks; as a collagen source in dietetics, in soft and hard medicament capsules; also in photographic films, theatrical lighting, etc.

In this modern world of today gelatine has become an almost indispensable product with a wide range of uses, as indicated above.

Davis Gelatine now known as Gelita S.A. has a gelatine plant in Krugersdorp, Gauteng supplies 95% of South Africa's gelatine needs. The MJC Fatwa Committee and 13 Muftis and 'Ulama from the Jami'atul 'Ulama of Transvaal have inspected the Davis Gelatine plant in Krugersdorp. It was found that its production of gelatine is in line with the above-mentioned production processes. They also do not use dog, monkey or pig skins as a norm. They however, import skin as well. It is correct to say that the skins and bones, which are used to produce gelatine, are from Halaal slaughtered sources as well as from other sources.

The Islamic perspective on the aforementioned:

In the Shari'ah there is a process called "Al Istihaalah", which means 'change of essence'. It is an irreversible process, whereby the original status of a product has been transformed completely into another status. The Shari'ah is clear on this, that the transformed status of the product is "Taahir" – pure and clean – irrespective whether the original status of the product was unclean and impure.

On the authority of Ibn ‘Abbas (r.a), he reported that the Prophet (Pbuh) said: “If the skin (of an animal) has gone through the process of tanning, then it is pure and clean.”(Bukhari & Muslim).

Likewise, when raw material, like raw skins or bovine bones from Halaal or non-Halaal sources are transformed into a totally new product of gelatine, through a process as mentioned above, the end-product (gelatine) is then pure, clean and Halaal. The Fatwa Committee of the MJC, on the basis of the aforementioned and other empirical research methods, has found that the gelatine of Davis Gelatine and that of the two Belgium plants, Gent and Angolene, are Halaal and fit for Muslim consumption.

Signed by: Maulanaa Yusuf Karaan

The *fatwā* explained that Gelatin was produced from the hides and bones of animals. Through a process including heat, pressure and water, the animal products were produced into gelatin in its crystalized form. The uses of gelatin were noted. These ranged through a variety of food products and medicines. The *fatwā* also mentioned the indispensability of gelatin in the “modern world.” The production plant had been inspected and it was confirmed that the production process was as expected, and that they did not use “dog, monkey or pig skins as a norm.” Following the inspection of the plant and an understanding of the production process, a legal opinion was formed. In Islamic law, there was a principle called “Al Istihaalah” which means a “change of essence” or metamorphosis. One of the conditions for this change, or metamorphosis, was that the transition from one state to another was irreversible. Based on this principle, anything that had changed its state was pure and permissible, no matter what the state of the original product. According to the *fatwā*, gelatin crystals were not distinguishable from the collagen from which they were sourced. Additionally, the process of turning hides and bones into gelatin was irreversible. Accordingly, the production of gelatin constituted a change of essence or a metamorphosis. On this basis, the MJC concluded that gelatin from non-halal sources was permissible for Muslim consumption.

Based on this ruling the MJC obtained the contract to certify Davis Gelatine. As the *fatwā* testifies, Davis gelatin supplied 95% of South Africa's gelatin requirements, which were "indispensable" to Muslim consumption. Interestingly, the wording of the *fatwā* emphasized that pigs, dogs and donkeys were not a "norm" in the production process. The *fatwā* did not rule out the use of these impermissible animals in the gelatin production. Despite this possibility, Davis gelatin was deemed halal. Interestingly, in discussions, which I have had with the MJC, the permissibility of gelatin sourced from pigs was categorically denied. Nevertheless, the *fatwā* of the MJC indicates the extent to which practical considerations of Muslim consumption and certification have contributed to their liberal position on gelatin.

Both ICOSA and the NIHT agreed with this position. According to the NIHT they accept gelatin from non-halal sources on the basis that there had been a total transformation.

In terms of hide from non-halal animals, it's basically found to be halal. Look a lot of research goes into that, we consult with a lot of professionals in the field. We got Dr Muhammad Loonat to do a study for us and come back and give us information, he was the head of the Pharmacy Division at UNISA at the stage that we consulted with him and he gave us the results and all that. We took that.... he says well there was a total change in the nature of collagen to become gelatin. Where collagen is not soluble gelatin is soluble. Where hide is collagen, its not translucent. Gelatin is! (Mowlana Hookay 2010).

I do not have a direct statement from ICOSA, but I did confirm with their officials that the MJC position was acceptable. Both the NIHT and ICOSA had contracts to certify products of companies that use Davis gelatin. It was clear that the MJC, the NIHT and ICOSA were accepting the practical necessities of food and gelatin production, and therefore certified accordingly.

In contrast, SANHA denounced the permissibility of Davis' gelatin. They challenged the applicability of the *fatwā*:

No, our view is that there isn't this metamorphic change that occurs. So we also then adopted the view that if it is from a halal slaughtered animal it will be deemed acceptable. If not it would be *ḥarām* (Mowlana Navlakhi 2010).

The SANHA position was based on the view that the chemical composition of gelatin was a form of collagen. This collagen was present in skins and hides before they were processed into gelatin. They argued that the manufacture of gelatin was a process of extraction, rather than a process of metamorphosis. There had been no "change of essence" on a molecular level. There were no other gelatin manufacturers in South Africa. As a result, SANHA certified plants in Pakistan and encouraged producers to import gelatin from these suppliers. Arguably, SANHA was entitled to make this ruling as differences of opinion regarding the permissibility of gelatin from non-halal sources did exist. However, as the next chapter will show, the contrarian position on gelatin has had market implications in that it was used as a demand-generating tool.

The MJC, ICOSA and the NIHT were in favor of allowing gelatin from non-halal sources, as it was practical in the context of modern food manufacture. However, SANHA chose a contrarian position and generated consumer awareness and demand for certification. On this issue, all of the authorities were therefore considering the revenue-generating and competitive implications of the certification industry when making their decisions.

Shellac

Shellac is an insect secretion that was used as a glazing on a number of sweet and chocolate products. The MJC, ICOSA and the NIHT all accepted the permissibility of

shellac for consumption. SANHA initially opposed its permissibility, before reviewing their original decision. Awareness of shellac was a major issue for consumers in the demand for the halal certification of sweets and chocolates.

As with gelatin, the MJC based its position on the basis of a *fatwā*. The following *fatwā* was produced by Mowlana Taha Karan in 2009 (Table 2).

TABLE 2: MJC *Fatwā* on the permissibility of Shellac

- 1 Shellac derives from a pure source: the lac glands of the lac beetle.
 - 2 In the processing of shellac, the lac remains uncontaminated by insect parts because the death of bloodless animals in a liquid does not contaminate that liquid according to all four madhāhib.
 - 3 Also, such insect parts are essentially ṭāhir (pure and clean) according to the Ḥanafis, Mālikīs, Ḥanbalīs and some Shāfi'īs.
 - 4 Even if insect parts are deemed najis (impure), as is the Shāfi'i view, this fact is of little consequence because insect parts are filtered out early in the process.
 - 5 The possibility of consuming insects does not arise at all due to the early removal of insect parts through filtering.
 - 6 If the ethanol used to dissolve shellac is fermented from a source other than grapes or dates, it is ṭāhir and ḥalāl according to Imām Abū Ḥanīfah and Imām Abū Yūsuf.
 - 7 In terms of the majority view ethanol is najis and ḥarām, but its disappearance from the solution through spontaneous evaporation is equitable, with greater force, to the spontaneous oxidation of ethanol through which wine which is najis and ḥarām becomes ṭāhir and ḥalāl, virtually by consensus.
- It is therefore concluded that shellac is ṭāhir and ḥalāl.**

The MJC *fatwā* began with an explanation of shellac. It was derived from a gland of the lac beetle which was not considered impure in itself. However, in the process of

manufacture, certain body parts of the insect were also included in the shellac extract. According to the Ḥanafīs, Mālikīs, Ḥanbalīs and some Shāfi‘īs, insects were permissible for consumption. The predominant Shāfi‘ī view was that insects were impure and therefore impermissible. The MJC took the view of the majority, going against its Cape support base, which was Shāfi‘ī. However, the issue regarding the permissibility of the body parts of the insects was avoided since the production of shellac entailed a filtering process in order to remove those parts. The other contentious issue was the use of ethanol in the production process. This was not deemed a risk since the ethanol evaporated during production. This evaporation was compared to the oxidation of wine into vinegar, which was commonly accepted as permissible. As a result, Shellac was considered pure and permissible for Muslim consumption.

The contentious use of insects and alcohol in the production of shellac were circumvented through the adoption of legal rulings from a conglomerate of sources. This was a potential area of conflict to the predominantly Shāfi‘ī ‘*ulamā*’ that constituted the majority membership of the MJC. It can therefore be argued that the legal decision on Shellac took into consideration the practical implications of certification and Muslim consumption. Both the NIHT and ICSA explained to me via phone calls that they had reached similar positions regarding the permissibility of shellac.

SANHA did originally not agree with the permissibility of shellac. During an interview in 2010 the theological director of SANHA explained their position to me.

Shellac is an ingredient from excretion of insects. At one stage they said that well if it’s just an insect excretion then whatever it is then shellac will be acceptable. But when you go into detailed investigation of shellac then you realize that shellac is from an insect

that is crushed and is taken on the bark of a tree then it is crushed and then it is processed. In that there are other insects that are also meat. We presented this information to all the *‘ulamā’*. The majority came back and said no, it’s not acceptable.

The SANHA position was based on the information that insect parts remained in the product during manufacture. By ruling on the impermissibility of consuming insects, SANHA was adopting the majority Shāfi‘ī position. This could be considered peculiar given that SANHA’s advisory *‘ulamā’* attest to Ḥanafī orthodoxy. The SANHA position was widely publicized in the Muslim community. However, in April of 2011, a notice was issued that revised the decision.

SANHA is pleased to announce that the Shellac ingredient used in confectionery, bakery and pharmaceutical products amongst others, has been declared HALAAL (SANHA 2011b).

No reasons were provided for the change in opinion.

In these examples both the MJC and SANHA adopted legal positions that appeared to be in conflict with the schools of law to which they attested. Both positions can be understood to have included the practical implications of the certification industry in their decisions. The MJC adopted a liberal position which allowed for the certification and consumption of products which contained shellac. SANHA adopted a conservative position, which was used to create awareness about the risks for food technology to allow the opaque infiltration of *harām*. They changed their position but did not fully disclose the reasons for the change.

Cross-Contamination in Cold Storage Rooms

Halal authorities frequently mentioned cross contamination as a modern risk to halal. Muslims did not possess the economies of scale to compete with large corporate abattoirs. This meant that non-halal meat could be slaughtered or transported with halal slaughtered meat. In addition, globalization had meant that

imported meat could be cheaper than that which was locally produced. This had the potential to further complicate the implications of transport and storage. Lastly, the retail of halal meat by non-Muslim national chain stores meant that halal and non-halal meat was sold in the same outlet. The halal industry required that there should be no physical contact between halal and non-halal meat. The risk of physical contact was named cross-contamination. This requirement had no scriptural or Islamic legal basis. Neither the Quran nor the Prophetic traditions had ever mentioned a scenario where halal and non-halal meat came into contact with each other. This issue had not been addressed by any of the schools of law either. The issue of cross-contamination was an entirely modern development. It was a risk and requirement that appealed to a conception of a separate Muslim identity.

According to the website of the MJC, the following procedures should be followed to avoid cross-contamination:

- d) No Haram products are stored or transported together with Halal products. This rule applies equally to the applicant as well as to its suppliers.
- g) Other criteria, e.g., no possibility of cross-contamination, etc., depending on the nature of the business (MJC 2011).

These procedures were designed to eliminate contact between products that were halal and those that were not halal. These procedures were universally accepted by the NIHT, ICSA and SANHA.

In November 2011, a controversy emerged in which Orion Cold Storage, a large corporate importer of meat, was accused of fraudulently placing halal logos on non-halal products, including pork. The company was a client of the MJC. The MJC denied responsibility for the fraudulent logos, as it had not certified the cold-storage

premises. The MJC came under criticism for the apparent lack of supervision of guidelines that had been set out in order to mitigate the risk of cross-contamination.

In their defense, the MJC explained their position to me. Sheikh Moosa Titus, the president of the MJC Halal Trust at the time, provided the explanation over the telephone in December of 2011. The arrangement with Orion Cold Storage had been in effect since 2002. The MJC had certified Orion's imports on a consignment basis. All importers of meat registered themselves. In the event that a registered importer needed to supply halal meat to a South African retailer, the MJC was called in to verify the source of that meat and its halal status. If necessary, the MJC sent a delegation overseas to verify that the slaughter methods were halal and that no unsuitable products were present on these foreign premises. After approving the source of the imported meat, the MJC was then able to certify certain consignments as halal. Certification was never given to cold storage facilities since the company imported a variety of different meat products from different sources. I was told that Muslims did not have the capacity to establish such large importing operations and were unable to compete with the prices of the non-Muslim importers. Since Orion supplied up to six tons of halal meat every month to the South African market, it was decided to certify their imports on a consignment basis. A decision was made that since all meat was transported, stored and delivered in cold storage at -22°C, there was no risk for the mixing of fat and blood with non-halal products.

Additionally, it was argued that all products were imported, stored and sold in sealed packaging. It was assessed that there was no risk of cross-contamination, and a certification agreement was reached.

Also in December 2011, I contacted the other halal authorities to obtain their opinions on the consignment-based certification of cold storage facilities. Through

discussions with members of NIHT and SANHA, I ascertained that neither of them agreed with the certification of importers. They felt that it was impossible to ensure that cross-contamination was not taking place in such an environment.

And yet, in 2009, ICSA had certified imported products on a consignment basis. ICSA had, however, demanded that all certified products be stored in a separate cold storage room so that no cross-contamination could take place. According to ICSA, their client sold meat directly from the cold storage. Clients were responsible for their own transport and halal certification once goods left the store. ICSA did not agree with MJC's decision to not certify the facility. After 2009, one of ICSA's client approached the MJC for certification. I assume that this MJC certification was given without the separate facilities required by ICSA.

Cross contamination was a risk created by the halal certification industry. It had no scriptural basis, but had become a major source of concern. This concern was an outcome of modern transport and retail but had been accentuated by the halal authorities. The halal authorities focused attention on the risks, and offered measures and procedures to mitigate that risk, all integral to the creation of demand for their services. In this example, the MJC could be seen to have taken a creative but liberal ruling. They did this through a process of negotiation that considered the risks of cross-contamination to be eliminated in a cold-storage environment. It was clear that this negotiation took into account the practical implications of the certification industry and the demand of Muslim consumption. The other halal authorities took more cautious approaches, most of them rejecting certification of consignments of transported goods.

Conclusion

Halal authorities are organizations of *‘ulamā’* that represent Muslim interests in consuming halal. As *‘ulamā’* they are in a position to make decisions on what constitutes halal. As halal authorities they earn revenue from their intermediary position between the Muslim consumer and the producers and retailers of food, while competing with other organizations. I have shown that this combination results in practical considerations for Islamic legal decisions.

When comparing their decisions with traditional views, it is clear that the halal authorities generally followed conservative applications of Islamic dietary law. Despite emanating from different theological backgrounds and ideological positions, the halal authorities all converged on their opinions on the use of pig bristles, the consumption of “the food of the people of the book” and the pronunciation of the *tasmiya* upon slaughter. This was in stark contrast to the nuanced opinions of a small sample of traditional scholars. In all of these examples, liberal positions would have excluded the need for halal certification services. I argue therefore that their decisions and positions on these issues were informed by the desire to define halal as a separately identifiable commodity.

However, when inspecting their decisions on more recent issues, it was noted that differences of opinion between authorities did exist. I illustrated how their decisions regarding the permissibility or impermissibility of these items were governed by the practical implications faced by the halal certification industry. In some instances, those practical implications resulted in liberal interpretations in order to obtain certification contracts and promote Muslim

consumption. In other cases, they resulted in conservative interpretations in order to generate awareness of halal certified consumption.

Freidenreich and Cook argued that the development of early Islamic dietary law reflected issues of identity and minorities. In the context of the South African halal industry it appears that three additional factors must be considered. These factors are revenue-generation, industry competition and the desire to promote Muslim consumption.

According to Douglas' definition of ritual, rituals are a means of asserting identity through the public consumption of goods. Campbell argues that modern consumption goes beyond identity as a means through which individuals assert their ontological sense of being. Muslim identity as expressed through halal was no longer limited to issues of group identity or minority interests. Rather, it was an individual expression that received its impetus from the commodity consumed. However, as I have shown, the halal authorities and the practical considerations faced influenced the definition of the commodity. Islamic dietary law, Muslim consumption and Muslim identity were required to conform to a particular conception of halal and Islam of the halal authorities.

Chapter 4

Selling Halal: SANHA Communications

Introduction

The development of halal authorities by members of the *'ulamā'* follows a trajectory towards the development of organizations as representatives of Muslim identity in South Africa. Moreover, the institutionalization of halal certification services reflects the modernization and Islamisation of the Islamic reform movements in South Africa during the 1970's and 1980's. In this sense, the establishment of halal certifying institutions can be compared to the institutionalization of *zakāt* collections by the MYM, under the South African National Zakah Fund. The halal industry can be seen as a rationalization of halal laws and principles into organizational procedures that can be applied to manufacturers and retailers in the corporate context. Halal authorities combined knowledge regarding food technology and food production methods with the religious knowledge and authority of the *'ulamā'*.

Food technology and an awareness of the potential for cross-contamination have changed the nature of halal in the modern world. In this sense halal authorities reflect what Giddens has called institutions of experts that develop new forms of trust for the changing conditions of life in modernity. One of the important ways in which this trust is developed is active consumer communication. These communications emphasize the risks to halal consumption by appealing to the halal sensibilities and identity deficiencies of the modern Muslim consumer. These activities can, therefore, be understood to be demand-generating activities in line with what Bordieu has called "cultural intermediaries."

I will begin this chapter by emphasizing the development of a consumer discourse by SANHA that was aimed at educating and informing the consumer. Following that I will turn towards an analysis of a sample of their publications. The sole focus on SANHA is justified since their communications over a long period of time provide a body of activity that can be closely examined. Moreover, its information campaigns have remained largely unchallenged by the three competing halal authorizing bodies. In fact, the others have directly benefited from SANHA and seem to agree with the general thrust of its campaign. SANHA has provided a great service to the halal certification industry. According to my analysis, the communications of SANHA have significantly contributed to the development of the halal industry in general.

SANHA and Consumer Awareness

SANHA was the first organization to commence an active campaign of consumer communications. The aim of their campaign was to notify the consuming public about the modern risks to halal consumption in order to emphasize the necessity of halal authorization for all manufactured products. The nature of their communications promoted food technology as a risk to halal. This was accompanied by an emphasis on cross-contamination in both the food manufacturing and retail industries. Together these two risks have been portrayed as representing the potential for *ḥarām* to enter all non-certified foods. The opaque nature of these risks means that they are not immediately apparent to the consumer. SANHA has emphasized these risks and presented certification as the solution to obtaining certainty over halal. There has been an emphasis on a new form of trust needed in the modern world in order to comply with the religious imperative to consume

halal. The following extended quotation, by the Theological Director of SANHA, Mowlana Navhlakhi, captures the focus of SANHA's communication efforts:

There's lots of technical information required in the different industries with the different types of products, additives, manufacturing aids. You can't just walk into a potato snack factory like what happened with Simba for three decades almost. Where they carried halal certification, only to find out some three decades later that the *seasoning* [emphasis mine] they were using was not actually halal. So these are the 2 factors – one is integrity: religious integrity. The other is know-how. It is two components. Religious technical background as well as industry technical background in terms of knowing exactly what the Critical Control Points are in the different areas of the industry. You cannot regulate the industry if you do not understand the mechanics of that industry (Mowlana Navlakhi 2010).

Through this quotation we see an emphasis on the importance of integrity and specialized knowledge in determining halal. This need for specialized knowledge was accompanied by a focus on consumer awareness. The following quote is by the Executive Office of SANHA, Mr Suleman Mahomedy.

SANHA's main principle is the consumer. Not the wholesaler. Not the businesses. Our target is the consumer. If you keep the consumer aware of (whether) he is consuming halal, that's our goal. Our main target of the organization is firstly the consumer, that's all. If the consumer doesn't walk into the Steers or Debonairs or Wimpy or Scooters store to buy, that business is going to suffer the consequences. The consumer is your important person (Mahomedy 2010).

Through this excerpt we see SANHA emphasizing the power and value of the consumer. This articulation reflects the extent to which SANHA had been aware of its potential to generate demand through consumer communications. In its view, knowledge regarding food technology was not apparent to the Muslim consumer. Information about disagreeable ingredients in apparently non-*ḥarām* products had to

be highlighted. If the consumer then abstained from choosing that product, the business of the manufacturer was placed in jeopardy. In this event the supplier would request certification.

Understanding their position, SANHA had been involved in a campaign of advertisements, gazettes, pamphlets and road shows in order to communicate and educate the Muslim consumer regarding the potential for inadvertently transgressing halal requirements. The result was an increase in interest from the public regarding halal queries. According to Mr Mahomedy:

We started having public programmes... and questions used to come up and then we notified the consumer that this is what is happening that this is where the gelatin is coming from, this is where the bread improver was coming from, this is where the tomato sauce specs were coming from. Immediately we give them four or five examples of this nature, he is not going to compute anything. Now you get a call everyday (Mahomedy 2010).

The increase in phone calls to SANHA can be seen to have been the direct result of an increase in awareness about the modern risk that food technology represented to halal. The increased awareness was noted by Mr Mahomedy who was proud of SANHA's contribution.

In South Africa the consciousness came through us coming out with notices, which had never happened before. We started putting up notices, people started reading announcements, and it started building confidence in organizations, number one, and number two they became conscious about halal (Mahomedy 2010).

The increased awareness and consciousness about the potential risks of halal had translated into an increase in demand for halal certification services. The result was an expansion in the halal market in everything from sweets to canned food.

The development of the halal industry has been driven by Muslim awareness of modern food technology that has resulted in the extension of halal into non-meat scenarios. This awareness of food technology first occurred in 1985 when the MJC certified Flora-margarine. However, at this time, there was no active consumer communication campaign. Food technology was not presented as a modern risk that could be mitigated through proper halal consumption. The development of this risk discourse was established and promoted by South African National Halal Authority (SANHA).

In addition to food technology, SANHA emphasized the risk of cross-contamination in both the food manufacturing and retail settings. Cross-contamination was a modern risk to halal that stemmed from the modernisation and globalisation of the meat industry. The cost advantages of producing on a large scale meant that corporate abattoirs and retailers had replaced local Muslim establishments. In some cases, globalisation meant that meat consumed in South Africa originated in a distant part of the globe. These developments introduced the risk that halal meat could come into contact with non-halal meat during production, transport and retail. Physical contact between halal and non-halal meat was termed cross-contamination. As earlier discussed, cross-contamination had no scriptural basis. However, as the remainder of this chapter will indicate, cross-contamination was an important factor in generating demand for halal certification services.

Together, cross contamination and food technology represented new sources of doubt for Muslim consumption. These could be mitigated through the consumption of certified products. An analysis of the communications shows that SANHA did not limit themselves to promoting awareness, and a culture of abstinence. They also actively promoted consumption, halal consumption of course, for the Muslim

consumer. As I will show, many of SANHA's promotional leaflets were advertisements for companies selling their certified products.

SANHA Consumer Communications

SANHA has had four official forms of communications. These were the Halal Gazette, the e-Bulletin, the Flash News and the Masjid Times. The Halal Gazette and the Masjid Times had been distributed in hard copy. The e-Bulletin and Flash News were electronic publications.

The first publication to be produced was the Halal Gazette. The Gazette consisted of two A4 pages that were printed on both sides, in full color on glossy paper. Each publication was effectively four pages long. This pamphlet was distributed around the country through networks of mosques, schools, Islamic institutions and retail outlets. One hundred thousand copies of each issue were printed for distribution. The Halal Gazette was not a very regular publication. There were eleven of these pamphlets produced over the ten years between 2001 and 2009. After November of 2009 it has not been published and was not mentioned in the Annual General Meeting of 2011. According to SANHA, the Halal Gazette was discontinued due to the high cost of printing and the increased reach and effectiveness of electronic communication.

Each issue followed a fairly standard format. The first page would be headlined with a catchy slogan emphasizing the important subject at hand. Of the eleven issues, five were dedicated to creating awareness about food technology that surreptitiously permitted *ḥarām* substances to enter Muslim consumption. Two of the issues were clear attacks on the Muslim Judicial Council's Halal Trust that highlighted its lack of technical expertise and halal certifying ability. One issue focused on defending criticism from the community over the fees that were being charged for certification.

One issue was dedicated to clarifying SANHA’s relationship with the other halal authorities. This issue emphasized that SANHA could not verify products which it had not certified. Two issues were dedicated to emphasizing the importance and benefits of proper ritual slaughter. Below is table with the issue numbers and the titles of each.

TABLE THREE: Halal Gazette	
1	SIMBA: A Hot Potato
2	The Need to Heed! Halaal Certification
3	Does this mean it is Haraam? “Not certified by SANHA”
4	The Elusive Dream: A Single Halaal Body
5	Source of Sauces: A Source of Haraam?
6	Amazing About Turn: MJC Fails To Implement Accord
7	The Big Lie Refuted.....Once Again: Long Walk To Freedom
8	A Knife and Easy History: Halaal Slaughter
9	The “Secret” Ingredient That Holds It Together – Halaal, Haraam or Doubtful?: Gelatine
10	Don’t Sweep It Under The Carpet: Brush With Haraam
11	Qurbani: The Cutting Edge Of Sacrifice

Generally, the second page included a question and answer section. This section consisted of three questions to which SANHA would offer a response. Most of the questions revolved around the permissibility of eating at uncertified restaurants, or

queries about food technology in commonly used products. The remainder of the issue contained paid advertisements from SANHA certified food outlets and producers. Some of these advertisers were Floyds Soups, Frimax Potato Snacks and Village Bakery Pies. Also common were specific advertisements by recently certified outlets of national chain stores such as Debonairs or Steers. There were also a few sections aimed at educating the public about the risk for food technology in common items. These ranged from cheese and yoghurt, to soups, baked beans and ice cream. These educational sections were usually accompanied by a list of SANHA certified producers.

Throughout the Halal Gazettee, Quran and Hadith sources emphasized the validity of the arguments presented. In some cases, however, Quranic texts were used as advertising tools for specific certified products. For example, in the third issue a section dedicated to highlighting a list of approved cheese manufacturers included the following Quranic verse: “An verily in cattle (too) will you find an instructive sign. We give you to drink from what is within their bellies, between excretion and blood, Milk, pure and agreeable to those who drink it. (Surah 16 Verse 66).”

(SANHA 2002). In the Quran, God had made these items permissible. In these advertisements, SANHA assumed that position of authority to bestow permissibility on the selected manufacturers.

The second publication of SANHA was the e-Bulletin that was commenced in July of 2006. Over a period of almost six years, 67 issues were produced, at a rate of just over one issue per month. The e-Bulletin continued to be produced on a regular basis. It was sent via e-mail to subscribers of the SANHA mailing list. It was initially sent to 3,500 subscribers. According to SANHA, by January of 2008 the subscriber list had increased to “over 36,000” (SANHA 2008). By 2011 the subscriber list was

estimated at 44,000. Each e-Bulletin was produced in a standard format. The titles of the e-Bulletins' were less dramatic and sensational than the Halal Gazette. The use of colors was more conservative and usually restricted to black text on a lightly colored yellow or green background.

Most of the issues in the main editorial section did not deal with halal certification. Rather, the topics presented included a range of issues: from the 2010 World Cup to emphasis on various aspects of Muslim ritual practice, to announcements of upcoming trade or halal conferences. Beneath the editorial was a section entitled Organisational Profile. In each issue, this section provided information on a Muslim community organization that was a full or associate member of SANHA. Full members actively participated in the organization's activities and had representation on the board of directors. Associate members were described as "organisations (that) share SANHA's ideals and vision in ensuring that the rights of the Halaal-conscious consumer are not compromised" (SANHA 2011c). Below the Organisation Profile was a Hadith section. Each issue contained Hadith that emphasized various aspects of Muslim ritual practice. These Hadith were not necessarily related to food, and also included various other messages about correct ritual and social practice. Translations and explanations by prominent South African '*ulamā*' were provided and their names were given. The next section contained a recipe. Following that was a section entitled 'Know Islam Series.' This section provided information about Islamic civilization and history. This was followed by a Health and Beauty section with traditional beauty remedies, a section called 'Smile for a While' which had some light humor, and a section called 'Mysterious Spice and All Things Nice' which provided information about the history of commonly used spices. Other regular sections included vacancies and announcements of upcoming events. There was a

competition in each issue where contestants could win a variety of prizes ranging from floor-eating mats, to Radio Islam receivers, to meals and shopping vouchers.

Only three sections in the E-Bulletin were dedicated to providing information about certified halal consumption. One was the 'Question and Answer' section, which was presented in the form of three questions from a consumer to SANHA. Similar to the Halal Gazette, these questions were aimed at highlighting issues regarding food technology, cross-contamination and the products that SANHA did or did not approve. The second section was the Recently Certified List, which provided a list of newly certified customers (manufacturers and retail outlets) of SANHA. Thirdly, some issues did publicize certain companies, providing a history about the organization and emphasizing that they were SANHA compliant. This advertising did not appear in every issue. These sections were presented as informative sections, in the same font and color as the rest of the E-bulletin. They provided information about the company and encouraged consumers to trust their halal status.

The third publication produced by SANHA was the Flash News, which commenced distribution in September of 2007. The Flash News was distributed to the same subscriber mailing list as the e-Bulletin. Since commencement fifty-seven issues had been published at a rate of just over one issue per month. The Flash News publication was a one-page report. It was produced in a very simply layout with only one topic discussed in each publication. Often this publication was dedicated to allaying community concerns about the integrity and costing of SANHA operations. Some issues were dedicated to providing information about the risks of food technology and cross contamination in order to emphasize the nature of halal in the modern world and the necessity of SANHA's work. Other issues were invitations to trade and halal fairs, and Annual General Meetings. By focusing on issues relating to

halal and the halal industry, the Flash News appeared to have replaced the main editorial section in the Halal Gazette. This publication also employed the use of religious texts to emphasize arguments.

The last publication from SANHA was called the Masjid Times. This publication was first produced in May of 2009. On average, the Masjid times was produced approximately once every two months. The Masjid Times was a one page black and white publication designed to be placed on mosque notice boards. This publication was sent to a network of mosques, madrasahs, schools and Islamic institutions throughout the Kwa-Zulu Natal and Gauteng region. I was not able to ascertain the exact number of places in this network to determine the reach of the publication. I am aware that the notice was emailed to individuals and members, who then print it out and place it on their notice boards. The Masjid Times covered a range of issues that were included in the other publications. These included the emphasis on certain ritual conduct, information about certifying fees, information about the status of certain food producers and invitations to SANHA Annual General Meeting or conferences on halal. In this publication, excerpts from religious texts were often used to emphasize certain positions.

From these four publications it is clear that SANHA had an extensive programme of consumer communications. These publications were produced over a period of ten years. The form and style of the publications had changed. It appears that the scope of the issues discussed had broadened and the manner in which issues were communicated had become less sensational. However, there was definitely persistence in certain aspects of communications. These included an emphasis on food technology and cross-contamination, doubt as the basis for abstinence,

promoting organizational transparency over fees charged, and the promotion of proper ritual conduct such as ritual slaughter.

In what follows I will provide a detailed analysis of a sample of their communications. The aim of my analysis is to illustrate the manner in which the emphasis on doubt created by the existence of the risks presented by food technology and cross-contamination was communicated. I will also show how Qur'an and Hadith sources were used to encourage certified consumption. The two publications upon which I will focus are the e-Bulletin and the Halal Gazette as they contain the most information about new developments in halal. I will focus on the first two issues of the Halal Gazette, and the last two issues of the e-Bulletins to emphasize the nature of the consumer communications. The reason for my choice is that the Halal Gazette was a much earlier publication that began in 2001. In contrast, the e-Bulletin was established in 2006 and was being circulated on a monthly basis. An opportunity to compare these two publications, across a span of almost 10 years will allow for stronger conclusions as to the aims and objectives of the consumer communications. This comparison will indicate the persistence of food technology, cross-contamination and doubt as important areas of emphasis. It will also show how consumption became central for the Muslim identity promoted by SANHA.

Halal Gazette

The first issue of the Halal Gazette was published in September of 2001 (See Appendix I). The title of the main article in the issue was "Simba: A Hot Potato" (SANHA 2001, 1). The article dealt with a "startling discovery" that SANHA had made while reviewing the manufacturing process of Simba, a local manufacturer of processed potato chips. According to the announcement, the existence of "animal

extracts” was noted in a number of the product lines. The purpose of the article was to highlight the use of animal extracts in seemingly mundane food production, but also to query the validity of the previous authorizing body, which had apparently not detected the transgression. This was also mentioned during an interview with SANHA.

You can't just walk into a potato snack factory like what happened with Simba for three decades almost. Where they carried halal certification, only to find out some three decades later that the seasoning they were using was not actually halal. So these are the 2 factors – one is integrity: religious integrity. The other is know-how. It is two components. Religious technical background as well as industry technical background in terms of knowing exactly what the Critical Control Points are in the different areas of the industry. You cannot regulate the industry if you do not understand the mechanics of that industry.

Here the emphasis on food technology highlighted the risk of *ḥarām* consumption. Moreover, the superiority of SANHA's ability over their competitors was openly advocated. Halal checks that worked for three decades were no longer effective, according to this informant. From the statement it was clear that conflicts between authorities were being articulated in terms of organizational capacity and understanding. This was because the risk presented by food technology required greater access to a particular kind of technical knowledge.

The article ended with the following statement, colored in red and highlighted in bold:

The golden rule to follow is “When in doubt, leave it out!” (SANHA 2001, 1).

This choice of slogan indicated the outlook that SANHA desired of the Muslim consumer, where doubt was a basis for abstinence. In the context of the risks presented by food technology and cross contamination, and in the absence of halal

certification services, doubt was always present. This emphasis on doubt, combined with a focus on food technology and cross-contamination reflected a scenario in which the existence of the halal authority and their independent checks were of paramount importance for the fulfillment of halal as a ritual. The emphasis on doubt reflected the development of a risk discourse in the practice of halal consumption. The emphasis of doubt in this form was a recurring theme throughout the publications.

The second page of the first issue was split into two sections. The first half of the page encouraged healthy consumption. The 'Healthy Eating' section employed a Quranic verse to substantiate the call to consume. The following Quranic verse was cited:

O you who believe, eat of the *ṭayyibāt* (pure and wholesome food) which We have provided you and be grateful to Allah if it is Him that you worship. Surah 2 verse 172. (SANHA 2001, 2)

The verse was provided as support for what can be interpreted as an Islamic imperative to consume healthy food. The Arabic word *ṭayyibāt* in this context was interpreted as "pure and wholesome." The translation and positioning of the verse indicated a desire to encourage consumption as a religious imperative.

The second section was dedicated to allaying suspicions in the community on SANHA's charges for certification. This statement addressed criticism from within the community, and reflected a desire to use the Halal Gazette as a communicative platform to deflect this criticism. In this section, various certifying costs were disclosed in the interest of promoting "transparency and accountability." The section ended with the following statement highlighted in bold red.

Wallah! If we had the means to fund all our costs via your donations, bequests or any other method, we will not charge a cent for certification (SANHA 2001, 2).

“Wallah” was a colloquial term used by someone making a promise on the name of God. The disclosure was therefore an appeal to religious sensibility. The focus on donations or bequests as an alternative means of funding emphasized the community benefit and necessity of SANHA’s work.

The first half of the third page contained some information about the history of yoghurt production, along with an advertisement for a number of certified brands of yoghurt. The last paragraph of the advertisement was highlighted in bold and in a pink color and dealt with the possible existence of gelatin in many yoghurt brands.

There was also a call for consumers to seek clarification from SANHA:

Many types of yoghurts on the market contain a stabilizer, which is of animal Gelatine source. Due to food legislation, manufacturers are not obliged to disclose this fact. It is therefore important that this be clarified with SANHA (SANHA 2001, 3).

By emphasizing the apparent lack of proper labeling legislation, the message promoted the need for certification services by SANHA. This was an example of how education regarding food technology had been used to emphasize the importance of relying on SANHA certification services.

The advertisement that listed the brands of yoghurt which were approved by SANHA was supported by the following Quranic extract:

“Eat of the good (*tayyib*) things we have provided for you”. Al-Quraan (Surah 7, verse 160) (SANHA 2001, 3).

The verse was very similar to the previously quoted extract. Here the word *tayyib* was interpreted to mean “good.” This was another example of how translations of

Quranic texts were used to promote the consumption of certain SANHA-approved brands.

The second half of the third page contained an article titled, “Food For Thought: Thought For Food” (SANHA 2001, 3). The main aim of the article was to highlight the scientific advances that “Man” (sic) had made over the last century, and to emphasize that “what he eats too has not escaped his headlong scientific rush” (SANHA 2001, 3). The article went on to describe how scientific developments in food wanted food to “look better, tantalize the taste buds and yield high profits” at the expense of “religious beliefs, cultural values and tradition” (SANHA 2001, 3). The tone of the article was a warning about the danger that food technology inadvertently presented to the consumption of halal. Examples of transgressions included a case brought against McDonald’s for using beef flavourants in their French fries, as well as a host of other potential scenarios:

For example there is Gelatine made from pigs and other animals in Ice cream and confectionery; animal fat and liquor in the baking industry; placenta and animal matter in cosmetics; oestrogen from horse urine and haemoglobin (blood) in medication. Pig bristle is commonly used in basting brushes and so on...(SANHA 2001, 3).

The aim of the article was to alert the Muslim consumer about *ḥarām* ingredients that could infiltrate seemingly harmless products from ice cream to bread. This section was an advertisement of the technical expertise of SANHA with regards to food technology. This expertise was presented as a basis on which SANHA could be trusted to eliminate the doubt that had been introduced into halal consumption through the risks presented by food technology.

The article ended with three “solutions” presented by SANHA to the confusing and opaque world of modern food technology. Each solution was headed in a bold red font, and used exclamations marks to suggest urgency:

Change! Change! Change!

Be proactive. You cannot rely on vested interests to safeguard your Imaan [faith] as can be seen from the examples above. It is your right to demand Halaal guaranteed products. Your persistence will bring about the change eventually.

Question! Question! Question!

Become vigilant. Question the contents of items in your home, business and surroundings. Do not accept anything at face value. Phone, write or call SANHA for assistance.

Guaranteed Halaal

Fully support products and establishments that are certified Halaal. It is your assurance and guarantee on Halaal. Let us cooperate with each other for the benefit of ourselves and the broader Ummah [community of believers].

(SANHA 2001)

According to SANHA, food producers aimed to achieve maximum profits with scant regard for the religious and cultural practices of their consumers. The solution was to demand halal certified products. The second solution called on consumers to question everything in their homes. Consumers were asked to be vigilant, or be aggressively aware of the potential for food technology to infiltrate their homes. Consumers were called upon to call or write to SANHA for assistance. The last “solution” was a call to support products and establishments that were certified halal. No longer could halal simply be assumed or personally asserted. Halal assurance was presented as synonymous with halal certification. The consumption of halal certified products was deemed to benefit the individual and the greater Muslim

community. The three solutions demonstrate the aim of SANHA's communications to entrench the importance of certification for the Muslim consumer.

The fourth page publicized SANHA's rejection of the halal status of two popular fast-food franchises. Competing halal authorities had certified these franchises as fit for Muslim consumption. Much of the criticism revolved around the proper inspection of the entire production line, which SANHA contended was not taking place.

Additionally, this article contested the issuing of halal authorization to non-Muslim owned outlets. The issuing of halal certification to non-Muslim outlets had been a point of contention between SANHA and ICSA, who held the contracts to certify the head-offices of certain franchises in South Africa. According to SANHA, the issuing of halal certificates to non-Muslim owned outlets was unacceptable since Muslim involvement was a prerequisite for halal. ICSA, on the contrary, argued that since the central distribution center was certified halal, any outlet could also apply for halal status since all products were centrally distributed. SANHA maintained that the lack of Muslim involvement allowed for the possibility for non-halal, non-approved products, to infiltrate the kitchen. The nature of the differences indicates the extent to which inter-organizational conflict was articulated in the communications. SANHA appealed to a specific kind of religious Muslim identity that encouraged modern consumption within certain parameters of Muslim involvement.

The second issue of the Halal Gazette was published in Nov-Dec 2001 (See Appendix II). It focused on a familiar theme: the requirement to be wary of food technology to infiltrate seemingly harmless products. The title of the issue read: "The Need to Heed: Halal Certification." The banner at the bottom of the issue included the slogan – "Be Aware! Be Vigilant! Be Proactive!" (SANHA 2001, 1). The choice of catchy

slogans for use in the header and footer emphasized caution amongst consumers with regards to their choice of products. The choice of verbs in the page footer reflected the development of a consumer consciousness that was alert to the potential for inadvertently transgressing the rules of halal and *ḥarām*. 'Aware' is a word that incites a sense of danger or fear. 'Vigilant' brings into view armed combat or resistance, whilst 'Proactive' is a call against complacency. Each of the words chosen aimed to inculcate an active engagement towards the ritual of halal consumption through certification. In many ways this vigilance was a translation of the Islamic concept of *taqwa*. *Taqwa* is commonly understood to mean a God-consciousness that inspires the individual to keep clear of religious disobedience and doubtful matters with regards to actions and behavior (Islamic-Dictionary 2011). This publication was extending the concept of *taqwa* to the risks of halal consumption in the modern context. The difference was that *taqwa* was almost guaranteed through certified consumption. In this context *taqwa* had become a demand generating activity of the halal authority.

The main article of the issue elaborated on the areas towards which consumers should turn their awareness, vigilance and pro-activeness. Before elaborating on the specific instances or scenarios in which seemingly harmless products could be rendered *ḥarām*, the following questions were posed:

...have you stopped for a moment and examined the grocery stores in your cupboard or the provisions in your refrigerator? How sure are you that everything in there is *guaranteed* [emphasis mine] Halaal? (SANHA 2001, 1).

These questions called on consumers to review not only the things that they were going to buy, but to also consider items which they had already bought, and have presumably been consuming for some time. The requirement to check the products

in one's home was a subtle change from the traditional discourse, which presumed that everything that was consumed in the home of a Muslim was presumed halal. Here the risks presented by modern technology were presented as a means through which *ḥarām* substances could unknowingly enter the home. Of course, this was not unknown to SANHA. The solution being offered was for individual Muslims to ensure that the SANHA logo was present on all products. The publication emphasized 'guaranteed' halal, which demanded certification.

The main emphasis of the article was to highlight the many scenarios in which ingredients defined as *ḥarām* could infiltrate harmless products. This was emphasized through a number of rhetorical questions, highlighted in red text:

Are you certain that: -

The red colouring in your ice lolly is not the one derived from the crushed beetle insect?

The flour improver in your loaf of bread is not made from human hair?

Your french fries have not been coated with animal shortening?

The crumbling on your fish fillet is not laced with animal stock?

The cheese you relish does not have pork ingredient?

The chocolate you crave does not contain liquor?

The cosmetic cream you religiously apply daily does not contain human placenta and animal fats?

The chicken fillet used in your Ramadaan savouries is not imported from China?

The braai sausage casing from your local butcher is not the one from Latin America?

The need for Halal Regulation is evident from the above.

(SANHA 2001, 1)

The rhetorical use of ‘certainty’ was an appeal to the concepts of risk and doubt. The solution to the risk and doubt of the individual was answered by the closing statement, which suggested certification. According to the publication, the need for halal regulation was relevant given the nature of modern food technology, which established doubt in the consumption of ordinary products. However, halal rulings could not be reduced to a simple relationship between knowing the ingredients and ruling that they were permissible or not. As indicated in the previous chapter, there were differences of opinion regarding the use of insect derivatives. These differences were not communicated to the consumer. The consumer was being informed, in a rhetorical manner, about the existence of *ḥarām* in all products. Here the use of the closing rhetorical statement reflected the conservative Deobandi discourse that Moosajee had argued was articulated through the use of rhetorical appeals to identity, rather than the technicalities of Islamic legal discourse. Halal certificated consumption was presented as the solution.

The first page of the Halal Gazette of Nov-Dec 2001, ended with an appeal to a religious text. In this case the text was a Hadith of the Prophet Muhammad:

“There will come a time upon my *Ummah* (community) when people will not be concerned about what they consume. It will not matter to them whether it is Haraam or Halaal.” It is further reported, “When such time appears, none of their du’aas [supplications] will be accepted.” (al Bukhari)

How can we allow our Shar’i (Islamic legal) rights to be violated?

(SANHA 2001, 1)

In the context of this article, the appeal to the prophetic narration was designed to elicit authority for certified halal consumption. It also included an appeal to sharia compliance. Implicit in this appeal therefore was the promotion of a religious Muslim identity that followed certain Islamic laws, the culmination of which was the

consumption of certified products. The statement culminates with a rhetorical appeal to “rights,” which may refer the rights of the Muslim consumer in the modern marketplace.

The second page of the Halal Gazette contained a question and answer section. Questions were presented as consumer queries, but did not contain any information as to who the query was from. It appears that either these questions were typical queries that SANHA had received from consumers, or that they reflected the typical concerns that SANHA wanted to generate among consumers. Whatever the case, these question and answer sections frequently dealt with questions regarding food technology and cross-contamination. In this issue there were three questions posed.

The first question read as follows:

Q - Zaid would like to occasionally buy a pizza from a Pizza Piazza (or some non-Halaal Pizza company). He has checked with the company that they use separate utensils for preparing, vegetarian pizzas. Alcohol is also not used as an ingredient. However, they bake the pizzas together. Not diminishing the reprehensibility would it pass as Halal? What would be the ruling in this case?

A – Muslims should not eat from non-Halal restaurants at all. Whilst it is claimed that separate utensils are used, there always exists a risk of contamination with Haram products. Even in the process of baking in a common oven, contamination cannot be ruled out (SANHA 2001, 2).

It is apparent from the tone of the question presented that this was not a direct question from Zaid. Clearly it had at least been paraphrased and edited by a member of SANHA. Importantly, a number of the commonly practiced requirements for eating halal at a non-halal establishments had been followed, namely, the use of separate utensils and the absence of alcoholic ingredients.

The answer was explicit in pointing to an ever-present risk of contamination in a non-certified setting, which demanded certification services. In this case, moreover, the question reflected a common sense approach to halal that was prevalent in the Muslim community. This was not sufficient for SANHA. It was not sufficient to be personally satisfied with the halal status of Pizza Piazza. SANHA needed to be contacted in order to identify hidden risks and eliminate them.

The other two questions in this issue did not relate to halal certified consumption. One question was about the status of wine vinegar. The third question was about the use of alcohol in perfume. Both of these items were deemed to be permissible. It was assured that the use of wine vinegar was accepted by prophetic traditions. It was also explained that the use of perfumes containing alcohol was deemed acceptable since ethanol was not considered impure. No details were provided regarding the rulings made and prophetic traditions cited.

On page three, the top half of the page contained a SANHA announcement detailing the risk that non-certified soup represented to halal consumption. The focus of the warning was the possibility for cross-contamination between vegetarian soups manufactured in the factory and those soups containing non-halal meat products. The heading of the section read: “Don’t be in hot water: Haram Soup” (SANHA 2001, 3). Here, as in other articles and announcements, the use of catchy slogans was designed to capture the attention and memory of the consumer. The aim of the section was to highlight some of the issues, which SANHA had discovered from a number of soup producers. It quoted statements from non-certified suppliers:

“We cannot guarantee that cross contamination does not take place between varietal ingredients some of which are ham/bacon bits”

“We refrain from making Halaal claims for our soup products – cross contamination between the various products cannot be ruled out with certainty”

“The meat based products are manufactured and packed on the same equipment as the vegetable soup”

(SANHA 2001, 3)

Quotations from supplier letters incriminated their products. The soups produced by these manufacturers were declared unfit for Muslim consumption. The names of the producers quoted were not provided. This was another example of SANHA warning consumers not to consume uncertified soups. In the three statements presented, the issue of cross contamination between different ingredients and utensils was raised. Furthermore, an absence of certainty suggested that consumers should exercise caution. Given the golden-rule as earlier described, the communication was aimed at constructing and illustrating the conditions under which doubt, and therefore *ḥarām*, could enter into the consumption of vegetable soup. As with the cover page, the section was closed off with a slogan at the footer, which appealed to the attention of the consumer – “Don’t take risks. Stick to products that do not compromise your imaan [faith]!” (SANHA 2001, 3). The bottom half of the page contained an advertisement for Floyds soup. Floyds was a manufacturer of various flavors of soup-powders. The advertisement offered information about the company and ended with the following caption, in large bold letters.

Floyds Superior Foods – 100% Doubt Free, Halal compliant and in good taste (SANHA 2001, 3).

Here the use of “doubt-free” in the context of halal certification was being used to appeal to the absence of risk in order to encourage consumption. In sum, unnamed manufacturers were placed against an advertisement that declared Floyd’s soup fit for consumption. In this example, the call to avoid risk was accompanied by the call

to consume certain products that bore the certification logo. By emphasizing doubt with regards to the risk of cross-contamination, SANHA was not advocating complete abstinence from manufactured soups. The article was actually an advertisement for soups produced by Floyds and Amla, which were specifically mentioned as certified by SANHA. SANHA was thus saying that the fear (*taqwa*) of cross-contamination implied the consumption of soups certified by its operations.

The fourth and last page also advertised certain products in this manner. It began with a half page section concerning ice cream. Similar to the section in the previous issue regarding yoghurt, the article started with an informative history of ice cream.

The section ended in the following manner:

SANHA is aware of the use of liquor and pig gelatine in the manufacture of some ice creams.

SANHA has certified the following range of Ice Creams which you can eat with confidence:

*Ballina Farm *Baltimore Foods * Cas Ice Cream * Dairymaid Nestle * Aylesbury

“Eat of the good (*tayyib*) things we have provided for you” Al-Quraan (Surah 7 Verse 160)

(SANHA 2001, 4)

Once again there was an emphasis on the use of disagreeable items in commonly consumed products. There was also an indication that knowledge over the use of these products had been obtained by SANHA. Due to the risk of these items entering ice cream, a number of agreeable suppliers were promoted. In this instance, food technology was drawn upon to provide information about risks to halal to promote the consumption of certain brands of ice cream. The section was capped with the same Quranic verse calling on believers to eat of the “good” things that God has provided. This verse was positioned below the logos of the agreeable ice cream

manufacturers. This was done in order to encourage certified consumption of these brands.

Below the ice cream advertisement was another appeal to the risk presented by food technology. This time there was a small advertising block, which aimed to educate readers about E-numbers. As the excerpt described, E-numbers represented food additives used in the food industry. Some E-numbers may have been halal while others were not. More importantly, according to SANHA, “they need to be investigated on a case-by-case basis to establish the Halaal / Haram status” (SANHA 2001, 4). The excerpt concluded by highlighting four E-numbers “that always render the product Haram” (SANHA 2001, 4):

E120 Cochineal – a red colour obtained from female insects.

E542 Bone Phosphate – an extract from animal bones

E441 Gelatine – derived from hides and/or bones of cattle and pigs

E904 Shellac – a resin from lac insect

(SANHA 2001, 4).

Notifying the public about these codes emphasized the extent to which modern halal required organizational representation and technical knowledge. The actual permissibility of the ingredients in terms of Islamic dietary law was not disclosed in the announcement. The debate amongst Islamic legal authorities on insects and gelatin was suppressed. The focus was on food technology representing a risk to halal.

On the left hand side of this section was an advertisement for Frimax chips. These were a brand of manufactured potato chips. The bottom of the advertisement bore the SANHA logo and the following statement:

Now certified Halaal. Its your 100% doubt-free Halaal certified chips
(SANHA 2001, 4).

Similar to the Floyds advertisement, halal certification was presented as a means of eliminating doubt. The absence of doubt and the existence of halal certification were used to encourage consumption.

It is clear from the above analysis of the first two issues of the Halal Gazette that SANHA communications were geared towards generating demand for halal certification services amongst the Muslim community. Through a focus on the risks presented by food technology and cross contamination the informational and technical superiority of SANHA as a halal authority was emphasized and presented as the only certain means of obtaining assurance regarding halal. In doing so, halal certification was offered as a necessary form of trust demanded in the modern world. The message was that doubt must be avoided. Interestingly, the risks emphasized were translated into the existence of doubt in almost every context. The solution, therefore, was the necessity of halal certification. Through an emphasis on risk and doubt, the inspection of a halal certification logo was being introduced as a necessary element to the ritual practice of halal. The imperative for certified halal consumption was given divine authority through Quranic texts. The result was a combined appeal to technical and religious knowledge in the promotion of certified halal consumption. The Halal Gazette was an advertisement for halal certification. Halal certification was presented as a means by which the Muslim consumer could fulfill his or her desire to fulfill the requirement of halal.

E-Bulletin

In order to compare the issues being communicated by SANHA to its consumers over the past decade, a comparison of the Halal Gazette to the e-Bulletin is relevant.

What I will show is that the issues and discussions have remained very similar in a sustained approach to expand the market for halal certification services.

The two issues which I will be looking at were published in September and October of 2011. As earlier described, the aggressive consumer campaign from the earlier issues of the Halal Gazette had been replaced by a more subtle approach. However, the risks presented by cross contamination and food technology were emphasized through the Question and Answer section. These questions reflected the same considerations that were raised ten years earlier in the first issues of the Halal Gazette. The persistence and repetition of the message can be seen to have been an important part of ensuring that Muslim consumers remained aware about the opaque risks to halal in the modern world. Each of the issues contained three questions and answers.

The first issue, which I will present and examine, is issue number 66, dated September/October 2011. The first question raised was whether a certain manufacturer of cakes and dessert was halal. The answer provided was that they were not halal since certain of the cakes contained alcohol and gelatin (SANHA 2011e). The answer indicated that “some” products contain gelatin and “some” products contained liquor. The emphasis on the use of gelatin and liquor in cakes reflected a continued focus on the risks inherent in food technology in seemingly harmless products. The choice of wording indicated that not all the products contained these offensive ingredients. However, the entire range of the manufacturer was deemed non-halal. This answer, therefore, also reflected an appeal to the risk of cross-contamination in the production process.

The second question enquired about a certain, common local brand of biscuit. The answer was that no information had been made available as the product was now

imported (SANHA 2011e). The fact that the product was now imported was not something that an individual consumer could have been expected to have known. It was most likely, that after receiving the information, SANHA communicated it to the Muslim consumer through this question and answer series. In the answer, the absence of information regarding the new manufacturer was assumed to construe doubt. No ruling was made, but the foreign source and existence of doubt suggested that the product was not permissible. The fact that the question dealt with a non-meat biscuit product reflects the continued emphasis on food technology as an opaque realm of halal that demanded certification.

The third and final question of the issue focused on the halal status of a certain brand of pasta. The answer provided was that the manufacturer was not in a position to guarantee halal as non-halal meats were used in the same facility (SANHA 2011e). This question reflects a return to the issue of cross-contamination. Here the emphasis was on contamination in the manufacturing environment. Similar to the publication regarding soup in the Halal Gazette ten years earlier, an appeal to cross-contamination in the manufacturing environment was being used to introduce doubt. Once again, this doubt was being introduced through information that SANHA had obtained and communicated to customers.

The next issue was number 67, dated October 2011. The first question raised was regarding the “permissibility of carmine (E120) found in sweets.” The answer was that “E120 – cochineal carmine is a reddish dye which is deemed non-Halaal as it is derived from crushed insects” (SANHA 2011d) As discussed earlier, E120 was a chemical that appeared in the second issue of the Halal Gazette in 2001. The emphasis indicates the extent to which information regarding food technology was re-iterated by SANHA through consumer communications. Moreover, the ruling on

the impermissibility of insects reflected the Shāfiʿī position alluded to in Chapter Three. The majority of the legal schools accepted insects as permissible for consumption.

The second question pertained to whether a certain type of face wash was halal. The answer was that the product was suitable (SANHA 2011d). No information was provided regarding the ingredient that was potentially offensive and inspired the question. The product simply passed SANHA's test. The existence of the question reflects the extent to which SANHA desired halal awareness in all products. In this case, the product in question was a non-consumable item. The question regarding face wash therefore indicated the desire by SANHA to extend halal considerations into non-food products.

The third and final question of the issue related to a particular brand of ice cream. The answer was that the ice cream was not halal due to the use of gelatin from non-halal sources. However, the particular ice cream company had obtained halal certification from a rival authorizing body, which did accept the more lenient interpretation (SANHA 2011d). Consumers were not necessarily aware of the legal difference of opinion between the authorities and were clearly consuming the ice cream under the understanding that another certification rendered it halal. The notice was a means of educating the community about the status of a *ḥarām* product but did not give information about the actual technicalities of the ruling. This notice was therefore a means of encouraging abstinence, since the rival body's certification was not deemed valid. This example shows competition between halal authorities without elucidating the nature of such difference.

The examples of the e-Bulletin indicate that the same issues of cross-contamination, food technology and doubt were continually emphasized. As I have argued, this emphasis aimed to generate demand for SANHA's halal certification services.

Conclusion

Modern developments in the production, transportation and retail of food have resulted in changes in the way halal is practiced. Food technology has potentially introduced *ḥarām* ingredients in seemingly harmless non-meat products. Changes in global production have meant that much of the meat consumed originates thousands of kilometers from the place at which it is sold. Locally, economies of scale have witnessed the ascendancy of industrial farming operations that operate at significantly lower costs than the local Muslim farmer or slaughterer. In terms of retail, the development and increasing power of national retailers have saved costs and changed the places at which Muslims buy. The result is that the meat that Muslims consume travels greater distances and passes through a variety of avenues before reaching the home. This has introduced risks to halal through transport, storage and retail of meat. Together, cross contamination and food technology represent modern risks to the practice and consumption of halal in South Africa. In essence, these risks represent the threat for non-halal products to infiltrate any scenario.

The certification of the first non-meat product in 1985 was the first evidence of Muslim awareness regarding the risk of food technology. However, the lack of a consumer discourse prevented the widespread proliferation of this information throughout the community. For a long time, these risks remained marginal considerations and halal authorization remained predominantly focused on the correct ritual slaughter of meat. Knowledge about food technology or production

processes was the reserve of a privileged few with access to the technical information and insight. It had not fully entered Muslim consumption. The animal origin of an emulsifier, for example, was not immediately apparent to the Muslim consumer of a chocolate. The place of production and nature of transport were not immediately apparent to the meat consumer. Marx has argued that this inability to comprehend the origin and production processes involved in commodity production lent commodities a mysterious, religious quality (Marx 1887, 319). SANHA communications showed how these products assumed either halal or non-halal status. The proliferation of information elicited religious questions about consumption in these new contexts.

SANHA revolutionized halal consumer discourse in South Africa. The establishment of SANHA in 1996 and its focus on the power of consumer abstinence led to an increase in demand for halal certification services. This consumer awareness was encouraged through an educating campaign that highlighted the risks of cross-contamination and food technology to the Muslim halal consumer. This campaign employed the use of catchy slogans and religious scripture to encourage the exclusive consumption of SANHA certified products from SANHA certified outlets. I argue that the way in which scripture was inserted into texts, and used to emphasize certain positions, was a means through which halal authorities could obtain religious (divine and prophetic) authority for their arguments. In this way, the pamphlets and publications of the halal authority became an extension of the sacred, as modern information passed through religious texts. Indeed this divine authority was used to emphasize a very specific kind of Muslim identity that was particularly careful about consumption, and inclined to abstinence when in doubt.

There was an ambiguous relationship between encouraging abstinence and encouraging consumption. Abstinence was encouraged due to the risks represented by food technology and cross-contamination. At the same time, consumption was encouraged through a SANHA certification logo. Here the Islamic ritual of halal intersects with Douglas' secular ritual of consumption as a means of asserting identity through the public display of goods. For Muslims, the secular ritual of consumption now required the inspection of the halal logo for all food products.

This focus on emphasizing the necessity of a SANHA logo for consumption introduced a new form of trust between the consumer and producer or retailer of food. Due to the opaque nature of these modern risks, the necessity of this new layer of trust has been emphasized even when interacting with other Muslims. The result has been a claim by SANHA to act as guardians of halal consumption, due to their superior informational and organizational ability, to uncover the real risks to halal in the modern world.

In the process, SANHA was promoting a Muslim consumer identity. This Muslim consumer identity could be expressed through the public consumption of halal certified products. As Chapter Three argued, the character of this Muslim consumer identity was influenced by the desire of halal authorities to generate demand for certified products. In this chapter it was clear that this has taken the form of a cautious consumer, who places her final trust in fulfilling her halal obligations in a SANHA certification logo.

Interestingly, these SANHA communications have not been contested or matched by any of the competing halal authorities. The reason is that the very real risks to halal in the modern world can in fact be mitigated through the expertise and intermediary work of any halal authority. To an extent, these communications served the

development of the halal authorization industry as a whole. However, when comparing the revenue figures of the MJC and SANHA it was clear that in a relatively short period of time, SANHA had been able to generate certification revenue almost two times higher than the MJC. This did not necessarily mean a transfer of certification customers from the MJC to SANHA. Rather it represented an expansion of the halal certification industry that had previously been un-serviced due to a lack of consumer awareness.

The development of the halal industry can therefore be understood as the establishment of halal authorities as necessary institutions with the ability to mitigate the risks of halal in Giddens' understanding of the modern world. However, the use of consumer communications to emphasize risks appeal to a specific kind of Muslim identity that is focused on the consumption of halal. These communications can therefore be understood to be the demand generating activity of Bordieu's "cultural intermediaries."

Chapter 5

Buying Halal: Consumer Behavior, Choice, and Identity

Introduction

In the previous chapter, a sample of SANHA communications was analyzed in order to illustrate the manner in which its demand-generating activities emphasized the risks of food technology and cross-contamination in any non-certified consumption context. This chapter will focus on the experience of the Muslim consumers and their choice of behavior when consuming halal. I will analyze their interaction with the concept of doubt and the risks of food technology and cross-contamination in making decisions about halal. I will illustrate how each individual consumer expressed his or her personal engagement with the consumer communications and a number of other factors in making halal decisions. This will be possible through the presentation of a broad spectrum of Muslim consumers and an analysis of their varied approaches to halal consumption.

The choices that individuals make will be analyzed through the post-Marxist consumption theories of Douglas, Campbell and Appadurai. Douglas argued that consumption was a ritual activity that obtained its value as a means of asserting identity through the public consumption of goods. According to Campbell, consumption moved beyond the assertion of identity towards the establishment of ontological significance through the exercise of choice. Appadurai argues that things that people buy possess a social life of their own. This social life attributes meaning and significance to things, which vary in different contexts. Examining the consumption behavior of Muslim consumers through these theoretical lenses will

allow for an understanding of how the religious ritual of halal intersects with the secular ritual of consumption. In the process of conveying their stories it will become clear how each individual develops choices about halal consumption. I will show that these choices cannot be categorized neatly. They reflect a complex set of interactions that combine exposure to consumer communications with individual choice in constructing a particular Muslim identity. I will argue that halal consumption as articulated through this research is an expression of contextually situated consumer choice that is driven by the construction of a Muslim consumer identity.

Interview Sample

In order to understand the Muslim consumer's experience of consuming halal I conducted in-depth semi-structured interviews regarding their behavior and choices. These interviews took place in the three major cities in South Africa: Cape Town, Johannesburg and Durban. In Durban and Johannesburg, consumers exhibited a greater familiarity and engagement with SANHA communications. This was expected since SANHA had its administrative head office in Durban and its theological director was based in Johannesburg. Johannesburg and Durban also had a much stronger Deobandi presence than Cape Town. The Deobandi support allowed for the distribution of pamphlets through Mosque networks. In Durban, moreover, I noticed that Brelwi-aligned mosques also publicized SANHA statements. This observation supported the statements from consumers that sectarian allegiances in terms of belief did not necessarily translate into competing allegiance in consumption choices. The Cape Town sample was also aware of the SANHA communications through email and exposure to radio programs. However, they exhibited trust in the MJC as reliable community representatives. On a number of

occasions interviewees expressed distrust in SANHA communications, which they said were aimed at obtaining market share of halal certification. As the detailed interviews will show, in all areas of the country, exposure to controversial information did precipitate into a lack of trust in certain MJC-certified products.

All but one interviewee expressed halal consumption as avoidance of doubt. As the detailed stories will show, the concept of doubt was intricately tied to the Muslim expression of halal consumption in the context of food technology and cross-contamination. The demand for certified halal consumption was related to the extent of risk that a particular individual perceived in a particular place at a particular time. Halal certified consumption was articulated as a new form of trust demanded by the existence of these modern risks. This will become clear when the detailed stories are presented.

Johannesburg

In Johannesburg I interviewed ten people, five of whom were male and five were female. Two of the male interviewees were trained religious scholars (*'ulamā'*) who were not directly involved in the halal certification industry. All ten interviewees expressed an awareness of the issue of food technology in the manufacturing environment as a risk to halal. Of these ten, two expressed a lack of concern for food technology when making their consumption decisions. They chose to ignore the issue in their consumption decisions, choosing not to bother about halal considerations when consuming non-meat items.

All of the respondents expressed an awareness of the possibility for cross-contamination in the chain of production. These included the production, transport and supply of raw meat; the manufacturing environment; and the service industry where food was prepared and cooked. Four of the respondents were willing to

suspend their concerns for cross-contamination when consuming vegetarian food at a non-halal restaurant. However, this did not necessarily translate into a willingness to purchase halal meat from a national chain store. Two of these four interviewees expressed concern with purchasing halal meat at a national chain store. Five respondents were averse to the idea, preferring their local Muslim-owned halal butcher. Another three respondents who were not comfortable with consuming any food in a non-certified restaurant were happy to consume ready-packaged, processed, halal certified chicken from national chain stores. They explained their preference for the processed products as a level of comfort obtained through the fact that these items were usually sealed and frozen. These two conditions offered them comfort over the risk of cross contamination. None of the respondents were comfortable with purchasing beef and mutton at national chain stores.

Of the ten respondents, nine expressed complete trust in consumption contexts where a halal certification logo was present. The one respondent who differed expressed a belief that the consumption of food prepared by non-Muslims was not acceptable. Nine of the respondents expressed complete comfort in receiving halal assurance from a Muslim about the halal status of the food being served. However, of these nine, one interviewee expressed a doubt in Pakistani expatriates whom he argued were likely to circumvent halal requirements in favor of earning extra profit. One respondent expressed an aversion to uncertified Muslim-owned places. The reason was that Muslim ignorance could allow the existence of *ḥarām* products. This respondent favored the auditing procedures of the halal authority over the personal assurance of the Muslim supplier. Of the ten interviewees, nine of them expressed a lack of preference between halal authorities in their everyday consumption. One interviewee expressed complete doubt of the meat products of all halal authorities.

He did, however, feel comfortable with halal-certified manufactured non-meat products.

Durban

In Durban a total of twelve interviews were conducted. Four of the interviewees were female and eight were male. Of the eight male interviewees, one was a trained *‘ālim* (religious scholar). All of the interviewees expressed knowledge of food technology. The most common concern was the gelatin content of sweets and chocolates. Also mentioned were baked beans and ready-made soups. Two of the twelve respondents had chosen to ignore food technology when making halal consumption decisions. These two individuals admitted to not considering halal requirements when purchasing non-meat items. These same individuals were the only respondents to express a lack of concern with cross-contamination in any environment. However, five of the respondents admitted to consuming vegetarian meals in non-halal settings. Their assessment of cross-contamination was limited to the manufacturing environment and the transport and supply of meat. Of the twelve people interviewed, four respondents were comfortable with purchasing chicken at a national chain store. Of these four, three of them limited their consumption to processed, pre-packaged products, as they believed the packaging and freezing mitigated the risk of cross-contamination. The reasons given by the eight people for not purchasing meat ranged from issues of doubt regarding halal, to familiarity with the local butcher. None of the respondents were comfortable with purchasing beef and mutton at national chain stores.

Of the twelve respondents, eight expressed complete trust in halal certification as providing assurance. Of the four that did not, two were not comfortable with consuming meat from a certified establishment that was not owned by Muslims.

Another two were not comfortable with any meat not cooked by family or close friends, whether it was Muslim owned or certified. Eight of the twelve respondents expressed comfort in the idea of eating at an uncertified establishment that was owned by Muslims. However, two of the interviewees expressed doubt in Muslim ownership as a basis for establishing halal due to the superior auditing procedures of the halal authorities. Nine of the respondents expressed no preference over the halal certifying authority. Two of the respondents doubted the chicken of all halal authorities, but accepted all of them with regards to manufactured non-meat items. One of the respondents expressed a preference of SANHA and the NIHT due to their familiarity in the area as opposed to the Cape-based MJC.

Cape Town

In Cape Town I conducted six interviews with one male and five females. I chose to focus mainly on females, as females were predominantly responsible for the grocery shopping. In Cape Town it was more difficult to obtain appointments. Several potential interviewees declined to be interviewed or did not arrive at the appointed time. In Durban and Johannesburg, Muslims were much more forthcoming in their desire to discuss their halal consumption. This may have been related to the increased exposure to SANHA communications that had made halal a very popular topic of public discussion. None of the interviewees were trained '*ulamā*'. All of the interviewees were aware of the possibility for food technology to infiltrate halal considerations. All of the six respondents practiced the ritual of checking non-meat items for a halal logo before purchase or consumption. However, not all respondents checked each and every item. Certain items were considered high risk. Similarly to Johannesburg and Durban, the gelatin content of sweets was a common cause for

non-consumption. Other items of concern were margarine and yoghurt. None of the interviewees admitted to ignoring the issue of food technology.

Five of the six respondents expressed a concern with cross-contamination. Two of these five were willing to suspend their concerns when consuming vegetarian meals in a non-halal scenario, and only considered the risk in the supply of fresh meat.

Three respondents explained their awareness of cross-contamination as translating into an avoidance of non-certified restaurants. Four of the respondents were comfortable with purchasing chicken from the halal counter at national chain stores. However, only two of the individuals were comfortable with the consumption of beef and mutton from national chain stores. Both of them expressed some discomfort, but admitted to occasional purchases from these outlets. Similarly to Durban and Johannesburg, respondents explained the familiarity and comfort of transacting with the local Muslim butcher for meat requirements in terms of halal assurance, meat quality, cleanliness and personalized service.

Of the six interviewees, four expressed total comfort with the existence of a halal certificate. The two interviewees that expressed concern explained that it was a result of personal experience and information that they had received about certain manufacturing environments. All of the interviewees were comfortable with consuming halal food from a Muslim-owned establishment that was not certified. Five of the interviewees said that they had no preferential halal certification body. One interviewee expressed a preference for SANHA certification and a specific doubt of the MJC. Her doubt of the MJC did not translate into a complete avoidance of MJC certified products.

Summary

A few general observations became apparent from the overview of Muslim consumer responses. Consumer communications had been successful in creating awareness about food technology and cross contamination, as risks that created doubt about halal consumption. These risks were experienced as real considerations when consumers made choices about halal consumption. In many cases the scenarios in which excess risk was perceived had been communicated via consumer communications. These risks were not necessarily transferred into other scenarios and remained confined to the environment in which the concern had been raised. Each individual exhibited slight nuances in their engagements with the modern risks to halal. Concern over cross-contamination in the baked bean environment did not necessarily preclude the consumption of vegetarian food at a non-halal restaurant. An adherence to certified restaurants with family could be waived when consuming with friends and colleagues. These nuances precipitated into halal consumption that was shaped by the context in which that consumption was taking place.

Analysis

In the next section I have presented the responses of two interviewees from each city. The consumer responses highlight the variety of ways in which halal consumption is practiced in South Africa.

Interviewees mentioned two specific cases that require a brief introduction. In Johannesburg and Durban, interviewees had received exposure to a halal controversy over Rainbow Chicken. Rainbow was a brand of commercially-slaughtered chicken that supplied a number of national chain stores and food franchise outlets. Over the years the Majlisul Ulama from Port Elizabeth launched attacks on SANHA and the MJC for their certification of such commercial abattoirs. The Majlisul Ulama were an '*ulamā*' organization headed by Mufti Ebrahim Desai of

Port Elizabeth that espoused an ultra-conservative Deobandi approach that ostensibly rejected all modern developments. An interviewee in Durban recalls that the halal procedure followed for mass-slaughtered chicken was a contentious issue since the 1960's. However, as far as I could ascertain from the *Majlis* documentation, their attacks began in 2008. The criticism was raised after members and associates of the organization had visited a number of commercial abattoirs that were certified by SANHA. The criticism extended across a number of commercial abattoirs.

The *Majlis* published the following criticisms of commercial slaughter methods. It questioned whether the speed of the production line at commercial chicken abattoirs allowed for the proper recitation of the *tasmiya* before the slaughter of every animal. As a result, some chickens were not even slaughtered before being de-feathered and mechanically cut. They also took offense to the employment of stunning prior to slaughter which they argued lead to death before slaughter in some cases. They questioned whether the manner in which the chickens were hatched and reared constituted animal cruelty (Majlisul Ulama South Africa 2008). These criticisms were widely publicized in the Muslim community in Durban and Johannesburg through mosque noticeboards, pamphlets and Muslim radio stations. The publications called on Muslim consumers to avoid the consumption of chicken that had been commercially slaughtered even if certified by one of the halal authorities. The Jamiatul Ulama Gauteng agreed with the criticism of commercial slaughter methods. None of the interviewees in Cape Town expressed any knowledge of the controversy.

In Cape Town, interviewees mentioned their interactions at a particular branch of the Spur franchise. Spur is a national franchise of steakhouses. For a long time the Claremont branch had been advertising themselves to the community as halal due to

the fact that all their meat was halal, and that they did not sell any pork products. In order to prove the halal status of their meat, management would display the latest invoices from Muslim butchers at the restaurant entrance. They did sell alcohol, but patrons were assured that no alcohol was used in food preparation. This branch of Spur received considerable support from the Muslim community in Cape Town. Long queue's of Muslim patrons waiting to be served was very common, particularly during the Ramadaan months. Throughout the 1990's, the restaurant continued to operate without halal certification. A number of years ago they began to come under criticism for stocking alcohol. Since then, they have stopped serving alcohol and are now a halal-certified branch. The two Cape Town interviewees, whom I display, both mentioned the Claremont Spur when speaking about their experience of halal. These two examples indicate how the publicization of risks to halal has resulted in controversies. In the Rainbow example, modern slaughter methods were presented as a risk to the ritual slaughter of halal. With Spur, the risk of cross-contamination was combined with an appeal to a Muslim identity that avoided proximity to alcohol. Both of these issues have surfaced in South Africa in a climate in which certified consumption has been communicated as a means of avoiding the risks to halal.

Johannesburg

Fayroza and Ahmad*

Fayroza and Ahmad were a married couple. They were both in their mid-thirties. They were devout Muslims. They both prayed regularly and Fayroza observed the wearing of the headscarf. They had two children and were both employed on a full-time basis. Fayroza worked in an office, while Ahmad was a sales representative.

Fayroza was on the SANHA mailing list. She regularly received many emails about halal. She verified emails with the halal authorities when she doubted the source.

Fayroza and Ahmad did their grocery shopping at Pick n Pay, a national chain of supermarkets.

We do buy chicken from Pick n' Pay, like the Rainbow stuff that's certified halal. As long as there is no contamination that you can envisage then it's fine for me. I mean if there's a potential that it could have been mixed with other stuff or there's a potential that it could have leaked through depending on the packaging then I won't buy it. Also depends on where it is in the freezer. If I've seen a Farmer Brown chicken next to a Rainbow chicken and Rainbow is halal and Farmer Brown is not, I won't buy.

They did all of their shopping for beef and mutton at a local Muslim butcher where they had never bothered to ask for a certificate.

They ate out regularly. Ahmad ate out more often because he travelled as part of his job. He had become aware of the risk of cross-contamination.

We used to have a toasted cheese and tomato sandwich you know, then one day we asked that lady who was preparing the food, "are you making the ham sandwich on the same grill?" and she said, "yeah," and I said, "oh well no thank you." Never again have I gone. It was more or less around 2004, 2005...Now I'd rather be hungry than eat at places where you know the doubt is there.

Fayroza bought food at her work canteen. She was also aware of cross-contamination.

At work, the one building doesn't have the NHIT certificate. They buy their chickens and some of their meat from Halal suppliers, but I will not eat the sandwiches in that building because they're toasting a ham sandwich in the same toaster and then they're gonna toast my cheese sandwich in the same toaster. No thanks!

Her concern over cross-contamination extended to the use of dishes. She recounted an experience at a work function.

Moyo [upmarket restaurant] told Aunty Shenaaz that all their meat is halal. They don't serve pork they only serve beef and chicken, but we said we're still not eating it because they serve alcohol. But, it's contradictory because I had the cappuccino. So there's the washing of the cup with the same alcohol dishes, but I also think that's a bit overboard. That's where I will have two minds as well. I'll just say no, it's just coffee and then part of me will say, it's not just coffee.

They both had trust in Rainbow chickens and the franchise system. As Ahmad explained:

I'll eat at all the Nandos [fast-food chicken restaurant] as long as there's no alcohol because the chickens are from Rainbow chicken itself. Those guys are basically preparing the chicken on those grills and whatever. They won't go put meat because if they get caught they can lose their license and it's a very serious offence if they go put other stuff on it

Despite eating food at franchise outlets, Fayroza did express reservations about the non-Muslim involvement.

The issue is if they are a franchise they are not allowed to, but at the same time if the owner is not there what's stopping a staff member from having his bacon sandwich for lunch not washing his hands and coming to prepare food afterwards. He's not bringing any contamination directly into the kitchen, and non-Muslim people have a tendency of not washing their hands. So I don't know.

They did not agree with giving non-Muslims certificates.

I say when it comes to certification you cannot give a non-Muslim an Islamic certificate. He doesn't know Islam so he has got no knowledge of Islam.

On the other hand, they also did not feel that Muslims should require certification.

Usually we eat at either Muslim owned or certified.

They were exposed to the Rainbow controversy but ignored it because it was always certified.

I believe that those Islamic bodies are being manned by Muslim people and if they are going to be pulling the wool over our eyes they're gonna have to answer to the maker (God), so if it's a Muslim body that [is] certifying, they are taking accountability for what we are consuming.

When shopping for groceries, Fayroza was aware of a number of risks that were present. She was aware of the use of pig-bristle basting brushes in bakeries.

...when you see baked stuff having that glossy finish at the top that means it was brushed with egg. Egg is not Haram, but the brush they use could have been a pork bristle brush, if it's a non-halal kitchen. So as soon as there is doubt you abstain.

Bakeries could also present the risk of cross-contamination. She therefore preferred factory-produced bread to products baked in-store.

The fact that the kitchen has ingredients which are not halal means there's a possibility of cross contamination. But when it comes to breads on the other hand they specifically do bread in that factory so there is no risk of cross contamination.

Other grocery products contained other food technology risks.

Yes yoghurt is very important, that's either MJC or SANHA. It must have a stamp. Some of them contain gelatin. Some of them are not approved.

We don't consume a lot of chocolate but it's normally beacon stuff. Nestle chocolate has lecithin that can be from a meat source.

Sweets I normally try [to] check on them. Gelatin is in some of those things so it must have a SANHA or MJC logo. To be honest I look for the logo and if it isn't there I just won't take it.

However, she would do her own checking when it came to vegetarian food:

...you'll find that Pick n' Pay has their own case and its got vegetarian on it. So then it's okay.

However, she acknowledged that checking for a halal label had become part of her consumption behavior.

Now automatically the years have gone by and you make sure you look for the [halal] stamp.

For Fayroza, the risk of food technology in grocery items could also be present in Muslim environments.

...if I go to a function and different people have brought deserts and stuff I don't just naturally eat it because I don't know what cream they've used. I know clover cream is not halal certified, and there was an email circulating saying that it wasn't halal. So already there's doubt and as soon as there's doubt you must just stay away.

However even when the logo was present, her concern over the difference of opinions on gelatin means that she was not always comfortable.

...I'll be honest with you, I have a lot of confusion in my mind about that one, because now we've got '*ulamā*' on both sides that have different views about the same issue, so where does that leave me as the consumer, so I say you know what, if it's certified, *bismillah*, chow [eat] it.

But it's very controversial in my mind as well. Sometimes, I pick up the packet and I see the gelatin bovine and I say I don't want it and put it down, and sometimes my mother-in-law will buy Marshmallows for the kids and there's a beacon one with the bovine gelatin in it and I'll chow it, because it is certified.

Ahmad, however, disagreed with her concern.

... doubt becomes Haram, now you have an Islamic body and you are creating doubt. It's like you're saying these guys are suspect. I say if there a certificate make *bismillah* [say 'In the name of God' and eat it]. The moment you create doubt in Haram, stay away. That's how simple it is.

Their concerns over halal were suspended on a recent pilgrimage to Makah.

I said you know what you're going into a full Islamic country. I don't believe that a full Islamic country is going to serve/sell non halal stuff.

Fayroza and Ahmad were both aware of the risks presented by food technology and cross-contamination when consuming any non-certified products. They were exposed to the Rainbow controversy but continued to support Rainbow since it was continuously certified. Their trust in Rainbow-certified chickens and the franchise system means that they would consume meat at certain uncertified national chain stores. Most of the time their approach was to accept all halal-certified products or outlets. The requirement to inspect a halal logo had become entrenched in their consumption behavior. For Fayroza this sometimes resulted in a mistrust of other Muslims, as she doubts whether they have done the necessary checks. Her husband disagreed with her. Their response behavior indicates the successful establishment of halal authorities as intermediaries in halal consumption. However, their confusion over certain issues points towards an exercise of individual agency and choice in practicing halal consumption. Certain contexts and certain products appeared less risky to halal consumption than others. This exercise of choice was a means through which they constructed their Muslim identity under the demanding conditions of life and work.

Aadil*

Aadil* was 22 years old. He was a Masters Student who identified as a Modern Muslim. In the past he had been a recipient of halal information by email. However, he always responded critically to these emails, and had been taken off the mailing lists.

No no I've stopped getting them, I think after you reply to a couple of them, then people like stop sending them to you.

He went to mosque regularly, but ignored any halal notices or pamphlets:

I'll read the salah [prayer] time changes and funeral notices, and that's on a completely separate board to any of the 'This has been struck off the SANHA list' or whatever it is. And even pamphlets, if I come across it, I'll just ignore them.

He had no preference between competing halal authorities. He was willing to accept any of their views on halal.

I accept that Islam has got differences of opinion and I'm willing to accept, I'm not going to critique one person's opinion more than another...

He bought his groceries at Pick n Pay. However, he did not buy any meat products there. He described the convenience and familiarity of buying meat from the local butcher. However, he was not against the idea of buying meat from chain stores as long as it was certified.

He would not eat meat slaughtered by "the people of the book."

I've met some guys, and they're hardcore Christians like to the T. If you show to them the basic principles of Islam, Ill believe that he will agree with most of it, day of judgment, you should treat people well, all of that... But I'm not going to go to him and say 'You're a believer; I'm going to eat your food'.

In a work setting or with friends he would opt for a vegetarian option or a halal certified place.

I'll just make a point like okay, 'were are we getting from?' Okay I'll either have the vegetarian option or if were getting somewhere that's halal then I'll eat meat...

He did not insist on halal certification when buying from Muslims.

If a Muslim person gives it to you, in my mind it's halal. In my mind my conscience is clear, if someone tells me this is halal.

When he was travelling in the US, he avoided meat but accepted Indonesian imported chops because they were certified.

...we got lamb chops from one of these huge Wal-Mart stores; they had been processed in Indonesia and had a halal stamp...

He was aware of the emphasis on cross-contamination, but had very little concern for it.

I don't know how contamination works? Like, *ḥarām* is a disease or parasite that jumps from the bacon onto the cheese. I don't get that. ...okay yes, maybe there might be half a milligram of pork still on the person's hand, but I don't think that on the Day of Judgment that's going to be the crucial factor.

He was aware of food technology but ignored its implications for halal. He understood halal as incorporating issues of cruelty and cleanliness. Food technology avoided these issues since the products were extracts, far removed from the animal from which they were rendered.

I think its like cruelty to animals and the way that you treat the animals before it dies. So that's in my mind what halal means. So if it's a little bit of gelatin that was extracted through some long process, I don't know how that affects the moral chain of the holy print.

He relates this principle to pig derivatives as well. His approach to pork products was rooted in his understanding of why these dietary restrictions were originally implemented.

What is the spirit of the law, don't eat pork. Why would Allah not want me to eat pork? The reason for it is because it's a filthy animal that it doesn't have the sense enough to disregard its own feces. So it carries certain diseases. Now am I going to get that disease from eating the yoghurt because it had E450 whatever, I don't think so, I'm going to eat the yoghurt.

So, he did not check for halal on non-meat items

I'm not even going to check whether a packet of jellybeans or jelly tots [sweets] has a halal stamp on it.

Aadil had been exposed to Shellac Whispers (chocolates) issue but ignored it:

In my head, how can Whispers be *ḥarām*, like ... it just doesn't make sense to me.

He had been exposed to issue of pig bristles basting brushes but ignored it in terms of his concept of the 'spirit of the law.'

You're not consuming the basting brush so why is that an issue?

Aadil was a devout Muslim who regularly attended mosque, and observed halal consumption. He was content with the certification services provided by halal authorities. However, he did not accept the principles of cross contamination and food technology that were being promoted by them, and he did not completely avoid consuming food with non-Muslims where alcohol was served. He appeared to have worked out an idiosyncratic approach to conforming to dietary laws of Islam, sometimes in letter and sometimes in spirit. It was an approach that SANHA had consistently opposed in its communications. His halal consumption allowed him to construct a Muslim identity that was conscious of halal consumption, yet pragmatic with regards to its application in the contemporary context.

Durban

Haamid*

Haamid was in his mid-50's. He was a shop owner in Grey Street Durban, across the road from the Grey Street Mosque. He was a subscriber of the *Majlis* newspaper published by the Majlisul Ulama in Port Elizabeth. He did not use the Internet. He obtained information about halal and *ḥarām* via his Majlis subscription and mosque noticeboards. His daughter was a qualified food technologist.

He did his grocery shopping at Woolworths or Pick n Pay. However he would not buy their cooked food products or their meat.

... I won't buy anything to eat at Woolworths, not cakes, or, anything where I have a doubt. I won't buy anything where I have a doubt...

He would buy all mutton and beef, but not chicken, at a local Muslim butcher:

I will only buy my meat at one butcher, and that is Sirkots, in Victoria Street. But only the mutton and steak.

He was confident that the meat from this butcher was halal and not exposed to the risk of cross-contamination.

... they buy from Continental meat, from a rival source, and I have checked on it... in fact Gelani a non-Muslim organization, is selling halal meat, fortunately his meat is coming in a truck which is not contaminated by other products...

He was aware of the Rainbow controversy, and recalls it starting in the 1960's. He says that this recent controversy is not new to him.

That was in the 60s. In the early 60s in Ladysmith. And after that my dad was slaughtering and he said, 'Well, slaughter ours.' And we just slaughtered on our own.

He felt that it was impossible to trust anyone with chicken, including the halal bodies.

...you can't take anybody's word for it and you don't take anything by hearsay. Because life has become so fast, so hectic, so materialistic, everybody's quick to pass a certificate for X amount of fee and he feels it's okay.

He would go to a farm outside of Durban for his chicken.

When it comes to chicken we slaughter ourselves, we don't buy from anybody. There is someone who is breeding the chicken, and when we go to the farm he slaughters it in front of us. Or, if we want to slaughter it we slaughter it on his farm with his permission. So we know it's like 100%. There isn't a slightest doubt.

He would not even eat chicken in the house of a Muslim friend.

We wouldn't eat chicken curry in anybody's house unless we know that that person did slaughter it himself. You can have something that you don't have a doubt in, and then you excuse yourself and you go home.

He did not even eat slaughtered chicken when on pilgrimage to Makah.

I won't even eat chicken from Makkah-Madinah. I've been there and slaughtered myself and enjoyed my meal.

It is clear that Haamid held on to the traditional ritual of slaughter as far as chicken was concerned:

No, look, like it's in our system we never had to go look for someone. Because every adult male must know how to slaughter.

He ate out approximately once a year:

At waffle express. Which you can get a nice waffle. It is certified. Its Muslim-owned. But they have introduced chicken and other meals in their menu which we don't eat. We don't eat. But it is certified and its 100%! And we just avoid the issue and just have our ice cream and chat.

With the chicken at Waffle Express he was not concerned about cross-contamination.

However, in other settings he was.

You see the bakery, the baking, its certified halal. But when the ham and others come in, it comes in one chunk, so it's contaminated. You can't suit yourself and break the rule, and say no its halal, it's got the stamp, I'm buying it. No, you avoid it completely.

When grocery shopping he was aware about food technology. He explained that this awareness had happened a few years ago.

It came to me five years ago, no not five years, ten years. Prior to that everything was taking for granted. Until the sisters and brothers went to the factories and saw with their own naked eyes that this is what is

being done, and pamphlets were printed and distributed in the local markets, and Islamic centers and people have become conscious.

Now, I look for a logo on everything

But he didn't always trust logos. He was alerted to an issue about Royco soup not being halal:

Yes there was one incident, yea it was, what do you call it Royco soup. We threw it in the bin immediately, immediately.

He also avoided Jelly Tots.

...because there's a doubt there they say they've got some ingredients, which is animal fat, and they haven't specified. So there's a doubt there so you shouldn't eat jelly tots...

His position stemmed from an awareness of the gelatin debate.

No, the MJC says it's okay but what we found out was not okay. So like I said, it's all for monetary gain.

He doubted all chocolates because he was unsure of the ingredients used.

I'm not sure, at the moment there is so much confusion I've stopped buying chocolate completely, and we make our own sweets at home also.

He only drank soft drinks that were manufactured by Muslim companies.

There's a new company that's out, Creras, a Muslim company that's out. So it's guaranteed! You have no problem with that if you drink it.

There were other items he trusted:

...fortunately we have a new Muslim company selling chips, Frimax, we don't have a doubt in that, we can take that, or you can buy fish, there's no question about that, seafood or vegetables.

Haamid was a very cautious consumer. He only accepted meat products from Muslim businesses that were also certified by a halal authority. He considered chicken products to be particular risky in terms of their halal status, as he doubted the ethics and procedures of mass-production. He only ate chicken that had been

slaughtered by him or family members, or in their presence. His caution resulted in a lifestyle that avoided eating out. He did spend time in places of consumption such as shopping malls, but on a very cautious basis. He had a clear sense of himself as a Muslim consumer defined by his abstinences. He limited himself to food inspected by him personally, and a limited circle of Muslim manufacturers. However, his engagement with cross-contamination in the waffle environment indicated how personal choice could result in a mitigation of risk. Despite his particularly austere approach, his consumption behavior exhibited a selective application of risks. This selective application indicates the interplay of choice, subjectivity and context in the consumption of halal.

Fazul*

Fazul was a married male in his late twenties. He was an engineer by profession. He worked for a large multinational corporation that was involved in the manufacture of household products and food. Fazul wore traditional Muslim clothing that was commonly identified with the followers of the Tabligh Jamat. He also said that his wife wore a full face covering in public. Fazul spent a lot of time on the Internet, browsing and researching things of interest. He also admitted to spending a lot of time on his cell phone, downloading the latest Islamic applications.

Fazul had been exposed to many Islamic publications on halal, including SANHA communications. He received emails from SANHA as well as other people. He was, however, careful about some emails and made sure he followed them up with his own investigation.

I'm very careful when I get emails; if you get an email and it's come directly from SANHA, that's fine; I think I'll believe it without questioning. However, if it's something where it's like sort of typed up and there's no like reference to the email then I'd be a bit more

hesitant. I think I would probably scan the list and I would make a query about it.

He was sometimes aware of conflicts between halal authorities, but had no preference. He trusted all halal bodies in South Africa because they specialized in halal certification. He seemed to frame his understanding of halal from his engineering background and expert systems. Halal authorities were the necessary expert intermediaries for his religious behavior.

Er ... for buildings, steel structures tanks, you will have to get a third party technical person in, to actually pressurize the tank and see whether it's fit for use. Um, so I think it's the exact same story with halal bodies. I think you assume that, that's what you specialize in; you should be good at doing that.

He did his grocery shopping at Pick n Pay but bought all fresh meat from a Muslim butcher. He was aware of a SANHA certified Pick n Pay in his area, which sold halal meat. However, he had not bought meat there. He did buy halal-certified, pre-packaged meat at any Pick n Pay.

Ja, we, we do do that, ja. Um, again, you know, it's very straight forward, as long as it has a halal stamp from one of the main bodies in South Africa, then I'm ok.

With regards to eating out in Durban he went to mainly Muslim-owned places that were SANHA certified. He and his wife usually eat out once a week. He would not eat a vegetarian dish at a restaurant that was not certified. He was concerned about cross-contamination in the kitchen.

So very specifically for example, our canteens at work are not halal. Um, they do serve specifically veg stuff or, but I'm not gonna eat there. I'm not gonna take my chances for cross contamination.

He would eat at a restaurant that was certified by a halal body if it was not Muslim-owned. However, he would check the certificate and note that the date was still valid.

So I ate from the KFC like one of their grilled wraps and it had, I think they're certified by ICOSA; um, and they had a certificate said it was up to date and I said it's fine.

He would not eat at a non-certified place even if it was Muslim-owned because the concept of halal extended beyond simply meat products.

... the element of doubt is there. You see, the concept of halal doesn't specifically stop only at meat and the way you sacrifice your animal.

For example the issue of pig bristle basting brushes arose:

It's a brush that they could use to baste their meat; and a brush could have ... er ... er pig or swine hair- the bristles. Um, I think it came up, um, I think it was a SANHA newsletter that I had seen it in.

Or non-halal sausage casings:

It was a Muslim butchery that was supplying sausages and the casing of the sausages were actually *ḥarām*. So the meat was *ḥarām*.

However, if the place was certified then he believed certain checks had been done.

SANHA would check that or would make a query or note that. You know, any halal authorizing body would do that ... er ... due diligence.

He was exposed to the Rainbow controversy at mosque, on radio, and in local publications. Even through the Rainbow controversy, he continued to eat it as long as it was certified.

So if I went specifically to ... er a Nandos that were certified halal by SANHA, um, and let's say the chicken did come from Rainbow Chicken, I was OK.

During the controversy he was at the receiving end of question from a family member who queried the halal status of the chicken in his home.

So we were having a braai and ... er we had some chicken that was gonna go on and they specifically asked: "Sorry, is this, Rainbow chicken?" And you know we showed them the box and we told them: "This is where we actually get it from." They were happy, they were happy.

He was aware of the risks presented by food technology.

I think anything consumable; we look for a halal stamp.

He had a blackberry application for his phone that listed over 900 different e-codes and whether they were halal or not. This helped when products were not certified.

He had become conscious about chocolates since the shellac issue became public.

It was the E903 or E904 sort of shiny sort of outer covering that they use to glaze the things. There was an article going around about the Cadbury Whispers no longer being halal and then we, just became a bit more conscious about it and check, started checking the other products.

He was wary about gelatin in sweets.

Mmm so the only, the other big one that is a big glaring factor to create the doubt, is gelatin. ... like, I think, I don't think Jelly Tots is halal anymore. Or, you know one of those, like ,er, the spongy sort of sweets.

His general approach, in the absence of a halal logo, was to abstain.

Er, but, um, ja. I think, you know, again it's a need versus a want... if it's more of a want than a whim you 'de rather take away the doubt and not have it, you know.

Fazul was the perfect halal conscious consumer as described in the previous chapter.

He did not, however, have an allegiance to SANHA or any other authority. In this regard he was choosing to ignore the SANHA communications regarding the inferior

quality of competing authorities. He was a firm believer in the need for certification in all scenarios. He did not trust in Muslim supply but did trust the inspection of a halal logo on a product even when a controversy existed. His mistrust of Muslims stemmed from the potential for ignorance regarding food technology and cross-contamination. His trust in the halal logo stemmed from the understanding that the authorities possessed the expertise, procedures and religious incentive to represent his interest in consuming halal. Fazul constructed his religious identity through the consumption of an array of certified products.

Cape Town

Ra'eesa*

Ra'eesa* was in her mid-40's and was a married mother of three children. She was a cancer survivor. She was an office worker at a large South African financial services institution.

Through work colleagues as well as friends, she did receive emails about halal.

... being at Old Mutual, you always get e-mails. This is not halal that is not halal. And then the following week it isn't, it was an error they made.

She was aware of the controversies and competition between halal authorities, particularly SANHA and the MJC.

Because to me they (SANHA) also differ to the MJC at times. They will say something is not halal, and then MJC will say its halal; and then I will just think 'Okay, the MJC say it's halal then it must be halal.'

Despite the criticism that she was exposed to, she trusted the MJC. However she came across as someone attempting to convince herself of the trust, which she exhibited through her consumption choices.

I just know that SANHA is more stricter than the MJC, but what can I do? I've been in Cape Town for all these years, we have to listen to them and they're in authority. And SANHA is, you know, people in Jo'burg, they moan. I think I have to trust them because they are leaders, and they should do research. And we don't really know what the process is. We trust that they know the process.

She did her grocery shopping at Pick n Pay. She also bought chicken from there. She bought the rest of her meat at Muslims butchers.

I will buy chicken at Pick n Pay, yes. Now, if I buy things at Pick n Pay I look [for the halal logo], but if I go to Wembley, Excellent and Welcome, I don't look [for the halal logo].

These were Muslim establishments that were well known to Muslim consumers in Cape Town. She bought food to take home for her family approximately three times per week. Whenever buying take-away food, she would make sure that the food was certified halal.

When eating out as a family, she was satisfied with places that sold alcohol as long as the food was halal and there was no mixing involved.

I used to go there [to Spur] even if they sold alcohol because I didn't know they were selling alcohol. And then the issue became, um, prominent that they were selling alcohol. And I was thinking, but the alcohol is not being mixed with the food?

She followed the controversy, but then made a decision for herself. However in her private engagements she did feel uncomfortable if the people with whom she was socializing were consuming alcohol:

And, um, the last time it was on my car and I was telling my friend:
"Ay, tell them to take the wine off my boot...I, I feel a bit awkward.

She followed the same principle of making a private decision at fish restaurants. She would not specifically look for a certified fish restaurant.

This did not mean that she was unaware of the dangers of cross-contamination. Before her workplace became aware of halal she would not eat in the canteen nor use the toaster. She was concerned about cross-contamination in the manufacturing environment. She specifically mentioned soup mixtures as representing a halal risk.

So then I always check on the packets, and then I see, but this is the same company, but yet there's a bacon and ham flavor. And doesn't it get made in the same kitchen or in the same factory you know? So what I do, I just stay away from the company.

She was also aware of the potential for food technology to render a variety of products *ḥarām*.

... with sweets, especially with the Jelly Babies, I'll just take a packet and just check if I see it [halal logo] there.

She responded to emails about *ḥarām* products by making sure that the product was still certified.

... for example say marshmallows, say they say that the company is not halal. Then when I go to the shop next time and then I will check: "Oh it is halal", and then I'll just buy it. But I always check again.

If the stamp is there. Ja, I will still buy it, ja.

In the absence of a logo on a product, she would not buy it.

Now I'll rather just go without it. Like, if I doubt I go without it.

Whenever I doubt, no matter where I go even, I will rather go without whatever, no matter how nice it appears.

Ra'eesa was subject to the consumption pressures, but she guided her consumption through halal.

She acknowledges that there has been a change in the way she practices halal from her youth.

When we grew up it wasn't such a fuss about it. Like with sweets for example, we'll just eat the sweets our parents give us, or the chocolates or the Easter eggs.

She attributed this change to an increased awareness and education in community about food technology and general access to information through the Internet:

But nowadays people are more aware, they can Google the things, we have the young students doing research in food technology, they can see what goes into the food, they can read the packet and know exactly: that maybe comes from an animal, from animal fat, you know?

Ra'eesa was aware of the risks of food technology and cross-contamination and accepted the necessity for halal certification. She ignored the superior knowledge of SANHA which she receives via their communications and retained her trust in the MJC. She attributed that trust to a familiarity with the organization and an acceptance of their religious leadership. She ignored the halal controversies and developed her own decisions. She was an active consumer who was guided by halal certification in terms of the places and products which she consumed. Her practice of halal incorporated individual choice in deciding which information to include and exclude in her consumption decisions

Jameela*

Jameela was in her mid-40's. She was a wife and a mother of three children. She was a full time office-employee at a financial institution. She was originally from Johannesburg although she had been living in Cape Town for past 20 years.

She received emails from SANHA as well as colleagues and friends. When she doubted the source of the email, she personally phoned SANHA to verify the announcement. She identified herself as a follower of SANHA.

I'm a great follower of SANHA because we come from Johannesburg, because we know SANHA. The fact is they will come to you and investigate the whole premises. Firstly they would want to know if there is any Muslims that's going to work on the premises.

She did not have a specific logo that she looked for. However, if it was MJC certified, she would check the E-codes, which she learned of through the SANHA emails.

...a lot of the people don't. So they just look at the MJC thing and then they eat it. I look at the E's and A's coz I know about it ... I just kind of just browse through it or whatever, and then if I'm not sure I don't buy. They also say if you are in doubt, you don't consume you, put it back...

This meant that she was double-checking the reliability of MJC. In effect, she was doing halal certification for herself in terms of the information given by SANHA information flows.

She did her shopping at national chain stores, preferring either Pick n Pay or Woolworths. She also bought her chicken from these stores if they had a halal logo. She particularly enjoyed the convenience and cleanliness of the Woolworths products, as well as the availability of free range and organic chicken. She bought her beef and mutton at a Muslim butcher. She had tried the halal meat from Woolworths and Pick n Pay before.

I'm a bit weary but, but I must admit I did try Woolworths meat as well and once Pick 'n Pay.

She described the availability of halal as a great convenience as she did not have to cook as often. For her family, she bought prepared food twice a week. Once a month they would go to a restaurant for a sit-down meal. Most food was bought from local Muslim takeaways, where she did not need to check for a halal certificate. She did not trust certain franchises even though they were halal certified. Two that were

mentioned were McDonalds and Kentucky Fried Chicken. She doubts how international chains could be serving halal food.

She also bought cooked food from people in the community. In those cases she did not ask for certification.

...We know them, it's people that you know...so it's Muslim people. Obviously if I don't know them but if I get a referral, for instance if you referred me to, then I will trust you coz you are Muslim.

When the family ate out at restaurants they only frequented places that were certified halal.

if I am with family and that, that type of thing we look for where it is strictly halal ya.

She expressed an aversion to eating at a place that was selling alcohol. She made specific reference to the Claremont Spur.

... how you can say your restaurant is halal and you allowed to sell alcohol? I mean that's totally against our principles...

However, she would eat at non-Muslim friends' houses because she trusted that they understood and respected her halal requirements. In the work environment she adopted a pragmatic attitude.

...on many occasion we did go to places where it's non halal because that's got alcohol or whatever, so then I will eat, but will only have the fish...

In that case she placed trust in the confirmation of the chef or the waiter.

I mean I can't taste the wine or anything so, it's not there...cause you have told me it's not there ...

When doing grocery shopping she checked almost all products for a halal logo.

...you know come to think of it I'm like becoming a maniac. I'm actually looking at everything with the labels on. Ok not the Milk, I always buy milk without labels, and the sugar, the coffee, and the

teas bags. But any tin foods, any biscuits, that type of thing, I check for a logo ya...

However in some cases she did not eat products even if they were certified. One particular example was baked beans. She was concerned about the possibility for cross-contamination in the manufacturing environment.

...so all the bake beans get thrown on there and then the ham gets mixed into it, so what they do is just move it apart, so they move the plain baked beans one side. How then don't we know if some of that has touched, already, our bake beans? So now I don't eat bake beans.

She understood the changes in the way that halal was practiced as result of increased education and increased awareness.

I think it's because um, the '*ulamā*'s getting younger and more educated in the *dīn* [religion]. So and they are more curious of what to do. I mean now they go deeper into things. So now if it's got halal on, maybe it means they've like these people who actually went there to go and investigate to say that no, ours is definitely halal because it has been made in a separate space.

Jameela was a staunch follower of SANHA. She received the SANHA communications and believed that they were a superior organization with superior standards of halal. She applied information which she received about food technology by checking for offensive E-codes on product labels, if the product was certified by anyone other than SANHA. She checked all edible products for certification. Her need for certification was somewhat mixed in that she did consume halal food in the houses of friends and at certain uncertified establishments. She also accepted the testimony of fellow Muslims or a Muslim supplier as a sufficient basis for halal. In these cases she chose to accept personal trust as a sufficient basis for halal consumption. In the absence of these instances of trust, halal certification was a means through which certainty about her halal consumption was obtained.

Analysis

It is clear that halal consumption had become closely associated with certified consumption. Certainty about halal was obtained through the consumption of halal certified products. Differences of opinions between legal schools had been eliminated and invested in the inspection of a halal certification logo. However, consumption was a personal exercise of choice. The public consumption of halal, therefore, includes a consideration of context and choice in constructing a Muslim consumer identity. Recalling the consumption theories of Campbell and Appadurai is relevant for understanding how the contextual application of choice allows for the construction of a Muslim consumer identity.

The interviews highlighted the variety of ways in which Muslim consumers practiced the halal ritual in contemporary South Africa. It was clear that the concept of avoiding doubt interacted with the awareness of the risks of food technology and cross-contamination in forming Muslim consumption behavior. However, it was not possible to neatly categorize individual consumer choice behavior. As I have shown, interviewee responses were dependent on a variety of personal factors that resulted in a particular choice.

In the case of Aadil, there was little doubt from the consumer. This translated into an approach to halal where food technology and cross-contamination were not major issues. These risks were relegated to a position of secondary importance when consuming non-meat items. This applied to the manufacturing environment as well as the food services industry. These risks were ignored and considered immaterial. Meat items still required halal certification, and thus became a new form of trust. Muslim involvement was, however, a sufficient basis for obtaining halal assurance.

This particular construction of consumption identity was a careful balance between personal choice and conformity with the new conditions of halal consumption.

Respondents who did express greater doubt were more concerned about the risks of cross-contamination and food technology. Each, in their own way, held tenaciously to the halal logo as the dissolver of doubt. Responses to the risk of cross-contamination differed in response to the specific scenario. In their private engagements some respondents would not eat at non-certified restaurants that served non-halal meat or alcohol. However, in work settings most were able to suspend this concern in favor of practical work considerations. They would consume non-meat items. Similarly, other respondents explained how their consumption choice depended on whether they were with family or friends.

In some cases, the awareness of cross-contamination was expressed as a new development. Respondents explained how their earlier ignorance had allowed the consumption of non-meat items in almost any environment. The level of awareness of cross-contamination varied. In certain cases an awareness of risk extended to the use of washed dishes. However, one particular respondent was confused as to how to respond to awareness of this risk and continued to consume, albeit with some discomfort, in non-certified environments. The contextual and constructed nature of consumer awareness reflects the exercise of choice in consuming halal. The confusion and concern over the risk indicates a personal engagement of the individual in determining which choices are being made in defining their sense of being Muslim.

Cross-contamination was also identified as a risk in the manufacturing environment, and lends itself to analyzing personal choices and identities. Specific examples mentioned tended to reflect discussions that had appeared in the SANHA

communications. Three items that were mentioned as particularly risky were packet-soups, baked beans and bakery-produced bread. Interestingly, these were all non-meat products. In these cases, consumer awareness resulted in abstinence from certain products even when certification was present. This did not necessarily result in complete mistrust of the particular certifying body. This also did not mean an extension of that information to any other scenarios. These consumers had been exposed to consumer communications, and chose halal consumption on the basis of that information.

Halal consumption was challenged by transport, storage and retail of fresh meat. Halal certification was identified as a necessity, given the possibility for cross-contamination during the storage and transport of meat. In a few cases, this was explained as the case even when buying from a Muslim butcher, since much of the meat was derived from non-Muslim owned abattoirs. However, some respondents did not see the need to inspect a certificate at a Muslim-owned butcher. Respondents did require that all meat purchased at national chain stores should be certified halal. Due to the risks of mixing of blood and fat in fresh meat, some respondents considered frozen meat to be a less risky option. However, one respondent expressed a concern with the proximity of halal and non-halal meat in the freezers at national chain store. With the consumption of raw meat, a variety of decisions contributed to the consumption choice of the individual. Different individuals chose to accept different information, make different choices, and thereby constructed different consumer identities.

Like transportation, storage and retail, food technology also played a role in the identities of Muslim consumers. A common concern expressed was the need to be weary of gelatin in sweets and chocolates. This was usually resolved through the

inspection of a halal authority logo. However, for respondents who were aware of the debate over the permissibility of gelatin, the existence of a halal logo was not necessarily sufficient. In those cases reliance on the ingredients listed on the packaging served to alleviate doubt. This need to inspect the ingredients did not appear to be a consistently applied practice, and was dependent on the consumer at the point of purchase. The halal logo or the ingredients label were the new forms of trust that had been created by an awareness of the risk of food technology. These two forms of trust were sometimes interchangeable, depending on the level of awareness and consumption choices of the particular consumer.

Amongst certain consumers, an awareness of food technology precipitated into a mistrust of Muslim-owned establishments. The concerns expressed reflected SANHA communications. Two particular items mentioned were the possibilities for pig-bristle basting brushes and non-halal sausage casings to unknowingly infiltrated the Muslim environment. The auditing procedures of the halal authorities were presented as a means of establishing assurance and trust in the halal status of a particular establishment. These individuals had chosen an active engagement with halal authority communications in their halal consumption. They considered all information from halal authorities to be valid. Their positions resulted in a SANHA-induced scenario where personal trust was entirely replaced by trust in the halal authority. However, these consumers did not necessarily place more trust in SANHA over another authority. Despite their knowledge and acceptance of the SANHA position, they were including an element of individual agency in determining their halal consumption. The Muslim identity that they were constructing conformed to their personal assessment of the risks to halal. Any halal authorizing body was deemed sufficient to mitigate those risks. The Muslim identity that was being

constructed began to transcend the sectarian divisions between halal authorities, and became situated in the agency, subjectivity and choice of the Muslim consumer.

The Rainbow Chicken controversy illustrates that there have been cases where trust in halal authorizing bodies had been placed in doubt. In this case, a competing group of *'ulamā'* challenged the certification methods of the halal authorities. Most of the respondents expressed comfort in the continued consumption of the Rainbow products throughout the controversy. They argued that it was the halal certification logo that provided comfort. They explained that the people in charge of the authority would bear the ultimate responsibility for falsely printing the label. One respondent's trust in Rainbow was combined with a trust in the franchise system. This allowed his halal consumption to extend into any franchise environment where Rainbow chickens were stocked. However, another respondent expressed complete distrust in the commercial production and slaughter of chicken. The controversy had created doubt in one respondent to such an extent that he could only trust halal chicken if he or a family member had either slaughtered or witnessed the slaughter of the chicken. The varied behavior surrounding the controversy was as an expression of individualized Muslim consumer identities. This identity was constructed through an exercise of choice. Some consumers chose to suspend their doubt at the point of purchase, upon inspection of a halal logo. The consumer who exhibited extreme doubt chose to express a consumer identity through avoidance and special consumption. In all cases, Muslim identity was being constructed through consumption choices.

Clearly, consumer engagement with the risks to halal indicates a subjective application that was dependent on the ability of the individual to envisage where the risks may lie. As I have argued, this subjectivity was dependent on the exposure

of the individual to consumer communications and a variety of other factors. It was dependent on the place and people with whom consumption was taking place. In some cases it was dependent on the individual's knowledge of the franchise system. In other cases, it was dependent on the person's perception of cross-contamination to affect frozen or fresh products. Through the exercise of this subjectivity, a consumer identity was constructed that expressed a sense of being Muslim. This sense of being Muslim was being expressed at the point of consumption through new forms of trust in halal authorities and halal certificates.

Conclusion

Halal consumption in South Africa has become increasingly dependent on the certification services of the halal authorities. This dependence was expressed through an awareness of the risks of food technology and cross-contamination. The level of dependence on halal certification exhibited by consumers varied depending on the extent to which consumers had been exposed to communications from halal authorities, radio programs and community members. Importantly, it also depended on the willingness of the consumer to accept the information as valid or necessary. The level of dependence also varied depending on the environment in which the consumption was taking place, and with whom it was taking place. Halal consumption included an element of choice in determining how much or what level of halal the individual desired.

The halal logo as a new form of trust was not universal for all choices of consumption. Many consumers expressed a level of comfort with consuming food at uncertified Muslim-owned places. Other consumers expressed discomfort in consuming at certified, non-Muslim owned places. In some cases, doubt was so pervasive that certain items were mistrusted despite the halal logo. Significantly for

this thesis, the level of distrust was limited to the consumers' awareness of the exceptional risk in that particular product, and did not automatically spill over. It can therefore be argued that consumer communications were important for developing consumer consciousness, even when produced by organizations opposed to the halal authorities.

It is clear that a particular form of Muslim consumer identity was being constructed through the consumption of halal certified products. Consumers expressed their sense of being Muslim through the ritual inspection of the halal logo at the point of sale. The inspection of the logo provided comfort that the religious ritual of halal was being fulfilled. When trust in the halal authority was destroyed, the labeling of ingredients served as a means of restoring trust. In these cases a familiarity with food technology and a trust in labeling conventions had become part of the consumption ritual of halal. In other cases where trust was not redeemable, Muslim identity was also constructed through the establishment of consumption behavior. This was achieved either through total avoidance of certain products, or certain places of supply.

Being Muslim was being constructed through consumption behavior. This consumption was taking place in a variety of places and was expressed through the choices that consumers made in obtaining assurance about fulfilling the requirement for halal. This exercise of consumer choice as a means of obtaining personal assurance can be related to Campbell's process of consumption as a means through which individuals obtain ontological significance (Campbell 2002, 4). The contextual nature of consumer awareness to the risks of food technology and cross contamination reflects Appadurai's arguments about the social life of things (Appadurai 2006, 15). In these examples of halal, social life was determined with

things consumed, and those things reinforced that moment of sociality. These findings highlight the arguments of Douglas in that the ability of the ritual of halal to establish Muslim identity is tied to the consumption choice and consumption behavior of the Muslim consumer.

University of Cape Town

Chapter 6

Conclusion

The expansion of the halal industry in South Africa has been a recent development. The first non-meat certified product was Flora-margarine, in 1985. This certification represented the expansion of halal considerations into food technology. Ten years later, the South African National Halal Authority was formed. Its formation represented the beginning of a discourse that approached halal as a commodity and the Muslim as a consumer. What followed was a consumer communication effort that aimed to educate consumers about the opaque risks to halal in order to generate demand for halal certification. The result has been an expansion in the market for halal products to the extent that certain consumers require halal certification on every consumable item.

Islamic dietary law has typically been confined to rules determining the permissibility or impermissibility of meat. However, modernization has led to a number of developments in the production, transport and retail of food. These developments have introduced modern risks to the consumption of halal.

Economies of scale and globalization meant that large corporatized abattoirs assumed control of meat production. These industrial farming operations were able to operate at significantly lower costs than the local farmer or slaughterer. The size and scale of these abattoirs demanded that they were located in distant areas or even globally. The developments in production meant that meat was often consumed thousands of kilometers from its place of production. At retail, the increased power of national retailers changed the places at which consumers bought. For Muslims that were committed to halal consumption, these new conditions brought on

challenges. Meat consumed travelled greater distances and passed through a variety of 'risky' avenues before reaching the home. This introduced the potential for halal meat to come into contact with meat that was not halal during transport, storage or retail. The name given to this risk was cross-contamination. This risk had no scriptural basis in Islam, but appealed to Muslims who desired halal meat as being wholesome, pure and distinct from non-halal meat. Developments in modern food technology meant that animal extracts and their by-products were used in the manufacture of non-meat items. These developments increased risks to halal in any consumable product.

The halal certification industry was founded on the mitigation of these risks. Halal authorities were organizations of '*ulamā*' that have followed a trajectory of '*ulamā*' representation of Muslim interests in South Africa. Starting in 1985, the halal industry expanded into four competitors engaged in the certification of almost every consumable product. Halal authorities combined their knowledge of Islamic dietary law with technical knowledge of modern production and food technology. These halal authorities earned revenue for their auditing services as they competed with each other in the halal industry. Halal authorities were what Giddens called abstract systems, established to mitigate modern risks. According to Giddens these institutions constituted new forms of trust demanded by the modern world. With regards to halal, this risk was the result of changing conditions in food production and delivery. However, they also faced the imperative to survive industry competition and cover operating costs. Halal authorities had an incentive to use advertising to generate demand for their services.

In negotiating these multiple risks I have illustrated how the religious rulings of halal authorities have taken into consideration the competition and revenue-

generating imperative of the halal industry. Together, these two factors constituted the practical implications of the certification industry. On certain issues halal authorities converged around conservative interpretations of Islamic dietary law that favored the transformation of the religious ritual of halal into a definable, tradable, marketable product. In other scenarios, issue of competition and revenue necessitated a variance of position between halal authorities as they competed for market share. In many cases this resulted in liberal and conservative applications of dietary law. The halal authorities delicately balanced their interest in the halal certification industry through these contrasting approaches.

For the consumer, the modern risks of food technology and cross-contamination were not immediately apparent. The risk presented by food technology required expert knowledge of that field. Individuals lacked the knowledge of food technology and the capacity to perform tests on products. They also lacked the ability to perceive the risk of halal in non-meat items since halal had been traditionally confined to the consumption of meat. The risk of cross-contamination required an ability by the consumer to be able to comprehend the processes involved before the meat arrives at its point of sale. According to Marx, the nature of the commodity denied the consumer the ability to comprehend the nature and means of its production. Halal authorities worked with halal food as commodities, the information of which consumer needed to act appropriately. Halal authorities instituted educating campaigns aimed at consumers to highlight the complexity of commodities, that in turn required their intervention.

The South African National Halal Authority (SANHA) developed the most sophisticated methods of communicating the risks of food technology and cross-contamination to the Muslim consumer. The communication of these risks was

combined with an emphasis on doubt as a basis for impermissibility. These consumer communications emphasized the risks of halal in order to generate demand for halal certification as a necessary form of trust. The communications emphasized a very specific kind of Muslim identity that was committed to consumption, but inclined to abstinence when in doubt. Doubt was constituted through the absence of a logo. However, consumption was directed at certified products. The use of consumer communications to emphasize risks appealed to a specific kind of Muslim identity that was focused on the consumption of halal. By emphasizing the risks to halal, these communications emphasized the necessity of certification. These communications can therefore be understood as the advertising activities of Bordieu's "cultural intermediaries." The Halal authorities appealed to the desire of Muslim consumers to fulfill the requirement of halal consumption.

Consumer communications were highly successful in creating awareness of the risks to halal. A survey of consumer behavior indicated an array of consumer choices involved in practicing halal. Awareness of the modern risks to halal did result in the establishment of halal authorities as a new form of trust. However, the contextual nature of the individuals' demand for this trust indicated a subjective application of trust and risks. According to Campbell the ritual of modern consumption allowed the consumer to exercise an element of personal subjectivity and choice in asserting their ontological significance. The interplay of choice and subjectivity in the contemporary practice of halal emerged in the interviews. The South African Muslim consumer asserted his or her sense of being Muslim through an exercise of choice and subjectivity in consuming halal. The result was the construction of an individual Muslim identity through consumption choices.

In contemporary South Africa, consumerism facilitated an atmosphere in which the secular ritual of consumption intersected with the religious rituals of halal. Consumers demanded value for their wealth. In the halal economy, that value was the assurance that the products they consumed were certified halal. Halal consumption, which was once defined by a level of personal trust in a community, had become subject to a level of skepticism that reflected the individuality of the modern consumer economy. Halal consumption had become an issue of avoiding risk by placing trust in a certification logo. Muslim consumer identity was constructed through an engagement with the perceived risk in places of consumption. Consumption or non-consumption had become central to the manner in which Muslim consumers expressed themselves and their Islam. The result was an array of individual Muslim consumer identities constructed through consumption. These consumer identities were beginning to transcend the sectarian affiliations and identities that had characterized the history of Islam in South Africa.

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8

Interviewees

Individuals

Cape Town

Name	Date
Ra'eesa	10 May 2011
Jameela	10 May 2011
Ridhaa	23 May 2011
Rahma	24 May 2011
Waseela	12 May 2011
Fatima	15 June 2011

Durban

Name	Date
Mowlana Irfan	17 June 2011
Faheema	18 June 2011
Nadia	18 June 2011
Haamid	20 June 2011
Muhammud	22 June 2011
Fazul	24 June 2011
Mubeen	25 June 2011
Imraan	25 June 2011
Leila	29 June 2011
Nabeela	29 June 2011
Haron	1 July 2011
Omar	6 July 2011

Johannesburg

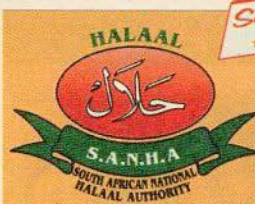
Name	Date
Aalia	8 July 2011
Aadil	10 July 2011
Fayroza and Ahmad	12 July 2011

Nazeem	13 July 2011
Nazeema	14 July 2011
Mowlana Yunus	14 July 2011
Mowlana Ahmad	18 July 2011
Shamiela	20 July 2011
Zareena	26 July 2011

Halal Authorities

Name	Organization - Date
Mowlana Navlakhi	SANHA – August 2010
Solly Mahomed	SANHA – July 2010
Imam Yasin Harris	MJC – August 2010
Sheikh Moosa Titus	MJC – September 2010
Mowlana Hookay	NIHT – August 2010
Mr Adams and two inspectors	ICSA – August 2010

9 Appendix I – Halaal Gazette No. 1



Southern Africa

HALAAL GAZETTE

No. 1JUMAD-AL-UKHRA 1422 / SEPTEMBER 2001

SIMBA: A HOT POTATO

In a startling discovery, SANHA has uncovered the use of Haraam animal extracts in several flavours of Simba chips. Incredibly this practice appears to have been followed over many years and the products carried a Halaal certification logo from a Cape-based organisation.

NOT CERTIFIED HALAAL

Simba were certified Halaal by the MJC for perhaps a few decades. It is alleged that at the beginning of last year, Simba decided not to renew their Halaal certification with the MJC. However the MJC Halaal logo continued to be used on certain products during this period.

This meant that Simba products were not Halaal certified during the year 2000 / 2001.

Although some companies have been claiming that their seasonings are of a synthetic nature, SANHA investigated the status of the new Simba chicken flavour earlier this year. Amazingly, it discovered that a 'natural chicken extract' from Europe was being used.

SANHA immediately alerted the Muslim community on this distressing find. Although efforts were made by Simba to convince us and the Muslim consumer otherwise, SANHA stood firm by its statement that the chicken flavour was not Halaal.

To further complicate the issue, Muslims in the Cape were apparently told that there was no problem with the chicken flavoured chips. We are not aware of any statement by the MJC regarding the non-Halaal status of the chicken flavour.

UNTIL and UNLESS SANHA is satisfied via its stringent standards with proper verification, checks and balances, it will stand by its statement.

ANIMAL EXTRACTS

With the unearthing of the Haraam chicken flavouring, SANHA became concerned about the rest of the flavours. However they were assured that only synthetic flavours were utilized.

In May this year, Simba decided to reinstate a Halaal programme, presumably as a result of sales being adversely affected. They had the option of renewing their relationship with the MJC or choosing to go with SANHA. They opted to go with SANHA.

With SANHA being given the mandate for certification, investigations were conducted. **This further revealed that four other Simba products also contained animal extract, viz;**


- ▶ Lays BBQ
- ▶ Fritos BBQ
- ▶ Cheetos Cheesy BBQ
- ▶ Chipniks

We immediately informed the community of the non-Halaal status of these products.

However, as soon as the MJC were informed of Simba's intention to register with SANHA, an announcement was issued in the Cape giving the impression that all Simba products were no longer Halaal. It also mentioned that Simba refused to renew their Halaal status with the MJC in the "beginning of this year"

Why did the MJC not issue the statement in January that Simba's Halaal status was being withdrawn?
Due to pressure from the Western Cape, Simba has regrettably reverted to MJC certification. Immediately thereafter, the MJC has approved all Simba products (besides Chipniks).

It has also come to light that Simba is now using the SANHA logo on some products without authorisation. SANHA is pursuing this matter.



RESPONSIBILITY

- Who does the community hold responsible for this situation, where questionable products have been consumed for years on end?
- How can we trust organisations and companies that issue statements stating something is Halaal when it is not?
- What recourse do we have when there is a gross violation of our rights as Muslim consumers?

It is quite evident from this type of experience that every Muslim should be vigilant about their Imaan.

Allah (SWT) tells us in the Noble Qur'aan in (Surah 7 Verse 157) "..... He makes lawful to them that which is good and makes unlawful for them that which is foul....."

The golden rule to follow is "When in doubt, leave it out!"

SANHA will continue carrying out these probes and will not hesitate to expose any issue that compromises the Muslims faith. SANHA will not be silenced and will continue to uphold the facts, INSHA ALLAH.

1

163

EAT HEALTHY! LIVE HEALTHY

Allah Taala says in the Holy Quraan, "O you who believe, eat of the tayyibat (pure and wholesome food) which We have provided you and be grateful to Allah if it is Him that you worship." (Surah 2 verse 172)

▶ Never mind giving up caffeine in drinks, did you know that it occurs naturally in more than 60 plants and in more than one thousand non-prescriptive medication? Latest studies indicate 'safe levels' of 600mg a day about 15 cups of instant coffee. Exception to the rule: anyone who suffers from anxiety they'd do best to cut it out completely. Given a choice, make tea your tippie: Green and Black teas contain polyphenols that may protect against heart disease and cancer.

▶ Watch how much you eat as you get older: 90% of those who develop adult onset diabetes are overweight. And up your vitamin "E". People with low levels of this vitamin are four times more likely to develop diabetes than those with normal levels.

▶ Propolis, a resin used by bees to sterilise their hives, is said to be a natural antibiotic against winter ailments. Commonly used in ancient Egypt and Rome.



MYTH, MYSTERY AND THE TRUTH

Certification Fees

A popular myth fuelling the rumour mill is that SANHA charges "exorbitant" certification fees. Nothing could be further from the truth. Let us examine the facts.

In order to operate effectively in investigating, supervising and inspecting of halaal establishments, SANHA levies licencing fees. The revenue generated thereby is ploughed back into the improvement of the Halaal regulatory operations.

As a community organisation that subscribes fully to the principle of transparency and accountability, our records are open for inspection by any persons wishing to get further details on the certification process.

A newspaper which carried out a detailed survey of all Halaal certification organisations had this to say about SANHA in their June 2001 issue,

"Apart from SANHA, the other organisations were reluctant to

provide detailed information about the fee structure used, only revealing that charges vary depending on the nature of the products".

Despite our fixed licencing fee structure and our invitation to the public, rumours still abound. Some claims are so outrageous that they qualify as 'myth information'.

SANHA has comprehensive files on these for your inspection. INSHA ALLAH, space permitting, we will bring you a few cases from our files in the future.

Wallah! If we had the means to fund all our costs via your donations, bequests or any other method, we will not charge a cent for certification.

We publish below our current licencing fees.

▶ Beef / Sheep Abattoir	: R1.00 per Beef Carcass and R 0.30c Per Sheep Carcass
▶ Franchise Restaurants	: R300.00 per store.
▶ Poultry Abattoir:	1 - 5000 birds R 500.00 per month
	5001 - 50,000 birds R 0.008 cents per bird
	50,001 - 100,000 birds R 0.005 cents per bird
	100,001 Plus birds R 0.0025 cents per bird
▶ Butcheries	: R 200.00 per month
▶ Cafes / Take Aways	: R 100.00 per month
▶ Food manufacturing (Meat Products)	: R 1000.00 per month
▶ Food Manufacturing (Non-Meat)	: R 300.00 per month

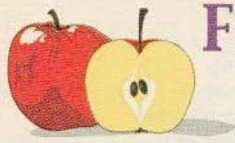
EDITORIAL

We give praise and thank Allah (SWT) for allowing us the privilege of presenting this, our very first Newsletter to you, Alhamdulillah! There is no doubt that the question of Halaal / Haraam, whilst being a fundamental and vital aspect of a Muslims life, has become one of the most contentious issues facing the Ummah. The proliferation of certifying bodies and organisations with conflicting standards certainly does not help the situation. Legislation of Halaal and Haraam is Allah's exclusive authority as stated in the Glorious Qur'aan,

"You who believe! Do not make Haraam the good things which Allah has made Halaal for you, and do not transgress; indeed Allah does not like transgressors". (Surah 5 Verse 87)

We urge you to work closely with SANHA to eliminate this confusion. It is our fervent prayer that you embrace the SANHA Newsletter as your very own. As such we welcome your suggestions and criticisms on the content matter, design, distribution, etc.

We ask for your Du'aas to serve the Ummah in a manner that pleases Allah (SWT) best.



FOOD OR FAD Yoghurt



Yoghurt first appeared in ancient times in the Middle East and the Balkans.

In the 1900's it was sold in pharmacies for its medical and digestive value. Yoghurt gained prominence as a health food during that period.

Studies conducted at the time showed that people of the Caucasus region enjoyed good health and longevity. This was attributed to the exceptional properties of the live cultures

in their staple diet of yoghurt. Today 30% of the world population eat yoghurt regularly.

A custard-like gel, it is generally made by fermenting milk with bacterial cultures.

Low in cholesterol and a good source of calcium, yoghurt helps improve the health and functioning of the large intestine. This leads to better digestion and reduces the risk of colon cancer when eaten regularly as part of a balanced diet.

Many types of yoghurts on the market contain a stabilizer, which is of animal Gelatine source. Due to food legislation, manufacturers are not obliged to disclose this fact. It is therefore important that this be clarified with SANHA. Many Muslim consumers express concern over live cultures used in yoghurt manufacture. As these are of microbial/vegetable source, it does not pose a problem.

SANHA has certified the following yoghurts, which you can eat with confidence:

- ▶ **Al Kausar Dairy Products**
- ▶ **Ambledale Dairies cc - KZN**
- ▶ **Dairy World - Gauteng**
- ▶ **Honeydew Dairies (Pty) Ltd - KZN**
- ▶ **Oaksprings Farms - KZN**

"Eat of the good (Tayyib) things we have provided for you".

Al-Quraan (Surah 7 Verse 160)



Food For Thought

THOUGHT FOR FOOD

The dawning of this century sees Man technologically advanced on an unimaginable scale. In every field of endeavour past progress has paled into insignificance. Man flies high into the heavens with increasing regularity and plumbs the depths of the oceans. With the creation of the global village man can communicate with any part of the world at the blink of an eye. He has stretched the boundaries of achievements beyond belief and is now ready to even clone himself.

What he eats too has not escaped his headlong scientific rush. He has genetically modified foods, invented unique manufacturing, preservation, storage and transport methods. He has created sciences to flavour foods with a wide array of objects. Food has to look better, tantalize the taste buds and yield high profits. In this quest for profit, religious beliefs, cultural values and tradition are swept aside. The pursuit of profit reigns supreme.

How else can one explain the actions of the global fast food colossus, Mc Donald's who by their own admission used beef flavouring in their French fries in total disregard to the religious beliefs of Muslims, Jews, Hindus. Isn't it amazing that Mc Donald's, an acknowledged global market leader trading in Muslim countries and India "fails" to recognize and understand the sensitivities of people it serves and now faces legal action. On a national level we have the case of Simba chips, a range of potato chips certified Halaal and yet found containing animal

extracts. Haraam matter can be found in many products that we perhaps use or consume daily. For example there is Gelatine made from pigs and other animals in Ice cream and confectionery: animal fat and liquor in the baking industry: placenta and animal matter in cosmetics: oestrogen from horse urine and haemoglobin (blood) in medication. Pigs bristle is commonly used in basting brushes and so on...

There are no comprehensive laws to protect Muslims from products inadequately labelled. So how do we avoid Haraam? What can you do?

1. CHANGE! CHANGE! CHANGE!

Be proactive. You cannot rely on vested interests to safeguard your Imaan as can be seen from the examples above. It is your right to demand Halaal guaranteed products. Your persistence will bring about the change eventually.

2. QUESTION! QUESTION! QUESTION!

Become vigilant. Question the contents of items in your home, business and surroundings. Do not accept anything at face value. Phone, write or call SANHA for assistance.

3. GUARANTEED HALAAL

Fully support products and establishments that are certified Halaal. It is your assurance and guarantee on Halaal. Let us cooperate with each other for the benefit of ourselves and the broader Ummah.

MISSION STATEMENT

SANHA seeks to establish a representative, transparent, non-profit making national Halaal authority which promotes professionalism and excellence in the process of certifying, monitoring and promoting Halaal food and other products in accordance with the Qur'anic injunctions and the Shari'ah. It seeks to put the Muslim consumer at the heart of the Halaal Food Industry (HFI) by creating awareness of the processes of the industry and creating a partnership between the Muslim consumer and SANHA in the monitoring of the



FRANCHISE BRIEFS



Nando's

SANHA has not given approval to any of the NANDO'S stores.

Nando's operate on a Central Kitchen System. All stores receive their chicken already marinated from the Central Kitchen. An inspection of Nando's central kitchen and their supplier abattoirs was conducted by SANHA in the past. Regrettably the recommendations made by SANHA were not followed up. At a meeting earlier this year, SANHA offered to employ a supervisor at its own cost to monitor the central kitchen, however Nando's Head Offices categorically stated that they were not willing to work with SANHA.

SANHA, therefore cannot give any assurance for their products.

McDonald's

Notwithstanding ICOSA's certification of McDonald's outlets, which includes every store in the country irrespective whether the store is owned/operated by a Muslim or not, SANHA is not in a position to accept their certification and/or give assurance for their products.

This stems from two basic reasons;

SANHA does not have control over the various products supplied to their stores.

SANHA deems the indiscriminate and unconditional issuing of Halaal certificates to non-Muslim processors and outlets as an absolute violation of the Muslim individuals right together with contravention of the Shar'i rules pertaining to Halaal.

IT'S YOUR CALL STAY IN TOUCH –NATIONALLY

SANHA is a partnership with the Muslim community. It is an alliance that revolves around the Muslim consumer and its success depends directly on your input.

Alhamdulillah! With your du'aas, queries, suggestions, moral and financial support we have come this far.

Many an offensive item has been brought to our attention by your vigilance. We receive over 1200 calls per month from concerned people enquiring on the Halaal status of

products and establishments. This number is set to rise with the establishment of our office in Cape Town.

Yes! SANHA is truly a national body with the will and means to implement directives countrywide. We have undertaken several measures to enhance better communication between us whether by E-Mail, fax, telephone, post or personal visits.

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Please note

SANHA disseminates information regularly through Masaajid, Madaaris and Islamic Institutions that are on our mailing list. Please contact our offices if your organisation wishes to be placed on this mailing list.

Web page: www.islamsa.org.za/sanha.html

Visit our web page and subscribe for information to be e-mailed to you regularly.

Mail:

If you wish to be updated by mail kindly post us a few self-addressed stamped envelopes (110 X 235mm) to P.O. Box 2092, Durban 4000. Jazaakumullah.

Remember! We are here to serve - help us to help you.



No. 2

RAMADAAN 1422 / NOV-DEC 2001

The need to heed! Halaal Certification

Whilst one part of the world is cruelly bombed into oblivion and its people reduced to pitiful refugees facing starvation, we must be grateful to the Almighty for His bounties in our part of the world. *Which of His favours can we deny?*

Our supermarket shelves, store rooms and refrigerators bulge with an astonishing choice of foods from all over our country and perhaps the world over. Restaurants too, offer diverse menus and constantly cook up ways and means to attract your custom.

Marketing people employ specialised techniques and expertise to package and entice us to purchase more and more. Special promotions are specifically aimed at children who are expected to coerce their parents to part with their hard-earned cash for an eat-out experience. Yes! Allah (SWT) has blessed us with food in abundance, Alhamdulillah.

With all this in abundance, have you stopped for a moment and examined the grocery stores in your cupboard or the provisions in your refrigerator? How sure are you that everything in there is guaranteed Halaal?

Are you certain that:-

- * The red colouring in your ice lolly is not the one derived from the crushed beetle insect?
- * The flour improver in your loaf of bread is not made from human hair?
- * Your french fries have not been coated with an animal shortening?
- * The crumbing on your fish fillet is not laced with animal stock?
- * The cheese you relish does not have pork ingredient?
- * The chocolate you crave for does not contain liquor?
- * The cosmetic cream you religiously apply daily does not contain human placenta and animal fats?
- * The chicken fillet used in your Ramadan savouries is not imported from China?

- * The braai sausage casing from your local butcher is not the one from Latin America

The need for HALAAL regulation is evident from the above

And the growing trend of eating-out is no exception to this minefield. The proliferation of fast food franchises offering tantalising ranges of foods add to the confusion of the Halaal status.

Don't be fooled! Some non-Muslim outlets employ a Muslim complete with topee in the front line. Many of these outlets receive their meats from non Halaal suppliers. One restaurant menu offers a variety of flavours - "hot", "mild", "peri-peri" and "Halaal".

Did you ever wonder why a major chicken franchise would choose to be certified by a trinity of certifying bodies? Have they suddenly become "triple" conscious of your Halaal requirements or are they exploiting the differences within Muslim organisations.

Is this a fulfillment of the profound prophecy of Rasulullah (SAW) who is reported to have said:

"There will come a time upon my Ummah when people will not be concerned about what they consume. It will not matter to them whether it is Haraam or Halaal." It is further reported, "When such time appears, none of their du'aas will be accepted."

(al Bukhari)

How can we allow our Shar'i rights to be violated? Halaal certification is the solution for both consumers and traders.

- * SANHA guarantees, without fear or favour, that products certified "Halaal" are truly Halaal.
- * SANHA endeavours to increase the variety and availability of Halaal products.
- * SANHA is guided by the Shari'ah under the stringent supervision and management by the Council of Ulama.

SANHA CERTIFICATION IS YOUR GUARANTEED HALAAL MARK OF ASSURANCE. IT PROTECTS YOUR RIGHT TO CONSUME HALAAL.




**HALAAL
HELPLINE
0861 - 786 - 111**

Be Aware! Be Vigilant! Be Proactive!

Delivering Halaal Smartly!

Sparks Rd
(Overport)



Umgeni Business Park
(Springfield)

Sets the Standard

Ingredients

- * South Africa's Leading Fast Food Brand with over 100 outlets.
- * Cousins from Durban's respected pioneer families with a tradition of hospitality.
- * Entrepreneurial spirit with a passion for service excellence.
- * A no-compromise SANHA Halaal programme.
- * Well located stores.

Method

Combine ingredients diligently with zeal. Mix with hands-on management enthusiastically. Carefully knead in customer service over long hours. Whip up stringent Halaal checks and balances. Serve with smiles!!



Result

Two of Durban's Best Known Debonairs Halaal Stores.

During 1997, cousins Yusuf Randeree and Essop Patel, established in Sparks Road, Sydenham, the first ever Muslim owned and operated Debonairs outlet in the country. Another followed a year later. Following extensive research on the best acceptable Halaal mark of Assurance, the outlets in

conjunction with the franchisor were certified Halaal by SANHA. Mr. Randeree explains, "It is impossible for me to ensure that every item entering my store is a thousand percent Halaal especially with imported items and ingredients entering our country daily". "SANHA's tough checks even down

to the type of basting brush we use allows me to concentrate on my core business of delivering high quality pizzas". And they have delivered too. Hundreds of thousands of doubt free Halaal pizzas. Proof that SANHA certification set the standard. Alhamdulillah.

Questions & Answers

READERS ASK

Q. Zaid would like to occasionally buy a pizza from Pizza Piazza (or some non-Halaal Pizza company). He has checked with the company that they use separate utensils for preparing, vegetarian pizzas. Alcohol is also not used as an ingredient. However, they bake the pizzas together. Not diminishing the reprehensibility would it pass as Halaal? What would be the ruling in this case?

A. Muslims should not eat from non-Halaal restaurants at all. Whilst it is claimed that separate utensils are used,

there always exists risk of contamination with Haraam products. Even in the process of baking in a common oven, contamination cannot be ruled out.

Q. What is the ruling on wine vinegar? If wine has been matured without any additives and is regarded as an intoxicant does this also apply to wine vinegar which has aged for 4 years in a cask?

A. All vinegar including wine vinegar is Halaal. This was relished by the Prophet (SAW) himself.

Q. Is it permissible to use perfumes containing alcohol? Certain Ulama are of the opinion that because the alcohol is not of the intoxicating type, and it evaporates within a few hours of use, it is permissible.

A. It is permissible to use perfumes that contain alcohol. The alcohol used in perfumes is not the Najis (impure, napaak) type and thus Salaah with such perfumes is valid. Furthermore, alcohol is used in perfumes as a carrier and evaporates within seconds after application.

EDITORIAL

Alhamdulillah! We were overwhelmed by the positive response to the first issue of the Halaal Gazette. We are grateful for the many kind words of encouragement, suggestions and criticisms. Jazakumullah khairan.

Your queries and feedback confirms that SANHA has merely scratched the surface at the foothills whilst the mountain of Halaal / Haraam issues has yet to be scaled.

With the onset of the blessed month of Ramadaan and the opportunity of spiritual upliftment, we implore you to exercise additional caution as the consumption of doubtful and Haraam devours the essence of fasting. We will do everything to vigorously uphold your right to consume all that is lawful and good, Insha-Allah. Your continued moral and financial support will ensure that SANHA will grow from strength to strength, and soon we will be able to eat most products with guaranteed confidence.

We take this opportunity of wishing all our readers, well-wishers, benefactors, clients, friends and families a blessed Ramadaan and a joyous Eid, Ameen.

Ramadaan Mubarak

Don't be in hot water **HARAAM SOUP**

Following numerous queries from consumers, **SANHA** conducted investigations into soup manufacturers and found the potential for contamination exceedingly high. Manufacturers could not guarantee that contamination did not take place. The following statements were given to us in writing by the manufacturers.

"We cannot guarantee that cross contamination does not take place between varietal ingredients some of which are ham / bacon bits".

"We refrain from making Halaal claims for our soup products - cross contamination between the various products cannot be ruled out with certainty".

"The meat based products are manufactured and packed on the same equipment as the vegetable soup".

The following soups are certified by SANHA: 1. Floyd's 2. Amla

DON'T TAKE RISKS. STICK TO PRODUCTS THAT DO NOT COMPROMISE YOUR IMAAN!

Soup

Narrated by Anas (RA) I saw the Prophet (SAW) being served with soup containing gourd and cured meat, and I saw him picking and eating the pieces of gourd.

Al-Bukhari

Souped-up Performance

Conceptualised by its Managing Director in 1998, Floyds has certainly lived up to its name of superior foods and turned in a remarkable performance.

From humble beginnings with a limited line of instant soups, the range today boasts over 79 different products. The home executive, café owner or the chef have at their finger tips superb soups, inspirational sauces, creamy potato bakes, dreamy instant puddings, scintillating spice seasonings and absorbing hash brown binding / coatings.

To challenge the entrenched monopolistic brands, Floyds are determined to offer significant benefits.

The products are:

Delicious: The taste goes from the mundane to the memorable.

Halaal: After extensive consumer research, Floyds



selected **SANHA** as their no-compromise Quality Halaal Assurance certification for the local and international Muslim community.

Healthier: Lower in fat - up to 50% reduction on comparable products and preservative free.

Hygienic: Highest hygiene standards with little or no handling.

Floyds Superior Foods - 100% Doubt Free, Halaal compliant and in good taste.



SUMMER REFRESHER



Ice Cream

Keep your cool in Ramadaan!

No one is sure on the origin of the delectable, delightful and delicious frozen food, the ice cream. Many sources claim that it was the "Food of the Emperors" in China as far back as 2000 BC.

Ice Cream manufacture was elevated to an art form in 17th Century Italy and eventually found its way all over the world.

Ice cream is happy times. Can you imagine a childhood without ice cream or a visit to the mall for a slurp of the delicious stuff? A summer's day at the beach or as dessert after a wonderful meal, ice cream is part of our lives.

What about the unthinkable – Ramadaan without the ice cream milk shake?

Ice cream is manufactured by the blending pasteurizing, homogenizing, ageing and freezing of a composition of ingredients. These are usually milk solids, sweeteners, stabilizers, flavourants and other ingredients, some of which can be non-

Halaal. SANHA is aware of the use of liquor and pig gelatine in the manufacture of some ice creams. SANHA has certified the following range of Ice Cream which you can eat with confidence:

- * Ballina Farm * Baltimore Foods * Cas Ice Cream
- * Dairymaid Nestle * Aylesbury



"Eat of the good (Tayyib) things we have provided for you" Al-Quraan (Surah 7 Verse160)

Have you had your chips?

Frimax

Crispy chips & Snacks



Now certified Halaal.

Its your 100% doubt-free Halaal certified chips.

Is your number up?

THE E-NUMBERS

E-Numbers represent specific food additives, used by the industry in the manufacture of various food products. These E-Numbers have been formulated by the European Economic Community (EEC) and are universally adopted by the food industry worldwide. Certain countries used the code with the E- prefix whilst others omit it.

There are several E-Numbers that could be either Halaal or non-Halaal depending on the source of the raw material. They need to be investigated on a case-by-case basis to establish the Halaal / Haraam status. Please feel free to call SANHA with your query.

Please note that there are four E-Numbers additives that always render the product Haraam.

- E120 Cochineal - a red colour obtained from female insects.
- E542 Bone Phosphate - an extract from animal bones
- E441 Gelatine - derived from hides and/or bones of cattle & pigs
- E904 Shellac - a resin from lac insect

From January 2002

HALAAL HELPLINE

0861 - 786 - 111

First for South Africa



Why be in doubt?

In a first for South Africa, we have established a call centre with trained operators to answer your queries on Halaal / Haraam items.

Operational between 9am and 4pm weekdays and Saturdays between 9am to 12pm. We are here to serve you.

Make that call now!



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