

ROLES OF ISLAMIC SHARIAH SCHOLARS IN THE HALAL ASSURANCE SYSTEM

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ABSTRACT

Muslims across the globe adhere to the shariah principles and Islamic shariah scholars are an authority over the Quran and the Hadith. At present, the biggest challenge is decision-making in the adoption of products with unknown ingredients, undefined processes from scratch up to the point of consumption, and choosing between classical and modern databases. The progress in biotechnology and material science gave birth to synthetic material with unknown ingredients. This brought great concern regarding halalan thayyiban which covers the food as well as non-food industry. This research intends to focus only on the food industry. As halal (permissible) and thayyib (wholesome) are purely religious concerns, the industry has to depend on Islamic Shariah scholars. They play a pivotal role in decision making and in giving shariah verdict on raw materials and ingredients in the product. This has been traditionally accepted as the bond of trust and their participation accounts for a greater role to strengthen HAS with customer satisfaction. This paper discusses the challenges in engaging, empowering and employing more qualified and competent scholars with knowledge of modern science in order to distribute roles at different levels of HAS. The qualitative method through interviews and a feedback loop was the main instrumental tool for data collection and analysis. A conceptual model is framed and it is found that Islamic Shariah scholars are the main thrust in HAS process to build trust but there is a need for their training with the latest technology in order to monitor, and evaluate the process and documentation, thus, bridging the gap between traditional and modern database.

Keywords: Accreditation, Empowerment, Halal Assurance, Shariah

1. Introduction

The utilization of qualified Islamic Shariah scholars (SS) is the foundation of the halal assurance system. The huge gap between their necessary role in the industry and their inadequate involvement occasions this research. This investigation is an attempt to elaborate on the current issues and challenges related to the inadequate involvement of Islamic scholars in the halal assurance systems in the United Arab Emirates. Also, the traditional and modern literature review and the need of Islamic scholars in different bodies of halal assurance system (HAS) such as certification, accreditation and regulatory bodies have been studied in this research. The literature gives an insight into the traditional halal assurance system given by Shariah scholars based on the fatwa system and the modern literature based on SCOPUS and Web of Science database etc. The introduction of new and improved systems to bring Islamic Shariah scholars to the forefront is very important to ensure integrity in the halal assurance system. A detailed study of the present organizations in the context of United Arab Emirates (UAE), dealing with different kinds of halal assurance services seems to be a prerequisite to formulate a practical/reliable solution for involving Islamic shariah scholars in HAS. This research sheds light on the roles of Islamic scholars in strengthening the halal assurance system in the UAE. Halal assurance systems have been defined by categorizing major role-playing segments such as halal certification bodies, halal accreditation bodies, halal regulatory bodies and the halal training and research organizations in the stipulated region which provide training,

research and educational support. These bodies generally review the halal assurance system in the United Arab Emirates. This research discusses ways to involve Islamic Shariah scholars in HAS and give them a bigger role in strengthening the halal industry. The leading players in HAS are UAE and Malaysia (Nee, Yacob, & Senadjki 2020). The table 1 shows the stakeholders of halal assurance systems in the UAE.

Table 1: Stakeholders of Halal Assurance System in UAE

Halal Certification Bodies (HCB)	Halal Accreditation Bodies (HAB)	Halal Regulatory Bodies (HRB)	Halal Training Organization (HTO)	Shariah Scholars (SS)	Halal Consumers (HC)
RACS Certification LLC	Emirates National Accreditation Services (ENAS)	Ministry of Industry & Advanced	University of Dubai	Auqaf- Dubai	Sea Land Dubai
Technology (MOIT)					
Gulftic Certification LLC	Emirates International Accreditation Centre (EIAC)			Auqaf- Sharjah	SAFCO Dubai
SGS Gulf Limited					
Prime Certification and Inspection LLC					
TUV Middle East LLC					
International Halal Certification					

In the present scenario, people are more concerned about health which requires halal food as it covers the whole concept of consuming clean and hygienic food to promote better health. The *halal* (permissible) and *thayyib* (wholesome) is considered to be a very significant concept for healthy living not only among Muslims but also among non-Muslims. Wholesomeness (*thayyib*) is an attribute of halal, which refers to pure, good, clean, healthy, hygienic, pleasant, delicious and delightful (Musa & Jalil 2012). The derivative of halal and *thayyib* in Arabic is known as *halalan thayyiban*, which means in compliance with the shariah and free from any harmful ingredients (Omar, Rahman & Jie 2015). Generally, in Islam, everything is permissible other than intoxicants, impurities, and any harmful substance (Al-Qaradawi 2007) whereas, *thayyiban* is more comprehensive than halal. It goes a little further than the basic principles and comprises that which is good, pure, wholesome, nutritious and healthy. For example, junk food may be halal certified but may not be *thayyib*. Thus, good and healthy food is mandatory (Riaz & Chaudry 2003) for Muslims to eat and serve others the same. The prohibition on certain foods and drink is not a unique feature of Islam because other religion also has similar restrictions like beef prohibitions for Hindus and kosher rules for Jews. This realm of halal is not only confined to food but also covers other consumables like cosmetics, toiletries,

pharmaceuticals etc. (Dali, Nooh, Nawai, Mohammad, Nilai & Sembilan 2009). Consequently, daily life activities from utilization to business transactions globally all come under authentic halal certification bodies (Hanzaee & Ramezani 2011). The parameters, techniques and methods of halal have been reported (Kamali 2010; Pandey, Bhati, Shukla & Qureshi 2021; Farouk, Al-Mazeedi, Sabow, Bekhit, Adeyemi, Sazili & Ghani 2014) and the synthetic materials in food industry due to progress in biotechnology were also studied (Khattak, Mir, Anwar, Abbas, Khattak & Ismatullah 2011; Malboobi & Malboobi 2012; Faridah & Sari 2019). This progress in synthetic materials brought great concern regarding the '*halalan tayyiban*' concept as the ingredients in synthetic materials were unknown. Among Islamic scholars, the Shariah scholars are the main thrust of the halal certification process under the Shariah screening process (Jamal, Hambali & Ali 2010). Since halal/haram is purely a religious concern, therefore they play a major role in the process. Islamic scholars in certification boards play an important role in decision-making. They make sure that a product is processed according to the requirement of the Qur'an and Sunnah. Undermining the role of Islamic scholars will adversely affect the acceptability of halal certification (Rafiki & Wahab 2016).

2. Materials and Methods

A detailed study of halal certification systems, starting from the formulation of halal standards in different sectors, policy and objectives framing for certification and accreditation systems, introducing standardized halal auditing process etc. have been extensively explained in this research. It gives an exclusive and in-depth review of past and present halal assurance scenarios as well as an attempt to define a prototype of a future halal assurance system. The major issue the author tries to emphasize is the inadequate participation of Islamic scholars throughout the halal assurance system. The focus of the research is an exhaustive review of Shariah requirements and the best management practices applied through the various HAS segments. This will not only highlight the issues and challenges that affect the involvement of Islamic scholars at various levels of HAS but also actively empower them in the halal industry, thus bridging the gap between Islamic jurisprudence and the halal assurance system.

In the first stage of this research exhaustive literature review has been done to establish a strong foundation and discuss pertinent theories underpinning this study.

In the second stage, the data collection has been presented. This research has adopted a qualitative research design and data has been collected through interviews. Moreover, the UAE is selected as a unit of analysis for the present study because it is a Muslim country having good infrastructure, it has the headquarters of the International Halal Accreditation Forum (IHAF) and is among the leading halal food market in the world.

The data has been collected from six segments of participants, namely halal accreditation bodies (HABs), halal certification bodies (HCBs), halal regulatory bodies, halal training organizations (HTOs), Islamic shariah scholars (SS), and halal consumers (HC). This paper focuses particularly on the data collected from halal training organizations (HTOs) and Islamic Shariah scholars (SS). Figure 1 shows various bodies of halal organizations and the pivotal position of Shariah scholars in the chain of trust.

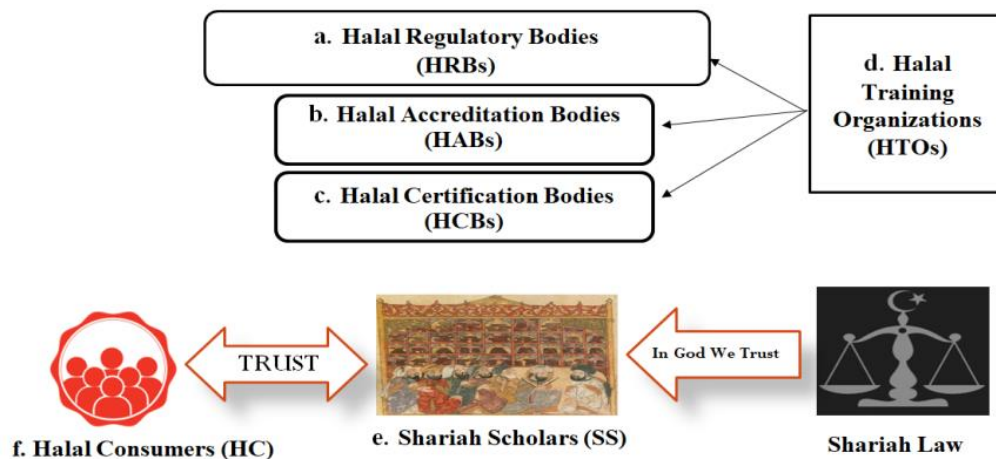


Figure 1: The Chain of Trust

The research methodology uncovers the roles of Islamic scholars in strengthening the halal assurance system in the UAE. This study has adopted a qualitative research design to achieve the purpose. The data has been collected through primary means, that is, interviews. The respondents (experts) from various HAS bodies, Islamic Shariah scholars, halal trainers and halal consumers will be interviewed to elicit their opinions on the best ways to strengthen the halal industry. The interviewer contacted different respondents from various levels of the Halal Assurance System. The interviewer sent invitations to respondents along with consent forms. They were asked to help the researcher to ascertain the current situation and the involvement of Islamic Shariah Scholars in the Halal Assurance System. Also, feedback was taken from HRB, HAB, HCB, HTP, SS and Halal Consumers (HC) related to meat and other processed food, cosmetics products, pharmaceuticals, and supplements. But this paper concentrates only on SS and HTO. After interviewing 4 reputed SSs and 3 experienced HT's, their responses were recorded. Interviewees' participation was voluntary, and they could withdraw from the study at any stage of the data collection. Along with all required data pertaining to the background of the fatwa-based approach in traditional HAS, and the modern approach based on existing data that serve as the underlying foundation for the new model proposed. The sequence of data collection starts with interview questions followed by the main study to get the best possible results with the least errors in the final interview questions. The proposed HAS model by including Islamic Shariah scholars was based on the faith factor. Screening of literature should be done systematically. A shift from a fatwa-based Islamic scholar to a science cum theology-based well-trained Islamic Shariah scholar can uplift the halal industry by greatly influencing the halal food consumer psychology. Drawing upon the existing literature on the HAS, a conceptual model was developed to answer the research questions.

In the third stage, the data analysis technique using a feedback loop is discussed. Importantly, the data should be accurate, complete and suitable for further analysis (Sekaran & Bougie, 2010). In this study, data was collected through interviews. The data analysis procedure uses a feedback loop after each interview for further investigation. Data collection for this study intends to uncover the roles and the involvement of Islamic scholars and the utilization of scholars in strengthening HAS in the UAE. To analyse the qualitative data, there are five analytical approaches from which the researcher can select. These approaches are, namely content analysis (Mayring 2004), narrative analysis (Polkinghorne 1995), discourse analysis (Wertz 2011), grounded theory (Payne 2007), and thematic analysis (Maguire & Delahunt 2017). As for the present study, a thematic analytical approach has been used to analyse the interview responses, particularly to

uncover the roles of Islamic scholars in strengthening the halal assurance system in the UAE. this research has detailed the methods used in this research, including the screening of literature to frame interview questions design as an instrument, and the main research design. The main method for analysis is the feedback from the participants after each interview. Individual interviews can be carried out more than once to cover the feedback from all participants and circulate it among all. Finally, group discussion based on questions framed from feedback from individual interviews will be highlighted by the researcher. This too can be more than one round until a common opinion with precision and accuracy is reached.

This research can be achieved by adopting a research design as illustrated in Figure 2.

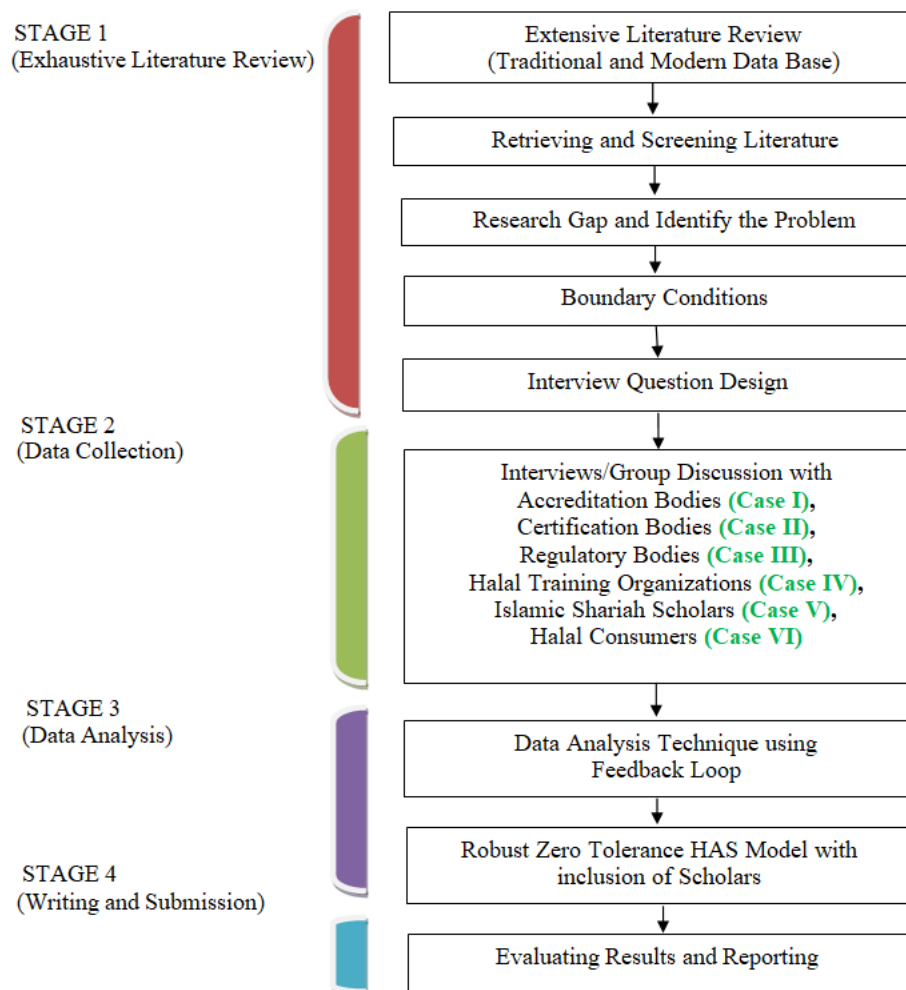


Figure 2: Research Methodology

In the final stage, the proposed method is evaluated and the results are presented, thus establishing a robust zero-tolerance HAS model with the inclusion of Islamic scholars in the system to strengthen HAS. This assures customers of ethical practices, hygiene, Islamic food regulatory law, non-contamination, inventory control, packaging, storage, transport and even training and awareness program. In this paper due to the enormous data, only halal training organisations (HTO) and Islamic Shariah scholars (SS) have been taken into consideration.

3. Results and Discussion

The findings present the themes established for the interview. After interviewing 4 reputed shariah scholars from Auqaf and 3 experienced HT's from different organizations, their agreement was recorded. Active participation of Islamic Shariah scholars (SS) in HAS is unanimously agreed upon as indispensable by all the respondents. It is also believed by some of the respondents that there is insufficient involvement of Islamic Shariah scholars. The supposed reasons are lack of scientific and technical knowledge, lack of English proficiency, and lack of confidence. A definite and urgent demand for providing required training and education to the shariah scholars is observed, to make them eligible for guiding HAS. Moreover, a certain lack of transparency is observed in HAS which should be addressed in order to foster public trust.

Table 2. Interview Responses for the Inclusion of Shariah Scholars in Halal Assurance System

Institutions Interviewed	Position & Exp. of Interviewee	Involvement of SS	Scientific Knowledge	Decision Making	Training Demand	Impact of SS on HAS
HTO, Dubai	Trainer at GRS (>13)	Nil	Poor	No such specific involvement	Highly on demand	Expected increase
HTO, Dubai	Trainer at FQC (>17)	Limited	Not satisfactory	No such activity identified	Special training needed	Enhance
HTO, Dubai	Trainer at GRS (>5)	Nil	Very low	No specific intervention	Profession training needed	Great
SS, Auqaf Dubai	Shariah Scholar (>30)	Nominal	Poor English, Ignorance of Science	No idea	More programs needed	Boost
SS, Auqaf Dubai	Shariah Scholar (>20)	Not clear	Lack of technical knowledge	Auqaf plays a vital role but Shariah compliance needs clarity	Urgent	Strengthen HAS
SS, Auqaf Sharjah	Shariah Scholar (>8)	Not clear	Lack of integrated knowledge	Does not know	System to educate SS with integrated knowledge	Strengthen with new approach
SS, Auqaf Sharjah	Shariah Scholar (>9)	No idea	Language barrier, Lack of info. on product	Auqaf as Islamic affairs development controls it	Govt. bridge program needed	Strengthen through trained scholars

In addition, it was noticed from the responses that the government should take the initiative in launching programs for educating and training Shariah scholars to bridge the gap between the Shariah scholars and HAS. The degree of their participation in HAS is seen as directly proportional to public trust. Therefore, the more competent the Shariah scholars are to guide HAS, the stronger the HAS will grow. This will consequently boost the customer's trust and satisfaction.

4. Conclusion

The shift from fatwa based Islamic system to a more secular system gave birth to distrust. The Shariah compliance risk along with the little participation of Shariah scholars in HAS gave rise to doubts among consumers. This is because the concept of halal is rooted in the Islamic faith and Shariah scholars are the authority over the Quran and Hadith, their participation in HAS dramatically endorses public trust. Moreover, data findings too, reveal that Shariah scholars' participation in the halal industry would strengthen the HAS by boosting public trust. Further, it can be deduced that the Shariah scholars need to be educated, trained and empowered to be better equipped to play a decisive role in different bodies of HAS. From both the halal trainers and shariah scholars, the data reflect that performance and sustenance of HAS are dependent on the active participation of SS. Thus, by redefining the roles of shariah scholars the risk factors of insecurity and doubt will be minimal and will help to restructure the HAS not only in the UAE but be an effective model for other nations as well.

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