Product-centric *halal* business: a critique from an Islamic perspective

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Abstract

Purpose – The purpose of this paper is to explain the importance of the understanding of the *halal* business from an Islamic perspective. Business use of the Quranic and *fiqhi* word *halal* is now conspicuous because of the penetration of *halal* product ideas not only into the food products but also into the pharmaceutical, cosmetic, leisure and entertainment industries.

Design/methodology/approach – This paper evaluates the Islamic authenticity of the prevailing *halal* business initiatives. Toward this evaluation, explains the frame of reference and shows the Islamic ethical excellence of business enterprises. This framework is based on the Quranic injunctions and instructions regarding usury (*riba*), intoxicants (*khamr*), trade with mutual consent (*taradim minkum*) and trading during Friday prayer (*Jumuah*), which have direct or indirect implications for the management of business enterprises. Then, it describes and evaluates two cases, namely, *halal* chicken and Sharī'ah-compliant hotel. Materials for these cases are obtained through an internet blog and literature review.

Findings – The evaluation reveals that these *halal* business cases are overwhelmingly product-centric and they violate or neglect people's rights. On the scale of ethics and social responsibility, while they largely maintain legal responsibility, moral and spiritual responsibilities hardly draw their attention. Hence, a need for a fundamental reorientation of *halal* business thought is suggested in the conclusion.

Practical implications – The findings may serve as a useful input for *halal* business owners in improving their practices to confirm with all moral and spiritual standards of Islamic business conduct, and not the only product. These standards have significant implications for equitable growth in a society and a blissful eternal life.

Originality/value – The topic of product-centric *halal* business has not been fully explored and understood by its stakeholders. This paper aims to give insights to an overwhelming trend toward equating *halal* products with the whole of the *halal* business.

Keywords *Halal* business, *Halal* product, Islamic perspective, *Halal* chicken, Sharī'ah-compliant hotel

Paper type Research paper

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1. Introduction

Allah has ordained man in general, the believers, to eat, which is *halal* and *tayyeb* (*al-Baqarah*2:168). This Quranicword *halal* has *fiqhi* (Islamic jurisprudential) connotations. While eating *halal* is an individual obligation (*fard al-ayn*), making such food items available for consumption is considered an Islamic social obligation (*fard al-kifayah*). *Halal* product initiative of the respective community of Muslim traders is a performance of this obligation. Today, by virtue of the Muslim traders, not the Muslim preachers, the word *halal* is widely known even among non-Muslims. Business use of the word *halal* has been conspicuous indeed. *Halal* product, *halal* logo, *halal* industry, *halal* hub, *halal* detection kit, *halal* certification agencies, *halal* development corporation and the like are popularly known vocabularies of the current business world. Started with food products, *halal* product idea has penetrated pharmaceuticals and cosmetics, leisure and entertainment industries. The revolutionary slogan of *business jihad* (JCorp, 2009) reminds us that the *halal* momentum is now a full-fledged *halal* movement. In addition, the movement appears to move fast to reach its peak.

Statistics of the *halal* market are supportive of what has been qualitatively said above about the pervasiveness of *halal* products. In 2017, the worldwide Muslim population was 1.8 billion and the global market value for trade-in *halal* food and non-food products is estimated at US$2.1tn annually. The Muslim population is forecasted to grow at twice the rate to 2.2 billion by 2030 representing 27 per cent of the global population and raising the prospect of the *halal* market (Pew Research Center, 2017). Malaysian Halal Industry Development Corporation (HDC), for example, projected a detailed scenario of over US $500m of *halal* investment opportunities in Malaysia. Interestingly, *halal* products and services are also gaining increasing acceptance among non-Muslims. Non-Muslim Dutch consumers, for example, have shown interest in *halal* food where the total demands are estimated to reach about US$3bn annually. Riaz and Chaudry (2003) argue that ethnic and religious diversity in today's world has encouraged the food industry to prepare products, which are suitable for groups having different ethnic and religious denominations. Responding to the consumers' preference, major retailers in the EU such as Carrefour and Tesco, are now starting to include *halal* meat in their product's assortments (Halal Industry Development Corporation, 2012).

Not in the food industry only, *halal* products are gaining increased attention in other industries such as cosmetics (Shafie and Othman, 2006). According to organic monitor, *halal* cosmetic products are becoming more popular with international manufacturers and suppliers. Colgate-Palmolive is amongst the most recent cosmetic brands to have developed *halal*-certified ranges that contain no animal ingredients and are not tested on animals. Cosmetic companies have begun to tap this significant market, which is growing on a global basis and is estimated as worth between €5-14bn (Yeomans, 2012).

The leisure and travel industry also shows a higher interest in offering *halal* services. The current value of the Muslim lifestyle market is estimated at US$2tn (Hassan and Awang, 2009; Smith, 2011). With the world's fastest-growing Muslim community, Islamic tourism is a promising market (Kalesar, 2010). Many scholars recognized the twin-tower tragedy of September 11, 2001, as a contributing factor for the birth of Islamic Tourism (Al-Hamarneh and Steiner, 2004; Hashim *et al.*, 2006; Farahani and Henderson, 2010). The tragedy caused a shift in Muslim tourists' travel destinations from the West to Muslim countries where demand for *halal* tourism is on the rise. Many analysts projected that Muslim tourists' expenditure would rise to more than 13 per cent of global tourism expenditure by 2020 (Battour *et al.*, 2011).

The establishment of HDC in Malaysia well indicates the pervasiveness of *halal* businesses. HDC offers a wide range of high-end professional consultancy services for small and medium-size enterprises and entrepreneurs in enhancing their *halal* businesses. The categories of consulting services it offers include *halal* compliance advisory services; internal organization competency development; establishment of *halal* industry development system; supply chain business process improvement; and commercialization of research and development (Halal Industry Development Corporation, 2013).

Conceding the pervasiveness, growth and high prospect of *halal* businesses, there is no reason not to appreciate the value of *halal* business initiatives, especially when the efforts are supposedly destined for the performance of an important Islamic obligation. By the same token, however, there is a pressing need to express appreciation in conjunction with a profound concern. In addition, there are reasons for this concern. While consumers are willing to spend considerable efforts and money to subscribe to quality *halal* businesses (Awan *et al.*, 2015), there is no consensus on a halal standard (Halim and Salleh, 2012). According to Karia and Asaari (2016), *halal* business practices prescribed in the Quran cover many different aspects including the strategic *halal* service drives a firm's sustainability in terms of maximizing profits, products/services, ensuring the well-being of mankind and the planet, observing religious requirements and minimizing cost or hardship. However, lacking in terms of Islamic mind-set and entrepreneurial skills is reported to be found among some *halal* food companies (Bohari *et al.*, 2017). According to their study, which uses a strengths, weaknesses, opportunities and threats analysis technique, these companies are noted for their slow follow-up responses, which depict a lack of seriousness in their attitude and a short-term business perspective. Thus, what is betrayed or discounted is trust and confidence, which Abdul *et al.* (2009) consider the key feature in selecting *halal* products among consumers. Resonating the tone of Aziz *et al.* (2015), we observe that *halal* business is mostly concerned with *halal*-ness of the salable products (goods to be sold and services to be delivered) *only*. In other words, there is an overwhelming trend toward equating *halal* products with the whole of the *halal* business.

This paper argues that the reduction of the notion of *halal* business to only *halal*-ness of products is a violation of the social responsibility of a business and a denial of the otherworldly self-interest of the Muslims who own the business. To illustrate the argument, it presents and evaluates two business cases, namely, *halal* chicken and Sharīʿah-compliant hotel (SHC). Materials for the first case have been obtained from an internet blog. As for the second case, materials have been gleaned from published relevant literature.

The remainder of the paper is organized as follows. Section 2 presents a brief discussion of the framework for *halal* business evaluation. The selected product-centric *halal* business cases are presented in Section 3. Section 4 analyzes and discusses the findings, followed by concluding remarks in Section 5.

2. Framework for *halal* business evaluation

2.1 Frame of permissibility

When permissibility of economic action is questioned, a businessman needs to consider two things. The first and the foremost, is the action *per se* lawful? By action, we mean the core of a business, i.e. the goods or the services it sells. For instance, a Muslim cannot get involved in the business of producing or selling wine and intoxicants; he cannot operate a casino; he cannot run a brothel. Wine, gambling and prostitution are forbidden in Islam. Secondly, if the action itself is lawful, are the means used to carry out the action lawful and fair? Unfair and unlawful means include adulteration of products; concealment of defects in goods; discrepancies in weights and measures; and producing a product below its promised or stipulated specifications. Multi-level marketing is a contemporary example of the unfairness of a means. This method of promoting and selling products is considered objectionable (Alserhan, 2017).

Al-Ghazali (d.1111CE) provided a summary description of the common objectionable practices in the markets, which fall into three categories, namely, commercial dishonesty, the sale of forbidden goods and deceitful sale contract (Al-Ghazali, 1999). Al-Mawardi (d.1058CE), on the other hand, offered three criteria to judge the tasks of three kinds of economic actors in the market. One group of economic actors was to be judged in terms of care or negligence in their work, another by honesty or dishonesty in their dealings and the third by good quality or bad quality of their workmanship (Al-Mawardi, 1996). Based on these categories and criteria, four broad measures of the fairness of a means can be identified as follows, namely, negligence, dishonesty, quality below specifications and non-conformity to legal prescriptions for concluding a valid contract. A means is said to be unfair when it involves anyone of these or a combination of two or more of these. Accordingly, a means free from all of these is considered a fair one.

The aforesaid two dimensions of economic activity for its Islamic legitimacy are depicted in a matrix (Figure 1). It is clear that the performance of an economic activity is permissible when the action itself is lawful and means to be used for the performance are fair (Shahabuddin, 2009).

2.2 Frame of ethics and responsibility

Apart from the act-means based framework of permissibility, the current study refers to another framework, which is built on four sets of Quranic injunctions and instructions. Firstly, al-Quran prohibited usury or *riba* through successive instructions. It declared usury unlawful (*al-Baqarah* 2:275). It ordered to forgo accrued but unrealized interest (*al-Baqarah* 2:278). It enforced the order by utmost force (*al-Baqarah* 2:279). Secondly, al-Quran gradually declared wine unlawful. It provided information and explanation of the evilness of drinking an intoxicant (*al-Baqarah* 2:219). Then, the inducement for avoiding wine came through an indirect but tactful obstruction against drinking it (*al-Nisa* 4:43). Finally, the command to shun it was issued (*al-Maidah* 5:90-91). The Prophet (peace and blessings of Allah be upon him) cursed 10 categories of people who are involved in its production, distribution, consumption or sharing its financial gains (*al*-Tirmidhi, *hadith* no.1295). Thirdly, al-Quran invalidates any exchange of value or property, which takes place for the wrong cause or through wrong means (*al-Baqarah* 2:188) or which occurs without mutual satisfaction or mutual consent (*taradimminkum*) of the concerned parties (*al-Nisa* 4:29). Finally, al-Quran asks the Believers to leave off business deals and hasten earnestly for the remembrance of Allah when Friday Prayer call is announced, permits them to resume worldly work after the Prayer and disapproves the conduct of leaving the Prayer, fully or partially, to attend to the matter of worldly interests (*al-Jumuah* 62:9-11).

Each of these four sets of injunctions and instructions is taken to be representative of a broader category of guidelines for fair conduct of business dealings as shown in Table I below. It should be noted that this four-component frame (Table I) and the permissibility matrix (Figure 1) are not two independent frames of reference. The second instruction in

		Lawfulness of an Act	
		Unlawful	*Lawful*
Fairness of a Means	*Fair*	**Objectionable by act only**	**Permissible**
	Unfair	**Objectionable by act and by means**	**Objectionable by means only**

Figure 1.
Permissibility of an economic action

Table I corresponds to the lawfulness of the act itself (horizontal dimension in Figure 1). Rests of the instructions correspond to the fairness of means (vertical dimension in Figure 1). A brief explanation of these instructions and their implications for a *halal* business follows.

2.2.1 Purity of finance. A business owner needs money to start his business. Money as a financial input is subject to the prohibition of usury. This prohibition, taken as symbolizing the category of *financial guidelines*, demands a business is to start with lawful capital and acquire and use lawful financial resources in its course of operation. For a Muslim business owner, therefore, the very first condition is the lawfulness of his money or capital. If he fails to meet this condition, his business also will fail to serve his real interest in the hereafter irrespective of the lawfulness and fairness in other aspects of his business (Ismail and Mohd Noor, 2016).

2.2.2 Permissible product/service. After the capital, the second issue of importance is the nature of the business. The essential question is what are the core products or services that the owner deals in? Prohibition on intoxicants symbolizes the category of guidelines concerning legally objectionable products or services (Riaz and Chaudry, 2003). A Muslim cannot engage himself just in *any* business. He must refrain from the business of forbidden goods and services. His failure in this regard will make his business merely a worldly game even if he starts his business with lawful capital. In other words, because of the wrong use of the right capital, the power of pure money will cease to yield him true benefit.

2.2.3 Stakeholder rights. The third instruction symbolizes the category of guidelines pertaining to the rights of stakeholders. For example, Wilson (2014) argues that *halal* business is a collective and societal obligation and that wider stakeholders outside of *halal* companies are empowered to hold businesses to account. In a business setting, this *condition of mutual satisfaction* has to be maintained in a series of relationships, which is usually denoted by the buyer-seller relationship. A businessman is both a buyer and a seller or a receiver and a provider of goods and services. He is so in relation to his suppliers, customers and employees who are directly affected, either positively or negatively, by his business decisions and actions. Besides them, there are other stakeholders, including competitors and public at large, with whom he is somehow-related, and hence, they too are within the domain of his influence. Short weights and measures, manipulation of market information, misrepresentation of products, taking undue advantage of the abundant supply of labor, non-compliance with safety and quality standards and externalizing costs are only a few examples of the violation of mutual satisfaction or consent in business, and hence, the violation of others rights. No doubt, the benefits of pure money and dealings in permissible

Table I. Specific injunctions and instructions symbolizing broader categories of guidelines

Specific injunctions and instructions	The broader category of guidelines	The primary tone for social responsibility
1. Prohibition on usury	Acquisition and use of lawful financial resources	Economic-legal
2. Prohibition on intoxicants	Avoiding business of unlawful and objectionable products or services	Legal
3. Condition of mutual satisfaction	Preservation of stakeholders' rights; Principles of no harming and no hurting	Moral
4. Temporary cessation of business	Readiness to leave or sacrifice material possessions for the cause of Allah; and subordination of own personal business interests to the general or public good	Spiritual

Source: Adapted from Shahabuddin *et al.* (2012)

products evaporate when a Muslim business owner violates the legitimate rights of people, i.e. he does not give what is their due (Bakan, 2012; Baharuddin *et al.*, 2015).

2.2.4 Subordination of personal interest to the public good. The last instruction asking for the temporary cessation of business symbolizes a significantly critical demand placed on Muslim business owners. They need to have constant readiness to leave or sacrifice material possessions for the cause of Allah. For example, El-Bassiouny *et al.* (2017) suggest that God-consciousness enriches the Islamic sustainability of *halal* businesses. In other words, Muslim business owners should be able to subordinate their own interests to the public good. It is necessary that a Muslim businessman complies with the first three categories of guidelines discussed above. This compliance, however, is not sufficient to guarantee that his business is truly instrumental to secure his real interest – the eternal bliss in the life after. For this, his business – sound in terms of finance, products and maintenance of people's rights – must not hinder him in his remembrance of Allah, i.e. making sacrifices for the pleasure of Allah. If it hinders, the soundness of business may generate some temporary material benefits, but it will not be able to save the owner from utter loss in eternal life. The Quran warns: "O you who believe! Let not your properties (*amwal*) or your children divert you from the remembrance of Allah. In addition, whoever does that, then they are the losers" (*al-Munafiqun* 63:9).

2.3 Correspondence to the scale of ethics and social responsibility

The last column of Table II is about social responsibility. The literature on business ethics identified four categories of social responsibilities. In ascending order, these are economic, legal, ethical and discretionary responsibilities (Carroll, 1979). Briefly, economic responsibility is to be profitable; legal responsibility means obeying the law; ethical responsibility implies be ethical meaning do what is right and avoid harm; and discretionary or philanthropic responsibility is to contribute to the community and be a good corporate citizen (Carroll, 1991; Schwartz and Carroll, 2003). These authors also added that economic and legal responsibilities are mandatory, ethical responsibility is expected and philanthropic is desired. This nature of social responsibility performance – mandatory, expected and desired – shows one-to-one correspondence with the domains of human action. In the domain of codified law (legal standards), the performance is mandatory; and explicit control to exact compliance with the relevant legal standards is the highest. Performance of social responsibility in the domain of ethics (social standards) is expected and explicit control is moderate to ensure compliance with the social standards. The third domain is the domain of free choice (personal standards) where explicit control is the lowest to encourage the discharge of desirable social responsibility (Daft, 2012).

This three-fold categorization of social responsibility performance and our evaluative components for *halal* business have been linked in the last column of Table II above[1]. On the scale of ethics and social responsibility, guidelines concerning usury and intoxicants primarily fall under the domain of legal standards. Infringements of these types of standards can be restrained largely through legal sanctions. A firm's/farm's compliance with these standards is tantamount to the performance of its economic and legal responsibilities. Above these responsibilities, guidelines regarding the condition of mutual satisfaction or consent are mainly a matter of moral standards. In this domain of ethics, socio-moral sanctions play vital roles to check the violation of these standards. A firm/farm that maintains these standards is said to be responsive to its ethico-moral responsibility (Azid and Asutay, 2007; Choudhury and Bhatti, 2016). The temporary cessation of business is largely an issue of spiritual standards; hence, it is a matter of the domain of free choice or personal standards, which transcends all three layers of responsibilities. This domain hardly admits of legal and social sanctions. The primary force to exact compliance with this kind of standard is the awe of Allah and love for him that induce the owner to transform his business, apparently a mundane job, into a form of the veneration of Allah.

3. Selected product-centric *halal* business cases

3.1 XYZ halal organic chicken[2]

The first case was the following news that appeared on an internet blog with the heading "XYZ *halal* organic chicken by Mr.Amirul[3]."

> I first knew about this locally produced halal organic chicken from a Majalah 3 show a few months ago and had been a regular customer of this halal product. The next day, I went to the outlet, which is located in Taman PulaiRini [a place] and there was a long queue at the shop to buy the chicken. Amirul [the owner of the farm] also mentioned that there were about 200 people at his farm the same morning [. . .]. all were eager to find out what is this halal organic chicken is all about.
>
> Amirul'shalal organic chicken (also known as ayamkampung in Malay or free-range chicken) is special in many ways. XYZ's [name of the farm] organic chickens are not only bred and raised without any chemicals, antibiotics, growth hormone or animal-based protein which are prohibited by Islam, but they are also given habbatussauda (black seed) as a part of their daily dietary. At this point, there is no other commercially bred poultry I know are fed with habatussauda although there could be other breeders the following suit in the future.
>
> I really like the taste of the cooked organic chicken, maybe due to the special dietary given. And I can vouch here that the chicken is almost 100 per cent fat-free [. . .] which is very good for health. With XYZ's halal organic chicken, you get a really high-quality product that is guaranteed to be processed 100 per cent according to shariah requirements [. . .] and it is free from any chemicals which could pose a health hazard to you and your family in the long term.
>
> At around RM16 per bird, it is a little bit expensive but if you are concerned about long term health and want to make sure your chickens are absolutely halal in the way it is produced and processed, it is definitely a good buy because free-range chickens offered at normal wet markets are also about the same price if not more expensive.
>
> You can of course order the chicken from Amirul's outlet and have it delivered to your house by his increasing network of dealers. Just ask him for the nearest stockiest near your place and you can order from them directly next time. For your information, I just had my dinner with XYZ's fried organic chicken and it was so yummy [. . .] you should try.

The blogger supplied contact details of the farm at the end of the message. Nearly half a month after this posting, responses and comments started to appear and a total of 55 comments were recorded over a span of about 18 months. A preliminary examination of the comments resulted in the following categorization as shown in Table II below.

The first five categories of responses (70 per cent of the total responses) were, in one way or the other, favoring and promoting *halal* chickens in general and XYZ's *halal* chickens in particular. Of 38 positive favoring responses and 27 (71 per cent) responses occurred before the emergence of a critical-technical respondent. His thought-provoking critical-technical comment slowed down the pace with which the aspiration of respondents for (either buying or obtaining dealership of) XYZ's *halal* chickens was growing. While 27 (i.e. 71 per cent of the) positive favoring responses appeared only in less than five months in the beginning, the next 13 months saw only 11 similar responses. Thus, the emergence of the critical-technical respondent was a turning point

No.	Categories of responses	No. of responses	Cumulative responses
1	Seeking information to buy or to know how to raise organic chickens	7 (13)	7 (13)
2	Providing information concerning buying or how to get an agency	10 (19)	17 (32)
3	Seeking information for getting agency	9 (16)	26 (48)
4	Promoting or urging for greater cooperation to spread *halal* products	8 (14)	34 (62)
5	Overtly religious sentiment for the spread of *halal* products	4 (8)	38 (70)
6	Owner's responses	6 (10)	44 (80)
7	Technical or critical comments or responses	9 (17)	53 (97)
8	Waning XYZ's chickens	2 (3)	55 (100)

Note: Numbers in parentheses are percentages

Table II.
Categorization of the responses

in the 18-month long life cycle of XYZ's *halal* chicken on an internet blog (Figure 2). The question is how declined interest in XYZ's chickens could be attributed to his critical presence on the blog? This question leads us to the issue of key interest in the current case.

The critical respondent (CR), a potential importer of chicken, was looking for good sources for pure organic chicken. He expressed his pleasure to come across XYZ's chicken in a few blogs. At the same time, he noted his dissent on the use of prohibited enzyme [by others] to raise chickens and alluded to the ramification of such an assumption:

> The only thing is that I think many of you have misquoted with a statement about pig enzyme being used in chicken which is not true. We should not scare people unnecessarily since a good product needs not to use scare techniques.

He clarified that the enzyme used is phytase and "animals with one stomach such as humans, chickens, dogs, pigs and so on. cannot produce the enzyme." Amirul, the owner of XYZ, responded in less than 24 h on the following day:

> The ordinary people call it pig enzyme, but it is hydrolyzed pig protein. Please surf the net for a book called Not On The Label written by a famous instigative author. She and BBC made a stunning discovery on how the chickens are fed with hydrolyzed protein to Fasten their growth. [. . .] Please read this book and the findings you will shock. So it is not misquoted it's the happening in the industry.

After the detailed explanation of why farmers could not use hydrolyzed protein, he shared his expertise on how to differentiate a real chicken from a treated one, a real free-range chicken from the one, that is not. On his way of offering detailed information, which is rich in content for customer education, he appreciated XYZ's chickens. "Some factory chickens in Malaysia and Singapore can have up to 15 per cent water. [. . .] That is, why most times when you roast a factory chicken, you would lose more weight than a real chicken like XYZ's."

One month passed. A respondent, convinced of CR's authoritative knowledge, asked him to say things conclusively in plain terms putting aside all complex arguments and technical details. On Day 179, he responded to the request. On this occasion, CR appeared to have spewed some flames of exasperation from his heart plausibly injured by Amirul's condescending suggestion for reading:

> My point is that we should be more critical and we should check all claims carefully.[. . .] Just because a chicken seller has a Doctorate in front of his name does not make him more credible because the fact remains that he is a chicken seller and wants to sell his chickens. Let's check his claims critically and see if they stack up. Let us not make a decision based on emotions and sentiments or fears.

Legend of occurrences

(1)	Day 1	Blogger posted highly appreciating message
(2)	Day 17	First interest/inquiry appeared
	……	Asking about agency from all over Malaysia
(3)	Day 108	Owner appeared to respond
	……	Interest continued and intensified
(4)	Day 141	Remark appeared from a critical respondent (CR)
(5)	Day 142	Owner defended and condescendingly asked CR to read
(6)	Day 143	CR offered elaboration and technical details
(7)	Day 161	Others asking the CR for clarification
(8)	Day 179	CR clarified and added informative inputs
(9)	Day 186	Owner's naked attack on the CR
(10)	Day 241	CR supplied international standards for organic chicken
(11)	Day 386	ABC poultry defended its position in terms of the standards
(12)	Day 409	CR compared three farms
(13)	Day 457	A Kelantanese found XYZ missing in Kelantan
(14)	Day 507	Bad taste of XYZ's chickens reported
(15)	Day 513	Features of a truly decent business were suggested

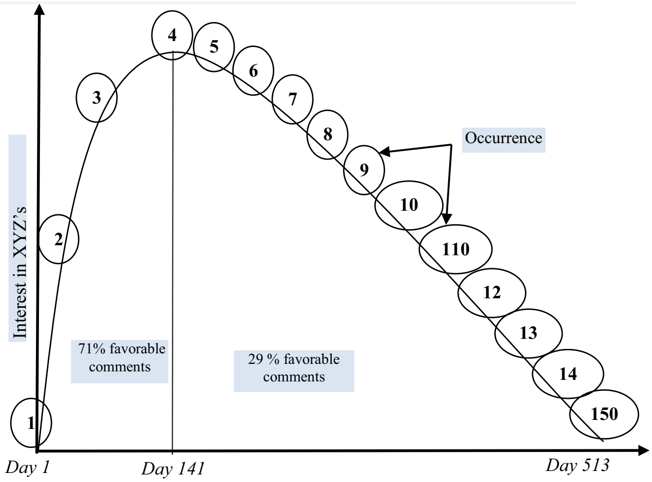

Figure 2.
Some important occurrences along with the rise and fall of interest in XYZ's chickens as reflected on an internet blog during Day 1 to Day 513

I want to import free-range organic halal chicken. I want the best and I check every claim carefully for the past three months. I now know every single organic chicken in Malaysia, which is halal, which is truly organic.

For me, to make use of false claims, especially by making use of religion to support such claims is mungkar[4] and must be exposed. It is mungkar to use the love for Islam by the ummah to sell products. I ask those who are doing so to repent and cease or risk exposure.

CR's presence and position had been unbearable for Amirul. He retorted one week later on Day 186:

Message to Mr CR

Dear Mr CR

After reading your explanation about enzyme and hydrolised protein, I realized that you know next to nuts on this matter. Until you read further about this subject matter in the book NOT ON THE LABELS and also reports from BBC and The Ecologist, you should refrain from giving advise to people on the subject matter you are not well versed with.

It is also munkar to talk about subject matter that's not in your knowledge. You are also a typical example OF JAHIL ILMU[5] but want to boost your knowledge. I don't know from what planet

> you came from, please do not give rubbish advise. You know what's the first ayat of the Quran brought to the earth, Read, Read.

The message was offensive enough to force the blog administrator to edit certain parts of it and advise to "argue intelligibly. If this gets too personal, I advise the two parties please do not use this blog to argue your case." After this incident, in more than a year only five people had addressed Amirul showing interest in his chickens, but he was not seen on this blog again. CR, however, appeared four times to respond to others. A person asked him his opinion regarding chickens of another farm, say ABC's chickens. Judging ABC against international organic standards, he concluded "ABC is not organic in the internationally accepted sense. However, it can claim to be antibiotic-free, or raised naturally, etc." Of course, ABC farm was not happy with this evaluation. They defended their position and made sarcastic comments of him. The person who had previously asked about ABC's chickens asked if XYZ's chickens are fully organic. CR's answer was: "no, Amirul's chicken, beef and mutton are not organic. ABC's chickens are not organic but Natural. It is a good chicken, better than Amirul's but not organic." When the person harshly accused CR of self-contradiction and taking the side of ABC farm, he wrote in detail, for the last time on the Day 409, comparing three farms on being transparent and being organic.

"To recap, I was asked my personal opinion and I gave my personal opinion.

I tried to see Mr Amirul but was not successful. After much effort, I was brought to the location of the farm at a place called Sungai Laut. It is totally abandoned. There were signs that once there were animal sheds, but they have all been torn down. I was told by one of his former feed suppliers that he is now buying from contract farmers, but I could not get to visit any of the contract farms. It is all very secretive.

In the case of ABC they are more transparent, so much so that one can see that they are NOT practicing all the internationally understood and internationally accepted organic methods. It is clearly a case of ABC not fully understanding the full meaning of organic farming. However, because of their transparency, one can safely assume their chicken is a better chicken than Mr Amirul's, which are bought from "contract" farmers who are largely unknown to the consumer. We are buying because we thought Mr Amirul raised them himself. He is not. He is buying from others.

UVV [farm] is very transparent and tells you everything about how they raise their chickens. When you visit their website you can see that they are really raising the chickens themselves and how they raise them. Everything is clear. Most important is the fact that their chickens reach 1.3 kg in 70 days. This is a real ayamkampung. One of Mr Amirul's associates told me proudly that his chickens reach 2 kg in 70 days. That is, not a good chicken for our health.

My intentions are sincere since people's health and people's money are involved."

After about one and a half months, as CR wrote this, the same accusing person was seen expressing his/her wonderment why Amirul's chickens were missing in Kelantan? Why all of its sales centers were closed? Andon the Day 507, another person appeared to express her dissatisfaction and anger for the bad smell and bad taste of the two chickens she had bought from XYZ. When these discomforting news about XYZ were around, a new participant appeared on Day 513 who shared in detail his personal experience and observation to corroborate the position of CR. Then, he went further ahead to suggest critical features to be observed by a farm/firm to be a truly decent business:

> The label "halal" itself does not necessarily mean the product is good and healthier. Tell me what's the difference between a halal-certified toothpaste that contains SLS, parabens, artificial flavorings and colors with a non-certified halal brand that is really 100 per cent natural, its origins clearly stated and made only with totally safe and vegetable-derived ingredients? I'd go for the

latter bcoz as a consumer, I know that the product is halal without doubts and healthier for me. I hope that all halal businesses in Malaysia practices:

Truth-in-Labeling; Avoid putting too much/or not at all synthetic fillers and chemical additives into their "natural" products; Be more ethical and responsible in advertising and promoting their products; Learn how to comply with international standards."

3.2 Sharīʿah-compliant hotel

The second case was on selected hotels called SCH. *Halal* businesses are on the rise. Not only in food and cosmetics but also in the finance industry, the *halal* business initiative is becoming conspicuous in the tourism, hospitality, leisure and entertainment industries. Recognizing the needs of Muslim travelers, accommodation services are being tailored now to offer Islamic hospitality. *Halal* hotel or SCH is the term to designate such services. In the Middle East, Jawhara, Rayhaan and Tamani are names of three key companies that operate SCHs. Being attracted to the lucrative market of Islamic hospitality, many international hotel chains (e.g. Shaza Hotels, Almulla Hospitality, Landmark Hotel Group and Serai Group) would like to open such hotels particularly in the Middle East (Henderson, 2010). Table III below shows these companies' existing and planned hotels together with their articulations of *halal* hotel conceptions.

The differences in the articulations of SCH conceptions do not remain confined in the linguistic domain. In the absence of authoritative SCH standards and requirements, practices of these hotels differ widely (Rosenberg and Choufany, 2009; Birchall, 2009). Both Dubai-based Almulla Hospitality and Rayhaan Hotels and Resorts claim to apply basic *Shariah* principles in offering services. While the former avoids rendering alcohol, adult entertainment and gambling services as a part of their application of *Shariah* principles, the latter's Islamic religiosity remains limited to shunning alcohol and separating recreation areas for women and men only (Birchall, 2009). The latter's Islamic operation shows

Company	Conceptions	Existing/planned
Jawhara	Sharīʿah-compliant Unique Emirate hospitality Islamic hospitality	Existing: 3 in Dubai
Rayhaan Hotels and Resort by Rotana	Respect for the culture and beliefs of guests	Existing: 1 in Dubai
Tamani Hotels and Resorts	Adherence to Islamic principles	Existing: 1 in Dubai Planned: 2 in UAE
Almulla Hospitality	Sharīʿah-compliant/conscious lifestyle	Planned: 150 in ME, North Africa, South East Asia and Europe
Landmark Hotel Group	Sharīʿah-compliant MEern themed	Planned: 10 hotels and serviced apartments in the UAE and Saudi Arabia
Serai Group	MEern-themed Sharīʿah-compliant	Planned: 24 ME, North Africa and South Asia
Shaza Hotels	Based on Arab culture and tradition Oriental spirit Sensitive to Islamic considerations	Planned: 7 in Bahrain, Cairo, Doha, Dubai, Marrakech and Muscat

Source: Based on Henderson (2010)

Table III.
Existing and planned SCHs with their conceptions

resemblance with a dry hotel, which operates without a bar or do not serve alcoholic drink (Wilkinson, 2007). In fact, the beginning of the "dry hotel" concept in the Middle East can be considered as old as the establishment of the hotel itself as alcohol is illegal in Kuwait, Saudi Arabia, Iran and the UAE (Wilkinson, 2007; Henderson, 2010). Although dry hotels are not obliged to provide Sharīʿah-compliant services, a three-fold categorization of Islamic accommodation services put such hotels in an Islamic category – of course, in the lowest category where the degree of Islamic compliance is the least (Hamid, 2010; Damit *et al.*, 2017).

Now, the question is what constitutes full Sharīʿah compliance by a hotel? Three sources independently provided us detailed criteria of SCH services. For our current purpose, we assembled these criteria under seven categories as shown in Table IV.

It is quite clear and quite expected as well, that the three sources do not differ much on SCH criteria; rather, they present almost identical requirements to be observed by a fully SCH. These requirements in classified forms are:

- Reliance on Islamic finance;
- avoidance of unlawful food and drinks;
- full-scale facilities for the daily prayers;
- avoidance of any forms of adult entertainment;
- gender-based separation of service facilities;
- furniture, fixtures and decorative works themselves and their positioning are in conformity with Islamic sense of *adab*; and
- predominantly Muslim employees (both male and female) with proper attire.

Henderson (2010) stands slightly differently by specifying two requirements, which the other two sources do not mention. These are guest dress code and bidets in bathrooms. Stephenson *et al.* (2010) also show the difference, not by adding extra, but by missing the requirements pertaining to entertainment and male-female separation of general service facilities.

4. Findings

4.1 Evaluation of the XYZ halal organic chicken

None would question the *halal*-ness of XYZ's chickens. However, *halal*-ness of its business can be questioned. Its chickens are claimed special in many ways. XYZ claims that it does not use prohibited hydrolyzed protein (common people say pig enzyme). This is one of the ways to make its chickens distinct from other producers. This kind of sweeping claim of distinctiveness alludes that "others" use it. It is sweeping because it does not specify other producers who use the prohibited enzyme and who do not. According to Alzeer *et al.* (2018), *halal* is a subject, whereas *toyyib* is a process that should lead to clean and pure food as a main objective and generate comfortable feeling like the main goal. If objectives and goals are accomplished, the food or any halal product can be declared as *halal tayyiba*. Therefore, it is essential for any *halal* business to use both concepts in its products. This is a point where we can see the violation of a group of stakeholders (i.e. competitors) rights.

XYZ's chickens are given *habbatussawda* (black seed) as a part of their daily dietary and this is another way of making its chickens distinct. There is a Prophetic narration that *habbatussawda* can cure all diseases except death. Why do chickens need to be fed by *habbatussawda*? Does the seed have an extra nutritional effect? Shrewd use of

Categorizing SCH requirements	Sources: Rosenberg and Choufany (2009)	Stephenson *et al.* (2010)	Henderson (2010)
Financial issues	Hotel financed through Islamic financial arrangement The hotel should follow the zakat principles	Finance activity must comply with Shariah law Financial transactions must be kept away from *riba* Hotel owners must contribute a proportion of revenue as according to zakat principles	Islamic funding
Food and beverage	No alcohol *Halal* food only	*Halal* food available	No alcohol to be served or consumed on the premises *Halal* foods (no pork produce)
Worshipping	Quran and prayer mats available in each room Markers pointing to Mecca	Markers indicating Mecca Prayer mat and prayer beads Separate prayer room for male and female	Quran, prayer mats and arrows indicating the direction of Mecca in every room Prayer rooms
Staff, staffing and dress code	Majority of staff Muslim Female staff for the single female floor and male staff for male floors	Traditional uniforms for hotel staff Female staff follows Muslimahdress code	Predominantly Muslim staff Conservatives staff dress Guest dress code
Furniture, fixtures and decoration	Beds and toilets should not be placed to face the direction of Mecca Art should not depict the human form	Beds and toilet plumbing faced away from facing Mecca Do not display any human part or form in the decoration	Beds and toilets positioned so as not to face the direction of Mecca Bidets in bathrooms
Gender-based separation of general facilities	Larger separate function rooms for female and male guests Separate floor for single men and single women and families Separate wellness facilities for each gender		Separate recreational facilities for men and women All-female floors
Entertainment	Conservative television service No entertainment venues e.g. nightclub		Appropriate entertainment (no nightclubs or adult television channels)

Table IV. Showing various requirements of SCH obtained from three sources

Islamic sentiment to promote the product is not desirable, some may even say repulsive. Once the Prophet (peace and blessings of Allah be upon him) addressed commission agents (*simsar*) saying: "O merchant community! A lot of oaths are spoken and empty words are uttered during business transactions. So stick to charity (to be forgiven)

(Ibn Majah, *hadith* no. 2145)." It can be inferred that oaths and empty words are tantamount to false information, which can be used cleverly to design an exaggerated image of the product to impress potential customers and entice them to buy.

The CR's secretive field visit brought us a report about the (non)existence of XYZ's own farming. The fact that XYZ's chickens are raised by contract farmers should be known to customers. It is XYZ's obligation to be transparent on how its chickens are bred and raised. XYZ misrepresented its chicken by concealing this important information. Concealing information is objectionable. Fabricating information is punishable.

The CR is also a stakeholder – as a potential importer and as a part of the civil society. His rights have been violated outright by the XYZ's owner. Condescendingly asking someone to seek knowledge and using abusive and offensive language to argue are not the ways that a sensible person, let alone a true Muslim, can follow.

4.2 Evaluation of the Sharīʿah-compliant hotels

The main objective of establishing SCH is to provide Muslim travelers a choice for accommodation, that is, away from the elements, which are impermissible in Islam. A hotel fulfilling the requirements shown in Table IV above is such an Islamic accommodation. No doubt, such hotels will greatly facilitate Muslim travelers to continue to have a blessed journey. From the owner's perspective, however, the question is: does observance of the stated requirements (physical, financial and human) only make his hotel a source of *halal* income for him? Does the list of requirements sufficiently address the rights of stakeholders?

A closer look at these requirements reveals that except for the financing and staffing issues, all the other five requirements are more or less concerned with the physical features of accommodation service. In addition to these five, facilities for daily prayer are the only *adding* feature; the rest pertain to the idea of *removing* impermissible to become Sharīʿah-compliant.

The staffing requirement remains confined to the religious denomination of staff, their gender-based segregation and dress code; it does not address employee rights either directly or even by implication. The question is if employees work with less than minimum wage, are paid less than due overtime, carry unbearably high workloads or get no respite for Friday prayers, will a hotel still be considered an SCH because its employees wear the conservative dress and greet customers with *assalamualaikum*? Moreover, excellent customer service is the essence of Islamic hospitality. This excellence utterly depends on the intellectual, psychological and spiritual development of employees. The current conception of SCH does not make this development a requirement, an obligatory responsibility of the hotel owner. Can this development be taken for granted?

When only Sharīʿah-compliant physical features of a hotel cannot capture the whole essence of "Islamic hospitality" and ill-developed employees cannot ensure excellent customer service, an SCH with its present stipulations is likely to fall short in addressing its guest rights as well. Thus, from the customer perspective, one may argue that conscious Muslims can have their "Sharīʿah-compliant stay" at most secular hotels using their Islamic conscience in avoiding impermissible. In fact, many practicing Muslim guests stay at the major "secular" hotel chains such as Sheraton, Hilton, Hyatt and Shangri-La and become repeat customers because of convenience, pleasant experience and value for money.

5. Conclusions

Two factors are found common to these two cases, namely, conspicuous design of the *halal* product or Islamic service, and the conspicuous absence of or negligence toward and stakeholder rights. The businesses in the cases are considered Islamic because they sell *halal* products or render Islamic services. *Halal* chicken and impermissible elements-free Islamic accommodation are the very things that determine the *halal*-ness or Islamic religiosity of the chicken farm and the hotel, respectively. What is not counted in ascertaining *halal*-ness are the rights of very people who are the receivers and deliverers of the *halal* products and services. How the employees, customers and other stakeholders are affected draws little or no attention in the domain of overly product-centric *halal* businesses.

On the scale of ethics and social responsibility, these product-centric businesses are generally considered socially responsible only in terms of maintaining mandatory legal standards concerning products. However, they look very grim on the scale when the question is fulfilling people's rights, which are largely an issue of moral responsibility. The discretionary responsibility, for a Muslim business owner, is a behavior of spiritual standards. We postulated it as the subordination of personal business interests to the general or public good. Whether the *halal* businesses discharge discretionary social responsibility is a question that generally defies external evaluation. The owners themselves are the proper evaluators.

5.1 Implications

The first and foremost practical implication of the findings of the current study is concerned with *halal* business owners. They need to pay serious attention to the total requirements of *halal* business and products. The product must be *halal* for a business to be *halal,* no question about it. However, this is not the only requirement, there are others. They are expected to recognize that the overly product-centric notion of *halal* business marginalizes moral and presumably spiritual, standards of Islamic business conduct. For this, they need to reorient their business thought. Currently, fulfilling customers' need for *halal* products or services is the underlying force for *halal* or Islamic business initiatives. The prime mover of the initiative, however, should be the *owner's inescapable need of earning a halal income*. A business grown out of this need will be proactive to discharge all legal, moral and spiritual responsibilities toward others for safeguarding its owner's real interests in life after. In addition, this business will not necessarily need to have an Islamic name or a *halal* emblem.

Halal certifying organizations or agencies can gain significant insights from the findings of the study. They can use the insights to review the adequacy of their current standards for *halal* certification. The recognition that *halal*-ness of a product or service is a subset of a *halal* business is likely to underscore the need for widening and deepening the *halal* certification process. This means that the certification process should go beyond mandatory legal standards concerning products and encompass standards of moral responsibility toward fulfilling the rights of stakeholders including customers, suppliers and competitors. In other words, assessment of whether business dealings of *halal* companies are fair and transparent should be made an integral part of the *halal* certification process. In consideration of such a more holistic certification process, future research works can undertake the task of developing concrete Islamic standards for fair and transparent business dealings, which can be operationalized for determining the *halal*-ness (i.e. Islamic authenticity) of the whole business, just not the products.

Customers have the responsibility to make a deliberate choice in buying *halal* products. Ideally speaking, their buying behavior shall not promote "halal" products whose production and delivery involve deceptive means and infringements of rights of people. For this, customers need to have a greater understanding and awareness of the totality of the *halal* business concept. Consumer associations and educational institutes at various levels can use the current study findings for proper consumer education *vis-à-vis halal* business in general and *halal* purchase decisions in particular.

Notes

1. The link does not imply that obeying the third and fourth Quranic instructions, as mentioned in Table I, is non-mandatory although they correspond to social responsibilities, which are marked as moral and spiritual. The purpose of establishing the link is to underscore that external explicit control for exacting compliance with the instructions of moral and spiritual import will be less and less. For a Muslim business owner, he needs to follow all the instructions to make his business truly *halal* and, thus, secure his real self-interest in afterlife.
2. Names of farms and people concerning halal chicken case are disguised.
3. The blog comments were in English and Malay. Comments are slightly edited without distorting their meaning and tone.
4. Arabic word munkar means an offence or objectionable act.
5. By the word "*jahililmu*" he meant ignorant.

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