

AN ANALYSIS OF PERMISSIBLE FOOD AND
BEVERAGES ACCORDING TO *ḤALĀL* AND *KASHRUT*
FROM ISLAMIC PERSPECTIVE

BY

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ABSTRACT

Some Muslims assume that *kosher* certified foods are permissible to be consumed based on the assumption that Jews do not consume swine and its by-products. The Qur'ān also states in *Ṣurah al-Mā'idah* verse 5 that, the food of those who received the scriptures (*aḥl al-Kitāb*) is permissible for consumption. *Kashrut* (Jewish dietary laws) shares some identical food principles with Islamic food laws especially on the issue of animal slaughtering and the prohibition of swine. These similarities lead to the assumption that *kosher* certified foods are *ḥalāl* for Muslims and thus those products can be considered as substitutes to *ḥalāl* products especially if the *ḥalāl* certified products are not available in the market. The objectives of this research are: to determine the factors that cause the lack of awareness among the Muslim consumers on *kosher* certified products, to analyze the similarities and differences between *ḥalāl* and *kosher* food principles particularly on *ḥalāl* and *kosher* food supply chains, to scrutinize the opinions of the Muslims scholars (intellectuals) on the issue of consumption of *kosher* food products from an Islamic perspective and lastly to propose guidelines for Muslim consumers regarding consumption of *kosher* certified products. The current study is qualitative in nature. The data used in this study was collected from library research and field researches (interviews). Then the data was analyzed based on content, comparative, inductive and deductive analysis. The research findings of this study show that the level of awareness among Muslim consumers on *kosher* certified products is low due to lack of knowledge and information on Jewish basic food principles (*kashrut*). There are some similarities and fundamental differences between *kashrut* and *ḥalāl*. Therefore, both are not identical or interchangeable. There is a misconception held by Muslim consumers that the consumption of *kosher* certified products is permissible since *kashrut* (Jewish Dietary Laws) prohibit swine in their products as applied in Islam. However, alcohol is permissible in *kashrut* (Jewish dietary Laws) provided that it is processed and produced by Jews. Alcohol is common ingredient (additive) in *kosher* food products. It may be added in plant and fish-based products which render *kosher* certified products unacceptable for consumption in Islam. Therefore, *kosher* certified products are not necessarily *ḥalāl* and cannot be considered as substitutes for *ḥalāl* certified products. On the issue of animals slaughtered by Jewish people, Muslim scholars are not unanimous regarding their permissibility.

خلاصة البحث

يفترض بعض المسلمين أن الأطعمة الحلال عند اليهود يجوز تناولها على أساس أن اليهود لا يستهلكون الخنازير ومنتجاتها المصاحبة. ويذكر القرآن أيضاً في سورة المائدة الآية 5 أن طعام أولئك الذين أنزل عليهم الكتب المقدسة (أهل الكتاب) جائز للتناول. تشترك قوانين الغذاء اليهودية في بعض المبادئ الغذائية المتطابقة مع قوانين الغذاء الإسلامي وخاصة فيما يتعلق بمسألة ذبح الحيوانات وحظر الخنازير. وتؤدي هذه التشابهات إلى افتراض أن المواد الغذائية الحلال عند اليهود حلال للمسلمين، وبالتالي يمكن اعتبار هذه المنتجات بدائل للمنتجات الحلال للمسلمين خاصة إذا كانت المنتجات الحلال للمسلمين المعتمدة غير متوفرة في السوق. فمن أهداف هذا البحث: تحديد العوامل التي تسبب نقص الوعي لدى المستهلكين المسلمين بالمنتجات الحلال المعتمدة عند اليهود، وذلك لتحليل أوجه التشابه والاختلاف بين مبادئ الغذاء لمنتجات الحلال اليهودية ومنتجات الحلال الإسلامية وخاصة لموردي منتجات الحلال اليهودية ومنتجات الحلال الإسلامية، ولفحص آراء علماء المسلمين (المثقفين) حول مسألة تناول المنتجات الغذائية الحلال في الشريعة اليهودية من منظور إسلامي، ومن ثم اقتراح مبادئ توجيهية للمستهلكين المسلمين فيما يتعلق باستهلاك المنتجات الحلال اليهودية. كانت طبيعة الدراسة الحالية نوعية. وتمّ جمع البيانات المستخدمة في هذه الدراسة من بحوث المكتبة والبحوث الميدانية (المقابلات). بعد ذلك، تمّ تحليل البيانات على أساس المحتوى، والتحليل المقارن، الاستقرائي والاستنتاجي. لقد أظهرت نتائج الدراسة أن مستوى الوعي لدى المستهلكين المسلمين حول المنتجات الحلال الموافقة للشريعة اليهودية منخفض بسبب نقص المعرفة والمعلومات عن مبادئ الغذاء الأساسية اليهودية. وهناك بعض أوجه التشابه والاختلافات الأساسية بين مبادئ الغذاء الأساسية اليهودية والغذاء الحلال الإسلامي. لذلك، كلاهما غير متطابقة أو قابلة للتبديل. هناك اعتقاد خاطئ من قبل المستهلكين المسلمين بأن استهلاك المنتجات الموافقة للشريعة اليهودية مسموح به بما أن القوانين الغذائية اليهودية تحظر الخنازير في منتجاتها كما هو مطبق في الإسلام. ومع ذلك، الكحول مسموح به في القوانين الغذائية اليهودية شريطة أن تتم معالجته وإنتاجه من قبل اليهود. والكحول هي المكونات المشتركة (المضافات) في المنتجات الغذائية الموافقة للشريعة اليهودية. ويمكن إضافته في المنتجات النباتية والأسماك مما يجعل المنتجات المعتمدة في الشريعة اليهودية غير مقبولة للاستهلاك في الإسلام. لذلك، كانت المنتجات المعتمدة لدى اليهود ليست بالضرورة حلال للمسلمين ولا يمكن اعتبارها بدائل للمنتجات الحلال الإسلامية المعتمدة. وأما حول مسألة الحيوانات التي ذبحها الشعب اليهودي، فلم يجمع علماء المسلمين على جوازها.

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Dedicated to Allah: Who with His Grace perfects the disposition of the Righteous.

To my husband, my late parents and my beloved children.

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TABLE OF TRANSLITERATION

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ب	B	د	D	ص	ṣ	ف	F	ه	H
ت	T	ذ	dh	ض	ḍ	ق	Q	و	W
ث	Th	ر	r	ط	ṭ	ك	K	ى	Y
ج	J	ز	z	ظ	ẓ	ل	L		
ح	ḥ	س	s	ع	‘	م	M		

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LIST OF TRANSLATIONS

<i>Allāh</i>	The one God
<i>Tasmiyyah</i>	Invoking the name of Allah
<i>Dḥabīhah</i>	Slaughtering the animal according to Islamic law
<i>Ahl al-Kitāb</i>	Those who have the scriptures (Jews and Christians)
<i>Ḥalāl</i>	Permissible
<i>Ḥarām</i>	Prohibited
<i>Makrūh</i>	Detested
<i>Mubāḥ</i>	Permitted
<i>Najīs</i>	Unclean
<i>Al-Qur'ān</i>	The Muslim holy scripture
<i>Sharī'ah</i>	The Islamic jurisprudence (laws)
<i>Ijmā'</i>	Consensus
<i>Qiyās</i>	Deduction of analogy
<i>Kasyrut</i>	Jewish Dietary Laws
<i>Kosher</i>	Fit, lawful in Jewish Laws
<i>Shochet</i>	A Jewish slaughter man
<i>Chometz</i>	Prohibited grain in Jewish Law
<i>Pareve</i>	Neutral products, neither milk nor meat in Jewish Law
<i>Cholev yisroel</i>	The milk to be watched from the time of milking
<i>Khamr</i>	Intoxicated drinks
<i>Bismillāh</i>	The Arab word: in the name of Allah
<i>Halacha</i>	Jewish Laws
<i>Milkhig (Jewish term)</i>	Milk
<i>Fleishik (Jewish term)</i>	Flesh
<i>Hamets (Jewish term)</i>	An agent of fermentation
<i>Seder (Jewish term)</i>	Order
<i>Shechita</i>	Slaughtering animal according to Jewish Laws
<i>'Aid al-Adha</i>	Recheck
<i>Ḥajj</i>	Pilgrimage
<i>Orlah (Jewish term)</i>	Forbidden fruit
<i>Chalef</i>	A special knife for <i>kosher</i> slaughtering
<i>Treyfah</i>	Prohibited, unfit in Jewish Laws
<i>Melihah</i>	The process of removing blood from the meat in Jewish Laws
<i>Shuman</i>	Permissible fat in Jewish Laws
<i>Chelev</i>	Forbidden fat in Jewish Laws
<i>Madhāhib</i>	Traditional schools of Islamic Law
<i>Maqāṣid</i>	Purpose, objective
<i>Mubāḥ</i>	Lawful
<i>Ḥikmah</i>	Wisdom (behind the law)
<i>Ḥajiyat</i>	Needs

Mandūb
Taḥsiniyyat
Ummah

Recommended
Luxuries
Nation

LIST OF ABBREVIATION

AFIC	The Australian Federation of Islamic Council
FIANZ	Federation of Islamic Associations of New Zealand
FSA	Food Standard Agency
HMC	<i>Ḥalāl</i> Monitoring Committee
IFANCA	Islamic Food and Nutrition Council of America
SUV	Sport Utility Vehicle
U.S.	United States
UK	United Kingdom
UN	United Nations
OU	Orthodox Union
HMC	<i>Ḥalāl</i> Monitoring Committee
FSA	Food Standard Agency
GDP	Gross Domestic Product
GIEI	Global Islamic Economic Indicator
AMJA	Assembly of Muslim Jurist of America
ICT	Information and Communication Technology
OIC	Organization of Islamic Cooperation
UAE	United Arab Emirates
IoT	Internet of Things
MFT	Muslim Friendly Tourism
M2M	Machine to Machine
M2P	Machine to Person
MFT	Muslim Friendly Tourism
Co-bot	Co-robot
PWC	Prince water house Coopers
FDA	Food and Drug Administrator
SMEs	Small and Medium-Size Enterprises
FTS	Food Traceability System
EU	European Union
MISC	Malaysian International Shipping Company
IHIAS	International <i>Ḥalāl</i> Standard for Logistics
RFID	Radio Frequency Identification Device
HACCP	Hazard Analysis and Critical Control Points
ISO	The International Organization for Standardization (ISO)
SMNA	Syed Muhammad Naquib al-Attas
IUM	International Islamic University Malaysia
UKM	University of Kebangsaan Malaysia
InterPoc	International Point of Commerce Inc
IFANCA	Islamic Food and Nutrition Council of America
MSG	Muslim Consumer Group
TPB	Theory of Planned Behaviour
JAKIM	Jabatan Kemajuan Agama Islam
UIN	University Islam Negeri
PBUH	Peace Be Upon Him
SFSC	Short Food Supply Chain

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND OF THE STUDY

Besides shelter and oxygen, living beings need food and water to survive. Food and water supply the required nutritional values to ensure that the human cell bodies achieve their designated functions for human growth, development and maintenance. Food also provides energy to support to work movement and life sustenance.

In this respect, religious and cultural beliefs may shape and influence the dietary patterns of a certain society. The environment and surrounding conditions also affect their habits. Within one culture, there may be sets of rules which draw the boundaries or limitations between forbidden and permissible foodstuffs. Therefore, a food item which is a taboo or prohibited in one society may be permissible in another. The existence of dietary differences between individuals of different ranks, castes, ethnic groups, cultural dimensions and other social class structures create such a unique diversity and complex phenomenon in both ancient and modern civilizations. Food also has social values as it promotes the feeling of sharing, togetherness, and it is also a symbol of identity.

Naturally, different parts of the world may have different food supplies depending on the environmental conditions, climate or season. People mostly consume the food that nature offers to them. In this respect, their choices of food preference and prohibition, good or bad, delicious or distasteful is not objective. It is different from one culture and/or belief to another. Hence, it is difficult to deny that food integrates people into its specific characteristics of meal pattern, dietary

requirements, eating habits, culinary techniques, food preference, and the like. In addition, food, perhaps, may indicate the distinctive expression of certain beliefs and cultural diversity. The Jews and the Muslims, for example, do not consume swine as it is clearly prohibited in their belief (religion), e.g. Qur'ān states:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِزْيِيرِ...

Meaning:

“Forbidden to you (for food) are: *Al-Maytatah* (the dead animals - cattle-beast not slaughtered), blood, the flesh of swine” (*al-Mā'idah:3*)

The main focus of this research is to evaluate and assess the principles of food and beverages (drinks) according to *halāl* in Islam and *kosher* in Judaism so as to explore a comprehensive evaluation of their views on food by understanding their food theories, principles and perspectives, based on both religious beliefs.

1.2 STATEMENT OF THE PROBLEMS

The *Qur'ān* clearly mentions food of the people of the book, the Jews and the Christians, is permissible for the Muslims and the food of the Muslims are permissible for them. However, some food which is permissible in Islam may not be permissible in Judaism and Christianity. For instance, the Jews do not eat certain animals such as camel, and certain parts of the permissible animals such as sinew. Even though both religions come from the same roots, the *Qur'ān* states that the people of the book have changed their scriptures (see, for example in *Qur'ān, al-Baqarah: 79*). The *Qur'ān* also explains that there are certain foods which are basically permissible for Muslims to consume, but *Allah* makes them unlawful to the Jews due to their disobedience to His teachings. According to the verses of the *Qur'ān*, Allah mentioned:

كُلُّ الطَّعَامِ كَانَ حَلَالًا لِّبَنِي إِسْرَائِيلَ إِلَّا مَا حَرَّمَ إِسْرَائِيلُ عَلَىٰ نَفْسِهِ مِن قَبْلِ أَنْ تُنزَلَ
التَّوْرَةُ ۗ قُلْ فَاتَّبِعُوا بِالتَّوْرَةِ فَاتْلُوهَا إِن كُنتُمْ صَادِقِينَ.

Meaning:

“All food was lawful to the Children of *Isrā'il*, except what *Isrā'il* made unlawful for itself, before the Law (of Moses) was revealed. Say: Bring you the Law and study it, if you be men of truth.” (‘*Āli Imrān*: 93)

In other verse, Allah says:

فَبِظُلْمٍ مِّنَ الَّذِينَ هَادُوا حَرَّمْنَا عَلَيْهِمْ طَيِّبَاتٍ
أُحِلَّتْ لَهُمْ وَبِصَدِّهِمْ عَنِ سَبِيلِ اللَّهِ كَثِيرًا.

Meaning:

“For the inequity of the Jews We made unlawful for them certain (foods) good and wholesome which had been lawful for them, in that they hinder many from Allah’s way.” (*Annisā'*:160)

The *Qur'ān*:

وَعَلَى الَّذِينَ هَادُوا حَرَّمْنَا كُلَّ ذِي ظُفْرٍ ۖ وَمِنَ الْبَقَرِ وَالْغَنَمِ حَرَّمْنَا عَلَيْهِمْ شُحُومَهُمَا
إِلَّا مَا حَمَلَتْ ظُهُورُهُمَا أَوْ الْحَوَايَا أَوْ مَا اخْتَلَطَ بِعَظْمٍ ۚ ذَلِكَ جَزَيْنَاهُم بِبِعْيِهِمْ ۗ وَإِنَّا
لَصَادِقُونَ.

Meaning:

“For those who followed the Jewish Law, We forbade every (animal) with undivided hoof, and we forbade them that fat of the ox and the sheep, except what adheres to their backs or their entrails, or is mixed up with a bone, this in recompense for their willful disobedience, for We are true (in Our ordinances).” (*al-An'ām*: 146)

From the fore mentioned verses of the *Qur'ān*, it is clear that there are different rulings on food in both Islam and Judaism despite the similarities between both

religions. Islam lays emphasizes on consumption of *ḥalāl* and wholesome foods (*ḥalālān ṭayyiban*). These two conditions should be applied together. The element of *ṭayyiban* is highly recommended and encouraged. The current development on food and technology reveals that there are many foods which are *ḥalāl* but they are not *ṭayyib* (wholesome). If the element of *ṭayyib* is neglected, it may have negative implications on our bodies (health) and (spiritual) lives. That is the major reason why Islam put forward teachings (injunctions) on food consumption to be observed by Muslims way before even modern science discovered the importance of healthy food (*ḥalālān ṭayyiban*) to the human body. In the current modern times, the food is produced by using sophisticated techniques. Food technology is becoming very powerful, particularly in transformation of natural or original products into other products, such as preserving substance, artificial coloring, reconstituted proteins, artificial flavors, including the sophisticated development in Genetic Food Engineering. Therefore, it is very important to highlight the implementation of *ḥalālān* and *ṭayyiban* in the real life of Muslims. Taking *ḥalāl* food is not a matter of choice but also a matter of faith and it should be observed by every Muslim. Islam is a holistic religion that recognizes the interconnectedness of spiritual, emotional, and physical health. What a person eats and drinks has a direct connection with the religious belief.

Nowadays, Muslim consumers sometimes lose control over what they eat. They no longer have the full knowledge of what they eat. The forms and ingredients of foods have been transformed and imitated which makes the situation more complex. This poses a great challenge to Muslims to ensure that anything that they consume is *ḥalāl*. The *Qur'ān* states:

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا ...

Meaning:

“O ye people! Eat of what is on earth, lawful and good ...” (*al-Baqarah*: 168).

With the substantial increase of global commodity network today, the international food trade is rapidly expanding. This can be understood from the increasing volumes of imported food and other products, including beverages. It raises some public concerns in Muslim communities specifically, concerning the *ḥalāl* status of the products. Muslims have to carefully observe not only the safety, taste, quality and price, but also the *ḥalāl* status of the products. Muslims consider religion as the most important determining factor when it comes to food preference and consumption. Food today is traded internationally, influencing many food related networks in global commodity chains. This condition generates new challenges, and opens up a new dialogue on the consideration of the issue of *ḥalāl* food in a global perspective. This is the real fact that globalization has an important role in the availability of food choices and preference despite the attendant challenges.

Muslims who live in secularized world, especially the western countries have long struggled to find *ḥalāl* food in order to fulfill their religious obligation. The food entrepreneurs and producers produce large quantities of food, where majority of the food industries are dominated by non-Muslims who are not fully aware of the concept of permissibility of foods and the idea that food must meet certain Islamic *ḥalāl* standards. In addition, *kosher* products, which are considered as permissible foods for Jews, are available everywhere including meat or meat products. This situation has led some Muslims to purchase *kosher* food products as an alternative for the *ḥalāl* ones

with an assumption that *kosher* and *halāl* share identical major food principles especially on the issue of slaughtering animals and the prohibition of pork.

However, the current trend of *halāl* food production shows that global *halāl* industry is growing significantly and *halāl* food products are getting more globalized. Nowadays, it is not surprising that *halāl* food products are widely available in the Western countries. Therefore, the Muslim justification to consume *kosher* foods due to the unavailability of *halāl* food is no longer applicable. It is very important to provide basic information to increase the level of Muslim awareness to consume only *halāl* products as part of religious duty and responsibility.

Kosher and *halāl* share similar food principles as well as fundamental differences as both laws originate from different religious backgrounds which contain different legal implications on the permissibility and the prohibition of food products.

Islam is a final and comprehensive religion which regulates all matters of Muslims' lives. Its rules and teachings supersede all previously revealed religions including Judaism and Christianity. In Qur'an, *Allāh* states:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا ۗ
فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ.

Meaning:

“This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.” (al-Maidah: 3).

This verse demonstrates the completion of the *Qur'an* and the perfection of Islam as Islam prevails over other religions. This is the greatest favor from *Allāh* to

Muslims. Muslims do not need any other religion as Islamic teachings must be implemented as a way of life.

Furthermore, one of the most important aspects in *kosher* and *ḥalāl* food production is the issue of food supply chain. Both *kosher* and *ḥalāl*, have their own distinct food supply chain systems and mechanisms. Therefore, it is important to scrutinize both *kosher* and *ḥalāl* food supply chains in order to justify that *kosher* food products do not always fulfill the Islamic requirements to be considered as *ḥalāl* food especially the issue of alcohol which is commonly used in *kosher* ingredients and also the gelatin which is produced by more lenient *kosher* supervision.

Indeed, the *ḥalāl* food supply chain plays a significant role in *ḥalāl* food production so as to ensure that the sources, process and end products are in conformity with *Shari'ah* requirements. Therefore, it is very important to look into the matter carefully so as to get a clear justification on the position of *kosher* food products from the Islamic point of view.

1.3 RESEARCH QUESTIONS

1. What are factors that cause the lack of awareness among the Muslim consumers on the *kosher* certified foods and beverages
2. What are the similarities and differences between *ḥalāl* and *kosher* principles in *ḥalāl* and *kosher* food supply chains and the opinions of Muslim scholars on *kosher* food products from Islamic point of view?
3. What are the guidelines for Muslim consumers on consuming *kosher* certified products?