

ISSUES ON HALAL FOODS WITH SPECIAL REFERENCE TO FATWA ON HALAL PET FOOD FOR CATS IN ISLAMIC LAW

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ABSTRACT

When it comes to pet food, halal issues rarely arise. However, several people care about this issue. This is because humans have evolved from a time when animals did not live with humans to when it was found that many families had at least one pet. Especially in the modern world, more and more pets have been considered an integral part of the family all over the world. Also, the increase in income of the Muslim population can change their lifestyle, and owning a pet is an integral part of the family. According to statistics made in the United States, more than half of all Americans have a dog or cat in their home. Meanwhile, 45% of households in Romania have a cat. And, 92% of cats in Australia are kept at home. This article aimed to discuss the need to provide halal food for pet cats according to Islamic law. Also, it provide debates and intellectual findings related to the issue of halal pet food to fill the literature gap. This research is normative legal research using the Islamic law approach. The results of this study indicate that it is safe to suggest based on research that if there is no pork in pet food and as long as it is guaranteed to be harmless and safe for pets to eat, then the food should not be a problem to eat, serve and provide for cats.

Keywords: Fatwa; Halal-Haram; and Pet Food for Cat;

ABSTRAK

Bericara tentang makanan hewan peliharaan, masalah halal jarang muncul. Namun, ada sejumlah orang yang benar-benar peduli tentang masalah ini. Hal ini karena manusia telah berevolusi dari saat hewan tidak hidup dengan manusia hingga saat ini ditemukan banyak keluarga yang memiliki setidaknya hewan peliharaan. Terutama di dunia modern lebih banyak hewan peliharaan telah dianggap sebagai bagian integral dari keluarga di seluruh dunia. Juga, peningkatan pendapatan populasi Muslim dapat mengubah gaya hidup mereka, bahwa memiliki hewan peliharaan merupakan bagian yang tidak terpisahkan dari keluarga. Menurut statistik yang dibuat di Amerika Serikat, lebih dari setengah dari semua orang Amerika memiliki anjing atau kucing di rumah mereka, 45% rumah tangga di Rumania memiliki kucing, dan 92% kucing di Australia dipelihara di rumah. Artikel ini bertujuan untuk membahas apakah perlu menyediakan makanan halal untuk kucing peliharaan menurut hukum Islam. Selain itu, juga bertujuan untuk memberikan perdebatan dan temuan intelektual terkait isu halal pet food untuk mengisi kekosongan literatur. Penelitian ini merupakan penelitian hukum normatif dengan menggunakan pendekatan hukum Islam. Hasil penelitian ini menunjukkan bahwa

aman untuk menyarankan berdasarkan penelitian bahwa jika tidak ada daging babi dalam makanan hewan peliharaan dan selama dijamin tidak berbahaya dan aman untuk dimakan oleh hewan peliharaan, maka makanan tersebut seharusnya tidak menjadi masalah untuk dimakan, disajikan dan disediakan untuk kucing.

Kata Kunci: Fatwa; Halal-Haram; dan Makanan Hewan untuk Kucing;

Introduction

Statistics showed that in 2013, a total of 22 million tonnes of pet food had been manufactured of which 30-35% is dominated by cat food products. A report by Euromonitor stated that in 2013, there are 650 million cats and dogs worldwide of which 35% of the population is cats and 55% of them live in Europe and North America.¹ Due to the increase in the population of pets, demand for clean and quality cat food has risen in recent years. Also, this factor is caused by the increase in awareness of the benefits to their beloved animal such as a healthy pet and a long lifespan.²

Since the rise in the Muslim population, demand for the halal product has also risen due to the increase of awareness between the Muslim and also the manufacturer towards the need to follow the Shariah, ruling in the life of a Muslim. As Islam is a comprehensive way of life, Muslims should not segregate Islam from how they live their life. Therefore it must be applied to every aspect of life. Also, it included their dealings with creatures in this world such as a pet. Since a dog is prohibited to be taken as a pet, the percentage of Muslim owning cats as a pet is higher than other types of animals. Thus, Islam had already given guidelines on how to treat an animal. Nevertheless, there is no mention of the obligation or necessity to provide halal food for the animal under their care. As a result, some people did not agree with the issue of the necessity to provide halal food for their pet.

However, a human had since evolved from the time that animals didn't live with humans to nowadays where we found a lot of families owning at least one pet. Especially in the modern world where more pet has been considered an integral part of families all over the world. Also, the rise in income of the Muslim population may

¹Liz Walden, "A Guide to Worldwide Pet Ownership," Pet Secure, 2017, <http://www.petsecure.com.au/pet-care/a-guide-to-worldwide-pet-ownership/>.

²Amir H.M.S et al., "Halal Cat Food for the World Market," *International Journal on Advanced Science, Engineering and Information Technology* 4, no. 4 (2014): 230–33, <https://doi.org/10.18517/ijaseit.4.4.406>.

change their mode of lifestyle, where having a companion animal is part and parcel of the family. In a statistic made in the United States of America, more than half of all Americans have a dog or a cat in their home. Meanwhile, 45% of households in Romania own cat. And, 92% of cats in Australia are kept in the door.³

When it comes to pet food, the issue of halal rarely comes up. However, there are amounts of people who are concerned about this issue. This is because humans had since evolved from the time that animals didn't live with humans to nowadays where we found a lot of families owning at least one pet. Especially in the modern world where more pet has been considered an integral part of families all over the world. Also, the rise in income of the Muslim population may change their mode of lifestyle, where having a companion animal is part and parcel of the family. In a statistic made in the United States of America, more than half of all Americans have a dog or a cat in their home. Meanwhile, 45% of households in Romania own cats. And, 92% of cats in Australia are kept in door.⁴

There are many previous studies on halal food, including Başaran B.,⁵ Pg Siti Rozaidah and Pg Hj Idris.,⁶ Also, there are those who study halal tourism such as Arissa L. Hernández,⁷ and Nora Zulvianti.⁸ However, it is very rare to find a research that examines halal food for animals. Some of the studies that have been carried out include those written by Amir H.M.S.,⁹ Amiir Iqbal,¹⁰ Afiqah Salahudin.¹¹ Then, this article

³Walden, "A Guide to Worldwide Pet Ownership."

⁴Walden.

⁵B Başaran and S Çakir, "Evaluation of Food Safety and Halal Criteria in Supplier Selection: An Application in Food Sector with Fuzzy COPRAS Method," *International Food Research Journal* 28, no. 3 (2021): 576–85, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85110523612&partnerID=40&md5=5300510131375cc43a33b7b435cbab46>.

⁶P.S.R.P.H. Idris, S.F.P.D. Musa, and W H H Sumardi, "Halal-Tayyiban and Sustainable Development Goals: A SWOT Analysis," *International Journal of Asian Business and Information Management* 13, no. 2 (2022), <https://doi.org/10.4018/IJABIM.20220701.0a9>.

⁷A L Hernández, "Differences and Similarities between Halal and Muslim-Friendly Tourism: A Range of Opportunities," *PASOS Revista de Turismo y Patrimonio Cultural* 20, no. 3 (2022): 729–42, <https://doi.org/10.25145/j.pasos.2022.20.050>.

⁸N Zulvianti, H Aimon, and A Abror, "The Influence of Environmental and Non-Environmental Factors on Tourist Satisfaction in Halal Tourism Destinations in West Sumatra, Indonesia," *Sustainability (Switzerland)* 14, no. 15 (2022), <https://doi.org/10.3390/su14159185>.

⁹H.M.S et al., "Halal Cat Food for the World Market."

¹⁰Aamir Iqbal et al., "A Review-Halal Animal Nutrition Perspective to the Halal Meat Production," *Malaysian Journal of Halal Research* 3, no. 1 (2020): 17–23, <https://doi.org/10.2478/mjhr-2020-0003>.

raises the question of the need to provide halal food for pets or whether is it sufficient to provide them with food that is clean and free from prohibited content? This article discusses this issue. The main objective of this research is to find out whether there is a need to provide halal food for pet cats according to Islam. Also, it aims to provide intellectual debate and finding about the issue of halal pet food by filling the literature gap.

Method

The methodology of the research was mainly forming a study based on literature reviews, both journal articles, and books. The research was normative legal research¹² using Islamic law approaches.¹³ The data analysis method used the descriptive analysis method.¹⁴

Findings and Discussion

Definition of Halal

Halal is rooted in an Arabic word which defines as permissible or legal according to Shariah Law. While, the opposite of halal is haram, which means prohibited or forbidden. In addition to halal, thayyib is defined as clean, wholesome, and beneficial. Islam has taught all Muslims that all types of food and drinks are halal except those considered prohibited. Muslims must consume halalan thayyiban food as commanded by Allah SWT through a few Quranic verses such as Al-Baqarah, verse 68 the translation is: “O Mankind! Eat of what is lawful and clean on the earth and do not follow the footsteps of Shaitan, indeed to you he is a clear enemy.”

Al-Maidah, verse 88 the translation is: “And eat of what Allah has provided for you (which is) lawful and good. And fear Allah, in whom you are believers.” It is reported by Bukhari, Muslim, Abu Daud, and IbnMajah that the Prophet Muhammad SAW said: “What is Halal is clear. And what is Haram is also clear. And in between

¹¹Afiqah Salahudin et al., “Issues in Halal Meat Product and Authentication Technology from Islamic Perspectives,” *International Journal of Academic Research in Business and Social Sciences* 7, no. 12 (2017): 1305–15, <https://doi.org/10.6007/IJARBSS/v7-i12/3768>.

¹²Zainal Muttaqin, “Formalization of Islamic Law in Indonesia in the Framework of Social Engineering Theory by Roscoe Pound,” *El-Mashlahah* 11, no. 2 (2021): 97–115, <https://doi.org/10.23971/elma.v11i2.2825>.

¹³Dar Nela Putri, “Konsep Urf Sebagai Sumber Hukum Dalam Islam,” *El-Mashlahah* 10, no. 2 (2020): 14–25, <https://doi.org/10.23971/maslahah.v10i2.1911>.

¹⁴Riska Fauziah Hayati and Abdul Mujib, “Dispute Resolution on Mudārabah Musytarakah Contract on Sharia Insurance in Indonesia: Between Regulation and Practice,” *El-Mashlahah* 2 12, no. 1 (2022): 14–36, <https://doi.org/10.23971/elma.v12i1.3795>.

those two is a dubious area about which many people do not know. So whoever distanced himself from it, has acquitted himself (from blame). And those who fall into it, he has fallen into a state of Haram”.

Halal Food

According to Nurdeng Deuraseh,¹⁵ halal food and drink comprised all substances used are halal, halal on how to process the food, halal on how to get it, and this includes non-halal drinks as well.¹⁶ Thus, halal food is classified into few aspects:

a. Halal food substances.

Allah SWT is indeed the Most Gracious, He has provided us with countless types of food that are halal to be consumed. Yet, He only prohibits very few types of food that can not be eaten by Muslims. The wisdom behind the prohibition is no other than for the benefit and good welfare of humanity itself. Allah SWT has firmly forbidden carcasses, blood, and swine. This includes all animals that did not die or was slaughtered following the Shariah Law.

b. Halal on how to process the food.

There is always a possibility that the food will not be processed in a Halal way which make the food becomes unclean and unlawful for consumption. Islam has set few conditions for halal animal slaughtering that need to be fulfilled; must be done by a Muslim slaughterer who owns a halal slaughtering certificate, must use a sharp knife to slit the throat of animals preferably with a single swipe, and make sure to protect the welfare of the animals. These animals might indirectly and unintentionally be able to cause contamination by materials that are not halal throughout the process.

c. Halal on how to get the food.

A good Muslim will always strive best to only consume Halalan Thayyiban food and drink that is spiritually healthy and hygienic. If the food is consumed in an unlawfully, the food will become the flesh and blood that will flow throughout the body which will negatively affect the spirituality of the consumer.

d. Prohibition of Non-Halal drinks.

¹⁵Nurdeng Deuraseh, *Shariah and Life: HalalanThayyiban Perspective* (Gadong: UNISSA Press, 2019).

¹⁶Nurdeng Deuraseh and Bagas Heradhyaksa, “Potential Occupation In Halal Industry For Reinforcement Sharia Economic Law,” *Diponegoro Law Review* 5, no. 2 (2020): 156–71, <https://doi.org/10.14710/dilrev.5.2.2020.156-171>.

All types of intoxicating drinks are prohibited. This includes drinks that are tainted with intoxicants or non-halal ingredients even in very little amounts. In this contemporary era, these drinks have been distributed in the form of alcoholic drinks.

It is also noted that *halal* products must be free from prohibited elements as mentioned in the Quran. Additionally, according to Brunei Standard of Food PBD 24:2007, halal food means food fit for human consumption and permitted by Hukum Syara' and fulfills the following conditions¹⁷:

- a. The food or its ingredients that do not contain any parts or products or animals that are non-halal to Muslims according to Hukum Syara' or products of animals which are not slaughtered according to Hukum Syara'.
- b. The food does not contain any ingredients that are najis according to Hukum Syara'.
- c. The food that is safe and not harmful.
- d. The food that is not prepared, processed or manufactured using equipment that is contaminated with things that are najis according to Hukum Syara'.
- e. The food or ingredients do not contain any human parts or their derivatives that are not permitted by Hukum Syara'.
- f. During its preparation, processing, packaging, storage, or transportation, the food is physically separated from any other food that does not meet the requirements stated in terms of (a), (b), (c), (d), or (e) or any other things that have been decreed as najis by Hukum Syara'.

Halal Food Producer

Halal food producer is people who make and supply Halal food for consumption. They are responsible for protecting the permissibility and hygienic aspect of food from raw materials to the point of consumers' consumption. Rodziah Atan has listed several producer behaviors by following Islamic values which need to be implemented¹⁸:

- a. Long-term insight, oriented towards the afterlife goal.
- b. Keeping promises and contracts, both in the internal and external scope.

¹⁷Nurdeng Deuraseh, "Brunei Darussalam Standard Halal Food PBD24: 2007 Towards The Local And Global Need And Challenge In Halal Industry," *International Conference of Islam Borneo*, 2019, https://www.researchgate.net/publication/330157586_BRUNEI_DARUSSALAM_STANDARD_HALAL_FOOD_PBD24_2007_TOWARDS_THE_LOCAL_AND_GLOBAL_NEED_AND_CHALLENGE_IN_HALAL_INDUSTRY.

¹⁸Rodziah Atan, Mohd Daud Awang, and Fatin Nurul Majdina Nordin, *Selangor: Laboratory of Halal Policy and Management Halal Products Research Institute* (Selangor: Universiti Putra Malaysia, 2018).

- c. Meet the measurements, accuracy, accuracy, and truth;
- d. Sticking to discipline and dynamic.
- e. Glorify achievement/productivity.
- f. Encouraging *ukhuwah* between economic actors.
- g. Respecting individual property rights.
- h. Following legal contract/transaction requirements.
- i. Fair in transactions.
- j. Having social insight.
- k. Payment of wages on time and reasonably.
- l. Avoiding types and production processes is forbidden in Islam.

Good Manufacturing Practices

Good Manufacturing Practices (GMPs) are the fundamental operational and environmental conditions required to ensure safety throughout the production processes.¹⁹ These manufacturing guidelines are knowns as practices and procedures that should be applied and performed by food producers that can affect the both safety and quality of food products. GMPs cover extensive guidelines ranging from employees, equipment, process, and condition of its surrounding in the production process. The following are several criteria that GMPs have addressed:

- a. Environmental control: location, design, structure of the building, its interior, equipment, and water supply of the premises.
- b. Personnel practices: All personnel involved throughout the production processes need to implement good hygiene, as it will affect food safety and quality. Any person who entered the place where food is being prepared needs to ensure that they do not contaminate the food product. They also need to comply with the standards of procedure of food production; hand washing, proper clothing, and using footwear and headwear.
- c. Shipping, receiving, handling, and storage: inspection procedures for transport vehicles, loading, unloading, and storage practices, inspection procedures for

¹⁹Abubaker Abdellah, Mohamed Ibrahim Noordin, and Wan Azman Wan Ismail, "Importance and Globalization Status of Good Manufacturing Practice (GMP) Requirements for Pharmaceutical Excipients," *Saudi Pharmaceutical Journal* 23, no. 1 (2015): 9–13, <https://doi.org/https://doi.org/10.1016/j.jsps.2013.06.003>.

incoming products, shipping conditions, returned and defective products, allergen control, chemical storage, and waste management.

- d. Pest control: always monitor both exterior and interior aspects of the building and apply pesticides.
- e. Sanitation: methods of sanitizing and cleaning as well as pre-operational evaluation.
- f. Equipment maintenance: guidelines for preventive maintenance as well as calibration of all equipment and instruments that can affect food safety. This includes but is not limited to thermometers, thermocouples, metal detectors, scales, and pH meters.
- g. Recall and traceability: methods used to ensure final products are correctly coded and labeled. All the incoming and outgoing materials are traceable; the recall system must be set up properly and tested for its effectiveness.
- h. Water safety: guidelines to inspect include water, ice, and steam as well as water treatment standards to ensure it is safe for food processing.

GMPs comprised of two main components that are important in achieving a good food safety system; written programs and implementation. First, written programs are all mandatory policies, guidelines, and procedures that need to be ensured to meet the standards listed in each GMP program. These include policies and procedures: standard operating procedures (SOPs) and sanitation standard operating procedures (SSOPs). Monitoring procedures. Record keeping: methods to keep and handle the records. Second, implementation comprises conducting GMPs related activities and monitoring can be done accordingly.

There shall be sufficient and appropriate education, training, and skill regarding the plant operations that can be provided to everyone who is working in the unit. The organization must highlight the critical points where food safety can be compromised. Several factors will affect the types and level of training. First, the source of the food, specifically its ability to resist the growth of pathogenic or spoilage microorganisms. Second, the technique of handling, packing, and reducing the possibility of contamination of the food. After that, extensive food preparation before its final consumption. Fourth, the storage conditions of the food. And, the shelf life of the food must be informed before consumption.

Brunei Halal Certificate

Halal food producer is obliged to have a halal permit and halal logo for their business as per required by Halal Certificate and Halal Label Order 2005.²⁰ The procedure for applying for halal certification is presented in figure 1:

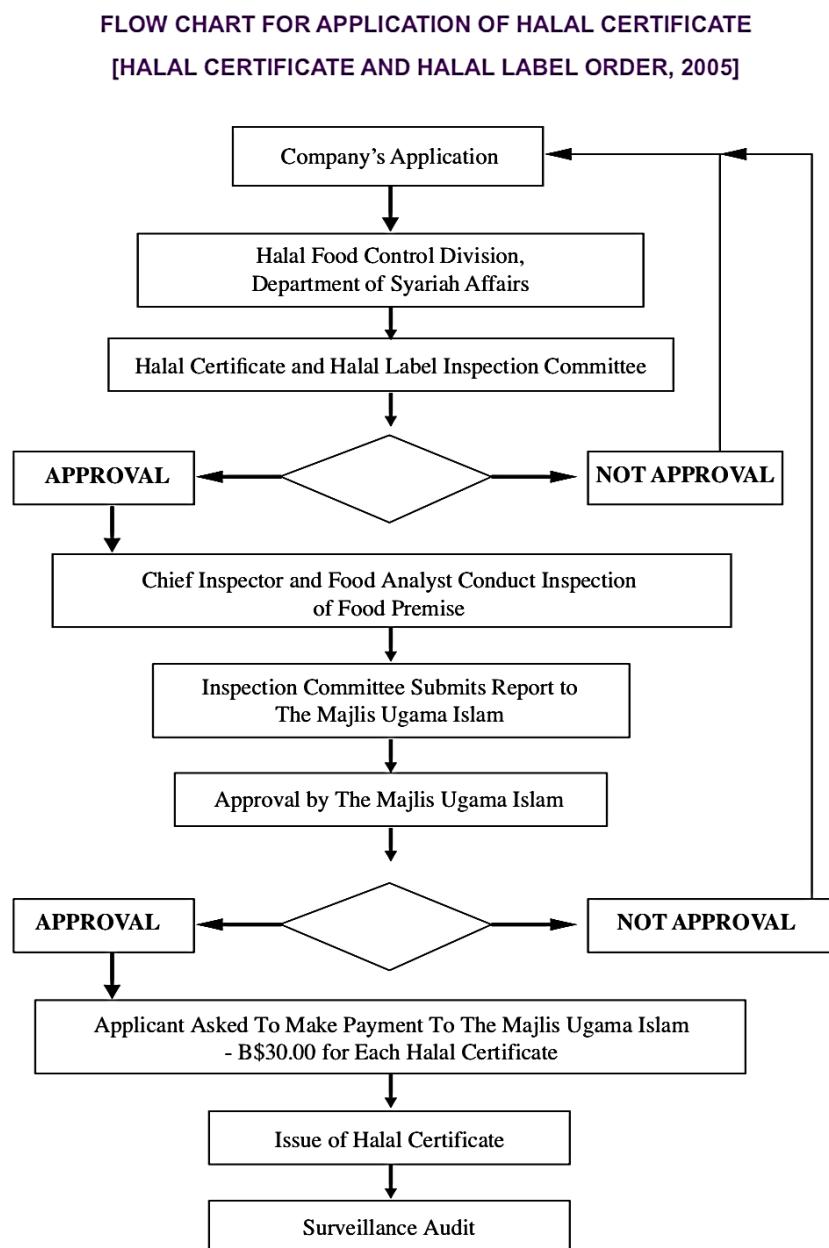


Figure 1: Flowchart for application of Halal Certificate

²⁰Raihana Mohd Raffi, "Halal Industry: A Critical Overview of Brunei Darussalam," *International Conference on Islam, Economy, and Halal Industry*, 2019, https://www.researchgate.net/publication/337967097_Halal_Industry_An_Overview_of_Brunei_Darussalam.

Figure 1 showed that the Brunei government has procedures and a legal framework for Halal Certification in Brunei. Halal certificates and halal permits are compulsory for business premises such as restaurants or eateries and food products respectively. It is mandatory for food business owners in Brunei Darussalam to apply for them. A halal certificate is compulsory for any businesses that involve food preparation, such as restaurants, cafes, food courts, and central kitchens. Whereas a halal permit is specifically used for food processing facilities such as factories.²¹

As a provision to in the Order, there should be at least two Halal Supervisors on the business premises who are responsible to monitor halal-related matters concerning food and the company. Brunei Halal logo has the most crucial element that the main authority controls the ratification of this logo. Brunei Halal Certification and Halal logo is known to have a stringent process for acquiring it and this is the reason why Brunei Halal logo is very well trusted by other international certifying bodies.

Halal Animals

According to PBD 24:2007, MS1500: 2009, Animals may be divided into two categories namely Land animals & Aquatic animals.²² The general rule in Islamic Law is that all animals are allowed to be used for food, except for those that are expressly forbidden in the Qur'an or the Prophet's traditions. Any animal that is not specifically forbidden in the Qur'an and the Prophet's traditions is considered lawful for Muslims to eat. Two conditions apply for land animals to be lawful. First, it must be considered lawful for their flesh to be used for food. And, they must be hunted or slaughtered according to Islamic law (Sharia).

The forbidden land animals to be consumed by Muslims are; first, pigs, indeed any of their body parts and by-products, are considered 'filthy' in Islam and thus forbidden for human consumption. As the Qur'an states in Surah al-Maa'idah verse 3, roughly translated: "Forbidden to you for food are dead animals, blood and the flesh of swine." Second, all meat-eating animals, whether they are large, such as lions and tigers, or small, and cats and dogs are also included in this category. As the Prophet

²¹Kambiz Heidarzadeh Hanzaee and Mohammad Reza Ramezani, "Intention To Halal Products In The World Markets," *Interdisciplinary Journal of Research in Business* 1, no. 5 (2011): 1–7, https://www.academia.edu/6019170/Intention_To_Halal_Products_In_The_World_Markets.

²²Deuraseh, "Brunei Darussalam Standard Halal Food PBD24: 2007 Towards The Local And Global Need And Challenge In Halal Industry."

said; “The Prophet SAW forbade the eating of wild animals having fangs”.²³ Third, all predatory birds, such as falcons and eagles. As the Prophet said; “Allah's Messenger (saws) declared domestic asses, the flesh of mules, every beast of prey with fang, and every bird with a talon (claws of birds of prey) to be unlawful.”²⁴ Fourth, insects. All land insects are not lawful because they cannot be slaughtered, except for locusts, as the Prophet said, “Made lawful for you are the flesh of two dead animals: locusts and fish.”²⁵ Fifth, snakes and Mice. These are also considered unlawful and Islam even goes as far as to command us to kill them. The Prophet said, “There are five animals for which there is no blame on the one who kills them even if he is in a state of consecration for the pilgrimage (ihram): crows, kites (hawk-like birds), mice/rats, scorpions, and mad dogs”.²⁶ Sixth, domestic donkeys, which are generally used in the countryside for riding and carrying loads. The Prophet said, “Messenger of Allah (peace and blessings of Allah be upon him) forbade eating the flesh of domestic donkeys”.²⁷

Aquatic Animals

Seafood comes from edible sea plants and aquatic animals, which live only in the water for most or all of their lives. The term seafood also applies to any freshwater life eaten by humans. Therefore, all edible aquatic life can be referred to as seafood.²⁸

All types of sea plants as well as aquatic animals are permissible to be used for food, whether they are caught or found dead unless they are hazardous to life or health. As the Qur'an states, in Surah al-Maaidah:96, roughly translated: “Anything you catch in the sea is lawful for you, and so is all food from it.” The phrase ‘anything you catch’ in the verse refers to aquatic animals that are caught alive, while the word ‘food’ refers to dead aquatic animals that are washed ashore. However, everything in the sea is Halal and does not need any slaughtering. Allah says in the Qur'an in Surah al-Maidah: 96, roughly translated: “Lawful to you is (the pursuit of) water game and its use for food – for the benefit of yourselves and those who travel...”

²³Sahih Al-Bukhari, 7.672.

²⁴Sunan Al-Tirmidhi, 4129.

²⁵Sunan Ibn Majah, 3218.

²⁶Sahih Al-Bukhari, 3136; Sahih Muslim, 1198.

²⁷Sahih Al-Bukhari, 3982; Muslim, 1941

²⁸“Seafood and Land Animals,” Muslim Guide, accessed March 29, 2018, <https://newmuslimguide.com/en/your-food-and-drink/65>.

Aquatic animals that live both on land and water such as crocodiles, turtles, and frogs are not halal. Crocodiles. The correct view is that eating these is not allowed because they have fangs and live on the land – even though they may spend a lot of time in the water – so precedence should be given to the reason for forbidding it (it is a land animal that has fangs).²⁹ Frogs: It is not permitted to eat them because the Prophet (peace and blessings of Allah be upon him) forbade killing them. Messenger of Allah forbade the killing of frogs. The rule is that everything which we are forbidden to kill, we are not allowed to eat; if we are allowed to eat it we are allowed to kill it.³⁰

Halal Foods (*al-Tayyibat*) in Islamic law

There is no disagreement among scholars that food is considered to be one of the most important needs of man. He can exist without clothing and shelter under certain conditions but he cannot survive without food and drink. As such, any debate on food is bound to attract interest and attention. The Qur'an recommends, as far as the preservation of health is concerned, to consume only halal (permissible) foods. Before embarking upon the kinds of prohibited foods, the reasons for prohibition must be clarified. We cannot fully give all reasons here, but we can merely mention that there has always existed a tendency to interpret prohibited foods rationally and medically. Al-Marghinani, in his *al-Hidayah*, points out that the prohibition aims to preserve the nobility of the human body by preventing its being disgraced through engaging in prohibited food.³¹ This tendency has developed particularly in modern times after jurists and medical doctors have approved that things are prohibited only because they are harmful to human beings. On the other hand, things are allowed by Islamic law because they are good (*tayyib*). Allah (s.a.w) says: O you who believe! forbid not (yourselves) the good things which Allah hath made lawful for you and transgress not. Surely Allah loveth not the transgressors.³² O you who believe! Eat of the good things wherewith We have supplied you, and render thanks to Allah if you are (indeed) His worshippers.³³

²⁹Muhammed Salih Al-Munajjid, “Is All Seafood Halal?,” n.d., <https://islamqa.info/en/answers/1919/is-all-seafood-halal>.

³⁰Al-Munajjid.

³¹Al-Marghinani, *Al-Hidayah: Sharh Bidayah Al-Mubtada* (Istanbul: EDA Nesriyat Hifzullah Kahraman, 1991).

³²Al-Ma’idah (5): 87.

³³Al-Baqarah (2): 172.

He again declares: Say: Who hath forbidden the beautiful (gifts) of Allah, which He hath produced for His servants, and the things, clean and pure, (which He has provided) for sustenance? say they are, in the life of this world, for those who believe, (and) purely for them on the Day of judgment. Thus We explain the Signs in detail for those who understand. Say: The things that my Lord has indeed forbidden are: Shameful deeds, whether open or secret; sins and trespasses against truth or reason; assigning of partners to Allah for which He has given no authority; and saying things about Allah of which you have no knowledge.³⁴

It would be interesting to clarify that the word *al-tayyibat*, which is derived from *taba*, means good, pleasant, delightful, delicious, sweet, pure, and clean.³⁵ Impure or unclean things should therefore not be eaten.³⁶ In the Islamic medical law context, *al-tayyibat* things are not only good, pleasant, delightful, delicious, or sweet but also healthy and beneficent to our body, and what is good for our body is also good for our mind and spirit. As noted earlier that the effects of consuming prohibited foods and drinks are not only injurious to one's physical health but also affect the character and spiritual faculties of man. It may also be noted that the consumption of prohibited food is among the chief causes, which lead a man to corrupt deeds. Control over food enables man to promote virtues. Al-Ghazali says that the Creator asks all the creatures to follow His command and eat what is pure, clean, wholesome, nourishing and pleasing to the taste. All these qualities are beautifully summed up in the word '*tayyib*'.³⁷

In addition to the aforesaid, it is important to state that one of the beauties of Islamic law is that it has prohibited only such things of unnecessary and dispensable while providing alternatives that are better and give greater ease and comfort to human beings. Here, many Muslim scholars say that Allah has prohibited intoxicating drinks so

³⁴Al-'Araf (7): 32-33.

³⁵Ibn Manzur, *Lisan Al-Arab* (Cairo: Dar al-Ma'arif, n.d.).

³⁶Toshihito Izutsu, *Ethico-Religious Concepts in the Qur'an* (Montreal: Mc Gill University, 1996). Toshihito Izutsu says: *Tayyib* is an objective, the most basic semantic function of which is to denote any quality that strikes the sense--the senses of taste and odor, in particular--as very delightful, pleasant, and sweet. As would be expected, it is most frequently used to qualify food, water, perfume, and the like. Beyond this proper field of application, it may also be applied to various other things; thus in the *Qur'an* we find such combinations as: *rih tayyibah* "a favourable wind" that carries a ship smoothly on the sea, as opposed to *rih 'asifah* "a stormy wind", *balad tayyib* "a land of good".

³⁷Al-Ghazali, *Ihya' Ulum Al-Din* (Beirut: Dar al-Kitab al-'Arabi, n.d.).

that they may enjoy other delicious drinks which are wholesome for the body and mind. He has prohibited unclean food but provided alternative wholesome food.

From the previous definition, we would like to conclude that to preserve the health of man and to achieve the goals of Islamic Law, the doctrines of lawful and unlawful are important. It is meant to guide man to the right way and bestow happiness on him. Consequently, the prohibition of food and drinking *khamr* and all ways leading to them, as prescribed by Allah is for the benefit of human beings i.e., the protection of man's health including the mind and the body of the individual and society from diseases and the consequences. In terms of the nature of the effect of the use of prohibited things, they can be harmful to the human body, human judgment, human self-development, or a combination thereof.³⁸ No doubt that whatever is hazardous to health has been prohibited or declared hateful under Islamic law and there is nothing beneficial for health, which has not been declared lawful and permissible by the sharia. Based on this fact, Al-Qaradawi underlines:

A general rule of the Islamic sharia is that it is *haram* for the Muslim to eat or drink anything which may cause his death, either quickly or gradually, such as poison, or substances that are injurious to health or harmful to his body. It is also *haram* to eat or drink large quantities of a substance if cause illness. For the Muslim is not entirely his own master; he is also an asset to his religion and his *ummah*, and his life, health, wealth, and all that Allah has bestowed upon him are a trust with him which is not permitted to diminish.³⁹

Marketability of Halal Food

Muslims have made up a 1.9 billion worldwide population whereby most of them live in South-East Asia, the Middle East, and North Africa. Their population will always be increasing and it is expected to conquer up to two-fifth of the world's population. ASEAN countries such as Malaysia, Indonesia, and Singapore are considered big players in halal markets which are all located close to Brunei Darussalam. According to Thomson Reuter and Dinar Standard in 2014, it is estimated that global Muslim spending on food and drinks (F&B) increased by 4.3% to reach \$1.128 billion. This condition makes the potential of the halal food market reaches 16.7% of global spending in 2014. Nonetheless, Hasan and Awang stated that Muslim minority countries such as Australia, Canada, France, and New Zealand have been trying to produce halal food as

³⁸Irfan Ul Haq, *Economic Doctrines of Islam* (Herndon: IIIT, 1996).

³⁹Yusuf Al-Qaradawi, *Al-Halal Wa Al-Haram Fi Al-Islam* (Cairo: Maktabah Wahbah, 1995).

they realized that there is a good opportunity to tap into the Halal market. They are also well aware of the significance of halal business, as the halal niche market will essentially contribute to their country's revenue.⁴⁰

Brunei Darussalam is an Islamic country in which 83 percent of its population are Muslims. Hence, the Halal industry is among the key players in diversifying the economy of this country. The Halal food sector has been dominating the halal business which is commonly under the observation of Darussalam Enterprise (DARe). There are four types of businesses in Brunei; Micro, Small, Medium, and Enterprises. In response to this, DARe aims to assist local businesses and entrepreneurs to achieve dynamic and resilient company growth. With this, developmental programs for Micro, Small, and Medium Enterprises (MSMEs) which is known as Industry Business Academy (IBA) have been introduced by DARe to escalate the growth of local businesses.

In an article published by bizbrunei.com in 2016, Brunei's Halal industry generates \$88 million in revenue and employed 835 people according to data reported by 35 companies. The main contributor is the halal-certified food products, especially the products under the Brunei Halal brand which is run by the state-owned Ghanim International Corporation that has made an entry into the United Kingdom market as per shared by the Minister of Energy and Industry. He urged local micro, small and medium enterprises (MSMEs) to collaborate with other companies whether to manufacture, brand, market, and distribute their products into the domestic, regional, and even going for the global market. The Minister highlighted that the halal industry is expanding that he also touched upon the extensive and comprehensive principle of *halālan tayyibān*. This covers high values of Islamic law as well as adhering to *maqāṣid* sharia which aims to ensure the “entire value chain” provide the “highest standard”. The government has reduced the time in obtaining halal certification of food products from more than six months to 45 calendar days to ease the food producers and, at the same time, keep the efficiency and transparency of the process.

Brunei Halal Foods brand is one of the distinctive government projects that is managed by a company named Ghanim International Corporation Sdn Bhd. The main objective of this brand is to be a platform for the development of local products and

⁴⁰Deuraseh and Heradhyaksa, “Potential Occupation In Halal Industry For Reinforcement Sharia Economic Law.”

MSMEs. This project offers local MSMEs a good opportunity to manufacture their halal products and assist them to commercialise their products in the global market through Ghanim International Corporation Sdn Bhd. Most importantly, their objectives include fulfilling the obligation of "Fardhu Kifayah" in Islam which is the Muslims' duty to facilitate the supply of halal products to Muslims around the world. The high integrity of the 'Brunei Halal Foods' brand in terms of repacking products, marketing, and distribution, enables them to market the halal products efficiently and effectively to regional markets and Gulf Coast countries, as well as Europe and the United States. Moreover, this brand is very confident in assuring the consumers that products manufactured under its brand have gone through the best security, standards checks and have been tested to meet and exceed the expectations of halal consumers as their main goal is to provide high-quality products to the global halal market.

Global collaboration between Brunei Meat Company (BMC) and four Japanese Companies aiming of bringing in Brunei-Made Halal products into the Japanese market by next year. The collaboration took years of discussion, product testing between the companies involved, and the endless efforts of the Economic Research Institute for ASEAN and East Asia (ERIA) which has accomplished its main goal of bringing interested parties together. Okuochi Hiroshi is an advisor who has said to the President for Brunei Affairs of ERIA; "Brunei Halal is a premium certification for Halal in the world, based on a report on the *Study on Halal Industry Investment in Brunei Darussalam* carried out by ERIA in 2016". Soon after the Halal Seminar report is released, the four Japanese companies namely Chibo, Ginrei Service Co Ltd, Kanda Farm Co, and Harry's were very interested in the Brunei Halal Certification and visited Brunei to look for collaboration potentials. The Chibo company has come up with a Brunei-made and Halal-certified okonomiyaki from Brunei Meat Company and there will be more products to be introduced together with the other three companies. Okuochi even mentioned that the products will be exported to Indonesia and Malaysia. And, they will be supplied to the 2020 Tokyo Olympic Games and Paralympic Games. This is just an indication of how strong the brand of Brunei Halal is in the eyes of other countries.

In this regard, with great support from the government, there is no doubt that halal food products have high potential both in the local and global markets. Hence, the next

part of this paper will try to look at how the current local halal food businesses have been doing so far and whether being a halal food producer can be a stable career for halal graduates.

Issues on Halal Foods with Special Reference to Fatwa on Halal Pet Food for Cats in Islamic Law

Undoubtedly, when it comes to halal feed for animals, many discussions have been held. Some scholars said there is no need to provide halal food for the animal. This includes the current Mufti of Perlis Malaysia, Associate Prof. Dato Dr. Mohammad Asri Zainal Abidin who is publically known as Dr. Maza, in which he once mentioned in one of his lectures that, “Cats are not meant to eat halal food as they are not subjected to Syari’ah in Islam. If animals are subjected to the same rules as us, therefore we cannot kill them as that would be equivalent to killing lives.” However, this is clear that he considered cats to be under the same category as animals. Nevertheless, a cat in this research context is treated as a pet which is not equivalent to other animals in general. This is because most of the time pets live with people inside their houses. Consequently, living with one’s pet will increase the chance of contamination if the food provided to pet is non-halal. For instance, if the food comes in contact with the owner, when cleaning the container which will be mixed with other food utensils and when an open or exposed pet food is stored inside the refrigerator alongside other human food. Such things will increase the chance of contamination if the pet food is non-halal. Thus, if the pet food is halal, this will ensure a high level of safety, comfort, and assurance to the Muslim handlers since they are guaranteed to contain no porcine or dog residues in the ingredients. It is safe to keep along with other human food such as those stored in the refrigerator, where human and animal food share common storage compartments.

However, when it discuss the livestock such as animals that we eat, it is a requirement to provide halal feed for them as this will make up their flesh and blood and this eventually will go inside our bodies. Even though the issue of feeding animals with non-halal, occasionally termed as *najs* materials is not a new phenomenon and has long been discussed by Muslim jurists, who have divided the discussion into two categories; feeding the edible and the non-edible animals.⁴¹ Muslim jurists express different

⁴¹N Saidin, F Rahman, and N Abdullah, “Animal Feed: Shariah Perspective,” *International Journal of Civil Engineering and Technology* 9, no. 13 (2018): 1364–74,

opinions concerning the issue of feeding non-halal feed to animals that can be eaten. According to the Hanbali school of thought, animals are permitted to be fed with impurities and filth, if the meats and milk are not to be consumed in a short period.⁴² This opinion is based on the typical practice in farming, in which livestock are left freely grazing forage and somehow may also eat some filths and impurities in the pastureland. The Fatwa (Islamic verdict) from Kelantan and Selangor, however, differs from the above point of view in the sense that this fatwa disallowed feeding animals with animal feed derived from najs (filth) and animal waste as a step of Saddu zarai' (preventing vices), besides to maintain the sensitivity of Muslim community in the country.⁴³ This fatwa is supported by the fatwa from Indonesia which prohibits the production and trading of animal feed that contain swine elements or other non-halal animals.⁴⁴ On the other hand, the fatwa of Brunei discourages the practice of feeding animals with filthy feeds and selling those animals without a proper quarantine process.⁴⁵ However, it is not an offense from the perspective of Shari'ah to feed the edible animal with feed that contains impurities based on the acceptable theory of Istihalah.⁴⁶ The animal is therefore permissible to be consumed by Muslims. It is however important to note that the permissibility of such practice is only applicable, provided that the animal is not being fed only in its entire lifetime. That, there should be a suspension time for the animal to recover its body from the impurities.⁴⁷

Nevertheless, when it comes to non-edible animals, they are permitted to be fed with non-halal according to the Hanbalites and Malikites. The opinion of this group of scholars is based on the fact that animals such as hunting dogs and eagles, and other non-edible animals are not meant for consumption. Thus, there is no harm to feed them

<https://www.scopus.com/inward/record.uri?eid=2-s2.0-85059744184&partnerID=40&md5=8e73dbf509f5a7d11b5cdb3172dc0d76>.

⁴²N. Hammad, *Penggunaan Bahan-Bahan Yang Haram Dan Najis Dalam Makanan Dan Ubat-Ubatan* (Kuala Lumpur: Al-Hidayah Publisher, 2004).

⁴³Jabatan Mufti Kerajaan, *Isu-Isu Produk Halal* (Brunei Darussalam: Jabatan Perdana Menteri, 2007).

⁴⁴Majelis Ulama Indonesia, "Hukum Hewan Ternak Diberi Pakan Dari Najis," Pub. L. No. 52 tahun 2012 (2012), <https://mui.or.id/wp-content/uploads/files/fatwa/Hkm-Hewan-Ternak-yg-Diberi-Pakan-dr-Barang-Najis.pdf>.

⁴⁵Jabatan Mufti Kerajaan Brunei, *Makan Ikan Yang Diberi Makan Najis* (Batu Caves: Al-Hidayah House of Publisher, 2012).

⁴⁶Hammad, *Penggunaan Bahan-Bahan Yang Haram Dan Najis Dalam Makanan Dan Ubat-Ubatan*.

⁴⁷Saidin, Rahman, and Abdullah, "Animal Feed: Shariah Perspective."

with non-halal feed. This can be linked to an animal that is usually taken as a pet such as a cat.

Conclusion

The result of the research has a mixed response. The Ulamas viewed that there is no need to provide halal food for non-edible animals, which also include a cat. However, when seen in a modern way, there is a necessity to provide halal food to pet cats to avoid contamination. Nevertheless, it suggested that it all goes back to the owner's view. If the owner thinks that it is best to provide halal food to avoid contamination, then those shall be followed and vice versa. However, the owner shall keep in mind to maintain that the pet food shall be free from prohibited content such as pig meat or any content that might cause harm to the pet. In conclusion, it is safe to say that if there is no pig meat in the pet food and as long as it is assumed to be not harmful and safe to be eaten by the pet, thus food should not be a problem to be served and fed for the cat.

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