

# Jurisprudential Intervention In Halal Standards Of Pakistan And Malaysia, An Analytical Study

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## Abstract

Halal food is a requirement according to Islamic teachings. Muslim jurists have relentlessly devised principles and basics in the light of Quranic verses and Hadiths to facilitate Muslims. Examples of halal standardization can be found from Islamic history where certain indications were made to distinguish between Halal and Haram as we find examples of stamping from the reign of Hazrat Usman RA. Since the inception of modern methods and technology now the Halal Standardization has been taken up at Government levels. In present age Halal Standardization is among the world's largest industries and Halal standardization of food is one major component of this industry. This article throws lights how juristic rulings of Hanafi and Shafi madhab affect the standards in Pakistan and Malaysia respectively as Pakistan and Malaysia follow Hanafi and Shafii School of Islamic Jurisprudence. Malaysia being among the first Muslim country to research in developing halal standards for food and other items. It has been tried in the article to look into the nature of juristic differences of Hanafi and Shafi, by quoting few examples of standards and how these differences actually broaden the scope of standardization.

**Keywords:** MS:1500:2019; PS:3733; Halal Food; Juristic differences; Malaysia and Pakistan.

## Introduction

Pakistan and Malaysia are both Muslim countries. They rely on jurisprudence (fiqh) to facilitate practical life and religious aspects. Among the four major schools of jurisprudence, Imam Abu Hanifa<sup>Rah</sup> is foremost, followed by Imam Malik<sup>Rah</sup>. Imam Shafi'i<sup>Rah</sup> holds the third position, and Imam Ahmad ibn Hanbal<sup>Rah</sup> is

fourth<sup>1</sup>. These four imams have a significant lineage of disciples. The field of jurisprudence is categorized into various classes, aiming to organize those who contribute to its development. In Pakistan, followers of Imam Abu Hanifa's<sup>Rah</sup> teachings prevail, while in Malaysia, adherents of Imam Shafi'i's<sup>Rah</sup> school are prominent.

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<sup>1</sup> <https://darulifta.deoband.com/home/ur/History-Biography/7638>

The core works of the scholars mainly revolve around the commands and principles after the Quran and Sunnah. They elaborate on the rulings and principles in great detail, with comprehensive clarity and nuanced understanding. During this period, the scholars established their own principles to clarify matters and presented differing perspectives on certain issues. All of these activities are guided by the spirit of the Quran and Sunnah. Various empires also implemented this effort, aligning practically with the requirements of Islamic law.

Halal standards pertain to contemporary scientific systems for rules related to consumption (food, drink) and usage (clothing, adornment, decoration, etc.)<sup>(2)</sup> While the verdicts and principles of halal standards exist in Sharia, their modern application on a large scale within society gained momentum in recent times. Throughout different eras, work has been done on halal standards. In the Ottoman era, they stamped items of food with the label “tahir adir,” signifying that there is no harm in consuming it, and it is halal, devoid of any Haram aspect. This approach encompasses health benefits as well<sup>(3)</sup>. The Quran emphasizes that food should be “tayyiban,” i.e., halal and pure<sup>(4)</sup>. These terms are both used in the Quran. Muslims around the world have adhered to this individually, and in modern times, it has been integrated into a better and more societal framework, forming the foundation based on the Quranic command.

1. The first principle among the fundamental three is Food Security. It signifies the provision of sustenance to every human being. Regardless of whether a person is a slave to anyone or

a prisoner in chains, they cannot be deprived of sustenance. To the extent that if someone feels a shortage of their food and sustenance and even begs for assistance, they should be given charity<sup>(5)</sup>. The basic sustenance should be at least enough for a person to survive.

2. The second principle is Food Quality, meaning that the standard of food should be such that it is pure and clean. It should not be harmful to health. Three aspects are considered in this regard. It should have an acceptable appearance, i.e., its appearance should be in line with its size, natural form, and characteristics<sup>6</sup>. It should be appealing, meaning that its color should not repel the appetite. The third aspect is that its taste should not be excessive to the extent that it becomes unpleasant to consume.
3. Food safety means that the food should be safe enough to be beneficial for health. It should not be harmful to health and should contribute to better health outcomes.

These are the fundamental principles of halal standards. With these three basic principles, the world has now turned its attention towards halal standards. After these three fundamental principles, a detailed and necessary stage of standards begins. For this purpose, a methodology has been developed. This methodology establishes standards for all stages and opportunities from production in the field to reaching households and dining tables of consumers. In addition to these principles, other essential requirements are also considered in the procedural and compositional aspects. All these

<sup>2</sup> Al-Baqarah 148:2

<sup>3</sup> Mufti Syed Aarif Ali Shah Al-Hussaini, Halal Certification, In the Light of Sharia, (Pakistan: Sanha Halal Associates Pakistan, 2nd Edition, June 2017), P. 81-80.

<sup>4</sup> Al-Baqarah 148:2

<sup>5</sup> Al-Baqarah 270-274:2

<sup>6</sup> Al-Baqarah 69:2

principles, regulations, and guidelines have been provided by the Quran. Now, the governments and relevant authorities of any country are implementing it in the form of systems and laws.

### **Standards and Uniformity in the Name of Consistency:**

Due to the boundless advancement in the field of nutritional sciences, it has gained significant prominence. In anything related to consumption, be it food and drink or other items, there is always a concern about the compliance with halal (permissible) and haram (forbidden) components according to their compositional aspects. Individuals of various backgrounds, both Muslims and non-Muslims, are involved in the production of goods, Globalization has made it possible for items created in one corner of the world to be immediately available in another corner. Thanks to progress in nutritional sciences, these products are kept safe not just for days but for months and years. Throughout these stages, maintaining the uniformity of halal standards becomes necessary. Islam has provided guidance in this regard. Advertising in a manner that contradicts norms, nature, and sharia has been prohibited (7). At times, due to advertisements, discrepancies and deviations arise in uniformity and standards. Nowadays, due to online buying and selling, it can be observed that the desired

product might not meet the expected standards. Just as Islam has established principles and standards for general life to maintain uniformity (8), (9), similarly, guidance exists for food items. For avoiding doubtful matters (10) and innovations, Islam has provided directives (11). Similarly, emphasis has been laid on avoiding halal foods through impure utensils is also highlighted (12), and etiquettes and conditions for consuming halal food are also specified (13). Books of Hadith, particularly Sahih al-Bukhari and others, have dedicated sections to these topics (14).

Both Pakistan (15) and Malaysia (16) have given special attention to halal standards. Both countries have sought guidance from jurisprudence for improvement. Despite the prevalence of Shafi'i<sup>Rah</sup> fiqh in Malaysia and Hanafi<sup>Rah</sup> fiqh in Pakistan, they have greatly facilitated consumers. Despite the differences in jurisprudence, they respect other sects and follow their fatwas (religious rulings).

### **Fiqh: An Academic Exploration:**

Fiqh is the systematic study and application of legal principles to address foundational matters within Islamic jurisprudence. It serves as the framework through which issues are resolved in accordance with Sharia. Fiqh stands as the

<sup>7</sup> <https://www.sertifikasyon.net/ur/detay/helal-gida-standartlari-nedir>

<sup>8</sup> Abu Isma'il Abdullah bin Muhammad bin Ali Al-Harawi, *Dham Al-Kalam Wa Ahlih*, (Al-Madinah Al-Munawwarah: Maktabah Al-'Ulum Wal-Hikam, 1st Edition, 1998, Vol. 2), 204.

<sup>9</sup> Muhammad bin Isma'il Abu Abdullah Al-Bukhari Al-Ja'fi, *Sahih Al-Bukhari*, (Beirut: Dar Taq Al-Najat, 1st Edition, 1422 AH, Vol. 3), 39.

<sup>10</sup> Abu 'Isa Muhammad bin Sawrah bin Shaddad, *Jami' At-Tirmidhi*, Hadith Number 1205.

<sup>11</sup> Muhammad bin Habbān ibn Ahmad bin Habbān, *Sahih Ibn Hibban*, Chapter on

Holding Fast to the Sunnah and What Relates to it Narration, Command, and Disapproval, Page 176.

<sup>12</sup> "And He makes lawful for them what is good and prohibits them what is foul." (Quran 7:157)

<sup>13</sup> *Sahih Al-Bukhari*, Hadith 2477.

<sup>14</sup> *Kitab Al-Ashriba*, Muhammad bin Isma'il Abu Abdullah Al-Bukhari Al-Ja'fi, *Sahih Al-Bukhari*.

<sup>15</sup> <http://updated.psqca.com.pk/division-wise-standards/halaal/>

<sup>16</sup>

<https://law.resource.org/pub/my/ibr/ms.1500.2009.pdf>

pinnacle in handling matters of religious legality. Fiqh discourse involves two categories: one that derives from divine revelations, conveyed through Prophet Muhammad (SAW), and another that resides in texts immune to errors or alterations. The latter category offers no room for mistakes or deviations, nor shall any future possibility arise. Deviation from these texts is unacceptable, and indifference to them is intolerable. Allah holds individuals accountable for not adhering to these dictates, and rewards or punishments await those who act or disobey, respectively. These texts are upheld as the law and the decree (<sup>17</sup>).

However, the second category of texts allows for divergence and, in the event of errors, doesn't necessarily entail condemnation but serves as guidance for the community. Fiqh principles and discussions are well-documented within the realm of jurisprudential literature. Alama Zarkashi<sup>Rah</sup> initiated his work, "Al-Bahr al-Muhit fi Usul al-Fiqh," by delving into these discussions (<sup>18</sup>). Other scholars have also contributed to this discourse (<sup>19</sup>). Imam Abdul Wahhab Sherani<sup>Rah</sup> has effectively exemplified this through his comparison of disagreements within "Al-Mizan al-Kubra," illustrating that Fiqh can resolve issues (<sup>20</sup>).

In this context, an article titled "Comparing the Approaches of Imam Sherani<sup>Rah</sup> and Shah Waliullah<sup>Rah</sup> in Juridical Disputes" elaborates on Imam Shah Waliullah's<sup>Rah</sup> method, highlighting

its application in resolving differing opinions among the revered Imams. It emphasizes the expansive knowledge resources for the community, facilitating mercy and solutions<sup>21</sup>. Essentially, while Fiqh primarily stands for issue resolution, it also accommodates the reconciliation of juridical disparities.

### **Definition of Fiqh:**

From the above passages, it becomes evident that the term Fiqh carries profound insight and deep understanding, forming the basis for issue resolution. Fiqh principles are documented in Fiqh literature as "the Knowledge of discerning the beneficial and harmful consequences of actions (<sup>22</sup>)" In essence, it involves understanding the outcome of a particular issue, whether it yields benefits or entails losses.

### **In the realm of Sharia Terminology:**

What is distinctly defined through Sharia terminology holds authoritative significance. Many words possess meanings and concepts in their original or linguistics context, but those meanings may not necessarily hold true within the context of Sharia. This signifies that while it is important to comprehend the linguistic meaning, the Sharia meaning and implications are used for legal judgments. From this perspective, Sharia terminology specifically serves to comprehend the knowledge of religion

<sup>17</sup> Al-Quran 39, 38:2

<sup>18</sup> Abu Abdullah Badr Al-Din Muhammad bin Abdullah bin Bahadir Al-Zarkashi, Al-Bahr Al-Muhit Fi Usul Al-Fiqh, (Kuwait: Kuwaiti Ministry of Awqaf, 2nd Edition, 1405 AH), Vol. 1, Page 48.

<sup>19</sup> Abu Zahra Muhammad, Usul Al-Fiqh Wa Adillatuh, (Egypt: Dar Al-Fikr Al-Arabi)

<sup>20</sup> Abdul Wahhab Al-Sha'rani, Al-Mizan Al-Kubra, (Beirut: Dar Al-Kutub Al-Ilmiyya, 1998)

<sup>21</sup> Dr. Sayyid Ahmed, Dr. Muhammad Ajaz, "A Comparative Study of the Methods of Imam Shahrani and Shah Waliullah in the Application of Jurisprudential Differences," Al-Izah, 35, December 2017.

<sup>22</sup> Badr Al-Din Muhammad bin Abdullah Al-Zarkashi, Al-Manshur Fi Al-Qawaid Al-Fiqhiyya, (Kuwait: Kuwaiti Ministry of Awqaf, 2nd Edition, 1405 AH), Vol. 1, Page 48.

(<sup>23</sup>). Imam Abu Hanifa <sup>Rah</sup> further clarified that the term refers to knowledge that is beneficial for the self and encompasses understanding matters that are beneficial for the self and also that are harmful (<sup>24</sup>). Additionally, it has been stated that aside from textual commandments, secondary matters require knowledge of evidence in order to deduce a legal standpoint. This understanding is termed "Fiqh." (<sup>25</sup>)

### **Fiqh as a field of study and education in Islamic jurisprudence:**

The saying of the Holy Prophet Muhammad (SAW) highlights that fiqh is a good thing. Allah grants understanding in religion to those whom He desires to guide (<sup>26</sup>). The Prophet (SAW) taught his companions how to attain knowledge, and they engaged in the process of independent reasoning (ijtihad) and consensus (ijma) to derive various interpretations of issues. The companions were entrusted with the responsibility of making decisions in different matters based on their training in fiqh.

Amr ibn al-Aas<sup>Ra</sup> mentioned an incident where a dispute arose between two individuals, and they sought the Prophet's guidance in resolving the matter. The Prophet (SAW) directed the decision to Amr. However, Amr deferred the decision to the Prophet (SAW) due to his respect for him. The Prophet (SAW) responded that despite this, Amr <sup>Ra</sup> should make the decision. Similarly, during the Battle of Banu Qurayza, Sa'd ibn Mu'adh<sup>Ra</sup> was chosen to make a decision, which

the Prophet (SAW) approved. This shows the Prophet's endorsement of their ability to decide (<sup>27</sup>).

The Companions of the Prophet (SAW) practiced ijtihad and used their knowledge of the Qur'an and Hadith to arrive a fiqh ruling, much like the Rashidun Caliphs who also played a role in forming and implementing Islamic jurisprudence. Just as the Companions selected Quranic verses and Hadith for fiqh sources, the Rashidun Caliphs followed a similar approach. When the Qur'an and Sunnah did not directly address a particular issue, they combined and adopted a consensus of opinions.

It is evident that these suggested laws have been followed for centuries and continue to be adhered to by millions today<sup>28</sup>. After the era of the Rashidun Caliphs, the knowledge of fiqh was passed down through generations of scholars, both prominent and lesser known, contributing to its propagation and teaching, similar to the way the Companions transmitted it.

### **The Fundamental reason behind Jurisprudential Differences:**

The fundamental reason behind jurisprudential differences is that the Companions of the Prophet (SAW) and the followers (Tabi'in) were residing in different regions over time. The population increased, and due to conquests, non-Muslims also embraced Islam. Consequently, disagreements in fiqh emerged due to diverse circumstances. In Medina, Abdullah bin Abbas

<sup>23</sup> Ibn Manzur, *Lisan Al-Arab*, (Beirut: Dar Sader, 3rd Edition, 1414 AH), Vol. 13, Page 522.

<sup>24</sup> Badr al-Din al-Zarkashi, *Al-Manshur Fi Al-Qawaid Al-Fiqhiyya*, (Kuwait: Kuwaiti Ministry of Awqaf, 2nd Edition, 1405 AH), Vol. 1, Page 48.

<sup>25</sup> Ibn Abidin, *Radd Al-Muhtar 'Ala Ad-Dur Al-Mukhtar*, (Beirut: Dar Al-Kutub Al-Ilmiyya, Lebanon, Year of Publication: 1412 AH - 1992 CE), Vol. 6.

<sup>26</sup> "Whoever Allah wishes good for, He grants him understanding of the religion" Muhammad bin Isma'il Abu Abdullah Al-Bukhari, *Sahih Bukhari*, Book of Knowledge.

<sup>27</sup> *Sahih Al-Bukhari*, Book of Jihad and Expedition, Chapter: When the Enemy Gains Control Over a Man's Judgment.

<sup>28</sup> Syed Abul Ala Maududi, *Risail Wa Masa'il*, V. 5, (Lahore: Islamic Publications, April 2015), 449.

<sup>Ra</sup>; in Kufa, Abdullah bin Mas'ood <sup>Ra</sup>; in Basra, Abu Musa al-Ash'ari <sup>Ra</sup>; in Sham, Syedna Ma'adh bin Jabal <sup>Ra</sup>; and in Egypt, Abdullah bin Amr bin al-Aas <sup>Ra</sup> deduced fiqh rulings through interpretation and ijihad. These individuals made decisions based on their knowledge, situational context, and mutual consultations.

During this period, they employed two main methods for ijihad and istinbat: one involved extracting issues from explicit wording and meanings of hadith, while the other involved deducing solutions from texts based on their purposes and benefits. This gave rise to two groups: Ahl al- Hadith and Ahl al-Ra'y. Ahl al-Hadith were recognized in Medina, while Ahl al-Ra'y's interpretations were also influential in resolving issues that had not previously arisen (<sup>29</sup>). In Iraq, the use of analogy (qiyas) was more common. Imam Abu Hanifa <sup>Rah</sup>, the leader of Ahl al-Ra'y contributed to the development of Islamic jurisprudence and hadith scholarship, as evidenced by works of scholars like Ibn Khaldun and Shahrastani.

The jurisprudential disagreements of the revered Imams form a continuous narrative. Throughout history, all four Imams displayed differing stances on various issues. This pattern persisted from the time of prophethood to Imam Ahmad ibn Hanbal <sup>Rah</sup>. Notably, Ibn Qayyim <sup>Rah</sup> mentioned this in his work *I'lam al-Muwaqqi'in'an Rabb al-Alamin* (<sup>30</sup>).

### **Jurisprudential Differences between PS 3733 and MS 1500:**

In the context of Pakistan and Malaysia, a brief discussion will be presented concerning their standards. With the abbreviation, both countries' standards regarding Islamic dietary matters will

be examined. Concerning food, Pakistan's Halal standard is designated as PS'3733, while Malaysia's is MS:1500:2019. Pakistan is taken into account that it's our country, and we are obliged to follow its laws. Meanwhile, Malaysia is considered in a way that it was the first to establish consistent Halal standards.

### **PS:3733:2019**

2016 marks the establishment of the foundation for Halal standards in Pakistan. The government of Pakistan has entrusted the oversight of food items and related matters to an entity known as the Pakistan Standards and Quality Control Authority (PSQCA), under the Ministry of Science and Technology. The role of PSQCA is to conduct inspection and verification of food standards and overall affairs. This entity has also formulated standards related to food, known by the name PS:3733. PS stands for Pakistani Standard, which refers to the law established by Pakistan regarding Halal food. The year 2019 signifies the year when it was reviewed. During the review, certain deletions are necessary at times, followed by the inclusion of new matters. Amendments are also made during this period.

The Halal standards formulated by Pakistan are based on the Hanafi school of thought, with a significant following in the country. Religious schools primarily impart education in the Hanafi jurisprudence. Within the jurisprudential treasures, the Imam Abu Hanifa holds a prominent place. Not only are his opinions and issues present, but the divergent opinions of his students, including Imam Abu Yusuf and Imam Hasan al-Shaybani, also hold the status of issuing religious decrees. This jurisprudence has been practiced successfully as the dominant legal system in the country for several eras. Similarly,

<sup>29</sup> Dr. Yasir Arfataat, "Investigating Real Views on Fiqh and Legal Activities in the Early Days of Islam," *Burjis*, 1:4 (January-June 2017).

<sup>30</sup> Allama Ibn Qayyim, *I'lam Al-Muwaqqi'in 'An Rabb Al-'Alamin*, (Beirut: Matba'at Dar Al-Fikr, Lebanon).

Malaysia follows the Shafi'i school of thought. The unique aspects of Shafi'i's jurisprudence and his efforts in issuing religious decrees are beneficial due to their extensive nature. This jurisprudence has also been successfully implemented and tested in the country.

Based on these foundations, both prominent scholars' differing opinions are taken into account to ensure that any issue is thoroughly examined. Below are some of the religious matters present in Pakistani standards:

1. Mechanical slaughter is not permissible.
2. Swine and dogs are not permissible.
3. Different types of impurities are not specified.
4. Intense impurity can be removed through washing.
5. Only fish is permissible among aquatic animals in water.

After mentioning these five religious matters in Pakistani standards, the discussion moves on to mention the Halal standards of Malaysia.

### **MS:1500:2019**

Malaysia established this standard for Halal food in 2004. Its code is MS:1500. The term "MS" refers to Malaysia's Halal standards, while 1500 is its identification number. The year 2019 signifies the last revision, indicating that the law was officially enforced after this final revision. Changes made during the last revision include:

1. Addition of a fatwa to the definition of Halal.

2. From both the Islamic and jurisprudential perspectives, all things permissible in law and Islam are considered Halal.
3. The meaning of "Halal slaughter" was detailed, involving mentioning Allah's name, swift incision of the throat, and draining of blood <sup>(31)</sup>.

Malaysia was the first to introduce Halal standards, which cover a wide range of fields. Standards serve as a significant means to boost the economy, fostering industrial growth and skill development. They provide opportunities for consumers to advance and contribute to international trade while facilitating connections with other countries. Collaboration on Halal standards fosters mutual cooperation and consensus between consumers and producers, promoting progress and balance <sup>(32)</sup>. In Malaysia, the need to increase livestock production through aquatic plants led to the development of an aquaculture industry in 1992, utilizing water bodies as a method of cultivation <sup>(33)</sup>. Water pollution from marine sources is a common concern <sup>(34)</sup>, and progress has been made on various fronts. Frequent updates in standards build trust among industries and the public <sup>(35)</sup>.

Malaysia is a multicultural country, necessitating a higher focus on scientific endeavors to meet diverse requirements. Due to these differences in standards, apparent disparities arise in the laws of both countries. Certification bodies exist to manage trade and other matters, facilitating cooperation in resolving such issues. Despite these differences, the terminologies used in both standards are highlighted.

<sup>31</sup> <https://www.jsm.gov.my/ms-1500>

<sup>32</sup> [www.jsm.gov.my](http://www.jsm.gov.my)

<sup>33</sup> - Mohammad Aizat Jamaludin, Suhaimi Ab. Rahman, Mohd Anuar Ramli, **Fiqh Analysis On The Legal Status Of Coprophagous Animals: A Special Reference To The Malaysian Aquaculture Industry**, Conference: 1ST

INTERNATIONAL FISHERIES SYMPOSIUM (IFS2011), At UMT Terengganu

<sup>34</sup> - <https://meridian.allenpress.com/jfp/article/>  
<sup>35</sup>

-<https://link.springer.com/article/10.1007/BF02055348>

Five religious matters are mentioned in Malaysia's Halal standards:

1. Mechanical slaughter is permissible.
2. Swine and dogs are permissible.
3. Three types of impurities are specified.
4. Intense impurity can be removed through washing.
5. Aquatic animals that rely on water are permissible.

These five matters from Malaysia's Halal standards are discussed, acknowledging the variations in both countries' standards and presenting possible solutions to these differences.

#### **Analysis of Differences in Jurisprudential Disagreements within the Context of Halal Standards and Their Resolution:**

Islamic countries are blessed with Allah's special blessings, where these standards are established based on the teachings of a particular jurisprudential school and the consensus of the four Imams. The guidance of these brilliant individuals, whose teachings are applicable throughout time, has led to the resolution of jurisprudential issues based on principles and generalities. Therefore, principles were emphasized when formulating these standards. This practice is derived from the Prophetic tradition, where companions who possessed knowledge and understanding invited people towards Islam based on their existing knowledge and expertise.

In the same way, the current situation applies to revered jurists. For instance, if a certain action is deemed haram by one school, jurists from other schools consider it halal. This is because individuals are accountable based on the knowledge they possess. Similarly, the resolution of conflicting issues is based on attaining a

tranquil heart. The public also follows these situations; the knowledge they receive determines their actions. Thus, each country has established its standards following the adherence to one Imam in matters of jurisprudence.

This reflects that in cases of differing situations and circumstances, the resolution of an issue might not be uniform across countries. Just as one school of thought cannot be universally established, the same applies to universal implementation of halal standards. Mufti Yusuf Abd al-Razzaq states that intellectually, it is evident that global standards are uniform in principle, aim, and prerequisites for implementation and can be audited by any auditor who is trained in that standard. However, reality is contrary to this, as laws and standards come in two forms: 1) Individuals arrange laws and standards based on their experiences, which when followed, resolve worldly issues conveniently, e.g., ISO, Codex, etc. 2) Allah Almighty teaches laws and standards through His true messengers to His followers for obedience, the success of worldly life, and the afterlife, as found in the Quran, Sunnah, and Halal standards<sup>(36)</sup>.

In general, when complex jurisprudential issues arise, such as considering a certain thing as makrooh in one country but doubtful in another, leads to further flexibility. This flexibility extends to issues related to Wali and non-Wali marriage, offering relief to the public. Allah's expansive approach in religion is reflected in these differences. Any dispute indicates the broadness of the religious domain. Due to various circumstances and human nature, any jurisprudential matter can be dealt with. Fundamentally, the Quran and Hadith provide clarity on jurisprudential issues. The more clearly an issue is addressed, the easier it is to implement. Furthermore, countries with different

<sup>36</sup>. <https://www.banuri.edu.pk/bayyinat-detaild>



jurisprudential schools can resolve each other's needs without major disagreements.

For example, Pakistan might send its halal standards of beef to a Shafi'i-majority country if there's excess meat. Similarly, stunning before slaughter. Though legally accepted in countries like Malaysia (MS:1500:2019), it is prohibited in Pakistan (PS:3733). India's multi-religious nature has led to the permissibility of using gelatin for non-halal products like capsules, respecting various beliefs<sup>(37)</sup>.

In any case, halal standards are established with extreme precision, foresight, and the expertise of artists, and these standards exist not as fatwas but as laws. Therefore, users can rely on them, and those who violate these standards essentially violate the national law, as it incorporates religious viewpoints of religious experts and scientific foundations established by food technologists. After the harmonious blend of science and religion, the government approves it as legal measures for the public. Nevertheless, despite these variances, Mufti Yusuf Abd al-Razzaq asserts that over 95% of halal standards are the same across countries<sup>(38)</sup>, highlighting minor differences primarily arising from jurisprudential perspective in dealing with situations and people's needs.

In conclusion, the practice of jurisprudence is essential in all aspects of Sharia sciences. The Halal standards, being a new and organized addition to the realm of nutritional sciences, also involve the application of jurisprudence. The difference between the two lies in the way jurisprudence is exercised. The existence of these differences does not pose obstacles but rather allows for further development. Both Pakistan

and Malaysia, despite having distinct schools of thought, agree that there should be no mixture of haram and impure substances in halal consumables. Therefore, consumers can trust in these standards, and those who violate them are akin to breaking national laws. This collaboration of religious and scientific expertise leads to government approval for the public, even though differences arise.

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<sup>37</sup> Dr. Junaid Akbar, "The Jurisprudential Rules of Gelatin in the Early Period of Islam," *Journal of Islamic and Religious Sciences* (January-June 2016): 1.

<sup>38</sup> Mufti Yusuf Abdul Razzaq, *Differences in Halal Standards, Reality, Causes, and Solutions*, (Pakistan: Shariah Research Department, Sanha Pakistan, 2nd Edition, March 2020)