The Role of Shari’ah Principles in Guaranteeing Halal Logistics: A Review

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1. Introduction

Shari’ah principles play an important role in maintaining Halal products so that Halal guarantees are well protected. All mobilisation activities involving the process of a product must refer to Shari’ah guidelines; this shows that Islam pays close attention to the issues that arise. Not to mention the issues related to the Halal industry that always exist from time to time. This Shari’ah principle is flexible in monitoring the Halal industry as a whole. Shari’ah principles used in resolving Halal industry issues, especially logistics, are general. Therefore, disclosing Shari’ah principles that can be used as a logistic guide is necessary.

In the millennium era, the development of Halal products and goods is very exciting and fast-paced. The need for these Halal products is very much in demand by people from both Muslim and non-Muslim countries. In selecting Halal products, one must consider Halal’s status, be clean, and be good for Muslims to live on earth. Allah Almighty has said in the Qur’an, surah al-Baqarah 2: 168, which means:

“O mankind! Eat of that which is lawful (Halal) and clean on earth, and do not follow the footsteps of Shaitan (Satan). Verily, he is to you an open enemy.”

Based on this verse, it is found that choosing Halal food and avoiding Haram food is an obligation for Muslims to observe. This selection is not limited to food only but to all consumer goods. In general, Halalan Toyyiban (Halal and Good/Clean) is a Shari’ah principle that is the basic tenet to maintain the sustainability of Halal status.

Malaysia is an Islamic country that plays an important role in developing the Halal industry at the global level. In the effort to market Halal products, it is necessary to use Halal logistics so that all Halal products can be guaranteed to be Halal. The Halal industry needs to use Halal logistics to conduct its business. Tieman (2013) says Halal logistics is managing the procurement, movement, storage, and handling of materials, livestock parts, and long-completed inventory, whether food or non-food, under organisational management through a supply chain that complies with Shari’ah principles. Omar et al. (2011) view that this logistic process also requires a Halal supply chain where both will consolidate business processes and activities, starting from the origin to the consumer by adhering to Shari’ah principles.

Halal logistics protects Halal products from Haram contamination so that Halal products will remain Halal. The logistics movement is divided into three main sectors: warehousing, transportation, and retail. These three sectors must adhere to Shari’ah principles to ensure the Halal status of products and prevent contamination. Halal industry players involved in running Halal product factories must follow Shari’ah guidelines in full on the part that involves logistics. Alam & Sayuti (2011) explained that if the handling and storage of food are not properly controlled, it will not be considered Halal.

Therefore, it is necessary to be exposed to Shari’ah principles
that can be used to guide Halal logistics, whether general principles or specific principles. This aims to protect all Halal products safely and get protection through the principle of Halalan Toyyiban, which is a general guide. Flow chart 1 shows that movement activities in Halal logistics, such as warehousing, transportation, and retailing, must follow the guidelines of Shari’ah principles, such as Halalan Toyyiban, Maslahah and sadd al-dzariah to maintain the Halal product guarantee status. The three principles of Shari’ah will be explained hereafter.

Figure 1: Halal logistics based on Shari’ah principles

2. Shari’ah principles

Shari’ah is universal and can be used to resolve all matters in accordance with the time and place. Islam has many principles that guide the activities of human life on this earth. These Shari’ah principles come from two sources, namely, the Qur’an and Hadith, which are the result of istiqra’ (induction) of the Islamic scholars, both the former and the latter, comprehensively. Many Shari’ah principles can be used to guide logistics activities, but this study only provides exposure to relevant and selected principles.

2.1 Principle of Halalan Toyyiban

In the Halal industry, the word of Allah in surah al-Baqarah, verse 168, clearly contains the principle of Halalan Toyyiban, which is generally referred to. It is the basis for using Halal and Toyyib (good) consumer goods. In addition, it can be a guide to every activity in the logistics process involved in preparing and supplying consumer goods to the community.

Ibn Kathir (1980) argues that Halalan Toyyiban, in this verse, explains the command of Allah SWT to take Halal food on this earth and Toj, which is good for personal use without any harm to the body or mind. Mohd Amri (2019) explained that verse 168 in surah al-Baqarah covers Halal products of food, beverages, slaughterhouses, consumer goods, cosmetics, pharmaceuticals, logistics, and other industries in the Halal industry. Alias et al. (2011) believe that Halalan Toyyiban is not only related to the status of Halal and Toyyib alone but also covers issues related to processing places and processing materials. This means that the principle of Halalan Toyyiban becomes the basis that must be carried out on all Halal products as a whole. Even in providing Halalan Toyyiban guarantees, this covers all logistical movements. Therefore, every part of the logistics requires constant monitoring that can ensure that all Halal products are both Halal and good. Of course, the principle of Halalan Toyyiban aims to avoid things that are Haram and bad in terms of the body, soul, and mind. The implication is also to get the blessings of Allah for human beings as His servants in living life on earth.

2.2 Principle of Maslahah (Interest)

Maslahah is also referred to as a benefit rather than a disadvantage or harm. One of the Shari’ah principles can be used as a reference and guide in running the Halal industry. Through surah al-Baqarah verse 168, which contains a call to mankind in general without specifying a particular party. Ibn Kathir (1980) argues that this verse points to the bounty of Allah, in which He is the Provider of sustenance to all His creatures, which, by the way, consume Halal yet good food. The word of Allah: "Ya Ayyubu al-Naas " (O mankind!), indicated that all human beings, whether Muslims or non-Muslims, show the existence of Maslahah for all His servants. Allah’s provision in food consumption is Halalan Toyyiban which provides mutual benefits to His creatures.

Setiyawan (2019) explained that Maslahah is the benefit provided by Allah for His servants in maintaining religion, soul, intellect, property, and lineage. Every affair that contains these five things is Maslahah, but on the other hand, if it expires from these five things or one of the five things, then it is Mafsadah (damage). Adopting this principle of Maslahah must follow the conditions required by Islamic Shari’ah to achieve a well-preserved common interest. Al-Zuhaili (1996) explains this as follows:

i. The taking of Maslahah must be in line with the maqasid syar’iyyah (objective of Shari’ah).

Taking Maslahah must not conflict with the Shari’ah of Allah, which is not contrary to the text or Qat’i (definitive) evidence such as the Qur’an, Hadith and Ijma’, but must be in line with the Maslahah that Allah wants to achieve.

ii. Maslahah used must be logical

The adoption of Maslahah as a law must be acceptable to the intellect. That is, Maslahah is used according to need and not according to conjecture to obtain benefits and avoid harm.

iii. Maslahah is used for public interest

Islamic law is revealed to all beings without exception, not for the benefit of certain individuals and groups. Maslahah is used comprehensively, covering all aspects and needs. So Maslahah taking is not reserved for some beings.

iv. Taking Maslahah for Hifz Darurah wa Raf’u Haraj (saving the necessity and raising the critical)

Its essence is that Maslahah is used for human life in religious and worldly affairs that involve preserving religion, soul, intellect, lineage, and property. At the same time, avoid difficulties to facilitate matters carried out following the purpose of Shari’ah.

Based on the conditions of taking Maslahah as a Shari’ah principle, there is a basis for building Shari’ah law on various new issues. This is also a series of legal sources produced by
scholars after referring to previous texts. Adopting this Maslahah principle is also a guide in conducting Halal logistics to provide Maslahah for all Halal industry players and consumers. In the context of the current industry, it is necessary to separate Halal and non-halal products because Halal industry players still use non-halal logistics services. Therefore, the system of separating Halal and non-halal goods is for the Maslahah of Halal products so that they are not contaminated with non-halal goods.

2.3 Principle of Sadd al-dzariah

Sadd al-dzariah is one of the Shari'ah principles that means blocking the lawful means to an unlawful end. The principle prevents in any way the possibility of damage because the damage is a prohibited thing. Preventing things that are broken and destructive before they happen will, in turn, lead to Maslahah. The application of the sadd al-dzariah must be based on the evidence of nas from the Qur'an and Hadith, meaning this principle is not to be used alone without strong evidence. Al-Zuhaili (1996) says that al-dzariah and Maslahah both need to be related. The principle is important and benefit based on the evidence of nas and have a purpose for Himayat al-Masalih al-Ammah wa Da'fu al-Mafasid al-Ammah (protection of public interests and prevention of public corruption).

As it is known that Halal logistics and supply chain require chain movement activities that will, of course, be exposed to damage. This risk of mixing is very likely to occur, i.e. the exposure of Halal goods with illegal goods. Therefore, to avoid this mixture, it is necessary to take some action to maintain Halal status. The care of this storage warehouse aims to take the Maslahah (interest) principle as a basis on sadd al-dzariah, which is the antimony between both products.

3. Warehousing

In order to maintain Halal status, it is necessary to take care of warehousing and storage that stores certain items within a certain time frame. Therefore, it is necessary to take some action to maintain Halal status. The care of this storage warehouse aims to take the Maslahah (interest) principle as a Shari'ah principle in keeping the Halalate Toygiban, especially as not to be exposed to Haram elements. Al-Zuhaili (1996) views the Maslahah to lay down a law to achieve the public interest. The law preserves the common interest (Setiyawan, 2020). The principle of Maslahah is the basis in warehousing by doing some of the actions below.

3.1 Keep away straight touch from Haram

A warehouse is a place to store a product and goods before they are sent to retailers to market goods to consumers. This storage activity is to provide warehousing, which is one of the parts of processing Halal logistics and storing goods for a long period. Prolonged storage of goods will cause contamination with Haram goods. This risk of contamination always exists in the storage of goods due to the long time they spend in the warehouse. Therefore, the Shari'ah principle is a principle that needs to be referred to so that the warehouse mechanism can maintain Halal integrity on an ongoing basis. Every process in the warehouse must be implemented under the monitoring of Shari'ah principles, even as a reference for those who implement Halal logistics. The technique for protecting foods from contamination is to physically separate the Halal product from the Haram product while it is in the warehouse. If possible, these Haram products must be avoided. Azmin & Suhaiia (2017) say that Halal products should be stored in a special place or storage zone, and special shelves should also be away from Haram products. A special mark should be placed as a boundary that distinguishes two products that may cause contamination. This effort aims to ensure that Halal products stored are not mixed with Haram products in one warehouse.

The manufacturer must provide Halal parts with Halal facilities to protect Halal products from being exposed to Haram products. Halal products need to be stored in a special place, where special stores also need to provide a place safe from Haram elements. Halal guarantees on Halal products must be displayed on all items of Halal products guided by Shari'ah principles. A special feature should be given to food products such as meat, pharmaceutical, and cosmetic products to facilitate the selection of such items. Abdul Hafaz et al. (2013) view that placing varying special features on goods will point to guaranteed Halal integrity. This will ensure that Halal products are always identified as having Halal status and are guaranteed to be Halal.

Furthermore, Marco & Maznah (2012) say Halal goods and products should be given unique labels and codes and informed through the supply chain unanimously by putting the word "Halal Supply Chain" on these products. This word will explain that the supply chain has Halal status. Even the zones and shelves for placing all products need to be affixed with a clear Halal label to avoid mixing with Haram products/elements. In addition, Halal labels affixed to all products should be coded and marked in an orderly manner so that employees can see and understand the status of the goods. Halal and Haram products that use clear labels will distinguish the two products clearly; in fact, this practice is Shari'ah-compliant. The label on each product will provide a clear guarantee of safety.

3.2 Inscribing the risk of contamination

Avoiding contamination between Halal and Haram must be specially observed, as it can pose a risk that can fall to Haram. If there is cross-contamination of Halal products and something Haram even a little, the product can be non-halal. Even when there is doubt about whether this product has Halal and Haram elements, then the use of the product should be abandoned. This is based on the Hadith: From al-Nu'man ibn Basyir RA, who said:

"That which is Halal is clear, and that which is the act of avoiding contamination between Halal and Haram must be specially observed, as it can pose a risk that can fall under Haram. If there is cross-contamination between Halal products and something Haram, even a little, the product can be non-halal. Even when there is doubt about whether this product has Halal and Haram elements, the use of the product should be abandoned. This can refer to the Hadith: From al-Nu'man ibn Basyir RA, who said: Haram is clear, and between the two them are doubtful matters about which many people do not know. Thus, he who avoids matters clear himself in regard to his religion and his honour, but he who falls into doubtful matters (eventually) falls into that which
is Haram" (al-Bukhari no. 52 and Muslim no. 1599).

Therefore, according to Marco (2013), logistics should look at the doubtful factor; this is very important because it will determine the status of a product. The issue of cross-contamination needs to be addressed immediately, and progressive action must be taken. Continuous handling of cross-contamination will ensure lasting Halal status. It can also eliminate the doubtful factor to ensure its Halal status; if the product is Halal, then it will be guaranteed Halal, while if the product is Haram, it can be avoided.

3.3 Risks of possibilities contamination & solution

The warehousing carried out will face several issues related to contamination from the material aspect, including both Haram and dangerous elements. This will be explained as follows:

i. From Haram materials

a) "Halal Supply Chain" is a special label and code that needs to be placed on Halal goods when they leave the warehouse. Some non-Muslim countries have no dedicated warehouses to store Halal goods. Therefore, it is necessary to arrange certain zones and shelves to store Halal goods, so there is no vertical mixing between Halal and non-Halal products.

b) Halal and non-halal products must not be mixed on the pallet or cargo carrier.

c) Halal and Haram products, such as products containing pork and/or alcohol, should be stored separately. The "Halal Supply Chain" label should be affixed to Halal products to make it easier for employees to identify and sort the goods in the warehouse.

d) The warehouse must be in a safe and secure condition from contamination during the storage of Halal materials so that it can be used as a place to pack Halal products specifically. This means that the processing technique only needs to use Halal ingredients to maintain the Halal guarantee of the ingredients. Meanwhile, the process of storing materials involving Haram substances must be avoided, as it will harm human health.

e) The use of Halal food logistics (HFL) is relatively low in demand for services, such as warehouse services and storage space. This service is only offered by about 5 out of 9 logistics service providers (LSPs). In addition, less than 30% of the total existing capacity (for Halal warehousing) has been used for its services. There are also allegations from many LSPs stating that there is no obligation for the issuance of Halal (Food and Beverage Products (F&B) certificates, so this is the cause of very low demand for warehouse services (Norlila et al. 2017: 337-346).

HFL services have high operating costs, resulting in less response from F&B manufacturers. Typically, these logistic services are used over a long period by setting operating costs to carry out containers' cleaning ceremony (seru) and renting a special place or freezer room.

ii. From dangerous materials

a) Biological: The food industry must be able to keep food safe from chemical, physical, or biological (viruses, parasites, fungi, bacteria, viruses, and other toxins) risks. In general, food conditions need to be safe, so a review is needed to ensure that the Halal guarantee is met in terms of quality.

b) Chemical: The entire production chain could be exposed to accidental contamination with chemicals. Foods produced by manufacturers will inevitably be exposed to chemicals potentially harmful to health. Not to mention the food will move from one place to another. Unintentional contaminated food items need to be considered strictly to protect food safety.

c) Physical: Physical mixing of Halal and non-halal meats is common in storage facilities. According to Norlila et al. (2017), transportation companies lack knowledge about Halal practices, thus being exposed to unintentional contamination through certain objects and activities of employees.

So, keeping Halal goods away from Haram goods is intended to avoid the interference that Halal goods can cause with illegal goods or the occurrence of suspicion about the Halal goods. To achieve the common good in storing goods risks that likely lead to contamination should be carefully avoided, such as mixing Halal and Halal elements and goods with hazardous substances. The act of separation between Halal goods and illegal goods in this warehouse needs to be observed and implemented comprehensively.

This can protect Halal products so that they always have Halal status. In practice, this warehousing arrangement leads to the principle of Maslahah, which is useful for the common good to maintain the Halal status of Toyyiban in the storage of goods. In addition, also based on the principle of sadd al-darriah, to avoid mixing between Halal goods and illegal goods, the management should adopt this principle immediately and ensure adequate preparation, in addition to ensuring that Halal status is evident for the product that is considered to be Halal.

4. Transportation

Transportation is a critical area in ensuring safe and contamination-free Halal transportation. Zailani et al. (2017) argue that the integrity of Halal food is subject to a logistics system that plays a role in maintaining Halal quality by carrying out proper transportation management, control, and storage along the supply chain to safely reach the destination. Soon et al. (2017) argue that Halal integrity needs to be observed starting from the consumption of raw materials until they are ready for distribution and then reach the consumers, which means that it is not only discussing permitted and prohibited goods. Coyle et al. (2011) define transportation as an activity that transfers goods from raw materials to the place of destination by stating the time and place according to the context of logistics activities. Accordingly, goods move from producer to customer.

The transport must be clean before it is stuffed or loaded with Halal goods. As bulk transport is in direct contact with the container/transport vehicle, the container/transport must be
dedicated for Halal or ritually cleansed before use. Ritual cleansing is also critical for wet (chilled, frozen) environments. Halal livestock needs to be segregated from non-halal livestock (like pigs). For live animals, it has been agreed that Halal and non-halal livestock must be segregated. Extensive discussions were held on transporting Halal and non-halal slaughtered chicken in one container. It was argued that Halal and non-halal slaughtered meat of Halal livestock should be allowed to be shared in one container/transport if Halal meat has proper tertiary packaging.

Many studies propose the segregation of Halal and non-halal goods during transportation, storage, and (sea/air/rail/inland) terminal operations to avoid cross-contamination and mishandling, thus ensuring that operations are consistent with the expectations of Muslim consumers. In Halal logistics, it is important to know the segregation levels formulated as consumer requirements during transportation, warehousing, shipment, and in the supermarket (Tieman, 2012). Logistics activities from the transport sector often face various issues related to mixing Halal and Haram products throughout the operation. To protect this matter from mixing, special transportation needs to be performed by manufacturers and suppliers involved in this type of logistics. This action will reduce the risk of cross-contamination, and the delivery process will be simplified for customers and clients. Transportation, as defined by Coyle et al. (2011), is the activity of moving goods from a starting point to a planned destination by covering the place and utility, that is, the activity of moving goods performed by manufacturers to customers.

The issue related to the mixing between Halal and Haram goods is huge in terms of transportation. Therefore, it should adhere to the principle of Maslahah; then, it is necessary to segregate the two products to avoid the risk of cross-contamination. Setiyawan (2019) is of the view that the principle of Maslahah is very important to Hizd Darawah wa Rafu Haraj (save the necessity and raise the critical). It is an obligation to keep things Halal and avoid Haram.

In the matter of transportation, indeed, the industry controls the movement of the transportation so that it does not mix between Halal and Haram goods. Of course, the Halal industry uses transportation specifically to carry Halal goods only so that the Tayyiban Halalan guarantee is well maintained and to safeguard the common interest based on the principle of Maslahah. The principle of Maslahah in maintaining the Halalan Tayyiban status is a priority in mobilising transportation. The principle of sadd al-dzariah is also a Shari'ah guide in taking transportation specifically for Halal goods only, transportation must be in a clean condition, and there is no mixing between Halal and Haram. The care of the vehicle is very important so as not to be exposed to harm, which is a Haram thing, so the Halalan Tayyiban guarantee remains throughout the time of transportation.

5. Retailing

Tieman & Barbara (2020) informed that the Department of Standards Malaysia published the world’s first Halal refining standard in 2010, MS 2400-3: 2010: management system requirements for retailing. Zaidan (2011) & al-Asheqar (1984) say that the application of Shari'ah principles and Shari'ah objectives by considering the general Maslahah (public interest) is very appropriate for civil society involving Muslims and non-Muslims. This shows the comprehensiveness of Islam in protecting the rights of consumers.

This Halal retailing standard intends to assure the Halal integrity of products, goods and/or cargo at the retail stage. It specifies the framework a retailer should establish to meet regulatory Halal requirements. In implementing the standard, the retailer should address the handling and managing of Halal products and/or goods whenever there exist interfacing activities during receiving, loading and delivery. However, this management system is not prescriptive regarding how purchasing needs to be organised, what categories of Halal retailers are possible, the layout of retail outlets, and whether there should be segregation at retail outlets and logistics. It also leaves out considerations of consumer preferences and how this Halal retailing standard protects Halal integrity according to Islamic thought, including fatwas and the local customs of Muslim societies.

5.1 The concept of Halal retailing

Halal Tayyiban (Halal and good) is a principle that Islamic retail store players must hold in offering products produced by Muslims. Islamic grocery stores control all movements of Halal products so that the Halal guarantee remains as long as they are in the store. All products must be in good condition, safe to use, and protected from Shari'ah science. The preparation of food produced by Muslims in the shop should also have Islamic values so that the business is blessed. An Islamic retail store with Islamic values, such as explaining the status of its business honestly, will lead to quality assurance of Halalan Tayyiban business. The Shari'ah principles practised by the grocery store are special features that serve as a guide in carrying out management; Muslim producers must produce the status of Halal products; Muslim entrepreneurs must give the status of Halal products priority; staff should wear clothing in accordance with Shari'ah requirements (Waida Irani et al. 2013).

Halal retail aims to guarantee Halal integrity by controlling the supply chain process of the Halal category at the point of consumer purchase (Tieman & Barbara, 2020). The differences in the Halal retail formula are as follows:

i. Halal-exclusive retailer. Where the outlet offers only Halal products. The design is made so that the local Muslim community’s specific needs and Halal requirements can be met and included in the Halal category.

ii. Halal-segregated retailer. Halal products and Haram products are offered by an outlet that clearly identifies the product’s status and physically separates the items on shelves and displays so that the risks involving contamination and perception can be easily addressed. The design of the Halal category can be multiplied and extended to mainstream Muslim consumers.

iii. Halal-mixed retailer. Where the outlet offers both Halal and illegal products, but there is no separation between these two products physically, so is not clear the status of the product. The retailer does not recognise a Halal category.

The Halal-exclusive retailer only carries products that are considered Halal according to governing Islamic law and local
customs. Therefore, a dedicated Halal retailer in Malaysia will not carry alcoholic beverages, non-halal meat, products containing animal ingredients that are not Halal, cigarettes, and non-food products (such as cosmetics) containing non-halal components. The supply chain to the retailer should be segregated from non-halal items (as defined according to the country's Halal standards).

The retailing issue is also not far from warehousing and transportation, where there is a need to separate between Halal and Haram goods while in the store. Indeed, Muslims retailers do not sell goods except Halal goods. Of course, so as not to mix with Haram goods. All these retailing activities refer to the principle of sadd al-dzariah, which aims to safeguard the benefits of retailing with Halal goods, avoiding harm that is being exposed to Haram goods. This, in line with the principle of Maslahah also aims to maintain the guarantee that Halalan Tobjiban remains in the store until it reaches the consumer.

6. Conclusion

The principles of Shari‘ah guide all matters in living life comprehensively. Undoubtedly, these principles are indeed abundant in Islamic Shari‘ah, to be used as a reference on life issues. This problem is, of course, related to the logistics or the supply chain in the Halal industry. Among the Shari‘ah principles that are always taken in general is the principle of Halalan Tobjiban. The Halal industry always refers to the main principle of doing business. From carrying out logistic movement activities, such as the separation between Halal and Haram goods and the provision of special transportation to transport Halal goods specifically aimed at achieving common interests under the principle of Maslahah. Maslahah leads to the guarantee of Halalan Tobjiban. Apart from that, the principle of sadd al-dzariah is also a guide to the principles of Shari‘ah as a precautionary measure in avoiding things that are Haram, to keep Halal things.

Halal logistics and supply chain management is important in ensuring Halal integrity for the Muslim consumer and protecting the brand of manufacturers and retail chains. As today's food supply chains are complex and require crossing borders, logistics plays a key role in extending the Halal integrity from source to the point of consumer purchase. As an international Halal logistics standard has been developed, there is today a reference in how to organise Halal logistics for the Halal industry, which addresses both the differences in market requirements (based on the Islamic schools of legal thought, local fatwas and local customs) as well as the complexities of last-mile logistics in non-Muslim countries. Halalan Tobjiban is a general Shari‘ah principle that should be referred to as the basis and principle of Maslahah, which is a Shari‘ah principle that should also be referred to in all units that conduct Halal logistics.

References

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