

# Inspection Procedures in Halal Food Certification

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## Introduction:

Audit is Systematic, independent and documented process for obtaining audit Evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled. It includes adequacy and on-site and follow-up audits. Compliance audit is conducted by means of an independent, impartial and objective audit to ascertain full compliance with the Halal Certificate and Halal Label .Auditors appointed as inspectors, under the Halal Certificate and Halal Label Order, 2005 to determine whether the Halal procedures and requirements and also the related results comply with planned arrangements and whether these arrangements are implemented effectively and are compiled to ensure the foods produced are Halal.

Audit is an activity which is performed by a person which is technically competent in auditing Halal procedures and requirements in a particular food processing technology or field, formally appointed by the Halal certification body or Halal food authority. Halal auditor check compliance which means the production activities and operations at the place or the place of business meets the Halal Certificate and Halal Label. It is also the responsibility of the auditor to check conformance which means activities are carried out according to the established procedures as laid out in the Halal procedures and requirements.

Non-conformance documented by the auditor which must be satisfactorily addressed or corrected by the applicant is termed as correction action request. All corrective action requests must be closed before a recommendation for the issue of Halal Certificates and Halal Permits can be made. The follow-up activity to obtain evidence that the non-conformance given as corrective action requests are being satisfactorily corrected and implemented and that the Halal procedures and requirements have been maintained. A follow-up audit can be on-site or adequacy / document audit. On receipt of the complete documentation, the auditors conduct an adequacy audit on the Halal Procedures and Halal Pre-requisite programme(Halal PRP) within 1 week after receipt of documents. The lead

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- 4- Human's writing allowed its readers with two options; one, reading with author's mind, two, reading with text's mind. Former is not allowed in Barthes context but the later confronts some problems in its interpretation. As all languages develop and changes structurally as well as in semantics so which meaning as interpretation would be preferred, as words have their etymology. But this is not the case with Quranic language as it has not only been studied but practiced as well (prophet's examples).
- 5- The Quran is not only a text but a message of Allah Almighty to the whole mankind and on the basis of this text whole mankind will be answerable before Allah on the day of Judgment so how can Allah detach Himself after having uttered.
- 6- Revealed text may agree with Barthes in multidimensional interpretation in a few cases, but in all agreed or in variants cases the reader has to accept it as revealed.

The core value of the western civilization is "freedom" and in the post modern period it accompanies with "individualism" so it is observed that every new decade brings something new and unique, and often said in amazing and well furnished terminology that not only perturbed its reader but also try to produce meaninglessness in life structure. When individualism exceeds to a certain limit, it denies everything even the individualism itself. On the contrary in the traditional setting people begins with acceptance of the known and dare not reject the unknown. But after the negating of vertical position in the west, people started to believe in themselves in resolving all issues that confronts to man in either way. Though Protagorus was a man of past but what he said can be observed in this period "man is the measurement of all things" and the same can be said in Barthes style "reader is the measurement of all texts". This means vertical positioning of knowledge is replaced with horizontal positioning of knowledge. But it ends with horizontal non-positioning of knowledge when it reaches to the "deconstructive" mind of Derrida.

As has already been discussed that Barthes believes in destination and not in origin but all the sacred text (revealed) focuses on the origin of this universe and claims that you cannot reach the Truth unless you believe in the concept of creationism though empirically it is beyond your reach but innately you have enough signs to believe in. Barthes does not impose a restriction on his reader before reading he allows the reader to come in any way he chooses. Abrams says "in the representation of Roland Barthes the "death" of the author frees the reader to enter the literary text in whatever way he or she chooses". (26) But a sacred or revealed text does not give you a permission of this kind. Muhammad Asad a renowned convert Muslim makes a long discussion on how to read text and finally reaches this conclusion that Hadith is a prerequisite in studying the holy Quran and if you leave it then "it becomes easier to twist the teachings of the Quran in such a way that they suit the spirit of western civilization". (27) This is a clear manifestation that every text has some peculiar qualities and ignoring these means ignoring text.

In this paper sacred text means religious text (revealed) and if the word revealed is applied to the Bible the answer would be different as the Bible does not claim as such rather it is believed amongst Christians that it is just inspirational in nature and written down long after Jesus. A very important book written recently by Adolf Deissmann describes "the new testament came into existence through divine inspiration, that is, through divine suggestion. Or still more definitely, the spirit of God of the new testament into Apostles as if the words were dictated to them". (28) Therefore more precisely the text contain in the Bible ruled out to be revealed. Hence in this paper the only text remains to be analyzed is the text of the Quran which claim internally and externally as the revelation of God, directly from Him through the messenger Gabrail to the prophet Muhammad (PBAH). Here a point wise list is given which makes distinction from the text in consideration.

- 1- Quranic revelation is vertical in nature and horizontal in scope whereas a human text is both horizontal in nature and scope.
- 2- Every new advancement (academically, socially, physically, etc) arises some era-questions that need to be addressed as the revelation claims all-inclusive guidance. Here interpretation of the words of the revelation may be different in different era but its acceptance as "vertical in nature" and a total consciousness remain the same.
- 3- Quran's author is God Himself and He is ALL-KNOWER (time is not divided in past-present-future) so the text He gives is for all times to come equally valid in prophet's times and future's times.

(21) This means it is God who fix the meaning and if one goes contrary to this one will have no other choice but to negate God. And from the life history of Barthes we know that he was an atheist.

Another very significant aspect of the article is that he does not believe in the origin but in the destination and to him, origin is the author and reader is the destination. "A text's unity lies not in its origin but in its destination" (22)

And finally Barthes says that no doubt in the history of criticism an importance has been given to the writer which shows the authority of the writer but this has destroyed and shattered many things and now the time has come when we should give weigh only to the reader "classic criticism has never paid any attention to the reader; for it, the writer is the only person in literature. We are now beginning to let ourselves be fooled no longer by the arrogant antiphrastrical recriminations of good society in favour of the very thing it sets aside, ignores, smothers or destroys; we know that to give writing its future, it is necessary to overthrow the myth: the birth of the reader must be at the cost of the death of the Author". (23) This is an analysis of the article there are certain things which need to be described here briefly; no origin, subject negation, reader controls the text, text buried the author, multiple meanings, fixity is a crime, theological interpretation denied, present is important with reference to future and not with reference to past, classical criticism made us fool.

The third and final part of this paper is to study critically what does it mean by sacred text in relation to the above analyzed article? Chetan Bhatt defines sacred text in these words "the sacred text(s) are legislative, in this sense, nothing exists outside the text". (23) This means a sacred text gives you rules and regulations of life both in individual framework and at society level and in this way you cannot go outside the text because if you do so people will have to face chaos and anarchy as every individual will assert his own opinion worthy to be executed. Therefore a text of this kind must have all knowledge and all sciences for the spiritual and temporal satisfaction of all individuals. Bhatt writes "the sacred text also has the new semiotic property of containing all knowledge and science" (24) but on the other hand Barthes view is altogether different as Dr. Wazir Agha opines "when Barthes says text contains no meaning then in other words he says that there is no meaning in the text of this universe as Ultimate Truth". (25)

*nourish* the book, which is to say that he exists before it, thinks, suffers, lives for it, is in the same relation of antecedence to his work as a father to his child". (17) Before writing, definitely the author has to make connection between what he thinks and what would be the appropriate word for what he thought and before it what was the relationship between his experience and his thought, whether the thought is purely based on the experience in an objective form or an element of his subjectivity has got some place in framing his thought. And how much and in which way he tried to detach himself from the subjectivity or from the objectivity. These are pertinent questions and Barthes agrees to consider them but not after writing. And when he says "having buried the Author"(18) he admits the existence of the author that is why he takes him to the grave. There is a very remarkable passage in this very article which is also directly related to our concern and here Barthes goes on to this extent "we know now that a text is not a line of words releasing a single "theological" meaning (the "message" of the Author-God) but a multidimensional space in which a variety of writings, none of them original, blend and clash. The text is a tissue of quotations drawn from the innumerable centres of culture". (19) These lines are important and suggest two different meanings; one, that the article under consideration is not relevant to the sacred text and Barthes excludes it from his criticism, two, that he does not consider a sacred text a text at all. It seems that the valid text according to him is one which contains several meaning and which needs not the authority of the author behind its execution and the reader can go either way in interpreting it and this is not allowed in religious text. For according to Barthes, giving a final meaning to a text means that you give it a final signified which is not altogether a good thing to the text, he writes "to give a text an Author is to impose a limit on that text, to furnish it with final signified, to close the writing". (20)

As referred above that Barthes does not like to fix meaning to a text and also he does not show his inclination towards theological meaning, he makes his point of view very clear without any ambiguity while describing that "in precisely this way literature (it would be better from now on to say writing), by refusing to sign a "secret", an ultimate meaning, to the text (and to the world as text), liberates what may be called an anti theological activity, an activity that is truly revolutionary since to refuse to fix meaning is , in the end, to refuse God and his hypostases – reason, science, law."

(Barthes) viewpoint in these words "reader is not a consumer but a producer". (12) This suggests the superiority of the reader over the writer and reader is not an end-user but a ever-producer. After writing a certain piece of literature the writer loses his authority over the writing. Expression is the property of the writer and perception is the property of the reader. Reader enjoys multiple doors to enter into the field of reading and has even more when he comes out.

It is important here to throw light on "what is an author" before discussing in detail the aforementioned article of Barthes. Abrams defines authors as "authors are individuals who by their intellectual and imaginative powers, purposefully create from their materials of their experiences and reading, a literary work which is distinctively their own". (13) This definition describes implicitly that an author cannot produce anything unless he could find an opportunity as his experience and words as expression of the experience. Barthes believes that writing is not subjective in nature rather it is objective and no other element can intervene in establishing its meaning. He says "we shall never know, for the good reason that writing is the destruction of every voice, of every point of origin. Writing is that neutral, composite, oblique space where our subject slips away; the negative where all identity is lost, starting with the very identity of the body writing". (14) This is very evident statement that writing is important and not the writer. Another very significant aspect of Barthes's approach is that he negates the origin, to him product seems important, not the producer. "The voice loses its origin, the author enters into his own death, writing begins" (15) writes he. It appears at one level he accepts the existence of the author but after the writing he says vigorously that the author is no more. Further he discusses the role of language with reference to the author. And in this very article he does not elaborate "what is language" in terms of sign, signifier and signified but he takes it in total configuration but relates it directly to the author and gives all importance to the language. He writes "it is language which speaks, not the author". (16) As it has already been expressed that Barthes believes in "author" but he takes him as a matter of past, means he has no link to that of his writing. He writes in this connection "the author, when believed in, is always conceived of as the past of his own book: book and the author stand automatically on a single line divided into a *before* and an *after*. The author is thought to



renaissance and reformation period; one, freedom, two, individualism. Freedom means freedom from meta-narratives and individualism means I am sufficient for i-ness. When these traits combine together they form a distinct worldview which is altogether different from that of traditional one. If one looks at the history of Christianity one will find that since after renaissance more than 20 thousands sects have been emerged. (ency of religion and ethics) This is a sufficient argument to prove that when individualism enjoys freedom, it brings limitless connotation of every known and established thing. These two properties reject the ultimate reality both in term of God's existence as a Being and the way He communicates His creatures. DrNasir writes "neitshe declared "God is dead" this was actually an Endeavour to reject the real cause or single meaning that defines the existence of God. And when later on Roland Barthes entitled author as author-God and declared the death of that very author, he did nothing but repeat the words of nietshe". (9) DrNasir further says "it is not acceptable at any level to accept any rejected aspect of Ultimate Reality". (10) This shows that article is of importance and a threat to the religious domain. If one accepts the death of the author one will not be any more religious. For with the death of the author meanings will not only be varied in form but also disconnected in nature, one has to sacrifice the vertical positioning of text. DrGopi observes Barthes inclination in these words "at one level man's unity is no more than a hallucination. And if it is observed minutely then every one of us would be "several". Barthes altogether disagrees with the unity of meaning, hence in the same way he is an atheist. Everything which is non-constant and non-unified, Barthes accepts. He is also in favour of those things which contain several meanings and are centrifugal and declines all those things which are "one" in meaning and centripetal in nature". (11) This discourse of Barthes reveals a significant thing in the structure of word meaning debate. Words are in hand of writer and once he wrote something he would not be the part of his writing and now it would be in the hand of the reader. What are the meanings of the words in the mind of the writer may not be understood similarly by the reader, reader has his own background and he will interpret the words in accordance with his previous knowledge. In the same way the situation in which the words were written may not be there at the time of reading, hence, words will give a different connotation. While introducing Barthes Dr. Gopi writes his

the modern period which was traditional in the eyes of postmodernist. And the traditional claim is "guarantee the validity of knowledge and truth" (3)

This paradigm shift changes everything and nothing remains constant or absolute. Everything comes with the relativity of the relativity. Smith very rightly expressed this age as "with every tick of the clock the pieces of experiences come down in new array", (4) though the Endeavour behind all this exercise is to discover a systematic and pattern oriented way of life and everyone apparently is doing the same but in heterogeneous mode and owing to this dispersed motion the already existing pattern in the least form devastated. Smith writes again "modern man is doing desperate search for a pattern. The search is desperate because it seems futile to look for a pattern when reality has become, in Roland Barthes's vivid image, kaleidoscopic". (5) In the words of Akbar S. Ahmad this very age is not transparent in its formation he writes "we don't live in a world of clear images". (6) Another feature of the postmodernist is that they feel pleasures in making and joining big verbose. They try to speak in terminology which they themselves coined and it happened that they remained alone in using them. Defining post modernist in context of language Akbar S Ahmad says "they are often trapped in a thicket of jargon, abstruse concepts and obscure terms". (7) This reflects the age is making and manufacturing things which are not related to a systematic pattern. Structuralist or modern writers believe in words and hence texts but post structuralist writers questions about the text and its process. While discussing postmodernist thinkers in the area of language study Gullen remarks "postmodern thinkers want to question the process by which these decision were made... questioning the text, questioning the authority of human reason, is the hall mark of post-modernity". (8)

Analysis of the postmodern era reveals that nothing is constant and, even the basic unit of communication between human beings is questioned. As language develops with the meaningful interaction of the individuals living in a society and if someone raises a question of meaning with reference to its speaker then consequently the meaningful validity of the society itself will be at stake.

This is the atmosphere in which Roland Barthes writes his famous article "death of the author". It seems pertinent to discuss the background of this article. Western civilization achieves two important things during

## **"Death of the Author" by Roland Barthes in the Light of the Sacred Text**

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With the first discourse that happened with the first man on earth emerges dialogue that shaped criticism and nothing new could evolve to this day in the domain of literary criticism. Word comes with one meaning, multiple meaning, contextual meaning, writer oriented meaning, and so on. And the debate knows no end. But the innate structure of the word in relation to its meaning never lost its validity with an emphasis on the author. Different eras in the history responded the era-questions with the total consciousness of the period, though the answer leads to further questions but the answer in itself has the tendency to reflect what is gathered in that particular era at least in the academic paradigm.

The present paper is about the article "death of the author" written by Roland Barthes. The whole study consists of three parts. One, an analysis of the era in which this article was written, two, an analysis of the article itself, three, analysis of the article with reference to the sacred texts.

"Death of the author" was written in 1969 and before it another article "what is an author" was written by Foucault in 1968. This shows a study about the author was a serious discourse amongst literary theorist. This period of the history is very productive in so far as the creation and establishment of fresh theories both inwardly and outwardly. With every new decade there comes a new group of theorist with a new theory. And this period is known as post structuralism or postmodernism, both these terms can interchangeably be used with the dominant mode of theorization. "Theorization of knowledge, position and practice was observed in every field."(1) Through this theorization process it was tried to destabilize everything that was considered stable. Abrams writes "Poststructuralists challenge and undertake to "destabilize" and in many instances to "undermine" and "subvert" what they identify as the foundational assumptions, concepts, procedures, and findings in traditional modes of discourse in western civilization."(2) What was traditional in this setting is

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2. Roohu l Maani, vol. ii, p.142.
3. Here regarding halala we want to point out that most of the scholars of fiqh rather all of them believes that the legitimate halala will be the only way for women who have received talaq-e-Mugallaza (i.e. three divorces at a time). However, Allama Tamanna Imadi and Allama Jaafar Shah Phulwari believes that this legitimate Halala will be valid for only those woman who have taken Divorce on her own will as a substitute for wealth, not for that woman who have been divorced by her husband on his own will. As per Jaffer Shah Phulwari, "After second Marriage if the later husband also divorced her accidentally, then she will be entitled for her former husband, this law was only for women who have taken Khula from their husband but it was considered for the woman who have been divorced thrice." (Qurani Qanun-e-Talaq, p.35, Dar-ul-Tazkeer, Rahman Market, Ghazni Street, Urdu Bazaar, 2003.) Details could be found in the above mentioned two scholars' books. At-Talaq Marratan is a well-known book of Allama Tamanna Immaadi comprises of 167pages, I have the issue of 2004, which was published from Dost Associates Urdu Bazaar Lahore. And The book of Jaffer Shah of 88 pages.
4. Zia-ul-Quran, vol. I, marginal note of verse #230 Sura – tu-al Baqara, Zia-ul-Quran Publicationes, Ganj Bakhsh Road, Lahore, N/A.

Pir Karam Shah Azhari. My understanding is that the legal and Quranic concept of Halala is the one in which neither precondition nor intention of divorce is present at the time of marriage. If a new marriage is done with the intention of living together forever and it naturally renders unsuccessful and divorce happens or the new husband dies, only in that case the marriage with the former husband becomes permissible.

In short, there should be no covert methods used in the legitimate dissolution of the new marriage to make remarriage with old husband possible i.e. it is entirely incidental and natural. This beautiful combination of natural and incidental dissolution of later marriage is termed as Quranic concept of Halala this is the objective of :

﴿فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدِ حَتَّى تَتَّخِجَ زَوْجًا غَيْرَهُ﴾

bound of marriage to be ‘Muhsina’ rather than having overt and covert sexual relations. We believe that Halala on one hand provides a blatant way for sexual desires, whereas on the other hand opens up the possibilities of clandestine illicit relations after divorce.

Our understanding is that this Quranic statement contains a universe of meanings within. This statement has provided such a description of marriage due to which not only ‘Mutaa’ but the prevalent Halala also becomes illegal because both of them are devoid of ‘Ehsaan’ and full of ‘Musafihat’.

This is also worth remembering that once prophet Mohammed (PBUH) told sahaba, “Should not I warn you about the rented bull? The companions asked the Prophet who are they? He replied that those are the Mohallil. Curse of Allah be upon the Mohallil and Mohallil lahu.”

Syed Mahmud Aaloosi has stated two rivayaat regarding Halala:

- 1) Abdul Razzaq told the statement from Umar (RA)

If someone asking for Halala is brought to me I will kill (Rajam) both of them.

- 2) There is a statement from Hazrat Uthman (RA) in baihiqee

One such case was brought to him where a man had temporarily married a woman to do halala for her previous husband. Hazrat Usman (RA) parted them away and declared that the woman cannot marry the first husband until she marries someone else of her own liking, i.e. a marriage free from conditions (i.e. prevalent Halala). (2)

This is quite clear now that Prophet Mohammed (PBUH) declared halala (3) profane, Hazrat Umar (RA) called it worth stoning and Hazrat Uthman (RA) considered it devoid of the trait of Nikah. In the presence such clear verdicts, the emphasis for Halala is quite understandable.

The interpretation of ﴿فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَتَّخِذَ زَوْجًا غَيْرَهُ﴾ by Pir Karam Shah Alazhari is as follows:

“From here onwards it is the discussion about 3<sup>rd</sup> divorce (4) i.e. if he has given the 3<sup>rd</sup> divorce as well, then until she marries someone in the same way as she married the first husband and then the second husband after consummating the marriage does not divorce per his free will, she can marry the first husband again. This is a clear order from Quran which is not subject to any interpretation. Now-a-days a solution has been sought in terms of Halala for which Prophet Mohammed (PBUH) has ordered “Allah’s curse on the person doing Halala and the one for whom it is being done.” (4)

The legitimate dissolution of marriage that: ﴿فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَتَّخِذَ زَوْجًا غَيْرَهُ﴾ refers to is what you have seen with reference to

marital relations are disallowed in open or in secret. Just review the words of ﴿مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ﴾ and honestly decide after pondering whether prevalent form of Halala comes under the definition of 'Muhsineen' or not, i.e. if this form of Halala makes man the protector of the honour and dignity of woman or a looter of her chastity usually lasting a few nights.

- 2) Secondly, the agreement of man and woman plays a vital role in the marriage and no one denies the importance rather requirement of this covenant. Hence the question arises if the free will of partners is taken care of in the prevalent form of Halala?
- 3) Thirdly, in the case of pregnancy due to Halala, is there any legal plan in the minds of man and woman? Also, is the issue of inheritance there in the minds of partners, in case of death during the period of Halala. You may not find answer to these questions because the prevalent form of Halala is only temporary and is only there to cater to the urgency of situation. Prevalent form of Halala does not have any basis like a 'permanent marriage' i.e. this sowing is not to get the crop.
- 4) Fourthly, man and woman tend to find out about each other's social, financial, moral and religious status before entering the matrimonial relation. It is only after satisfactory investigation that the relation comes into being. Does Halala also require this kind of scrutiny? Hand on heart, do we really think that this kind Halala is the Quranic objective of marriage. If not, then we should indeed not consider the prevalent form of Halala as the legitimate dissolution of marriage.

﴿غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ﴾ shows that where Quran has termed the marriage as 'Ehsaan' it has actually completely explained its meanings by this word i.e. a marriage which is opposite of 'Musafihat' and that is only possible when there is an intention of 'Ehsaan'. The marriage which is absent with the essence of 'Ehsaan' is not the opposite of 'Musafihat' - it is actually 'Musafihat'. The people, who take sex as the main objective of marriage, should ponder a little more on this verse of Quran. Does the prevalent Halala not just comprise of sex only and don't we have the possibility of clandestine sex in this kind of marriage during Halala or afterwards. Is there anyone who thinks about this aspect?

Sexual immorality is possible in women just like men. In case of Halala if a woman gets exposed to this kind of relation, will it not open the possibilities of extra marital relations for her later on? The reason is that like the words ﴿مُحْصَنَاتٍ غَيْرَ مُسَوِّغَاتٍ وَلَا مُتَّخِذَاتِ أَخْدَانٍ﴾ have come for men, similarly the words ﴿مُحْصَنَاتٍ غَيْرَ مُسَوِّغَاتٍ وَلَا مُتَّخِذَاتِ أَخْدَانٍ﴾ Al-Nisa 25 have come for women. That is, the women should also come under the