

## Development of Decision-Making Framework for Food Premises Based on *Wara'* Parameter towards *Syubhah* Assessment

Pembangunan Kerangka Pembuat Keputusan Berasaskan Parameter al-Wara' Terhadap Penilaian Syubhah Bagi Premis Makanan

MUHAMAD AFIQ ABD RAZAK<sup>1</sup>, MUHAMMAD IKHLAS ROSELE<sup>2\*</sup> & MOHD SYUKRI ZAINAL ABIDIN<sup>3</sup>

<sup>1</sup>Lecturer, Academy of Contemporary Islamic Studies (ACIS), UiTM Shah Alam, 40450 Shah Alam, Selangor, Malaysia  
ibadurrahman89@gmail.com

<sup>2</sup>Senior Lecturer, Department of Fiqh and Usul, Academy of Islamic Studies, Universiti Malaya, 50603 Kuala Lumpur, Malaysia

<sup>3</sup>Senior Lecturer, Department of Akidah and Islamic Thought, Academy of Islamic Studies, Universiti Malaya, 50603 Kuala Lumpur, Malaysia

\*Corresponding Author ; email: ikhlas@um.edu.my

Received: 24 December 2021 /Accepted: 15 March 2022

### ABSTRACT

*The selection of food premises is an important practice that requires attention of Muslims. The emerging new trend of dietary culture has become one of the challenges for contemporary Muslims in ensuring halalan tayyiban aspect. Therefore, the selection criteria of food premises is crucial for Muslims, and this can be done through a concept known as wara' (abstinence). This study is carried out to highlight the wara' aspect within the selection criteria as well as in the decision-making process. This is because wara' plays an important role when dealing with doubtful elements (syubhah). This research wholly utilized library research to obtain data and data was analysed qualitatively by using content analysis method. Based on findings, there are several forms of syubhah that can affect the halalan tayyiban status. Therefore, this study proposes a decision-making framework based on wara' and syubhah.*

*Keywords: framework; premise; parameter; wara'; syubhah*

### ABSTRAK

*Pemilihan premis makanan merupakan pengamalan yang perlu diberikan perhatian oleh pengguna Muslim. Terdapat banyak trend baharu melibatkan budaya pemakanan yang muncul menjadi cabaran terhadap Muslim kontemporari dalam memastikan aspek halalan tayyiban terjamin. Oleh itu, kriteria pemilihan terhadap premis makanan adalah perkara yang sangat penting bagi seseorang Muslim, dan salah satu pendekatan yang boleh diambil adalah melalui konsep Wara'. Kajian ini dijalankan untuk mengetengahkan pemakaian konsep Wara' di dalam proses pembuat pilihan bagi kriteria premis makanan. Hal ini kerana, Wara' memainkan peranan yang penting dalam mengatasi elemen-elemen keraguan atau syubhah. Bagi mendapatkan data, kajian ini dijalankan dengan menggunakan kajian kepustakaan sepenuhnya serta data yang telah diperolehi dianalisis secara kualitatif dengan menggunakan kaedah analisis kandungan. Berdasarkan kepada dapatan kajian, terdapat beberapa peringkat syubhah yang dapat dikenalpasti yang mana ianya boleh memberi kesan terhadap status halalan tayyiban. Maka, kajian ini mengusulkan sebuah kerangka pembuat keputusan berasaskan kepada prinsip Wara' serta peringkat syubhah.*

*Kata kunci: Parameter; premis; kerangka kerja; wara'; syubhah*

### INTRODUCTION

The development of the halal industry in Malaysia, particularly in the food sector, is accelerating owing to the Malaysian government's commitment through

the Department of Islamic Development Malaysia (JAKIM) which administrates the halal certification process in Malaysia and globally. This effort is to guarantee that the food productions and services in Malaysia fulfil the standard of *halalan tayyiban*

(lawful and good). The growth of the halal industry in Malaysia is due to the involvement of the industry players especially the food production industry. According to Norazah, Norbayah & Loi (2018), this scenario is a result of the rising awareness among society towards the importance of halal and *tayyib* (good) aspects in their life in which led to the raising demand for this industry.

The effort to preserve halal integrity is performed through the systematic procedure of certification and the supervision of halal compliance by JAKIM at the federal level, and State Religious Council (SRC) at the state level. These steps also increase consumer trust in making the correct choice through the halal logo on food products and premises. Notwithstanding, the halal certification for food premise scheme requires improvement as there is a lack of awareness and prudence among Muslim consumers in choosing food premises as to whether it complies with the concept of *halalan tayyiban*. One of the factors contributing to the lack of awareness is due to the wave of foreign food culture (Sang-Hyeop et al. 2017) such as Korean food, Japanese food and so forth, that are promoted through social media platforms (Nurul Nabihah et al. 2018) which have attracted many Muslim consumers to the point of forsaking the *halalan tayyiban* aspect.

Bubble Tea brands such as Xing Fu Tang and The Alley are among the beverages that have piqued the interest of many Muslim consumers. Despite this, there are a fraction of the Muslim society that do not perceive it as a significant matter as long as the product does not derive from swine or lard (Siti Zanariah et al. 2014). This proves that there are still some Muslim consumers who are unconcerned about the imperative need of selecting food premises as a food destination, when in fact, the *halalan tayyiban* aspect is not confined to the food end-product alone, but also includes the process of food preparation. Therefore, it is necessary to put greater emphasis on the aspect of *halalan tayyiban* in selecting a food premise.

According to Abdul Raufu & Ahmad Naqiyuddin (2014), the awareness in selecting a food premise that complies with the standard of *halalan tayyiban* can be shaped through the exposure of information about halal, increasing the level of religiosity in society and promoting a healthy culture through halal food. Yusrina et al. (2018) explain that globalisation has caused Muslims to be indifferent

and inattentive to the purity of ingredients, processing methods, storing and packaging methods in production. Therefore, in the context of food premise, halal certification is a critical element when making a premise selection. Having said that, disregarding *halalan tayyiban* aspect when making the selection could lead one to fall into *syubhah* (doubtful) and committing to haram. Aside from the consumer, there must be an initiative from the food service provider to obtain halal certificate as halal integrity assurance. Based on research conducted by Abdul Razif & Rosfazila (2020), the awareness among food premises are moderate in percentage. Besides, obtaining halal certificate signifies the dedication of a company and a brand to establish and regulate systematic halal management. Furthermore, the halal certificate can be an added value to the premise due to the high demand in this sector.

Selecting a premise that has acquired a valid halal logo from JAKIM is one of the criteria that must be prioritised by Muslim consumers. In several studies, the presence of halal logo in food premise can be considered as implicit halal signal that construct consumers' belief then deciding to patronise an establishment (Ezlika et al. 2022). In fact, halal certified food premise is perceived to have impact towards customer trust and return visits (Zannierah et al. 2011). Beside that, there are a few other criteria that must be taken into account to satisfy the concept of *halalan tayyiban*. Among them is the brand. If the brand of a premise is associated with something contradictory with the public interest of the Muslim nation, it will jeopardise its' *halalan tayyiban* status. For instance, association with any type of oppression such as supporting the oppressive occupation of Palestine, discrimination, and so forth. This is in line with the meaning of the Quranic verse in surah al-Maidah verse 2: *And cooperate in righteousness and piety, but do not cooperate in sin and aggression*. Accordingly, the consumer must take these factors into consideration in selecting a premise.

To conclude, selecting a food premise that satisfies the criteria of *halalan tayyiban* requires a comprehensive approach by including the external hazard factor that can lead to *syubhah*. Therefore, this study will propound the framework for the selection based on the best practice criteria through the concept of *wara'* (cautious) in analysing the *syubhah* aspects before selecting a food premise.

## FOOD PREPARATION BASED ON THE GUIDELINES OF *HALALAN TAYYIBAN*

Islam places great emphasis on the aspect of food preparation and environmental conditions in making food selection to ensure that the food is not exposed to something haram according to Shariah. In this respect, Siti Halimah (2014) says that the halal and haram matters is directly correlated to worship matter. Azarudin et al. (2017) added that the issue of choosing or consuming halal food is not merely a religious demand, however, it can affect the physical, mental and behaviour development of an individual. Additionally, the matter of food consumption is related to the divine command that urges every Muslim towards success and happiness in life both in this world and the hereafter. This proves that the preparation and consumption of halal food are the principal elements in the life of Muslims.

The consumption of halal food is the evidence and symbol of obedience and submission towards the law of Allah SWT. In this regard, Islam has set out guidelines in food selection based on the concept of *halalan tayyiban* through the following Quranic verse:

Meaning: O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy.

(Surah al-Baqarah, 2: 168)

In another verse, Allah SWT says:

Meaning: Then eat of what Allah has provided for you [which is] lawful and good. And be grateful for the favour of Allah, if it is [indeed] Him that you worship.

(Surah al-Nahl, 16: 114)

Halal refers to something that is permissible by the Shari'ah and not something that is forbidden by Him. In food consumption matter, the characteristics of halal food include elements such as the absence of deception, harmless, an orderly manufacturing system, hygiene preservation, food safety maintenance, systematic and safe packaging, efficient delivery, a clear label, and affordable price. Besides, the ingredients and flavouring of a product must be halal and the processing system must be in line with the guidelines as well as conditions prescribed by Islam (Noorfazreen & Asmak 2011). The term *tayyiban* on the other hand, emphasises the aspect of food quality and safety (Mohd Farhan et al. 2021). According to Asmak (2009), consuming good quality food is asserted in Islam because it will

affect one's health and physical fitness as well as protecting one's life and intellect.

Apart from that, food selection also affects human spiritual well-being. A good and halal food is able to shape an individual's personality and contribute to the betterment of umma (community) (Harlida & Alias 2014). Furthermore, according to Al-Ghazali (2005), whoever consumes food with dubious element, his heart will be darkened for 40 days. This is evident to show that the halal aspect affects the spiritual development of a Muslim. The level of religiosity has a major influence on one's moral, habit and attitude in shaping their lifestyle as well as affecting their behaviour when making selections or decisions, particularly as a consumer of a product (Nur Riza et al. 2015).

## THE DISCUSSION OF *WARA'* IN ISLAM

*Wara'* (cautious) is a character and an act that refrains someone from doing things that are haram and *syubhah* (Al-Qasri 1995). This definition of *wara'* is also mentioned by Al-Zarnuji. Al-Zabidi (1985) on the other hand added the character of *taqwa* (piety) or fear, and humility as the characters of *wara'* that also serve as the abstinent from haram matters. Besides, the concept of *wara'* is also subsumed under the scope of *zuhd* (asceticism), which includes the obligatory *zuhd* by leaving haram and forbidden things, and commendable *zuhd* by consuming of what is halal. However, the safest would be to abstain oneself from *syubhah* (Mif Rohim & Surtahman 2013). Nevertheless, the appropriate definition of *zuhd* for the public is to turn oneself away and leave everything that is haram and subsequently avoiding things that are ambiguous in its ruling or in other words; *syubhah* (Simuh 1996). This is consistent with Al-Qusyairi (2000), where he expounds that *wara'* is to abstain oneself and relinquish everything that is not clear and ambiguous in its ruling, as well as does not bring benefits, including the nonessentials. Thereby, it can be elucidated that *wara'* is a character of conscience in selecting and consuming something (food) even though it is permissible. The character of *wara'* is essential to prevent someone from approaching or committing towards *syubhah* in which can lead to haram.

Abu Nasr al-Sarraj al-Tusi (1986) divides *wara'* into three degrees which are (i) general; those who abstain from *syubhah*, (ii) specific; those who stay away from what is halal, and has not yet accept the

halal status as a whole, (iii) *khas al-khawas*; those who abstain from actions that do not bring them closer to Allah SWT. Al-Ghazali (2005) on the other hand divides *wara'* into four main categories. The first category, *wara' al-'udul* refers to preventing someone from doing haram as pronounced by the *fuqaha'* (Muslim scholars). Someone who commits what is prohibited is considered as *fasiq* (depraved) and unreliable, which is regarded as a transgressor. The second category is called *wara' al-salihin*, which means to refrain oneself from committing something that is susceptible to haram, or in other words, *syubhah*. The third category is *wara' al-muttaqin* which is to leave the doubtful that is feared to lead to haram, however it is not explicitly pronounced as haram or *syubhah*. While the fourth category is *wara' al-siddiqin* which is to avoid from committing something permissible or that is not accompanied by piety in devotion to God. In other words, such action is the source of the involvement into *makruh* (reprehensible) or transgression.

Rasulullah SAW asserted that *syubhah* matters must be avoided as it will protect one's religion. Hence, the prophet's command to leave *syubhah* implicates normative law, which is haram. In a hadith narrated by Al-Bukhari:

فَمَنْ اتَّقَى الشُّبُهَاتِ فَقَدْ اسْتَبْرَأَ لِدِينِهِ

Meaning: Thus, he who avoids doubtful matters clears himself in regard to his religion and honour.

(Hadith narrated by Al-Bukhari)

The act of being cautious of matters pertaining to *syubhah* especially regarding food was also practiced by the Companions of Rasulullah SAW. For instance, Abu Bakr al-Siddiq once vomited out milk brought to him by his slave, who purchased it with the money he earned for providing service to a fortune teller (Al-Ghazali 2005). This clearly shows that the Companions truly did apply the concept of *wara'* by making every effort to avoid doubtful matters.

One possible way to obtain support is by engaging in social networking sites (SNS), such as Facebook and Twitter, which have opened up new opportunities for all manner of people - including teachers - to communicate with each other (Rashid and Rahman 2014). This communication includes seeking advice and information through the means of an online support community.

## THE CONCEPT OF SYUBHAH IN ISLAM

The term *syubhah* (doubtful) according to Qasim Abdullah al-Qunawi (2004) is something that is not clear whether it is haram (lawful) or halal (unlawful). It is a situation where the rules on a matter is not clear or cannot be identified. *Syubhah* is the gap between the two laws of *taklif* (normative), namely halal and haram in the perspective of Islamic law. This definition is based on the Hadith of the Prophet SAW:

إِنَّ الْحَالَ بَيِّنٌ، وَالْحَرَامَ بَيِّنٌ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ، فَمَنْ اتَّقَى الشُّبُهَاتِ فَقَدْ اسْتَبْرَأَ لِدِينِهِ، وَعَرَضِيهِ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ، كَالرَّاعِي يَرْعَى حَوْلَ الْجَمَى، يُوشِكُ أَنْ يَقَعَ فِيهِ، أَلَا وَإِنَّ لِكُلِّ مَلِكٍ حِمَى، أَلَا وَإِنَّ حِمَى اللَّهِ مَحَارِمُهُ

Meaning: Both lawful (Halal) and unlawful things (Haram) are evident but in between them there are doubtful things, and most people have no knowledge about them. So, he, who saves himself from these doubtful things, saves his religion and his honor (i.e. keeps them blameless). And he who indulges in these doubtful things is like a shepherd who pastures (his animals) near the *Hima* (private pasture) of someone else and at any moment he is liable to get in it. (O people!) Beware! Every king has a *Hima* and the *Hima* of Allah on the earth is what He declared unlawful (Haram)

(Hadith narrated by Bukhari & Muslim)

This hadith is the *dalil* (proof) of the concept of *syubhah*. According to the above Hadith, *syubhah* refers to ambiguity that leads to doubt and uncertainties (Al-Ghazali 2005). Furthermore, the doubts that arise are due to the two opposing evidences that presents the status of halal and haram of a matter (Mohd Rofaizal & Ismail 2017). This leads to conflict in the human mind and trigger a sense of uncertainty. In this Hadith, the Prophet SAW commands the Muslim to leave *syubhah* as it is a praiseworthy trait that preserves the religion and dignity of a person. *Syubhah* may arise in various aspects. The Shafie scholars have divided *syubhah* into three types, namely *syubhah* in place (*al-mahal*), doer (*fā'il*) and authority (*al-jihah*) (Al-Mausu'ah al-Fiqhiyyah 1992). In the context of food premise selection, there are several forms of *syubhah* that meet these three types which can be seen by its indicators or referred to as '*alamat zhann*'.

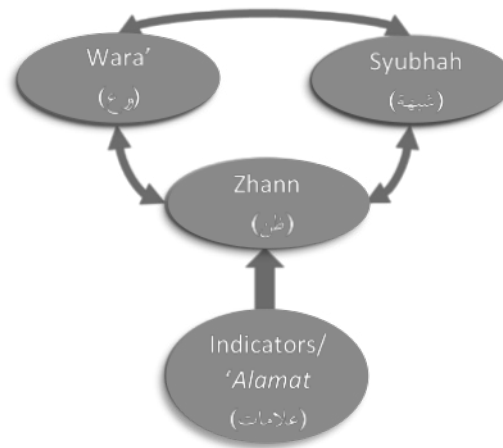


FIGURE 1. The relationship between *wara'*, *syubhah* and *zhann*  
Source: Researcher's analysis

Some scholars view that avoiding *syubhah* is not because it is haram but rather out of conscience (Al-Qaradhawi 1996). So, it can be identified that the nature of *wara'* is closely related to leaving the matter of *syubhah*. The nature of *wara'* will make a Muslim stay away from dubious matter. He will assess the level of *zhann* and its indicators that causes the ambiguity. The status of *syubhah* is determined based on the '*alamat* (indicators) that shows the confrontation between the aspect of halal and haram (Figure 1). In the context of selecting food premises, the indicators of *syubhah* can be summarised into five, namely; (1) the presence of a valid JAKIM halal certificate, (2) the status of the brand or manufacturing company, (3) the religious status of the food operator or handler, (4) the area and surrounding conditions of the food premises (5) the hygiene practice among food handlers. The next title discusses the *syubhah* criteria in greater detail based on the five *alamat*.

#### THE FRAMEWORK FOR FOOD PREMISE SELECTION

This study employed a broadly ethnographic qualitative approach and closely focused on the participants' unfolding discourse as they interact on Timelines. To some extent, the ethnographic approach employed in this study can be associated with 'linguistic ethnography' (Wetherell 2007; Copland & Creese 2015) since it closely focuses on the discursive behaviour of the participants. As highlighted by Wetherell (2007), linguistic ethnography 'brings together [linguistic and

ethnographic approaches], in the same analytic space [to] study the discursive patterns found in everyday interactions and aims to situate these in the dynamics of wider cultural settings' (p. 661). There are five criteria that need to be emphasised when selecting food premises. These elements are important to ensure that each individual practices the *wara'* approach or is cautious and does not fall into *syubhah* (doubtful) which may lead to matters that are forbidden by Allah SWT.

#### SELECTION OF PREMISES CERTIFIED WITH A VALID HALAL CERTIFICATE

The halal certification in Malaysia is gaining attention among product operators or premises such as restaurants and hotels due to its growing (Sharifah Zannierah et al. 2012). In this case, the Department of Islamic Development Malaysia (JAKIM) is the agency responsible for ascertaining, controlling, monitoring and maintaining the halal status of a product in Malaysia. Foods that has met the halal requirements in the preparation of food will be certified as halal by JAKIM and a certificate will be issued as proof that a product can be taken without any hesitation or *syubhah* about its status (Zawanah et al. 2008). The halal criteria of a product are in line with the concept of halal in Islam. Islam demands Muslims to choose halal products as stated in the Qur'an and Hadith, Allah SWT says:

Meaning: O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy.

(Surah al-Baqarah, 2: 168)

This verse of the Qur'an commands mankind to eat something lawful and good. Thus, it can be understood that this verse also demands for human beings to seek or choose something that is halal and good. In addition, the Prophet SAW said:

طَلَبُ الْحَلَالِ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ

Meaning: Seeking [that is] lawful is a duty upon every Muslim.

(Hadith narrated by al-Tabarani)

Based on the need to select and prioritise products that have obtained valid halal certification, the selection of premises is also driven by this need. Therefore, selecting premises that have obtained valid halal certification is a critical step that every Muslim must take. Compliance with the requirements for halal certification portrays the commitment of the premise owner to ensure that the products and its preparations are halal as well as comply with the Shariah. Thus, the selection of a premise that has a valid halal certificate prevents a person from making a choice that contains elements of *syubhah*.

#### SELECTION OF PREMISES THAT ARE NOT ENGAGED IN ANY FORM OF OPPRESSION OR DISCRIMINATION AGAINST MUSLIMS AND DOES NOT CONTRADICT ISLAMIC LAW

While some premises or products may be certified as halal and the food is safe to eat, numerous additional aspects must be addressed. Among the most important are the premises or products must not be involved in any type of oppression or discrimination against Muslims as well as activities that violate Islamic law such as premises that hand over part of their profits to Israel or LGBT movement, etc. For example, Israeli products should be boycotted as a symbol of solidarity against them, especially products that support their crimes whether through funding or investments or even moral. Islam clearly forbids any involvement in such activities as Allah SWT has mentioned:

Meaning: And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear Allah; indeed, Allah is severe in penalty.

(Surah al-Maidah, 5: 2)

This verse serves as a definitive that every Muslim should work together in matters of virtue and piety. Simultaneously, Allah SWT forbids Muslim from conspiring in matters that lead to sin or aggression. According to Al-Qurtubi (2006), among the

prohibitions in this verse are committing sins and aggression such as transgression and discrimination against people. Such behaviour portrays the *taqwa* (piety) of a Muslim in which *wara'* must be embedded within himself.

#### SELECTION OF PREMISES BASED ON MUSLIM OWNERS AND WORKERS

In the matter of *syubhah*, it is necessary to highlight the religion of the owner and employees. However, it does not invalidate the halal certification granted to the premise. A survey conducted by Nor Aini & Mohd Ali (2013) found that 78.8% of respondents were convinced that food or products grown or produced by Muslims do not have any suspicion or doubt, and have full certainty of the halal status. Abdul Basit & Sahilah (2010) conducted a study on UTM Faculty of Education students where one of the questions was whether they were willing to buy food from non-Muslim premises that displayed the halal logo. The study found that 80.3% disagreed with the statement, indicating that although a premise displays a halal certificate or logo, the religion of the premise owner is still an element that needs to be considered during customer selection.

Being trustworthy and just, as well as having integrity are generally associated with one's religious level. Therefore, Islam asserts that those who are untrustworthy are not faithful, and those who break vows are not religious. Similarly, when it comes to the issue of food premises selection, Muslims are prioritised on the basis of trust, certainty and mutual support. This is due to some instances where the management of non-Muslims lack consideration of the halal and *tayyib* aspects. Therefore, when selecting dining premises, the Muslim owners and Muslim products should be given priority. This is seen in the efforts of economic domination (market domination) done by Muslims against the Jews in Medina (Al-Samhudi 2006). Finally, every Muslim should consider the *wara'* approach when it comes to matters of food prepared by non-Muslims or on their premises.

#### SELECTION OF PREMISES BASED ON SURROUNDING CONDITIONS

To understand the concept of halal, there is an essential element that cannot be overlooked which is *tayyib*. Despite a premise obtaining a halal certification, as a Muslim consumer, one still needs to observe its present condition. An unhealthy environment such

as exposure to cigarette smoke, contaminated drains and promiscuity is something to be avoided. This is supported by the study of Elistina and Nurhanis (2016) which found that respondents will choose restaurants that have a halal logo and at the same time emphasise the aspects of cleanliness and good service. The reason being is there are also some premises that have obtained halal certification, yet they offer shisha services, display inappropriate television contents and poor hygiene practices. This does not comply with the concept of *tayyib*.

Furthermore, the cleanliness of the premises must also be considered. A clean environment can prevent food from being exposed to impurities such as dirt that will cause contamination. Individuals can avoid poisoning by eating safe and healthy food (Nora et al. 2015). Food poisoning may result in fatigue and health problems such as foodborne illness. This illness is caused by food containing toxins formed by bacteria which can result in death as well as food poisoning if not treated quickly. Aside from that, there are also premises that sell food based on its surroundings or the use of terms that contradict Islamic values such as Nasi Lemak Anjing (dog), Nasi Lemak Babi (pig), Warung Bunian (elves), Nasi Lemak Pondan (transsexual man), Nasi Lemak Gay, etc. Although Islam allows buying and eating the food provided it is halal and handled properly as well as the food and premise is safe and clean, such names indirectly bring negative connotations to consumers. Allah SWT mentioned:

Meaning: And he allows them as lawful what is good (and pure) and prohibits them from what is bad (and impure).

(Surah al-A'raf, 7: 157)

This verse shows that Allah SWT has given good names to what are halal and He also gave negative names to what are haram. Therefore, having a good and proper name is also an important component in following the guidance of Allah SWT. On the other hand, a negative name degrades the sustenance that Allah SWT has made halal.

#### SELECTION OF PREMISES BASED ON THE EMPLOYEES' HANDLING OF FOOD

In the aspect of halal, apart from the quality of a product or service provided by a Shariah-compliant premise, the condition of its employees and managers is equally important. According to Azizan et al. (2016), employers and employees who

demonstrate values such as piety and morality are among the required elements when selecting halal and good food premises. For example, despite the food served is halal, but there is still a significant influence if the people who prepare the food do not maintain personal cleanliness and attire as well as do not comply with the rules of safe food preparation. Hence, this is to ensure the proper maintenance of personal hygiene. Additionally, it has an effect on the selection of a premise. Another example is buying from a premise that does not allow employees to cover their *aurah* (Islamic dressing code), or men entering a massage parlour where the employees are women. This is shown by Norazah (2014) who found that majority of customers feel comfortable coming to a shop or premise that is Muslim-friendly or corresponds with Islamic traits.

Therefore, not only must a premise have a halal logo, but the portrayal of halal in terms of management, activities and services must also be highlighted and serves as an effective indicator of selection. If a person is cautious and preserves himself, he will avoid purchasing food from sellers who commit immoral acts such as exposing the *aurah*, fearing it will have an influence on his deeds of worship. This is consistent with the Hadith of the Prophet SAW:

وَلَا يَأْكُلْ طَعَامَكَ إِلَّا تَقِيًّا

Meaning: And let only a pious eat your food.

(Hadith narrated by Abu Dawud & Tirmizi)

#### THE CONSTRUCTION OF THE DECISION TREE BASED ON *WARA'* – *SYUBHAH*

The analysis of teaching-related Status updates and Comments obtained on the teachers' Timelines reveals that the teachers go through two simultaneous phases in the social support process: the discursive construction of shared identities and the co-construction of support. For expository clarity, we discuss these two phases separately in this section, though in reality, teachers go through these two phases repeatedly, in that they collaboratively construct and reconstruct their identities as they engage in the co-construction of support.

As previously mentioned, it is necessary for Muslim individuals to be cautious when choosing food premises. Among the *mahmudah* (praised) traits related to this discussion is *wara'* which must be considered in selecting food premises.

This element is important to protect oneself from *syubhah* matters, as encouraged by Islam.

Therefore, this study proposes a framework that applies the concept of *wara'* in analysing *syubhah* in the context of food premise selection. The basis for this framework is the understanding of the relationship between *syubhah* and *wara'*. In order to connect the two notions, it requires an essential concept named as *zhann* (suspicion). The *zhann* is what triggers the element of *syubhah*. In order to analyse the element *syubhah*, it is also necessary to examine the indicators of *zhann* also known as '*alamat zhann*' (Figure 1). Henceforth, being cautious contributes by scrutinising evidence based on the indicators until a clear status is established, hence reaching the level of certainty.

To construct the framework for this decision tree, five criteria have been identified as contributors to the issue of *syubhah* in selecting food premises. These five criteria are referred to as '*alāmat zhann*' and must be considered by Muslim consumers in addition to using the *wara'* standards when inspecting the selection of food premises. According to the scholars' division of the concept of *syubhah*, five criteria can be established based on the category of *syubhah* namely halal certificate, premise, operator and brand, as shown in Table 1.

TABLE 1. Types of '*alamat* and *syubhah* categories

No.	' <i>Alamat Zhann</i>	Category of <i>Syubhah</i>
1.	Halal Certificate (authority)	<i>syubhah al-jihah</i>
4.	Brand	<i>syubhah al-mahalliy</i>
3.	Operator (doer): faith	<i>syubhah al-fā'il</i>
2.	Premise (place)	<i>syubhah al-mahalliy</i>
5.	Operator (doer): food handling practice	<i>syubhah al-fā'il</i>

Source: Researcher's analysis

Hence, the decision tree is formed using the components of *Wara'* – *Syubhah* parameter. Each criterion is denoted by the numbering and arranged in order starting from (1), (2), (3), (4) and (5). This decision tree applies logical reasoning, similar to the Hazard Analysis Critical Control Points (HACCP) decision tree which is used to determine the critical control points of food safety (John & Steven 2014). In the context of food premise selection, the five *syubhah* criteria are arranged sequentially as a filter, using the concept of *wara'*. Each condition that is not met is classified as *syubhah*, and cautious Muslim consumers will abstain from selecting it. However, when all five criteria of *syubhah* are scrutinised, only then a decision will be made to ensure the selected premise is in line with the concept of *halalan tayyiban*. As a result, the following decision tree structure is formed:

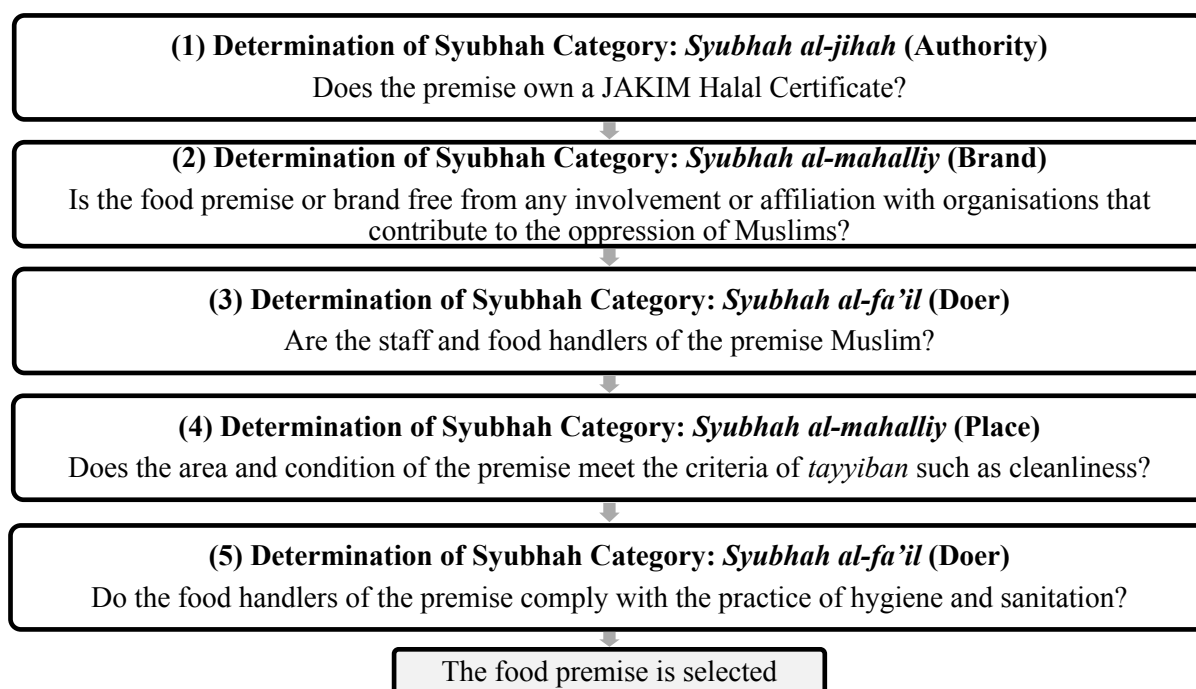


FIGURE 2. The decision tree for the selection of food premises based on *syubhah* screening and *wara'* consideration  
Source: Researcher's analysis



The decision tree framework consists of 5 levels that is based on the '*alamat zhann*' criteria that have been previously mentioned. In the first stage, the parameters of *wara'* will assess the *syubhah* of a premise in terms of its halal status. A halal premise is a premise that has a valid JAKIM halal certificate; hence, a cautious Muslim consumer will firstly verify that the premise being chosen displays the certificate. This stage is connoted as (1). If there is no clear evidence that the premise is certified halal by JAKIM, then it remains as *syubhah* and will not be selected according to the principle of *wara'*.

Once the (1) criterion is analysed, the second criterion, connoted as (2), is that the brand affiliation or company is clearly not involved in helping or contributing to any activity that oppresses or discriminates against Muslims. A cautious Muslim will follow the principles as Allah SWT has mentioned in surah al-Maidah verse 54:

Meaning: O you who have believed, whoever of you should revert from his religion - Allah will bring forth [in place of them] a people He will love and who will love Him [who are] humble toward the believers, powerful against the disbelievers; they strive in the cause of Allah and do not fear the blame of a critic. That is the favour of Allah; He bestows it upon whom He wills. And Allah is all-Encompassing and Knowing.

(Surah al-Maidah, 5: 54)

To analyse this criterion, it requires evidence and proof. The background of the company, key people, business structure, and policies must all be scrutinised. If the brand or company is proven to be related to anything that leads to any form of oppression against Muslims, it shall be included as *syubhah* and if not, the analysis proceeds to the third criterion.

The third stage denoted as (3) is the criterion of the employees' religion whether they are Muslim or not. As previously stated, it is permissible to eat food served by non-Muslims, provided that the food is halal and complies with Islamic law. However, in order to apply the approach of *wara'*, this matter is important and must be considered to avoid any form of *syubhah*.

Next, the fourth stage, which is (4) this criterion looks at the environmental conditions of the food premises. Dirty premises, surrounded by things that will lead to impurities, cigarette butts, floor dirt, dust, etc are very critical for a cautious person to

avoid. This is to ensure that the food consumed does not result in health implications due to improper handling. It also ensures that the food provided is free of cross-contamination or impurities from the perspective of Islamic law.

The final stage which is (5) regards good hygiene practices by employees when handling food. The concept of *halalan tayyiban* is not confined to food or halal certificates alone, but must also be seen from the aspect of its handling. The good and hygienic handling of *halalan tayyiban* food is a procedure that needs to be implemented all time and consistently by the owner of the premises. Whereas for *wara'* consumers, it is a critical factor in selecting food premises. This ensures that the food provided is not only halal and safe, but also prepared with *ihsan* (excellence).

After analysing all of these criteria, only then does a consumer reaches the level of *wara' al-solihin* (the caution of those who are righteous) in the context of food premise selection. This is a parameter or a standard in practicing the best options in dealing with various premises. These elements develop a Muslim into his best version by staying away from *syubhah* matters that can affect the physical or spiritual well-being of the soul.

## CONCLUSION

The selection of food premises is an important process of consideration for Muslim consumers nowadays. This is to ensure that the food or products consumed follow the concept of *halalan tayyiban* (lawful and good). The approach of *wara'* (cautious) which is highly emphasised in Islam is a significant attribute that Muslims must use to guide them in making decisions that are both good and pleasing to Allah. To make a good choice, a thorough approach is required by making an analysis of the factors that can lead to *syubhah* (doubtful). The decision tree framework based on *wara'* is an analytical and comprehensive solution to guide Muslim consumers in maintaining spiritual cleanliness and at the same time fulfilling the physical needs of the body. By using the decision tree that has been presented, Muslim consumers can make the best decision in choosing food premises that is in line with the commands of Allah SWT and His Messenger.

## AUTHORS' CONTRIBUTIONS

Idea and conceptualization, Muhamad Afiq and Muhammad Ikhlas; methodology, Mohd Syukri; halal concept, Muhamad Afiq and Muhammad Ikhlas; wara' and syubhah concept, Muhamad Afiq and Mohd Syukri; food premise selection framework, Muhammad Ikhlas; decision tree development, all authors; writing—first draft preparation, Muhamad Afiq; writing—review and editing, Muhammad Ikhlas and Mohd Syukri. All authors have read and agreed to the published version of the manuscript.

## REFERENCES

- Abdul Basit S. & Sahilah M. R. 2010. Persepsi pelajar fakulti Pendidikan terhadap makanan berlogo halal. [http://eprints.utm.my/id/eprint/10689/1/Persepsi\\_Pelajar\\_Fakulti\\_Pendidikan\\_Terhadap\\_Makanan\\_Berlogo\\_Halal.pdf](http://eprints.utm.my/id/eprint/10689/1/Persepsi_Pelajar_Fakulti_Pendidikan_Terhadap_Makanan_Berlogo_Halal.pdf) (accessed 6 Jun 2020).
- Abdul Raufu, A. & Ahmad, N. B. 2014. People's awareness on halal foods and products: Potential issues for policy-makers. *Procedia - Social and Behavioral Sciences* 121: 3-25.
- Abdul Razif Zaini & Rosfazila Abd. Rahman. 2020. Kecaknaan pengguna Muslim terhadap logo halal. *Islāmiyyāt* 42(Isu Khas): 43-49.
- Abi al-Qasim, A. K. H. 2000. *Al-Risalah al-Qushairiyyah*. Dimasyq: Maktabah al-Asad.
- Abu Nasr al-Sarraj Al-Tusi. 1986. *Al-Luma'*. Mesir: Dar al-Kutub al-Harithah.
- Asmak, A. R. 2009. Sekuriti makanan dari perspektif syariah. *Jurnal Syariah* 17(2): 299-326.
- Azarudin, A., Che Zuina, I. & Wahairi, M. 2017. Isu-Isu pemakanan halal: Kajian kes dalam hubungan komuniti saudara baru dan bukan Muslim di negeri Terengganu. *Journal of Islamic Social Sciences and Humanities (Al-'Abqari)* 11: 139-153.
- Azizan, R., Mazlin, M., Tuan Sidek, T. M. & Badhrulhisham, A. A. 2016. Pembangunan industri halal: Konsep halal-tayyiban dan pengurusan keselamatan industri dalam kerangka maqasid al-Shariah. *Ulum Islamiyyah The Malaysian Journal of Islamic Sciences* 18: 91-114.
- Elistina, A. B. & Nur Hanis, M. 2016. Tahap kepercayaan terhadap JAKIM, jenama dan tingkah laku pemilihan premis makanan francais halal. *Jurnal Pengguna Malaysia* 27: 59-72.
- Ezlika, M., G., Mutum, D. S., Waqas, M., Nguyen, B. & Nur Azureen, A. T. 2022. Restaurant choice and religious obligation in the absence of halal logo: A serial mediation model. *International Journal of Hospitality Management* 101: 103-109. DOI:<https://doi.org/10.1016/j.ijhm.2021.103109>
- Harlida, A. W. & Alias, A. 2014. Halalan tayyiban dalam kerangka perundangan Malaysia. *Jurnal Undang-Undang Malaysia* 26(1): 103-120.
- Lee, S-H., Kwak, C-H. & Kim, H-S. 2017. The effect of the Korean wave on Malaysian university's students' perception. *Culinary Science & Hospitality Research* 23(1): 79-83.
- Mif, R. & Surtahman K. H. 2013. Model Ekonomi Sufi Imam Al-Ghazali. *Jurnal Teknologi* 64(1): 111-120.
- Mohd Farhan Md Ariffin, Muhammad Ikhlas Rosele & Shafiza Safie. 2021. Isu keselamatan makanan dalam sektor penternakan haiwan: Analisis pembangunan instrumen berasaskan hadis. *Islāmiyyāt* 43(1): 85-95.
- Mohd Rofaizal, I. & Ismail, A. 2017. Kaedah penentuan syubhah menurut pandangan Imam Al-Ghazali. Working paper presented at 3<sup>rd</sup> Muzakarah Fiqh & International Fiqh Conference, 190-196, 15 November, Shah Alam.
- Noorfazreen, M. A. & Asmak, A. R. 2011. Pelaksanaan dasar sekuriti makanan di Malaysia: Kajian daripada perspektif ekonomi Islam. *Journal of Shariah* 19(1): 39-62.
- Nor Aini, H. I. & Mohd Ali, M. N. 2013. Analisis keprihatinan pengguna Muslim terhadap isu halal-haram produk melalui pembentukan indeks. *Prosiding Perkem VIII*(3): 1245-1258.
- Nora, F. K., Mimi Haryani, H. & Mahmood Nik, A. N. 2015. Penilaian kebersihan makanan di kalangan pengendali makanan di Sekolah Menengah Sains Negeri Johor Malaysia. *PERINTIS E-Journal* 5(1): 1-21.
- Norazah, M. S., Abang Sulaiman, A. S. & Norbayah, M. S. 2014. Measuring Muslim consumers' decision to patronize halal stores: Some insights from Malaysia. *Malaysian Journal of Business and Economics* 1(2): 77-87.
- Norazah, M. S., Norbayah, M. S. & Kim, L. C. 2018. Consumer's perceptions of halal food certification. *Labuan e-Journal of Muamalat Society* 12: 189-195
- Nur Riza, M. S., Nur Atiqah, A., Zalina, M. A. & Norkisme, Z. A. 2015. Tanggapan dan faktor penentu pemilihan makanan halal dalam kalangan ibu bapa Muslim. *Journal of Quality Measurement and Analysis* 11(1): 75-88.
- Nurul Nabihah, B., Zuraidah, S., Chin, T. A., Farah, M. M., Masod, A., Norhayati, Z. & Choon, T. L. 2018. Muslim consumers' patronage intention towards Korean restaurant chains in Malaysia. *AIP Conference Proceedings* 2044(1): 1-7.
- Al-Qaradhawi, Y. 1996. *Fi fiqhi al-Awlawiyyat: Dirasah Jadidah fi daw'i al-Qur'an wa al-Sunnah*. Al-Qahirah: Maktabah Wahbah.
- Al-Qasri, 'Abd al-Jalil Musa. 1995. *Syu'ab al-Iman*. Bayrut: Dar al-Kutub al-'Ilmiyyah.
- Al-Qunawi, Q. A. 2004. *Anis al-Fuqaha' fi ta'rif al-alfaz al-Mutadawilah bayna al-fuqaha*. Bayrut: Dar al-Kutub Al-'Ilmiyyah.

- Al-Qurtubi, M. A. 2006. *Al-Jami' li Ahkam al-Quran*. Bayrut: Muasasah al-Risalah.
- Al-Samhudi, A. A. 2006. *Wafa' al-Wafa' bi Akhbar Dar al-Mustafa*. Bayrut: Dar al-Kutub al-'Ilmiyyah.
- Sharifah Zannierah, S. M., Hall, C. M. & Ballantine P. W. 2012. Restaurant manager and halal certification in Malaysia. *Journal of Foodservice Business Research* 15(2): 195-214.
- Simuh. 1996. *Tasawuf dan Perkembangannya dalam Islam*. Jakarta: PT RajaGrafindo Persada.
- Siti Halimah, P. 2014. Pandangan mazhab Shafi'e dalam permasalahan pemakanan: Analisis terhadap haiwan-haiwan yang tiada nas khusus. *Jurnal Pusat Penataran Ilmu & Bahasa* 20: 1-23.
- Siti Zanariah, H. Y., Nor Azura, A. & Jusang, B. 2014. Faktor pencetus perilaku pencarian maklumat produk halal dalam kalangan keluarga Islam. *Global Media Journal – Malaysia* 3(2): 69-82.
- Surak, J. G. & Wilson, S. 2014. *The Certified HACCP Auditor Handbook*. Milwaukee: ASQ Quality Press.
- Wazarah al-Awqaf wa al-Syu'un al-Islamiyyah. 1992. *Al-Mausu'ah al-fiqhiyyah al-Kuwaitiyyah*. Kuwayt: Wazarah al-Awqaf wa al-Syu'un al-Islamiyyah.
- Yusrina, H. Y., Nurhanita, M. H. & Nurul Huda, Y. 2018. Faktor-faktor yang mempengaruhi kecenderungan pelajar terhadap pemilihan produk halal di Malaysia: Kajian ke atas pelajar muslim Jabatan Perdagangan Polimas. e-Proceedings National Innovation and Invention Competition Through Exhibition 2018. Kedah: Polimas.
- Al-Zabidi, M. M. 1985. *Taj al-'Urus*. Kuwayt: Matba'ah Hukumah al-Kuwayt.
- Zannierah Syed Marzuki, S., Hall, C. M. & Ballantine, P. W. 2012. Restaurant managers' perspectives on certification. *Journal of Islamic Marketing* 3(1): 47-58. DOI:10.1108/17590831211206581
- Al-Zarnuji. n.d. *Ta'lim al-Muta'allim Tarīq al-Ta'allum*. Karachi: Qadīmī Kutub Khānah.
- Zawanah, M., Haji Munir, H. M. S. & Abdul Muhaimin, M. 2008. Halal: Antara tuntutan agama dan strategi ekonomi. *Jurnal Penyelidikan Islam* 21: 33-58.