A HERMENEUTIC PHENOMENOLOGICAL STUDY ON THE MEANING OF COMPLIANCE TOWARDS JAKIM HALAL LOGO REQUIREMENTS FOR MALAYSIAN HALAL CERTIFIED FOOD MANUFACTURERS

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By

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SEBUAH KAJIAN HERMENEUTIK FENOMENOLOGIKAL BERKAITAN MAKNA PEMATUHAN TERHADAP KEPERLUAN LOGO HALAL JAKIM BAGI PENGILANG MAKANAN HALAL DI MALAYSIA

Abstrak

Globalisasi dunia secara signifikannya telah membantu pergerakan makanan antarabangsa dalam kalangan negara Muslim dan juga bukan Muslim. Seperti negara Muslim yang lain di dunia, Malaysia juga aktif melibatkan diri dalam perdagangan makanan halal. Dalam industri makanan halal, ini bermakna pihak berkuasa agama Islam perlu boleh menentukan status halal semua produk makanan yang boleh dibeli pengguna Islam, supaya keperluan populasi ini dapat dipenuhi. Salah satu cara untuk melakukan ini adalah dengan menggunakan pensijilan logo halal JAKIM. Tindakan ini adalah satu model jaminan status halal yg dinamik dan semakin digunapakai secara meluas. Kajian ini melibatkan pemahaman tentang makna pematuhan terhadap keperluan logo halal JAKIM, melalui pengalaman harian pengilang makanan. Oleh itu, kajian ini memberi peluang untuk meneroka dan memahami pengalaman hidup 15 pengilang makanan (peserta) yang mempunyai sijil halal JAKIM di Malaysia. Secara falsafahnya, kajian ini adalah kajian interpretif yang menggunakan kaedah hermeneutik fenomenologi oleh Heidegger, Gadamer dan juga Van Manen. Fenomena yang dikaji ialah pematuhan, satu perkara yang selalu diabaikan dalam operasi harian. Walau bagaimanapun kebanyakan pengetahuan sediada dan yang telah terbukti secara empirikal tentang femonena ini, adalah berkaitan dengan isu-isu sebelum pensijilan. Oleh itu, rekabentuk kajian ini

mengenepikan perkara-perkara yang telahpun diketahui dan menyiasat secara mendalam tentang apa yang peserta sendiri ingin sampaikan berkaitan dengan pematuhan dalam kerja harian mereka selepas mendapat pensijilan logo halal JAKIM. Pengkaji sendiri telah menemubual sejumlah 15 peserta dengan menggunakan kaedah temubual separa berstruktur. Umumnya, perbualan ini tertumpu kepada pengumpulan maklumat mengenai kerja harian dan juga refleksi peserta terhadap isu pematuhan. Semua temubual ditaip terus tanpa sebarang perubahan dan dikira sebagai sebahagian daripada teks kajian. Kaedah hermeneutik dijadikan panduan dalam proses interpretasi teks temubual. Selaras dengan tradisi fenomenologikal, penggunaan kaedah hermeneutik bagi mengkaji teks temubual membenarkan pengkaji memahami kata-kata peserta yang tersurat dan juga yang tersirat. Analisis menunjukkan bahawa keputusan kajian dipelopori oleh dua tema penting. Tema-tema ini merupakan interpretasi pengkaji berkenaan dengan cara pematuhan seharian. Tema konflik dalaman (*the struggle within*) dibina daripada sub tema bersendirian (on your own), dua realiti (*dual reality*) dan juga tekanan emosi (emotional drain). Manakala tema pengalaman intervensi (*interventions experienced*) pula wujud daripada kumpulan sub tema kejutan tak tersangka (*unexpected awakening*), kegagalan kawalan (*failures to monitor*) dan juga manipulasi undang-undang (*manipulating the law*). Keputusan kajian memberi satu pemahaman mendalam kepada pengalaman peserta dalam menangani pematuhan terhadap keperluan logo halal JAKIM. Ia tidak berniat untuk memberi satu perskripsi untuk amalan organisasi, tetapi membawa pembaca kepada refleksi berkenaan aspek konflik yang tersurat dan juga tersirat di dalam organisasi sewaktu menjalankan pematuhan.

A HERMENEUTIC PHENOMENOLOGICAL STUDY ON THE MEANING OF COMPLIANCE TOWARDS JAKIM HALAL LOGO REQUIREMENTS FOR MALAYSIAN HALAL CERTIFIED FOOD MANUFACTURERS

Abstract

The globalisation of the world has significantly facilitated the international movement of food products between Muslim and non Muslim countries. Along with other Muslim countries in the world, Malaysia is also actively participating in the international trade of halal food. Within the halal food industry, this means that the Islamic authorities must be able to ensure the halal status of all food products available to Muslim consumers so that the needs of this population can be fulfilled. One way of doing this is through the use of JAKIM halal logo certification. Such action is a dynamic and increasingly prevalent model of halal status assurance. This research is about understanding the meaning of compliance towards JAKIM halal logo requirements through everyday experiences of the food manufacturers. As such, this study provided an opportunity to explore and interpret the live experiences of 15 JAKIM halal certified food manufacturers (participants) in Malaysia. Philosophically, this interpretive study was informed by hermeneutics phenomenology of Heidegger, Gadamer and Van Manen. The phenomenon of interest is compliance, a thing that is usually taken for granted in the daily operations. Nevertheless, most of the knowledge already acquired and empirically

proven about the phenomenon is linked to issues prior to the certification. Therefore, the study design sought to put aside these known areas and investigate closely to what the participants themselves have to say about compliance in their daily operations after being certified with the JAKIM halal logo. The researcher interviewed a total of 15 participants individually using a semi-structured interview method. Mainly, the conversations were focused on gathering information of particular daily operations as well as the participants' reflections on compliance. The interviews were transcribed verbatim and become part of the research texts. Hermeneutics informed the interpretive aspect with the interview texts. In line with the phenomenological tradition, dwelling hermeneutically with the interview texts allowed the researcher to capture the spoken as well as the unspoken words of the participants. From the analysis, two overarching themes were discovered and formed the study's findings. These themes were the researcher's interpretations of the everyday ways of compliance. The theme of the struggle within arose from the subthemes of on your own, dual reality and also emotional drain. The theme interventions experienced on the other hand was drawn from the subthemes of unexpected awakening, failures to monitor and manipulating the law. Findings from this study provided an insight into the experience of the participants in addressing compliance towards JAKIM halal logo requirements. It is not intended as a prescription for organisational practices but draws the readers to reflect on the aspects of struggle, both concealed as well as revealed within the organisation while enforcing compliance.

CHAPTER 1

INTRODUCTION

1.0   Introduction

Islam provides detailed standards and guidelines for its followers to adhere to and these guidelines are grounded in the concepts of halal and haram. In general terms, the concept of halal is related to anything that is permitted by syari'ah, whereas haram denotes anything unlawful or forbidden by the religion. The principle about separating halal from haram is clear and can be found in the following hadith of the Prophet Muhammad, peace be upon him:

> What is Halal is clear and what is Haram is clear. Midway between them are things which many people do not know whether they are Halal or Haram. He who also keeps away from (midway) will protect his religion and will be saved. He who approaches them will be very near to Haram, like a herdsman wandering near Hima (the place set by king to be used for his cattle only), who could soon fall into this protected area and Allah's protected area what He declared forbidden. ("Hadith of the Two", 2010)

The law of halal and haram are general and applied to all aspects of human life. Muslims must strive to ensure that their every action fall within the boundary of halal and restrain from anything considered haram at all times. In fact true Muslims will also try their best to avoid unclear or syubahah matters. Application and adherence to this law will ensure Muslims to be conscious of Allah at all times. This is because halal is also known as an epitome of quality, purity as well as safety. Anything done in compliance of Allah's law and the prophet's approval is

considered as abiding to the concept of halal. This implies that halal is a way of life for every Muslim. It is also known as their identity, which does not constraint to only religious issues.

1.1 Halal Food

The concepts of halal and haram, particularly in food consumption are always paramount for Muslims. In fact, the issue is very sensitive to many Muslims that there are no negotiations when it comes to the halalness of the food to be consumed by them. Discussions about halal and haram with regards to food and beverages can be found mainly in four different surah in Al Qur'an, namely the Al Baqara, Al An'aam, An Nahl as well as Al Mai'dah, in which the discussion is most detail (Table 1.1).

Table 1.1
Discussion on Halal Food Characteristics in Al Qur'an

Al Baqara (2:173)	He hath only forbidden you: 1. dead meat, 2. blood, 3. the flesh of swine, 4. that on which any other name hath been invoked besides that of Allah
Al An'aam (6:145-146)	Say: "I find not in the message received by me by inspiration any (meat) forbidden to be eaten by one who wishes to eat it: 1. unless it be dead meat, 2. blood poured forth 3. the flesh of swine,- for it is an abomination 4. what is impious, (meat) on which a name has been invoked, other than God's".
An Nahl (16:115)	He has only forbidden you: 1. dead meat, 2. blood, 3. the flesh of swine, 4. any (food) over which the name of other than Allah has been invoked.

Al Mai'dah (5:3)	Forbidden to you (for food) are:
	1. dead meat,
	2. blood,
	3. the flesh of swine
	4. that on which hath been invoked the name of other than God;
	5. that which hath been killed by strangling,
	6. by a violent blow,
	7. by a headlong fall,
	8. by being gored to death;
	9. that which hath been (partly) eaten by a wild animal; unless ye are able to slaughter it (in due form);
	10. that which is sacrificed on stone (altars);
	11. also is the division (of meat) by raffling with arrows: that is impiety.

Source: Chand (1995).

Based on several from the holy Qur'an (Table 1.1), it can be summarised that Muslims are forbidden to eat certain food and should only consume permissible food. Hence, they should eat what is on earth, lawful, and good, as mentioned in the Qur'an;

يَٰٓأَيُّهَا ٱلنَّاسُ كُلُوا۟ مِمَّا فِى ٱلْأَرْضِ حَلَٰلًا طَيِّبًا وَلَا تَتَّبِعُوا۟ خُطُوَٰتِ ٱلشَّيْطَٰنِ ۚ إِنَّهُۥ لَكُمْ عَدُوٌّ مُّبِينٌ ﴿١٦٨﴾

(Al Baqarah: 168)

Founded from the concepts of halal and haram in food consumption as in the holy Qur'an, the Department of Islamic Development Malaysia (JAKIM) has stated that food for Muslim should be defined as:

i. not made of/or containing any part or substance from animal which are forbidden to be consumed by Muslim, according to Islamic Law

ii. not containing any substances which is declared as filth according to Islamic Law

iii. not prepared, processed or manufactured using equipment which are not free from filthy substances

iv. during preparation, processing or storage, it should not come into contact or be in close proximity with any food which do not fulfil the requirements as halal ("Takrifan Halal", 2010).

The food manufacturers in Malaysia, especially those who have been certified with JAKIM halal logo must apply JAKIM's food production practices for producing halal food, which is based on the syari'ah requirements. Adhering to the requirements will not only create a homogeneous halal food production, particularly for the Muslim consumers but also easing the relevant authorities in monitoring the halal industry.

1.2 Background of the Study

The growing number of Muslim population that is more meticulous about the food that they consumed has generated strong economic opportunities for business communities all over the world (Mohamad, 2005; Dhesi, 2008; "Akta Halal Dikuatkuasakan", 2010; "Halal Industry Moving", 2010). One of the most prevalent opportunities arises from Muslims' food consumption pattern is the growth of global halal food market. The business community can easily understands the significance of halal food industry because one fourth of the world population are Muslims and due to their dietary obligations, halal food had become the most used and abused catchphrase in the global food industry in recent times. Even though the estimation varies according to the source, it is estimated that the value for global Halal food stands between USD 500 billion to USD 2.1 trillion per year ("Akta Halal Dikuatkuasakan", 2010; "Third Industrial Masterplan", 2010). The phenomenal

growth of halal food market seen all over the world is also further contributed by non-Muslims who are also consuming halal food products along with other Muslim consumers.

As many organisations started to venture into the halal food industry, gaining Muslim consumers' confidence on the halalness of their food products has become the key business focus. On top of that, raising awareness of the halal issues among Muslim consumers has also led to strict observations of halal food productions by the food manufacturers, which in turn sparks the growth of halal certification bodies all over the world ("Hub Halal", 2004). Virtually every country that either has significant numbers of Muslim communities or is interested in venturing into halal food industry will establish its own halal certification bodies. In fact, countries such as Australia, the U.S., Germany, France and Belgium as well as those closer to home such as Thailand, Singapore and the Philippines are currently active in issuing halal certifications through their regulatory bodies ("The Potential of Halal Industry", 2007).

These countries are aware that they will face difficulties in selling food products in Muslim countries if they do not have proper halal certifications. For other countries that do not have their own halal certification bodies, most of their companies have to certify themselves with foreign halal accredited bodies. This situation exist because it has become unwritten rules that food products with halal marks are safe for Muslim consumption and these assumptions have strengthened the roles played by certification bodies all over the world such as the JAKIM for Malaysia, MUIS for Singapore or IFANCA for the United States.

1.2.1   The JAKIM Halal Logo: A Mark of Confidence

As part of the general understanding among Muslim consumers, halal certification bodies were set up to ensure the halal status of food to be consumed by local Muslims or exported to other Muslim countries (Hayatudin, 2005; "Sijil Halal", 2010; Mohd Ariff, 2010). Other than that, the certification process is also important in creating a homogenized food production that place emphasis on legitimacy, regularity, similar norms and also values (Delmas and Toffel, 2004; Frumkin and Galaskiewicz, 2004). This allows authorities to have greater control over the production of halal food by the manufacturers. In line with its effort to become international halal hub, Malaysia is seen as playing a leadership role in halal food standards by creating a worldwide homogenization of halal food productions that are not only obtained religious sanction but are also accepted as the legitimate practices for all halal food manufacturers ("Don't Rely Solely", 2003; "Malaysia Halal Logo", 2009; Mohd Ariff, 2010).

At the centre of the move initiated by the government is the Department of Islamic Development Malaysia (JAKIM). It is a central agency that is responsible for handling Islamic affairs in Malaysia. It has also been given the tasks to manage matters related to halal food as well as other Muslim consumers' goods. Over the years, JAKIM has been given the authority as the sole recognized body to issue halal logo in Malaysia. Monitoring and ensuring strict adherence to halal logo certification have become one of their major responsibilities ("JAKIM Mahu Wujud Akta", 2010). Basically, the issuance of JAKIM halal logo is classified into three main categories, the products, food premises as well as the slaughterhouses categories. In order to ensure smoothness of procedures, JAKIM has introduced the Manual

Procedure of Halal certification in Malaysia, which prescribed the guidelines for its officers and also the food manufacturers on requirements to be fulfilled in order to obtain and maintain JAKIM halal logo certification (Ramli, 2006). The manual has also made extensive references to external documents such as the MS 1500:2004 halal Standard, the Good Hygiene Practices for SME towards HACCP 2002, the General Guidelines on Slaughtering of Animal 2002, Trade Description Act 1972, Food Act 1983 and Enactment on Syariah Criminal Laws 1997 to strengthen its relevance and usefulness (Ramli, 2010). Once the JAKIM halal certificate is awarded, manufacturers can use the halal logo on their approved products.

The logo issued by JAKIM represents the highest quality assurance and authentication of halal status. Thus, the logo is registered under Trademark Act 1975 whereby all products that carry this logo must conform fully to halal standards at all time. It is the responsibilities of the food manufacturers to comply with all the requirements and implement them with honesty and transparency or else face the suspension or even revocation of their halal logo. In fact, JAKIM has also incorporated the MS 1500:2004 halal food standard as the guidelines for food manufacturers to adhere to when they implement halal food requirements apart from the existing manual ("Prosedur Pensijilan", 2010). To further enhance the effectiveness of halal logo implementation, the Minister at the Prime Minister's office, Datuk Seri Jamil Khir Baharom stated that the government is submitting a draft on Malaysian Halal Act to be tabled at the next parliament sitting in 2010 ("Akta Halal Dikuatkuasa", 2010). The act is expected to be implemented in 2011.

There are several actions can be taken by JAKIM on halal logo abusers. Revocation and suspension of JAKIM halal logo usually involve cases related to any changes in products, equipments or ingredients during post certification without any

approval from JAKIM. In order to regulate this issue, JAKIM has classified these changes into minor, major and serious. Minor and major offenses might lead to suspension of halal logo and subjected to remedial and corrective actions to be taken by the manufacturers before resubmission of application. Serious offenses on the other hand, might have resulted in the immediate revocation of the certification as well as legal proceedings taken against them in court of law. In some cases, the manufacturers would also be blacklisted by JAKIM apart from being highlighted in the mass media to inform the general public about the issues.

It should be noted that having halal logo is not mandatory even though the food products are produced by Malaysian companies and intended for Muslim consumers in Malaysia. This has put halal logo certification in Malaysia as one of many voluntary regulations currently in effect in Malaysia. A review of food standard literature suggested that the idea of voluntary compliance as an alternative or supplement to government regulation is a common occurrence that exists regularly from time to time. The trend towards self-regulation among food manufacturing has a long history with arguably some of its examples already in practice in many forms such as the halal logo itself, the HACCP Guidelines, the ISO 22000, the Good Manufacturing Practices and many others.

Food manufacturers who voluntarily adopted the halal logo do have a competitive advantage over other food manufacturers in capturing the food market and this situation is reflected on the number of application received by JAKIM. During the period from January 2003 until November 2006, JAKIM has approved a total of 3,395 applications for halal logo in Malaysia ("Industry Statistics", 2010). In fact, every year in Malaysia, number of organisations applying for halal logo increases. As a comparison, until September 2006, the number of companies

applying for halal logo has amounted to 1,317. The number rose to 1,823 companies during the same period in the following year (Table 1.2) and large numbers of these companies are belonged to non-Muslim manufacturers. As in the first half of 2009, the number of applications for halal logo (according to industry) has reached 1,362 companies involving 37,107 products ("Industry Statistics", 2010). This huge number of non-Muslim companies certifying themselves with JAKIM halal logo evidently increases the non-Muslim entrepreneurs' competitiveness, which enables them to capture the vast halal food market.

Table 1.2
JAKIM Halal Logo and Certificate Application based on Categories

	Multinational		Small Medium Industry	
	Sept 2006	Sept 2007	Sept 2006	Sept 2007
Bumiputera	60	96	323	513
Non Bumiputera	182	258	752	956
Total	242	354	1075	1469

Source: JAKIM (2006; 2007).

As at 2007, around 80% of the halal food industry in Malaysia is controlled by non Muslim, which made up the country's existing food industry for many years ("Bukan Bumiputera Monopoli", 2007). According to Mohamad (2006), these non Muslim owned companies need to certify themselves with halal logo in order to gain entry to the lucrative Malaysian halal food industry. Since halal logo has been one of the most successful marketing tools in the halal food industry, Muslim manufacturers should follow their non-Muslim counterparts by certifying their products with halal logo as well. They should not ignore this issue and assume that consumers will automatically recognize the halalness of their products since they are Muslims ("No

Compromise on Halal Food Standard", 2000). This step is crucial as consumers are becoming more vocal in questioning the halal status of food products in the market (Othman, Zailani & Ahmad, 2006b).

With huge number of companies applying for certification and joining the halal industry every year, continuous and diligent monitoring of halal food status is of paramount importance for the industry. In other words, the halal food industry should be able to guarantee and confidently ensure the halalness of food products sold to consumers. Thus, JAKIM with the assistance of the Ministry of Domestics Trade and Consumers Affairs (KPDNHEP) has closely monitors the industry for any abuses of their halal logo. The regulations put in place with regards to the use of JAKIM halal logo have over the years led to regularized or homogeneous behaviour among the certified halal food manufacturers. The regularized behaviours are one of the expected behaviours of the holders of JAKIM halal certified logo, whereby they are required to adhere to the requirements or the halal logo could be suspended or revoked ("Prosedur Pensijilan", 2010).

1.2.2   The JAKIM halal Logo: Used and Abused

However, law and regulations are only good when the group intended for it, fully comply with all its requirements. Chen (2003) clearly stated that any standards would only work well in the respective areas if enough organisations within the industry decided to fully comply with its requirements. Therefore, in the halal food industry, halal logo alone without proper compliance to its requirements may not be adequate to ensure the halalness of the food products being produced as abuses of the halal logo is nothing new in Malaysia. Throughout 2004, out of 27 companies that were

found to violate JAKIM halal logo requirements, it has identified and later revoked the halal logo of four companies due to various offenses, ranging from adding the halal logo on new products to mixing of haram ingredients in the food products ("JAKIM Kesan 27 Kes", 2004). In 2006, JAKIM has either suspended or revoked the halal certification of 37 companies for violating the halal logo requirements (Jamlus, 2006). At the beginning of 2009, JAKIM has already revoked the halal logo of three more companies due to similar offenses as depicted in Table 1.3. In a recent study conducted on halal logo and Malaysian food manufacturers, many respondents stressed that their companies failed to maintain some of the halal logo requirements because of the lack of commitment and funding provided by the top management (Othman, Zailani & Ahmad, 2007).

Table 1.3
Selected Offenses Done by Companies with JAKIM Halal logo in 2009

	Status of Halal Logo	Offenses
Syarikat BB Hailam Chicken Rice, Bukit Bintang Kuala Lumpur	Revoked	Failed to follow the halal logo requirements
Bestmark Food Sdn Bhd, Tmn Perindustrian KIP Kuala Lumpur	Revoked	Failed to follow the halal logo requirements
Pimpinan Emas Sdn Bhd, Jalan Pudu Kuala Lumpur	Revoked	Failed to follow the halal logo requirements

Source: "Penarikan Sijil Halal" (2010).

Cases in Table 1.3 is only a tip of the iceberg, but clearly such information showed that misuse of the halal logo could easily occur and it may hinder the government's efforts to promote Malaysia as an international halal food centre. This is because, integrity of the halal food status is utmost important to ensure success in

the industry. As a matter of fact, Thailand is currently experiencing setback in this situation where it only managed to capture less than 1% of the global halal food market even though it has all the right potentials (Catto-Smith, 2007). The failure to capture much bigger market share is most probably because other importing countries consider its halal logistics, enforcement and manpower to be inferior as compared to other countries like Malaysia, Singapore and Indonesia. Thus, the integrity of the halal mechanisms and the commitment of the players involved in maintaining high standard of halal practices are matters that cannot be ignored.

It is alarming to observe that even though JAKIM has published a comprehensive manual as guidelines on the certification requirements, the number of reported cases related to halal logo abuse still exist. In fact, in every discussion about halal food, the issue of certification abuse and the consumers' loss of confidence on halal logo never ceased to emerge and always attract heated arguments (Masnono, Zailani & Abd Wahid, 2005; Mohiyaddin, 2006). This could only highlight that there is a gap in all the efforts done so far to ensure the integrity of JAKIM halal logo. Statistics showed that most of the offenses committed by the food manufacturers are related to their failure in complying with the already known requirements and procedures ("JAKIM Kesan 27 Kes", 2004; Jamlus, 2006). These companies might carry JAKIM halal logo on all of their food products even though they did not adhere to the requirements stipulated by the halal logo. In other words, their food products are actually not fit for Muslims' consumption and their halal logo failed to guarantee the halalness of their products. In fact, there was an article being published in the U.K. about how gelatine has been used secretly into variety of foods (Eliot, 2006).

1.3   Problem Statement

First and foremost, it is important that the particular focus of the phenomenon of compliance is clarified at the outset. Written in the Malaysian daily newspaper in 2004 was the news about a mooncake baker located in Cheras Jaya Industrial Estate that was issued with JAKIM halal certificate which is valid from 2004 until 2006. JAKIM however has revoked the halal certificate issued to the mooncake baker due to failure to adhere to its halal standard ("JAKIM Investigates Claims", 2004). The JAKIM officials claimed that the baker was either ignorant of the concept of halal or was doing it on purpose to reap bigger profits. However, no conclusive reasoning behind such actions was provided.

As a Muslim consumer, my eyes are compelled to look at this article and started to wonder the meaning of compliance towards JAKIM halal requirements for these manufacturers. It is understood that many ordinary people assumed that certification to the standards are an indication of actual implementation of the predetermined requirements. However, Christmann and Taylor (2005) found that in some situations, certification awards may not necessarily lead to satisfactory implementation of the recommended certified practices. They believed that certification award can merely be a symbolic act taken by the companies to show to the people that they have been recognized as complying with such certification. The implementation of the certified act, which represents the actual changes undertaken by the companies as being prescribed by the certification may not materialize at all. In other words, Christmann and Taylor (2005) believed that an act of being certified could actually be decoupled from the actual implementation.

Issues related to the abuses of halal logo over the years have clearly indicated that many halal certified companies are exploiting and manipulating the logo requirements once they received the certification from JAKIM ("Enam Restoran Dikesan", 2010; "JAKIM Kesan 27 Kes", 2004; Jamlus, 2006; Zainuddin, 2008). This situation has raised an important question about the state of production process once the manufacturers received their halal certification. The findings reported by Christmann and Taylor (2005) and coupled by the continuous highlight of non compliance cases have made it imperative for relevant authorities to understand the meaning of compliance among JAKIM halal certified Malaysian food manufacturers. At present, little is known about what compliance really means for these food manufacturers once they received the certification. Researchers need to be able to provide clear answers to this issue because the Muslim community started to be very concerned about the possibilities that halal food ingredients may have been contaminated with either porcine residues or alcohol like in the use of gelatine, glycerine, enzymes, emulsifiers, greasing agents as well as flavourings (Awang Teh, 2004; Riaz & Chaudry, 2004; "Akta Halal Perlu", 2006; Ramli, 2010).

It appeared that the organisations could obtain the halal logo from JAKIM and later decided not to fully comply with the requirements set by the halal logo. Findings of a small-scale study conducted recently showed that many of these companies strategically select the degree to which they implement the requirements (Othman, Zailani & Ahmad, 2007). As the issues related to the lived experience of food manufacturers in dealing with halal logo requirements have not been adequately researched, not much is understood about how food manufacturers conceptualise compliance with regards to the halal logo requirements after being certified. The limited earlier studies conducted on halal logo also did not put enough emphasis on

the food manufacturers' experiences when dealing with halal logo requirements after certification is given (Masnono, Zailani & Abd Wahid, 2005; Mohiyaddin, 2006; Othman & Zailani, 2004; Othman, Zailani & Ahmad, 2006a). These studies also did not utilize qualitative approach and has made understanding of the compliance issue less fruitful because it might ignore the business, social and cultural aspects.

Based on that, the urge to have a better understanding of the experiences of the food manufacturers in dealing with JAKIM halal logo requirements have arises. This is because the JAKIM halal logo was established to regulate the halal food industry in Malaysia and to ensure homogeneity in the production of halal food. The Malaysian halal food industry on the other hand is very diverse in the sense that the companies involved are varied across industrial products as well as ownerships. Nonetheless, by adopting the JAKIM halal logo, the Malaysian food manufacturers were pressured through the requirements imposed by the halal logo to homogenize their food production activities (Othman, Ahmad & Zailani, 2009). However, it is inadequate to assume constant and continuous compliance over the years of operations. For some reasons, these halal food manufacturers decided to deviate from the guidelines and willingly taking the risks of being caught by JAKIM (Othman, Zailani & Ahmad, 2007).

It is therefore, crucial for the authorities to examine the meaning of compliance to these food manufacturers as some of them were caught abandoning the requirements despite being certified with the logo. The food manufacturers' actions upon the demands of the regulatory body indicate that they have somehow become heterogeneous in dealing with the halal logo requirements. Perhaps elements of trade-offs among the operations performance objectives may have contributed to failure to maintain full compliance. Consequently, it is imperative to investigate the

Malaysian JAKIM halal certified food manufacturers' experiences as well as their cognitive understanding of compliance once they received halal certification from JAKIM.

1.4   Research Objectives

Given the increasing number of halal logo abuses by already certified manufacturers, this study aims at revealing the experiences of dealing with compliance towards JAKIM halal logo requirements by halal certified Malaysian food manufacturers. In addition, it is also the purpose of this study to clearly articulate these experiences so that greater understanding related to the meaning of compliance can be achieved.

1.5   Research Questions

This study is guided by a series of initial questions. These questions later were subsumed into the main research question that represents the core principle of this study (Creswell, 2007; Stake, 1995). During the preliminary stage, several questions were raised such as what have the food manufacturers experienced in terms of compliance towards halal logo, what contexts or situations influenced and affected the food manufacturers' experiences of compliance, are their understanding of the meanings of compliance parallel with what the authorities understood.

After thorough consideration of these inquiries, an overall research question for the current study was developed; what are the meanings of compliance for food manufacturers certified with JAKIM halal logo during post certification period?

1.6   Significance of the Study

A simple online search using Google Scholar, which was conducted in April 2010, showed that the keyword 'compliance experience' returned more than one million articles. This clearly indicates the importance of experiences in the study of compliance. However, researches on the experiences faced by Malaysian halal food manufacturers, particularly towards fulfilling the halal logo's requirements are still not common. Researchers so far focused more on criteria and events prior the certification and have not paid due attention to the way JAKIM certified food manufacturers conceptualise compliance after the initial certification (Masnono, Zailani & Abdul Wahid, 2005; Mohiyaddin, 2006; Othman & Zailani, 2004; Othman, Zailani & Ahmad, 2006). Listed in Table 1.4 are some of the studies done with regards to halal food industry along with their respective focuses;

Table 1.4
Selected Studies on halal food industry

No	Year	Author	Standards Involved	Focus Area
1	2002	Shafie and Mohamad	JAKIM halal logo	Consumers' confidence
2	2003	Ahmad and Abdul Latif	Islamic based Standard	Importance of standard
3	2003	Mohd Nor, Wahid and Dan	JAKIM halal logo	Production and Islamic Economy
4	2004	Othman and Zailani	ISI 2020 Islamic Standard	Intention to adopt
5	2004	Zakaria	JAKIM halal logo	Effectiveness of legal provision
6	2005	Masnono, Zailani and Abdul Wahid	JAKIM halal logo	Consumers' confidence
7	2006	Abdullah	JAKIM halal logo	Perceptions and awareness about halal food issues
8	2006	Bonne and Verbeke	Halal food	Consumers' motivation structure

9	2006	Mohiyaddin	MS 1500: 2004 Halal Food Standard	Intention to adopt
10	2006b	Othman, Zailani and Ahmad	JAKIM halal logo	Consumers' attitude
11	2006a	Othman, Zailani and Ahmad	Halal food standard	Adoption drivers and inhibitors
12	2006	Shafie and Othman	JAKIM halal logo	International Marketing
13	2007	Ahmad, Wahid and Kastin	JAKIM halal logo	Consumers behaviour
14	2007	Mohamed	JAKIM halal logo	Consumers' confidence
15	2007	Mohd Dali, Sulaiman, Samad, Ismail and Alwi	JAKIM halal logo	Consumers' perception
16	2007	Othman, Zailani and Ahmad	MS 1500:2004 Halal Food Standard	Manufacturers' Attitude
17	2008	Abdul Talib, Mohd Ali and Jamaludin	MS 1500:2004 Halal Food Standard	halal food quality issues
18	2008	Hasan	JAKIM halal logo	Roles of regulatory body
19	2009	Nik Muhammad	Halal Hub	Supply Chain Strategy
20	2009	Othman, Ahmad and Zailani	JAKIM halal logo	Intention to adopt
21	2010	Mohd Yunus, Wan Chick, Mohamad	JAKIM halal logo	Products Marketing
22	2010	Talib, zailani, zainuddin	MS 1500:2004 Halal Food Standard	Halal orientation
23	2011	Zailani, Omar, Kopong	JAKIM Halal Logo	Reason for Non Adopters

Note. These selected research studies was compiled by the researcher

Furthermore, the possible experiences that can shape food manufacturers' understanding on the meaning of compliance towards JAKIM halal logo requirements have also received little attention. In fact Christmann and Taylor (2005) claimed that little data are currently available to analyse the efforts put forward by manufacturers in fulfilling voluntary standards' requirements after they have been certified. Most of the past researches on standards were done primarily to address two major issues, the determinant of the certifications as well as the effects of certification on the companies performances related to the specified areas (Ahire, Landeros & Golhar, 1995; Corbett & Kirsch, 2001; Delmas, 2002; Sila &

Ebrahimpour, 2002; Darnell, 2003; Naveh & Marcus, 2004). The restrictive nature of the scopes of previous studies was also mentioned by Toffel (2007). He found that most studies related to quality standards focused on identifying companies that have adopted such voluntary standards and also the reasons that drives them to do so. Therefore, it is long overdue for researchers of halal food standard to fill the gap in the literature with regards to the investigations related to manufacturers' lived experiences working with halal logo requirements during post certification period.

In addition, the focus of this study involves relatively an unexplored area in quality management literature, which is the food quality standard, particularly the Islamic based food quality standard. Very limited studies have been conducted on this or any other religion based food standards, such as halal, kosher or even vegetarian for that matter (Ahire, Landeros & Golhar, 1995; Ahmad & Abdul Latif, 2003, Othman & Zailani, 2004; Mohiyaddin, 2006). These void areas within the understanding of food quality standard need to be filled as many of the religion or specialized requirements are beyond the normally acceptable regulations. Furthermore, the extra emphasis on the requirements may also be a fertile ground for non compliance. This is concurred by Levin (2001) who argued that any complex standards usually can be broken into various small components and companies usually will abandon some of these components without being noticed by auditors. In addition, halal certified food manufacturers may experience greater pressure to achieve competitive edge as compared to their non certified counterparts. As part of their manufacturing strategies, the halal certified food manufacturers may have to resort to trade-offs in order to achieve operation's competitive objectives. One of the main reasons for such trade-offs is related to the JAKIM halal logo certification

itself, which has been accused of creating technical constraints on their manufacturing system.

Due to its sensitive nature, the issue of non compliance towards the JAKIM halal logo needs to be investigated properly. It becomes more pressing when the food sector has contributed 62% of the total USD 1.7 trillion global halal market and the people are becoming more sensitive on this matter ("Industry Sector", 2009). As such, with the current trend of observing their dietary obligations, Muslims are becoming more stringent in determining the halal status of their food (Othman, Zailani & Ahmad, 2006). Yet, the cases of halal logo abuses are not slowing down and with the integrity of JAKIM halal logo is at stake, the possible reasons for this situation must be identified. If the situation is left unanswered, it may affect the government aspiration to turn this country to become regional halal hub because the authenticity of halal logo in use is doubtful and the halal product is not going to be favoured by other Muslim countries.

1.7   Contributions of the Study

A study should contribute towards the advancement of human knowledge by adding something new. In order to ensure sound contribution of knowledge by the study, it is very important to be able to identify prior knowledge hold by others in this area. Then, researcher needs to be able to define and explain the actual contribution offers by current study. As mentioned earlier, study on manufacturers' lived experiences dealing with standard's requirements during post certification is still at infancy, especially within the reign of food standards. However, a handful of studies have been conducted in the past with regards to other issues such as intention to adopt,

factors that promote or demote adoptions and also profile of adopters and non adopters (Othman a& Zailani, 2004; Zakaria, 2004; Masnono, Zailani & Abd Wahid, 2005; Mohiyaddin, 2006; Othman, Zailani & Ahmad, 2006). Yet, there were no studies looking at the post certification stage of JAKIM halal logo implementation. Thus, this study has the potential to contribute to the existing body of knowledge about the live experiences of local food manufacturers in dealing with halal logo requirements and understanding of the meaning of compliance to the JAKIM halal certified food manufacturers during post certification period.

1.7.1 Contribution to Theory

This study contributes to the existing knowledge in food quality standards generally and in religion based food standards specifically by developing structured themes that conceptualised the Malaysian food manufacturers' understanding of the meaning of compliance in the process of dealing with halal logo requirements. The establishment of these themes was based on information that emanated from the experiences of the food manufacturers within the context of Malaysian halal food production. Its main focus is on the manufacturers' post-certification compliance behaviours. Specifically it describes the manner in which food manufacturers enacted the JAKIM halal logo requirements. This is important because even though various media have reported the halal logo abuses, there was a dearth of studies that have resulted in set of themes explaining the non compliance phenomenon. Results from the study indicated that the meaning of compliance as understood by the food manufacturers after being certified with the halal logo was much more nuanced than the normal dichotomous "comply" and "not comply" alternatives as assumed by

many others (Othman, Zailani & Ahmad, 2006; Othman, Ahmad & Zailani, 2009). In fact, the manufacturers are found to believe that they are complying with the requirements based on their own understanding of what compliance really means.

Therefore, results from this study have made me believed that the factors shaping halal food manufacturers' experiences with compliance stem from various aspects ranging from operating procedures, facility abilities, power and control, economic survival as well as life beliefs and values. Considering the unique environment of halal food standard, which combine conventional and syari'ah requirements, I believed that the combined forces of these elements played significant roles in forming the meaning of compliance for the halal food manufacturers. At a glance, the issue appeared to be related to the activities of trade-offs among the operations objectives. However, further analysis showed that even though the trade-offs activities may be able to explain some of the non compliances, many of the cases involved in this study still remained unexplained. Therefore, this study proved that theories from the field of operations management such as the resource based view and the theory of performance frontiers did provide a refreshing perspective on the compliance activities within the organizations. On the other hand, a more thought provoking idea can also be derived from other theories. After careful interpretations of the results, I consider the agency theory as having the most potential to contribute to the understanding of compliance in the everyday working lives of the food manufacturers. It may also provide clearer ideas on why non compliance exists from the perspectives of the implementers of the halal logo requirements.

The agency theory as explained by Charles Perrow (1986) focused on;

> ...social life is a series of contracts. Conventionally, one member, the 'buyer' of goods or services is designated the 'principal' and the other, who provides the goods or services is the 'agent' - hence, the term 'agency theory'. The principal-agent relationship is governed by a contract specifying what the agent should do and what the principal must do in return. (p. 224)

The two key aspects applied to the agency models in the past are the conflicting goals and information asymmetry. The economic model as well as the political models of the theory assumed that principals and agents have different and sometimes conflicting goals. Principals normally would like to maximize their gains whereas agents focus more on accumulating benefits for themselves. In the context of this study, it is assumed that the top management always has huge interest in policies that benefits them, but at the same time have no interest to reward the managers for their roles in assisting the policies. Thus, the agents or the managers are likely to wriggle out of these policies when their interests are not properly taken care of or in the case of halal logo implementations, when facing with pressures from others. Unless they are properly compensated for all the risks they have to bear, agents may insist on strict implementation of rules. The ability to decide on top management's instructions for leeway is made possible due to the fact that over time, the agent has better understanding on policies and procedures than the principal. Being more knowledgeable provides information and expertise advantage to the agents. They have become familiar with the auditable and non auditable areas and such knowledge eventually put them in a bargaining positions. Now, they have to decide which goal to support, ranging from the standardized, simplified, to the ones that are most like their own. Therefore, the information that they possessed allowed them to decide on which policies to comply and which ones to defy.

As a result, the power to put pressure on the agents becomes another key aspect in the agency environment when the situation involves multiple principals such as the halal food industry. Exerting pressure is not uncommon situation as past studies on this matter showed that power and control are closely related to pressures. The concept of institutional pressure was made popular by researchers such as Dimaggio and Powell (1983, 1991) as well as Scott (2001, 2002, 2003, 2004). The pressure is known to have homogenization effects on members of a particular industry as these companies struggle to conform to the expected standards of behaviours. On the other hand, recent studies have shown that these pressures could also lead to heterogeneity in responses as managers responded to the pressures differently. In fact, by varying the pressures exposed to the manufacturers, different types of responses can be seen (Levin, 2001).

Due the existing goal conflict and also information asymmetry, all principals were found to exert pressures on the agents. This is because, with the introduction of multiple principals, the agency model does not offer clear resolution on which principal should gain the necessary loyalty and responses. Therefore, the agents have to choose their allegiance and loyalty. As a result, all principals try to pressure the agent to comply with their demands by imposing sanctions or rewards. The tug of war between these principals eventually created a condition that I found to be consistent with power asymmetry. In this situation, whoever has the biggest influence and exert the strongest pressure will have the control over the agent's behaviours. By pressuring the agent to comply with their interests, the top management may have infringed the interest of another principal, JAKIM. The same situation can also be said whenever JAKIM is seen as trying to enforce new and additional requirements. The agents (managers) on the other hand perceived both

attempts as troublesome and at times can be quite intimidating. Nevertheless, for the operations to run smoothly, they still have to make a choice on who to comply and who to defy. As a result, the decisions for having trade-offs between the operations objectives become more than just looking at the organizational capabilities. The structured themes developed from this study should make a valuable contribution to add to the body of knowledge in compliance of food standard requirements and provide future directions for research, practice and education in this area.

Apart from that, the current study also contributes to the alternative methodology for problem identification as well as data analysis that could prove to be useful for future research related to the fulfilment of standards' requirements. This is because, at present, not only studies on efforts of fulfilling standard, codes and guidelines requirements are scarce, the limited studies conducted on this matter were primarily depended on statistical analysis using secondary data and in some cases, data gathered from third parties without much reflection of the richness of the surrounding environment (Murphy & Mathew, 2001; Graafland, 2002; Sethi, 2002; Winstanley et al., 2002). However, management research is known to cover wide areas ranging from leadership, employees attitude, human resources and also production and operations management. With such vast interests, it can be deduced that management also involved set of activities that requires planning, leading, controlling that over the years have become highly complex, interpersonal and relational in nature (Ehrich & Knight, 1998; de Santo & Moss, 2004). Thus, phenomenological methodology would be able to shed better lights on the meaning of human experiences within those activities. In fact, some recent studies in this area have started to venture into this methodology in order to gain better understanding about the nature of managerial practices, the experiences of work transformation in