



UNIVERSITI PUTRA MALAYSIA

***'URF AND ITS INFLUENCE IN DETERMINING ISLAMIC LEGAL
RULINGS ON FOOD RELATED ISSUES IN MALAYSIA***

ZULAIPA RUZULAN

IPPH 2015 11



UPM
UNIVERSITI PUTRA MALAYSIA
BERILMU BERBAKTI

***URF* AND ITS INFLUENCE IN DETERMINING ISLAMIC LEGAL RULINGS
ON FOOD RELATED ISSUES IN MALAYSIA**

By

ZULAIPA BINTI RUZULAN

**Thesis Submitted to the School of Graduate Studies,
Universiti Putra Malaysia, in Fulfilment of the
Requirements for the Degree of Master of Science**

January 2015

All material contained within the thesis, including without limitation text, logos, icons, photographs and all other artwork, is copyright material of Universiti Putra Malaysia unless otherwise stated. Use may be made of any material contained within the thesis for non-commercial purposes from the copyright holder. Commercial use of material may only be made with the express, prior, written permission of Universiti Putra Malaysia.

Copyright © Universiti Putra Malaysia



Abstract of thesis presented to the Senate of Universiti Putra Malaysia in fulfillment of the requirement for the degree of Master of Science

‘URF AND ITS INFLUENCE IN DETERMINING ISLAMIC LEGAL RULINGS ON FOOD RELATED ISSUES IN MALAYSIA

By

ZULAIPA BINTI RUZULAN

January 2015

Chair: Suhaimi Ab Rahman, PhD
Faculty: Halal Products Research Institute

There is a positive development in the *halal* food industry due to increasing market demand, as well as the advance of science and technology. This however, results in Shariah issues where the need arises for the clarification of Islamic legal rulings through *ijtihadic* process, for the reason that clear legal rulings in the Quran and Sunnah are limited. At this point, ‘urf is seen as one of the best sources to answer the arisen issues. Thus, the main objective of this study is to understand the concept of ‘urf and its influence in determining the legal status of food-related issues in Malaysia. In order to achieve this objective, a qualitative research method has been adopted where document analysis as well as in-depth interview were used. For documents analysis, the Holy Quran, hadith, classical manuals, contemporary literatures on Islamic law, government officials’ documents, journal articles and other reliable websites were sought as they provide a range of rich data on the concept of ‘urf and its position in Malaysia, particularly vis-à-vis *halal* food related issues. Furthermore, in-depth interview was carried out, with over 15 key informants ranging from authoritative personnel and academicians selected to examine the influence of ‘urf in determining the legal rulings on food-related issues. The study has shown that the concept of ‘urf could be understood as a reality occurring during the particular time, where not only entails the changing of traditions that are accepted among general Muslim society, but also includes scientific facts that are recognized during the time. Moreover, the perception towards the characteristics of *al-tayyibāt* is not only limited to the ‘urf *al-Arab*, but is also actually based on ‘urf at a particular place; inclusive of the scientific ‘urf. The study also found that ‘urf does influence in the decision of the *fuqahā*’ in dispensing legal rulings in food-related issues in Malaysia either on the state or federal level. This is proven through the study of ‘urf *ijtimā’ī* and ‘urf *ilmī*. As far as ‘urf *ijtimā’ī* is concerned, all key informants have agreed on its authoritativeness and otherwise, while almost half of informants agree on the authoritativeness of ‘urf *ilmī*. The remainder disagrees due to differentiation between ‘urf, and science, and technology. Moreover, the study also further identified that both types of ‘urf have influenced the *fuqahā*’ in determining the legal rulings on food related issues where if there is valid evidence from the scientific

community, the *'urf 'ilmī* prevail. However, if the scientific evidence is found to still be in a stage of theoretical probability or there is no scientific evidence, *'urf ijtimā'ī* therefore influences the conclusion of legal rulings. It is hoped that this study will benefit both policy makers as well as food practitioners especially when it comes to issues of legal rulings in the food industry. It is also suggested that experts in food are included in fatwa committee meetings so as to assist the *fuqahā'* in deducing legal rulings that conform to reality.



Abstrak tesis yang dikemukakan kepada Senat Universiti Putra Malaysia sebagai memenuhi keperluan untuk ijazah Master Sains

**'URF DAN PENGARUHNYA DALAM PENENTUAN HUKUM BERKAITAN
ISU-ISU MAKANAN DI MALAYSIA**

Oleh

ZULAIPA BINTI RUZULAN

Januari 2015

Pengerusi: Suhaimi Ab. Rahman, PhD
Fakulti: Institut Penyelidikan Produk Halal

Industri makanan halal berkembang secara positif rentetan dari permintaan pasaran dan juga perkembangan sains dan teknologi. Namun, perkembangan ini telah melahirkan isu-isu Syariah yang memerlukan penjelasan hukum-hakam perundangan Islam menerusi proses ijtihad. Ini kerana hukum-hakam tersebut amat terhad dalam nas-nas al-Quran dan Sunnah. Dalam konteks ini, 'urf dilihat sebagai salah satu sumber terbaik untuk menjawab persoalan tersebut. Oleh itu, objektif utama kajian ini adalah untuk memahami konsep 'urf dan pengaruhnya dalam menentukan status hukum terhadap isu-isu berkaitan makanan di Malaysia. Untuk mencapai objektif ini, kaedah penyelidikan secara kualitatif telah diguna pakai dengan mengaplikasi penganalisaian dokumen dan temubual mendalam. Untuk kaedah analisa dokumen, Quran, Sunnah, kitab-kitab warisan, karya-karya moden perundangan Islam, dokumen-dokumen rasmi kerajaan, penulisan jurnal dan juga laman-laman web yang boleh dipercayai telah dirujuk kerana sumber ini menyediakan data-data yang bernilai mengenai konsep 'urf dan kedudukannya dalam perundangan di Malaysia terutama berkaitan isu-isu makanan halal. Manakala untuk kaedah temubual, seramai 15 orang informan utama yang terdiri dari pembuat polisi dan ahli akademik telah dipilih untuk menilai peranan 'urf dalam menentukan hukum-hakam berkaitan isu-isu makanan tersebut. Kajian telah mendapati bahawa konsep 'urf boleh difahami secara realiti semasa yang berkaitan dengan tradisi masyarakat dan fakta-fakta saintifik semasa yang diiktiraf. Di samping itu, persepsi terhadap ciri-ciri *al-tayyibāt* tidak terhad hanya kepada 'urf Arab sahaja, malah ia merangkumi 'urf setempat dan juga 'urf saintifik semasa. Kajian ini juga mendapati bahawa 'urf telah mempengaruhi *fuqahā'* di Malaysia dalam proses pengeluaran hukum berkaitan isu-isu makanan samada di peringkat negeri ataupun negara. Hal ini terbukti menerusi kajian terhadap 'urf *ijtimā'ī* dan 'urf *'ilmī*. Semua informan bersetuju bahawa 'urf *ijtimā'ī* mempunyai autoriti dan sebaliknya sebahagian besar dari informan bersetuju bahawa 'urf *'ilmī* mempunyai autoriti, manakala selebihnya tidak bersetuju bahawa 'urf *'ilmī* berautoriti kerana mereka membezakan antara 'urf *'ilmī* dan sains dan teknologi. Kajian juga mendapati bahawa kedua-dua jenis 'urf tersebut mempengaruhi

fuqahā dalam menentukan hukum-hakam berkaitan dengan isu makanan. Dalam konteks ini, sekiranya wujud bukti saintifik, maka *urf 'ilmī* akan didahulukan. Namun, sekiranya bukti saintifik masih lagi di peringkat kebarangkalian atau tiada bukti langsung, maka *urf ijtimā'ī* akan didahulukan dalam proses menentukan hukum. Kajian ini diharapkan mampu menyumbang kedua-dua pihak, samada pembuat polisi atau pengamal dalam industri makanan. Kajian juga mencadangkan agar pakar pemakanan dilibatkan sama dalam mesyuarat jawatankuasa fatwa bagi membantu *fuqahā* untuk mengeluarkan hukum yang lebih realistik.



ACKNOWLEDGEMENTS

First and foremost, my sincere thanks to Allah SWT for giving me such a golden opportunity to embark on this Master's journey. In fact, this journey was filled with challenges, frustrations and excitement throughout it all. All of these have taught me much on how to be a more useful person in the future. Moreover, this thesis would not be completed without the deep support and guidance I received from other people. In this regard, there are so many people I owe my thanks to.

I would like to express my highest appreciation and gratitude to both of my supervisors, Assoc. Prof. Dr. Suhaimi Ab. Rahman and Assoc. Prof. Dr. M. Shahrim Ab. Karim in their leading me to complete this study. Indeed, I gained and learned much from their advice, criticism, invaluable support as well as brilliant ideas. In addition, they gave me much strength and motivation, in order that I would be more resilient in completing the thesis during the supervision period. I would also like to thank Professor Dato' Dr. Mahmood Zuhdi Abd Majid, who consistently provided me with positive support and assistance throughout my journey.

To my parents, Ruzulan and Zaimah, my grandmother, Asmah, my aunty, Zaini and her family and my siblings, Awo, Abg Pian, Nusi, Awe, Pejo, Afiq, Mijang, and Ira, I am thankful to you for always being supportful and understanding of my situation. Very special thanks to my lovely husband, Budeeman Mana who was, and continues to always be there for me at every moment I needed him. Your full sacrifice and patience in assisting me to complete this thesis is very much appreciated. Only Allah SWT knows how much I am indebted to you. For my little son, Muhammad Faeqeh Muwaffaq, having you in my life makes me feel very grateful and boosts my spirits to endeavor in completing this thesis. May Allah bless you always, and establish you as a righteous boy who benefits others now and in the hereafter. For others and they are many, who have directly and indirectly contributed to my journey, I thank you all; with special thanks to Ustazah Zaidah Mohd Noor and Ustaz Mohammad Aizat Jamaluddin who have always lent their hand to me. Both of you deserve the heartfelt gratitude.

I would like to extend my sincere gratitude to the Universiti Teknologi Mara (UiTM) for supporting me by granting me with the Young Lecturer Scheme scholarship. In addition, I would like to send my many thanks to the staff of the Fatwa Management Department, JAKIM, as well as the Knowledge Management Centre of IBFIM for their kind assistance in providing me with the valuable information during my data collection period.

Finally, I hope and pray that this study will benefit others, and I thank those who shall remain unnamed, but always remembered.

I certify that a Thesis Examination Committee has met on 7 January 2015 to conduct the final examination of Zulaipa binti Ruzulan on her thesis entitled “*Urf* and its Influence in Determining Islamic Legal Rulings on Food Related Issues in Malaysia” in accordance with the Universities and University Colleges Act 1971 and the Constitution of the Universiti Putra Malaysia [P.U. (A) 106] 15 March 1998. The committee recommends that the student be awarded the Master of Science.

Members of the Thesis Examination Committee were as follows:

Nurdeng Deuraseh, PhD

Associate Professor
Halal Products Research Institute
Universiti Putra Malaysia
(Chairman)

Asmawati binti Suhid, PhD

Associate Professor
Faculty of Educational Studies
Universiti Putra Malaysia
(Internal Examiner)

Daud bin Awang, PhD

Senior Lecturer
Faculty of Human Ecology
Universiti Putra Malaysia
(Internal Examiner)

Mek Wok binti Mahmud, PhD

Associate Professor
Kuliyah of Islamic Revealed Knowledge and Human Sciences
International Islamic University Malaysia
Malaysia
(External Examiner)

Zulkarnain Zainal, PhD

Professor and Deputy Dean
School of Graduate Studies
Universiti Putra Malaysia

Date: 19 March 2015

This thesis was submitted to the Senate of Universiti Putra Malaysia and has been accepted as fulfillment of the requirement for the degree of Master of Science. The members of the Supervisory Committee were as follows:

Suhaimi Ab. Rahman, PhD

Associate Professor
Faculty of Economics and Management
Universiti Putra Malaysia
(Chairman)

M. Shahrin Ab. Karim, PhD

Associate Professor
Faculty of Food Science and Technology
Universiti Putra Malaysia
(Member)

BUJANG KIM HUAT, PhD

Professor and Dean
School of Graduate Studies
Universiti Putra Malaysia

Date:

Declaration by graduate student

I hereby confirm that:

- this thesis is my original work;
- quotations, illustrations and citations have been duly referenced;
- this thesis has not been submitted previously or concurrently for any other degree at any other institutions;
- intellectual property from the thesis and copyright of thesis are fully-owned by Universiti Putra Malaysia, as according to the Universiti Putra Malaysia (Research) Rules 2012;
- written permission must be obtained from supervisor and the office of Deputy Vice-Chancellor (Research and Innovation) before thesis is published (in the form of written, printed or in electronic form) including books, journals, modules, proceedings, popular writings, seminar papers, manuscripts, posters, reports, lecture notes, learning modules or any other materials as stated in the Universiti Putra Malaysia (Research) Rules 2012;
- there is no plagiarism or data falsification/fabrication in the thesis, and scholarly integrity is upheld as according to the Universiti Putra Malaysia (Graduate Studies) Rules 2003 (Revision 2012-2013) and the Universiti Putra Malaysia (Research) Rules 2012. The thesis has undergone plagiarism detection software.

Signature: _____ Date: _____

Name and Matric No.: Zulaipa Binti Ruzulan (GS30179)

Declaration by Members of Supervisory Committee

This is to confirm that:

- the research conducted and the writing of this thesis was under our supervision;
- supervision responsibilities as stated in the Universiti Putra Malaysia (Graduate Studies) Rules 2003 (Revision 2012-2013) are adhered to.

Signature: _____

Signature: _____

Name of
Chairman of
Supervisory
Committee: _____

Name of
Member of
Supervisory
Committee: _____

TABLE OF CONTENTS

	Page
ABSTRACT	i
ABSTRAK	iii
ACKNOWLEDGEMENTS	v
APPROVAL	vi
DECLARATION	viii
LIST OF TABLES	xiv
LIST OF ABBREVIATIONS	xv
TRANSLITERATION TABLE	xvi
CHAPTER	
1 INTRODUCTION	
1.1 Introduction	1
1.2 Background of Study	1
1.3 Statement of Problem	3
1.4 Research Questions	4
1.5 Research Objectives	4
1.6 Significance of Study	4
1.6.1 Contribution to the Academician and Researcher	4
1.6.2 Contribution to the Body of Knowledge	4
1.6.3 Contribution to the Policy Makers	5
1.7 Scope and Limitations of Study	5
1.8 Research Methodology	5
1.8.1 Types of Data Collection	6
1.8.2 Location	6
1.8.3 Sampling and Key Informant Selection	7
1.8.3.1 Characteristics of Selected Key Informants	8
1.8.4 Research Instrumentation	9
1.8.5 Method of Data Collection	9
1.8.5.1 Document Analysis	9
1.8.5.2 In-depth Interview	10
a. Interviewing Process	10
b. Transcribing Interviews	11
1.8.6 Data Analysis	12
1.8.6.1 Content Analysis	12
1.8.6.2 Constant Comparison Analysis	12
1.8.7 Triangulation	12

1.9	Summary	13
2	LITERATURE REVIEW	
2.1	Introduction	14
2.2	The Development of Legal Rulings	14
2.2.1	The Command of Legal Rulings	14
2.2.2	The Requirements of <i>Maqāṣid al-Shariah</i>	15
2.2.3	The Importance of Determining Legal Rulings	17
2.2.4	<i>Ijtihād</i> and Fatwa in the Formation of Legal Rulings	18
2.3	Local Culture Conforms to Shariah	21
2.4	Food Practices	24
2.4.1	Definition of Food	24
2.4.2	Food and Islam	24
2.4.2.1	Principles of <i>Halal</i> Food	25
2.5	Summary	28
3	THE CONCEPT OF 'URF IN ISLAMIC LAW	
3.1	Introduction	30
3.2	Definitions of <i>'Urf</i>	30
3.2.1	Literal Meaning of <i>'Urf</i>	30
3.2.2	Terminological Meaning of <i>'Urf</i>	30
3.2.3	Difference Between <i>'Urf</i> and <i>'Ādah</i>	31
3.3	Origins of <i>'Urf</i>	32
3.3.1	Needs and Common Plight	32
3.3.2	An Order from the Authority	33
3.3.3	Practice of the Previous Generations	33
3.4	Classification of <i>'Urf</i>	34
3.4.1	<i>'Urf Qawlī</i> and <i>'Urf Fi lī</i>	34
3.4.2	<i>'Urf 'Āmm</i> and <i>'Urf Khāṣṣ</i>	35
3.4.2.1	<i>'Urf Ijtimā'ī</i> and <i>'Urf 'Ilmī</i>	36
3.4.3	<i>'Urf Ṣaḥīḥ</i> and <i>'Urf Fāṣīd</i>	39
3.5	Conditions of <i>'Urf</i>	40
3.5.1	Not in Contravention with Divine Texts	40
3.5.2	Prevalence and Recurrent Phenomenon to the Mass People	41
3.5.3	In Present in the Stipulated Time	41
3.5.4	Do Not Contravene to the Stipulated Agreement	42
3.6	Basis of the Authoritativeness of <i>'Urf</i>	42
3.6.1	The Foundations of <i>'Urf</i> in the Quran and Sunnah	42
3.6.1.1	Al-Quran	42
3.6.1.2	Al-Sunnah	43

3.6.2	<i>Urf</i> in the Process of Determining Legal Rulings	43
3.6.2.1	The Acceptance of <i>Urf</i> in School of Thoughts	43
3.6.2.2	Particularization and Limitation of General Texts	45
3.6.2.3	Preservation of <i>Maqāṣid al-Shariah</i>	46
3.7	<i>Urf</i> and Food Related Issues	47
3.8	Summary	49
4	THE POSITION OF <i>URF</i> UNDER THE ISLAMIC LEGAL SYSTEM IN MALAYSIA	
4.1	Introduction	50
4.2	The Position of <i>Urf</i> Under the Malaysian Legal System	50
4.2.1	Malaysian Constitution	50
4.2.2	States Religious Statutes	52
4.2.2.1	The Procedures of Following Opinions	53
4.2.2.2	The Authority of Mufti and Legal Committee	55
4.3	The Position of <i>Urf</i> in the Fatwa Issuances	56
4.3.1	The Mufti and Fatwa Committee	56
4.3.2	Fatwa Institutions	58
4.3.2.1	State Fatwa Committee	59
4.3.2.2	National Fatwa Committee	61
4.4	<i>Urf al-‘Arab</i> From Knowledge Authority Point of View	63
4.5	Summary	64
5	THE INFLUENCE OF <i>URF</i> IN DETERMINING ISLAMIC LEGAL RULINGS ON FOOD RELATED ISSUES IN MALAYSIA	
5.1	Introduction	66
5.2	The Adoption of <i>Urf</i> in Several Food Related Issues	66
5.2.1	Alcohol	66
5.2.2	Newater	68
5.2.3	Cultured Bacteria	70
5.2.4	Horseshoe Crab	71
5.2.5	Animals Slaughtering	72
5.2.6	Snails	74
5.2.7	Leeches and Worms	75
5.2.8	Gecko Lizard	77
5.3	Summary	78

6	SUMMARY AND RECOMMENDATION	
6.1	Summary	80
6.1.1	Concept of <i>'Urf</i> in Islamic Law	80
6.1.2	Positions of <i>'Urf</i> the Under Islamic Legal System in Malaysia	82
6.1.3	Influence of <i>'Urf</i> in Determining Legal rulings on Food Related Issues	83
6.2	Implications of Study	83
6.2.1	Theoretical Implication	83
6.2.2	Practical Implication	84
6.3	Limitations of Study	85
6.4	Recommendations for Future Research	85
	REFERENCES	88
	APPENDICES	105
	BIODATA OF STUDENT	113
	LIST OF PUBLICATIONS	114

LIST OF TABLES

Table		Page
1.1	Numbers of Locations According to Informants for In-Depth Interview.	7
5.1	The Classification of Food Related Issues Based on Scientific and Non-Scientific Findings.	78



LIST OF ABBREVIATIONS

DFU	Department of Fiqh & Usul
FIS	Faculty of Islamic Studies
FSL	Faculty of Shariah and Law
JAKIM	Jabatan Kemajuan Islam Malaysia
SWT	<i>Subhānahu wa Ta'ālā</i>
IBFIM	Islamic Banking and Finance Institute Malaysia
IiBF	Islamic Banking and Finance Institute
IIUM	International Islamic University Malaysia
ILIM	Institut Latihan Islam Malaysia
IRKHS	Islamic Revealed Knowledge and Human Sciences
MKI	Majlis Kebangsaan Bagi Hal Ehwal Ugama Islam Malaysia
PBUH	Peace Be Upon Him
UKM	National University of Malaysia
UM	Malaya University
UPM	Universiti Putra Malaysia
USIM	Universiti Sains Islam Malaysia

TRANSLITERATION TABLE

b = ب	z = ز	f = ف
t = ت	s = س	q = ق
th = ث	sh = ش	k = ك
j = ج	ṣ = ص	l = ل
ḥ = ح	ḍ = ض	m = م
kh = خ	ṭ = ط	n = ن
d = د	ẓ = ظ	h = ه
dh = ذ	‘ = ع	w = و
r = ر	gh = غ	y = ي

Short: a = اَ ; i = اِ ; u = اُ

Long: ā = آ ; ī = إ ; ū = و

Diphthong: ay = آي ; aw = وا

CHAPTER 1

INTRODUCTION

1.1 Introduction

This chapter discusses the overview of the present study. As such, the chapter covers the following sections: background of study, statement of problem, research questions, research objectives, significance of study, scope and limitations of study, and research methodology.

1.2 Background of Study

With the steady growth of the global *halal* market, it is estimated that the *halal* industry is possibly one of the fastest growing sectors (Norah & Hamzah, 2013). Consequently, this has provided many business opportunities. This positive development can be identified in many areas which include toiletries, pharmaceuticals, banking services, tourism as well as food and beverages. At this point, Tun Abdullah Ahmad Badawi (former Malaysian Prime Minister) has emphasized that the growth of the Muslim population worldwide, which is expected to increase to three billion, as well as the increasing consumer awareness towards *halal* products are significant key factors and catalysts for the development of the *halal* industry (Bernama, 4 April 2013). As a consequence, this attracts the positive development of *halal* products to fulfill the demands of the market.

Moreover, the Pew Research Center has revealed that the Muslim populations have in fact been regarded as the second world largest population, one step behind the Christian world population, and moreover this population grows substantially year on year. It was reported that the Muslims population represents 23% of the total people of the worldwide where it covers about 1.6 billion out of 6.8 billion people living on the earth in the year of 2009 (The Pew Forum, 2009; 2012). In view of that, the Muslims population will admittedly grow about twice in size, consequently covering more than a quarter of the population of the world (Greene, 2011). With this positive information, it is estimated that the prospects for the *halal* industry will remain stable, increase exponentially, and moreover develop accordingly due to the ever increasing demand.

While the industry is undeniably progressively developing, there are also arising issues that concern the Shariah status of the products. This is due to the development of new products by means of the utilization of modern science and technology. In relation to this matter, Mohammad Aizat, Mohd Anuar & Suhaimi et al. (2012) opine that the rapid development of science and technology is the main cause for the unclearness of the Shariah status of products. They have stressed that the operation of the food industry always keeps changing, particularly the processing methods where the industry does not depend merely on the conventional method but also incorporates synthetic or artificial ingredients due to the development of science and technology.

On another point, the issue of Shariah status of the products could emerge specifically for products imported from the non-Muslim countries. According to Nurulhidayah, Yaakob, Mohammad Aizat et al. (2011), this has led to the inquiry of

whether the products are really *halal* as could contain prohibited ingredients which are not compatible with Shariah requirements. Thus, the contemporary issue of the *halalness* of the products does not rely on the end products, but encompasses the entire process of *halal* products.

As far as the development of the *halal* food industry is concerned, the observance of Islamic dietary law is very important. This is for the reason that Islam has regarded food as among the important needs for human being; as it strengthens the body physically and spiritually. Therefore, Muslim followers are encouraged to be very particular in terms of consuming food since taking food is part of worship (*‘ibādah*). In fact, it is obligatory for the Muslims to observe a healthy dietary intake as it is actually an order from Allah SWT (Fauziah, 2013). As Allah SWT says in the Quran, “O mankind, eat from whatever is on earth (that is) lawful and pure” (Al-Baqarah (2): 168). Thus, it is important to not merely eating food for sustaining the needs of the body, rather; religion’s observance on food intake is also very essential as to ensure the Muslims’ actions are acceptable by Allah SWT.

Due to that reason, since the discussion of food is so limited in the Quran and Sunnah, the role of *ijtihad* (method of Islamic legal deduction) is very important in clarifying the Shariah status of the product. This is because the rulings of food related issues through *ijtihadic* process can ascertain that Islamic law can be developed in line with changing lifestyles as well as serve as guidance for the betterment of this life (Mohd Anuar & Mohammad Aizat, 2012). As a matter of fact, this is due to the main objective (*maqāsid al-Shariah*) of the Islamic rulings revealed to mankind, which is to preserve the human needs or *maṣlahah* (public welfare) and achieve happiness in the now and hereafter (Muhammad Akram, 2006). Therefore, with the opportunity given to the *fuqahā’* (Islamic jurists) to tackle the new rise of food issues through *ijtihad*, it depicts that Islamic law is not stagnant. However, it accepts the changes and considers people’s interest when deriving Islamic legal rulings (sing: *ḥukm*, pl: *aḥkām*).

As a matter of fact, this is purposely undertaken to avoid any difficulty faced by Muslim believers specifically, and other believers like food producers generally. The unresolved issue arose while previous issues emerge concerning food related issues, which are settled by using proper Islamic law methodologies (*uṣūl al-fiqh*). Of course, this is inherent within the reality occurring within Malaysia.

Henceforth, in order to determine the rulings of food related issues that are not clearly stated in the texts (sing; *naṣṣ*, pl; *nuṣūṣ*) of the Quran and Sunnah (traditions of Prophet Muhammad), *fuqahā’* can adopt *ijtihad* to resolve the issue. One of the sources of Islamic law used by *fuqahā’* in deducing legal rulings is *urf*. With this intention, *urf* plays an important role as a source or supporting instrument for determining the relevance of food legal rulings in Malaysia.

Moreover, *urf* is regarded as among the preferred secondary sources to deal with the arising issues due to its unique characteristics that are compatible with the life of the people where the legal ruling is intended with. As what has been done by the classical *fuqahā’* previously applied to *urf* when they would like to deduce legal ruling (Ahmad Sufyan, 2002). Thus, with the consideration of the Quran and Sunnah, previous fatwa and current reality (*urf*) today in *halal* food industry are very good

combination in assuring that the food legal rulings derived are relevant with current circumstances.

In short, the determination of legal rulings based on *'urf* for unfamiliar cases particularly related to food are very important in ensuring that the Muslim's food consumption practices are in line with Shariah requirements while acquiring the blessing (*barākah*) from Allah SWT. Moreover, it also can contribute to the Muslims' satisfaction in terms of taking food among Muslim community in Malaysia if they are made known clearly on the status of food legal rulings.

1.3 Statement of Problem

The concept of legal ruling which is based on the speculative evidence (*dalīl ḡannī*) provides flexibility in responding to the arising issues. Thus, it shows that there is a significant space in Islamic law for the *fuqahā'* in determining the status of foods' legal rulings in the grey area. Considering *'urf* in the process of deducing legal rulings, for instance, is among the best methods for *fuqahā'* to deal with food related issues in the present day. This is due to the fact that *'urf* can reflect with the changing of time, places and circumstances in order to conform to human needs (Abu Sunnah, 2004; Al-Zarqā, 1998). Thus, having fulfilled the needs of the people it shows that Shariah is very flexible for all mankind, at all times and situations.

However, there are different opinions among the *fuqahā'* on the usage of *'urf* in determining legal rulings on food related issues. According to Mohd Anuar (2006), a number of *fuqahā'* believe that only *'urf al-'Arab* has authority for determining legal rulings which are not clearly stated in the Quran and Sunnah. However, based on the socio-cultural status quo, including the food culture of the Arabians, there exists a vast difference between the suggested status quo as opposed to other Asian countries, including Malaysia. In brief, it is important for the *fuqahā'* to reevaluate their opinion due to differences in geographical locations, as well as food practices.

Moreover, the development of science and technology, particularly in the *halal* food processing sector has altered and replaced the conventional *'urf* by means of adopting recent technological practices. According to Mohammad Aizat, Mahmood Zuhdi, Mohd Anuar et al. (2011), the development of science and technology and the evolution of socio-cultural norms and conditions have changed much in the realm of food where the changes have increased the quality of food as opposed to the past. Some changes in food preparation and the usage of modern basic ingredients include the introduction of processed foods which contain shortening, emulsifiers, additives, preservatives and taste enhancers, effectively shows that the issue of food today is more complex compared to the past (Consumer Association of Penang, 2006; Mohammad Jauhar, 2006). This could raise Shariah issues in the food industries because there is no clear evidence in the Quran and Sunnah regarding to these matters, and while the classical *fuqahā'* also do not discuss it in depth.

The using of coloring in the food products which derived from the insects like carmine for instance becomes an issue among the *fuqahā'* because generally the coloring is considered as hidden ingredient and in fact insect is regarded as impure (*najs*) according to Shāfi'ī School (Mohammad, 2009). Indeed, all these need a

practical Shariah parameter in order to address the issues and thus, *'urf* is seemed to be among the suitable choices in dealing with the issues.

Therefore, the purpose of this study is to explore *'urf* and its influence in determining the legal rulings on food related issues in Malaysia whereby several food related issues will be examined. This is to show the important role of *'urf* plays in deriving legal rulings on food related issues in Malaysia. Since the research on this particular topic is limited, it gives a golden opportunity for the researcher to conduct detail analysis on this issue.

1.4 Research Questions

1. What is the concept of *'urf* under the Islamic law?
2. What is the position of *'urf* under the Islamic legal system in Malaysia?
3. To what extent does *'urf* influence the *fuqahā'* in determining legal rulings on food related issues in Malaysia?

1.5 Research Objectives

1. To analyze the concept of *'urf* from the Islamic point of view.
2. To identify the position of *'urf* under the Islamic legal system in Malaysia.
3. To analyze the influence of *'urf* in deducing legal rulings on food related issues in Malaysia.

1.6 Significance of Study

The study should be able to demonstrate the influence of *'urf* as one of the sources in Islamic law in determining the relevancy of legal rulings in food related issues in Malaysia. For this reason, this study can contribute knowledge for the people in three groups as follows.

1.6.1 Contribution to the Academician and Researcher

This study will provide future reference for academicians and researchers to conduct research on the understanding of legal rulings related to food issues in Malaysia. Moreover, this study may also serve as an exemplary guidance for foreign researchers in establishing the concept of *'urf* based on understanding the present reality of the *halal* food industry status quo.

1.6.2 Contribution to the Body of Knowledge

This study is also significant in the development of the concept of *'urf*. Furthermore, this study may also expand the knowledge on *'urf* not only in the purview of Islamic law, but may also contribute to the development of knowledge in sociology. This is because the relevancy of legal rulings based on *'urf* is integrating between elements of legal rulings with human needs where *'urf* is considered as part of study of the society.

1.6.3 Contribution to the Policy Makers

This study attempts to benefit policy makers in determining the legal rulings in food related issues effectively. The study could facilitate beneficial ideas to the religious body with the choice for them in understanding the framework of food legal rulings on the basis of contemporary context especially based on *'urf*. In brief, the general pictures of the study can assist them to consider *'urf* as one of the relevant instruments in solving food related issues as well as to construct the relevant food legal rulings which in line with the development of science and technology.

1.7 Scope and Limitations of Study

This study would focus on the concept of *'urf* in Islamic law and its influence in deducing legal rulings on food related issues. Thus, this study aims to analyze the extent to which *'urf* may be regarded as an important source in the Islamic legal system in Malaysia. Furthermore, the study would examine the influence of *'urf* among the *fuqahā'* in the process of determining food legal rulings in Malaysia. In this manner, by analyzing the process of deducing food legal rulings based on *'urf*, it can therefore be understood that the process of determining food legal rulings is objectively taking into consideration towards fulfilling the needs of Muslim community in Malaysia.

Moreover, this study focuses on examining several food related issues that are raised in Malaysia such as the issues of handling methods of animal slaughtering, the status of the *halalness* of the land animal and the *Newater*. Therefore, several fatwas related to food issues are reviewed in analyzing the influence of *'urf* in deducing an Islamic legal ruling. Last but not least, this study also will be a general study from the Islamic point of view; therefore it will not tend to focus on any particular schools of thought.

1.8 Research Methodology

This section discusses the research methodology. The study adopts qualitative research methodology. This is for the reason that the study will explore and describe the concept of *'urf* and its influence in determining food legal rulings, particularly in the *halal* food sector in Malaysia. Thus, two methods of data collection were chosen i.e. documents and field research, whereby document analysis was used for the first method and in-depth interview was applied for the latter method. Indeed, the adoption of more than one method in a qualitative study will assist in providing insightful complimentary data, rather than merely duplicating the data that may be difficult to collect if relying only on the single method per se (Darbyshire, MacDougall & Wendy, 2005).

Based on the available data via documents and also in depth interview information, this study can therefore be of assistance in understanding the influence *'urf* plays in determining legal rulings related to food issues. At this point, the establishment of *'urf* could be thoroughly understood.

1.8.1 Types of Data Collection

Data collection aims to gather good information which involves a series of interrelated activities to answer the established research questions (Creswell, 2007, p. 110). Similarly, so as to ensure that the objectives of the study are answered correctly, henceforth the systematic process of data collection must be thoroughly identified. Since this study is an Islamic law based research, the collection of data in turn involves two types of data which are primary and secondary data.

For the primary data, it refers to data that is considered first hand evidence, emerging from original material that could provide raw evidence for this study (Sapsford & Jupp, 2006, p.142). Thus, the Quran and Sunnah are recognized as outstanding references in this study whereby according to Nyazee (2000), these two references can serve as the basis and guidance for many cases because both contain the relevant laws at all times and circumstances. As Allah SWT says, “If you differ in anything among yourselves, refer it to Allah and His Messenger” (Al-Nisā’ (4):59). In view of this, it cannot be denied that all explanations from the Prophet PBUH either from the Quran and Sunnah are regarded as the divine revelations where the *fuqahā’* in all generations unanimously agree that the two sources are the most authoritative sources in Islamic law. In addressing the source of the Quran, the study employed the translation of the Holy Quran by Abdullah Yusof Ali (2007) in order to standardize the used translation of the text as well as the exegesis (*tafsīr*) books like *Tafsīr al-Quran al-‘azīm*. For the Sunnah, the Hadith of *Kutub Sittah* (The Six Books) such as *Ṣaḥīḥ Bukhārī*, *Ṣaḥīḥ Muslim* and *Sunan Abu Dawūd* are referred in this study. Moreover, in terms of the sources of classical manuals, the books most relevant to Islamic law, particularly on matters of *‘urf* such as the *al-Mustaṣfā*, *al-Muwāfaqāt*, *al-Risālah* as well as the most credible manuals from school of thoughts such as *al-Majmu’* were referred to in this study. Aside from this, contemporary literatures issued by government officials such as the Muzakarah paperwork presented in the National Fatwa Committee of Malaysia and its meeting minutes, *ṣīghah* fatwas and in-depth interviews in which the topic of the study are directly discussed are regarded as primary data for this study.

For the secondary data, the data is in essence analyzed by a third party and made available for reference (Kothari, 2004, p.111). Therefore, for this study, some of the data obtained from other types of contemporary books on Islamic law and its methodology, proceedings and seminar articles, journal articles and others materials which were deemed fit for use in this present study are all used accordingly.

1.8.2 Location

The data from documents and in-depth interview was collected from several areas in Peninsular Malaysia, as this study focuses on *‘urf* which is related to food issues in Malaysia. According to the Department of Statistics (2011), about 63.1% of the Malay populations predominantly live in Peninsular Malaysia. Therefore, the selection of the location that was based on the most occupied Muslim population may avoid any bias in the interpretation of the meaning of *‘urf* itself. Moreover, the majority of individuals involved in the decision making of fatwas are from this locality. Therefore, the locations are determined by the place where the key informants are located.

In detail, location of data collection is mostly dependent on the types of data collection. For the data collection based on documents comprising books, articles, paperwork and other types of documents, data was retrieved from available libraries in the area of Klang Valley such as Sultan Abdul Samad Library at Universiti Putra Malaysia (UPM), National University of Malaysia (UKM), International Islamic University Malaysia Library (IIUM), Knowledge Management Centre of Islamic Banking and Finance Institute Malaysia (IBFIM), Main Library of Malaya University (UM) and its subsidiary, Za'ba Memorial Library (UM) as well as the library of *Institut Latihan Islam Malaysia (ILIM)*.

Official documents that are unavailable in the public library such as the compilations of *Muzakarah* paperwork, and minutes of meetings related to food issues were retrieved from the Fatwa Management Department of Jabatan Kemajuan Islam Malaysia (JAKIM). Since the documents are private and confidential, a formal letter for approval to retrieve the documents was sent to the department (Appendix 1). Having clarified this, the process of collecting data at the department took approximately about two weeks, whereby it was based on the on and off attendance.

The locations of the in-depth interview sessions were conducted in scattered places which were reliant on the key informants' location. The specified location is as follows:

Locations	Number of Informants
1. University of Malaya	2
2. Islamic Science University of Malaysia	4
3. National University of Malaysia	1
4. International Islamic University Malaysia	2
5. Majlis Agama Islam Wilayah Persekutuan	1
6. Mufti's office of Kelantan	2
7. Mufti's office of Pahang	1
8. Mufti's office of Terengganu	1
9. Mufti's office of Negeri Sembilan	1
Total	15

Table 1.1 Numbers of Locations According to Informants for In-Depth Interview

1.8.3 Sampling and Key Informant Selection

For an in-depth interview, 15 experts of *fuqahā'* in related backgrounds were chosen to be the participants in this study. The selection of the key informants was determined with several considerations such as authoritative power, and considered knowledgeable as well as experienced in Islamic legal deduction matters. By having said this, all of these factors are of influence in acquiring suitable data for the study.

In addition, this study applied purposive sampling strategies where this strategy is regarded as a key driver in the qualitative research (Creswell, 2007, p.126). Therefore, when the samples are meticulously organized through the strategy, there is a high possibility of acquiring beneficial information from the key informants (Patton, 1990, p.182). Under this strategy as well, accurate data may be obtained due

to the samples of the key informants which had been determined were suitable since the samples came from experienced individuals who possessed the capability to share the information related to the present study.

The number of key informants was not fixed. However, it was based on a saturation point, whereby no new information could have possibly been accessed. This view was supported by Carolyn and Palena (2006, p.6) whereby they advocated that enough sample sizes of in-depth interview could be reached if the data gathered made a conclusion according to the same stories, themes, issues and topics which had been discussed in the interview sessions with the key informants.

In light of this, time constraints, as well as the validity and reliability were among the most important considerations for this study. This view has been supported by Bailey (2007, p. 64) where he asserted that the researcher cannot be over confident towards the numbers of samples that have been determined because the appropriate sample size is dependent on what was being sampled, analysis of the documents and so on. Under those circumstances, the volume number of the identified key informants is flexible in this study relative to the objectives of the study. Perhaps the sample corrects owing to their views and opinions on the topic may contribute to the factual data.

During the data collection, this study also applied a snowball or chain sampling technique. This sampling technique is purposely used to identify other key informants from existing key informants. As a matter of fact, the key informants who have been interviewed from this strategy hold rich information with regards to the present study (Miles & Huberman, 1994 as cited in Creswell, 2007, p.119; Patton, 1990, p. 182). This is because the introducer for the process of chosen key informants by means of this strategy is from previous key informants which are of vast experience in the topic of the study.

1.8.3.1 Characteristics of Selected Key Informants

The 15 key informants were selected based on the purpose of the study. At this point, the selection of the key informants can be divided into two categories namely policy makers and academician. These two categories were regarded as *fuqahā'* with the requisite capability to deduce Islamic legal rulings and were able to participate indirectly in the process of deducing legal rulings. The first category is termed as authority *de jury* where 7 key informants were selected mainly from the members of the National Fatwa Committee and also the members of the State Fatwa Committee because they indulge directly with the process of determination of legal rulings in Malaysia. The second category is knowledge authority whereby 8 key informants from the academic line were selected owing to their knowledge in Islamic law such as possessing a lot of experiences in teaching and knowledge of Islamic law, engaging with the Islamic studies particularly on *'urf* and also knowledgeable in *halal* food related issues.

The most important consideration in this criteria selection was to ensure the data that was obtained will answer the research questions. One matter could be reached here was that several academicians here play dual roles in which they also serve as part of policy makers in fatwa's institutional bodies in Malaysia. Having said this, this may strengthen the data collected from them.

1.8.4 Research Instrumentation

Since this study is qualitative in nature, the researcher herself was the instrument for the study (Siegle, n.d.). Henceforth, the researcher has interpreted the meanings from the data that has been gathered.

1.8.5 Method of Data Collection

In order to carry out the scientific study, the study applied two methodologies of collecting data, namely document analysis and in-depth interview.

1.8.5.1 Document Analysis

Document analysis is a method frequently used in a qualitative research. According to the Department of Health and Human Services (2009), document analysis means a way of collecting data by reviewing existing documents either in printed or electronic material. The documents contain recorded texts and images which require a systematic effort in examining and interpreting the documents in order to gain understanding as well as develop empirical knowledge (Glenn, 2009).

In terms of the nature of document analysis, there are several types of documents which include written materials and other documents from organizational, clinical, or programs records; reports official and publications; memoranda and correspondence; artistic works, personal diaries, letters, and photographs; and written responses to open-ended surveys as well as data consist of excerpts from documents captured in a way that records and preserves context (The Nature of Qualitative Research Inquiry, n.d.). These documents are found in libraries, historical society offices, organisational or institutional files and also newspaper archives (Glenn, 2009).

The method of documents analysis is suitable in this study in order to acquire empirical data. This is because the data may assist in providing background information of the theory of Islamic legal rulings. This subsequently builds the relationship between Islamic law prescriptions and *'urf* mechanisms in order to derive legal rulings on food related matters.

Furthermore, this method is very valuable in understanding the subject matter of the study. This is because, through reviewing past documents, it helps in generating ideas to formulate questions for in depth interviews (Glenn, 2009). In view of this, Mahmood Zuhdi (2011) further asserted that in determining information which could be related to the problem of the present study, library and documentation methods could be used. Furthermore, existing sources of the Islamic law especially on *'urf* and also the previous discussion regarding *halal* and *haram* food which were written either in classical or contemporary books were also consulted. Therefore, the ideas generated from this method were used to describe and interpret the extent to which *'urf* could influence the determining of food legal rulings. In fact, the most important factor regarding this method is that the benchmark of *'urf* in food related issues could be produced, whereby it is basically suitable as a proper guidance mechanism in determining food legal rulings in Malaysia especially for new cases.

1.8.5.2 In-depth Interview

In-depth interview reflects the process of conducting a formal meeting for the purpose of getting ideas or opinions in detail (Oxford Advanced Learner's Dictionary, 2005). In this context, the method was actually chosen for the present study as it could provide adequate input. Since it is a live and interpersonal interview session, it is an opportunity for key informants to express valuable information that leads to insightful results (Wright, 1996).

As a matter of fact, the interview was initiated in early March 2013 until March 2014 in which the lapse between one session and another relied on the availability of key informant. Other than this, the space was given in allowing for the process of analyzing the remaining data, restructuring the questions for the interview purposes in more precise terms and allowing for the writing of the preliminary draft thesis.

Thereupon, so as to ensure that the data collected from the study is more fruitful and contributes to the insightful result, semi-structured interview sessions were adopted. In fact, the administration of a level of flexibility in the study can be maintained with this appropriated structure (Bailey, 2007, p.100).

a. Interviewing Process

The process of identifying the selected key informants was significant to the study in order to acquire synergy, meaningful ideas and opinions which could answer the objective of the study. This subsequently influenced the determinant of the status of *'urf* on food related issues; namely whether the *'urf* is accepted or not from an Islamic point of view and whether deduced legal rulings were conformed to the customary practices of the Muslim population in Malaysia particularly.

Besides this, in-depth interviews sought to achieve a higher degree of responses from the key informants. Thus, provocation was used in order to acquire insightful information and at the same time made the session more interesting. Therefore, a lot of additional information was gained either explicitly or impliedly from nonverbal communications that is voice intonation as well as body language during the interview sessions. Furthermore, the flexibility of the method was able to assist in modifying the questions as necessary in order to get more data to meet the objective of the researcher (Crowther & Lancaster, 2009, p. 147; Ridzwana, 2011). Meanwhile, it is noted that this can ensure the key informants are fully comprehensive of the questions and also help in clarifying doubts towards the issues in the present study (Sekaran, 1984, p.143). In fact, the main idea for conducting the interview was to gain insightful results in order to enhance the understanding of the influence of *'urf* in determining the *halalness* of foods and its derivatives based on the context of Malaysia.

Initially, the key informants were contacted via telephone or emails in order to set the time to be interviewed (Appendix 2). Once the interview session was set up based on the mutual agreement with the key informants to participate in the study, henceforth letters via emails namely cover letter, consent form and set of questionnaires were sent to specific key informants (Appendix 3). The letter described the purpose of the interview, guidelines for the interview and question sheets as information for key informants. Following this, face-to-face interviews will

be carried out once the key informants agreed to participate in the interview session in which it was subject to the agreed time.

Furthermore, the interview sessions were usually carried out in the key informant's room. This location was chosen because it could provide convenience to the key informants and was away from the public view. Consequently, this could hinder any disturbances that would lead to missing of important data in the process of data collection. Indeed, one unnecessary distraction was faced during the interview sessions whereby key informant set up another meeting with other clients during the exact time the interview was conducted. However, the problem was managed properly whereby important and attractive questions were used and it was clearly delivered to the key informant. This strategy was used in order to acquire a higher degree of responses from the key informants. Therefore, the level of disturbance was able to be minimized as low as needed.

In these circumstances, the interview initially started with a brief explanation on the purpose of the present study. Bailey (2007, p. 105) has asserted that beginning with an overview of the purpose of study can put the key informants at ease. Following this, the key informants were informed that the conversation would be recorded for study purposes. Although the medium of interview was conducted in English; the key informants were able to answer the questions in the Malay language if they wished.

b. Transcribing Interviews

In order to transcribe the data collected, the audio-tape record was played and listened, from the smartphone and laptop in order to get the sense or idea of the whole discussions and moreover comprehend the important segments of the conversation from the tape. To ensure that data was safe from unnecessary damage, the audio was saved in the laptop and also in the virtual memory application that is *Dropbox* application.

Following this, the data from in-depth interviews was transcribed verbatim where the conversations were typed out on paper first, and then transferred to Microsoft word. This was to ensure the flow of conversations were in order. It is significant to note that the absolute quality of the data was actually obtained from extensive interview notes written during the interview conducted and also after the interview concluded (Patton, 1987, p.139). With all considerations during the transcribing process, it took actually approximately four hours per interview session for the writing on paper rather than the actual interview session, which took merely one and a half hours to finish. This occurred as the tape needed to be worked back and forth in the sections of tape, alongside note-taking during the interviews so as to ensure that the keywords were captured (Patton, 1987, p.138). Therefore, much time was allocated in ensuring the data that was obtained was accurate.

The actual name of the key informants however would not be revealed in this study in order to maintain the confidentiality of the data. At this point, they will generally be referred to as "key informants" referring to the senior officer or fatwa committee for policy makers that they are, as well as academicians for experts.

1.8.6 Data Analysis

Two methods of data analysis were chosen in which the methods were used together at the same time in the progress of data collection. The methods used were content analysis and constant comparative techniques. Henceforth, the details of the analysis are as follows.

1.8.6.1 Content Analysis

Content analysis technique is a specific research tool that focuses on the actual content of texts. The texts broadly indicate books, articles, government official's documents, minutes of meetings, interviews sheets that were written either in hardcopy or electronic form and any other materials used in this present study. In this method, words from the texts were quantified, classified into categories or themes, following which they were analyzed in order to find the relationship among meanings inherent within their context. Then, categories or themes were compared, followed by a final inference on messages within the texts which were made.

1.8.6.2 Constant Comparison Analysis

This technique involves comparing one piece of data with other data in order to examine the relationship between which data is similar or different among the codes (Sally, 2000). Therefore, for this study, it was time to examine the views and evidences of the contemporary and traditional *fuqahā'* on the issue of determination of food legal rulings and other polemics related to this topic as recorded in their respective writings. Moreover, the researcher's opinions towards the information retrieved from the collected data were highlighted as a standpoint (*tarjīh*) in the process of analyzing data.

1.8.7 Triangulation

According to Silverman (2011, p.369), triangulation means combining multiple theories, methods, empirical materials and observers in order to produce similar conclusions in which it is believed that the validity of the data can be established. For this study, document analysis and in-depth interview methods were combined whereby different kinds of the data collection from both methods were corroborated one another. At this point, Glenn (2009) has asserted that with the combination of at least two sources, the method can therefore breed credibility to the study due to the confluent evidence achieved through the two methods.

Moreover, Bailey (2007, p.185) has suggested several strategies for enhancing the validity towards the data, such as member checking, peer debriefing and expert review. Although these strategies may be true, Silverman (2011, p.369) has argued on the Bailey's opinion because triangulation in qualitative research is judged by using multiple methods and so long as the data collected is corresponded with one another and drew the same conclusions, the findings in the present study are valid and reliable.

For this reason, this disagreement was being harmonized whereby the validity of the data collection relied on the how the data reached the conclusions. If the data could not be validated by comparing with one other method, in that case, peer debriefing

and expert review is selected. In this context, the report in this study is verdict for the reason that there were more than one method were carried out in the present study contributing to legitimate conclusions.

1.9 Summary

The chapter discussed the overview of the present study where *'urf* is among the preferred sources to deal with the ever increasing issues in the *halal* food industry. This is because the characteristics of *'urf* can correspond with the changing of time, place and circumstances. Therefore, the methodology employed for this study has shown that it can assist in revealing the position of *'urf* and its influence on dispensing legal rulings in food related matters in Malaysia. In a nutshell, this can contribute to the betterment of the process deducing Islamic legal rulings particularly in dealing with the food related issues in Malaysia.



REFERENCES

- Abdullah Yusof Ali. (2007). *The Holy Quran: Text and translation*. Kuala Lumpur: Islamic Book Trust.
- Abdul Hamid Siddiqui. (n.d.). *Translation of Sahih Muslim*. Retrieved from www.muhsinin.blogspot.com
- Abdul Karim Ali. (2000). Faktor-faktor semasa dan setempat di Malaysia yang boleh mempengaruhi penafsiran nas syarak dalam menentukan hukum. In Paizah Ismail & Ridzwan Ahmad (Eds.), *Fiqh Malaysia: Ke arah pembinaan fiqh tempatan yang terkini* (pp.45-70). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya, APIUM.
- Abdul Monir Yaakob. (2009). Pelaksanaan perundangan Islam di Malaysia: Satu penilaian. *Journal of Fiqh*, 6, 1-20.
- Abdul Rahman Abdullah. (n.d.). *Pemikiran Islam di Malaysia: Sejarah dan aliran*. Indonesia: Gema Insani Press.
- Abdul Wahab Abdussalam Thawilah. (2012). *Fikih kuliner* (Khalifurahman Fath & Solihin, Trans). Jakarta: Pustaka al-Kauthar.
- Abdur Rahim. (2006). *The principles of Islamic jurisprudence according to the Hanafi, Maliki, Shafi'i and Hanbali Schools* (3rd ed., p.132). India: Kitab Bhavan.
- Abi Dawūd Sulaymān Bin al-Ash'āt al-Sajastānī al-Azdī. (1999). Sunan Abu Dawūd. Cairo: Dār al-Ḥadīth.
- Abu Sunnah, Ahmad Fahmi. (2004). *Al-'Urf wa al-'ādah fī ra'yu al-fuqahā'*. Cairo: Dār Al-Baṣā'ir.
- Abu Tariq Hilal & Abu Esmail al-Beirawi. (2007). *Understanding usul al-fiqh*. New Delhi: Revival Publications.
- Administration of Islamic Law (State of Pahang) Enactment. (1991).
- Administration of Islamic Law (Wilayah Persekutuan) Act 505. (1993).
- Administration of Islamic Religious Affairs of Terengganu Enactment. (2001).
- Administration of Muslim Law (State of Kedah). (1962). Section 38 (1-2).
- Administration of the Religion of Islam (Malacca) Enactment. (2003).
- Administration of the Religion of Islam (Negeri Sembilan) Enactment. Section 39-40. (2002).
- Administration of the Religion of Islam (Perlis) Enactment. (2006). Section 54 (2).

Administration of the Religion of Islam (State of Johor) Enactment. (2003). Section 48 (1).

Administration of the Religion of Islam (State of Penang) Enactment. (2004). Section 51-52 (1-3).

Administration of the Religion of Islam (State of Selangor) Enactment. (2003).

Ahmad Hidayat Buang. (2002). Analisis fatwa-fatwa di Malaysia. *Jurnal Syariah*, 10 (1), 39-52.

Ahmad Hidayat Buang. (2004). Analisis fatwa-fatwa di Malaysia. In Ahmad Hidayat Buang (Ed.), *Fatwa di Malaysia* (pp.163-180). Kuala Lumpur: Akademi Pengajian Islam, Universiti Malaya.

Aḥmad Bin Muḥammad Bin Ḥanbal. (1995). *Al-Musnad* (Vol.3, pp.505-506). Cairo, Egypt: Dār al-Ḥadīth.

Ahmad, M.A. (2010). Factors affecting food product marketing in Islamic perspective and how producers and planners can sell their products in Islamic countries. *Interdisciplinary Journal of Contemporary Research Business*, 2(2), 342-360.

Ahmad Mohamad Ibrahim, Mahmud Saedon Awang Othman & Mohd Kamal Hassan. (1990). Islamisation of the Malay Archipelago and the impact of al-Shafi'i's madhhab on Islamic teachings and legislation in Malaysia. *IU Law Journal*. Retrieved from <http://lib.iium.edu.my/mom2/cm/content/view/view.jsp?key=ptSQXOp8Zuba4zmB0ia6gTc6Qypdal8O20080108172513281>

Ahmad Sufyan Che Abdullah. (n.d.). *Perbankan Islam adalah kesinambungan unik antara pematuhan prinsip Syariah dengan 'uruf al-iqtisadiyyah (amalan kebiasaan ekonomi)*. Retrieved from www.islam.gov.my/muamalat/.../perbankan_islam.pdf

Ahmad Sufyan Che Abdullah. (2002). *Aplikasi doktrin al-'urf dalam instrumen pasaran kewangan Islam di Malaysia*. (Unpublished final project paper). Kuala Lumpur: Universiti Malaya.

Ahmad Sufyan Che Abdullah. (2007). *Pasaran derivatif dalam sistem kewangan Islam di Malaysia: analisis berdasarkan al-urf*. (Unpublished master dissertation). Kuala Lumpur: Universiti Malaya.

Al-Āmidī, 'Alī Bin Muḥammad. (2003). *Al-Iḥkām fī uṣūl al-aḥkām* (Vol.2, p.270). Riyadh: Dār al-Sāmi'ī.

Al-Ashqar, Muḥammad Sulaymān 'Abdullah. (1998). *Al-Mujallā* (Vol.1). Jeddah: Dār al-Bashir.

Al-Balbāki, Rūḥī. (2004). *Al-Mawrid: A modern Arabic-English dictionary* (18th ed.). Beirut: Dar al-'Ilm li al-Malāyīn.

- Al-Banjari, Syeikh Muhammad Arsyad. (2008). *Sabil al-muhtadin* 2. Surabaya: Pt. Bina Ilmu.
- Al-Bughā, Muṣṭafā Dīb. (1999). *Athār al-adillah al-mukhtalaf fihā* (p.280). Damascus: Dār al-Qalam.
- Al-Buhuti, Manṣūr Bin Yūnus Bin Idris. (1982). *Kashshāf al-qinā‘ ‘an matn al-iqnā‘* (Vol.6). Beirut, Lebanon: Dār al-Fikr.
- Al-Dārimī al-Samarqandī, ‘Abdullah Bin ‘Abdul Raḥmān. (2000). *Sunan al-Dārimī* (Vol.2, p.203). Cairo: Dār al-Hadīth.
- Al-Ghazālī, Abu Ḥāmid. (2010). *Al-Mustaşfā min ‘ilm al-uṣūl* (2nd ed., Vol.1.). Lebanon: Dār al-Kutub al-‘Ilmiyyah.
- Al-Ghuraybah, Muhammad. (2012). *Takhṣīs ‘āmm al-naṣṣ al-shar‘ī bi al-‘urf*. The Hashemite Kingdom of Jordan: General Iftaa’ Department. Retrieved from <http://aliftaa.jo/Research.aspx?ResearchId=25#.UzkzFoXIkpp>
- Al-‘Izz, ‘Abd Al-Salām. (1968). *Al-qawā‘id al-aḥkām fī maṣāliḥ al-ānām* (Vol.2, p.186). Cairo: Dār al-Sharq.
- Al-Jaṣṣāṣ, Abi Bakr Aḥmad Bin ‘Alī al-Rāzi. (2003). *Aḥkām al-Qur‘ān* (Vol.2). Lebanon: Dār al-Kutub.
- Al-Jurjānī, ‘Alī Bin Muḥammad. (2003). *Al-Ta‘rīfāt* (pp.122-123). Beirut: Dār Ihyā’ al-Turāth al-‘Arabī.
- Al-Mansī, Muḥammad Qāsim. (2010). *Taghayyur al-zurūf wa athāruhu fī ikhtilāf al-aḥkām fī al-Sharī‘ah al-Islāmiyyah* (p.169). Cairo: Dār al-Salām.
- Al-Mawardī, Abu Hasan ‘Alī Muḥammad. (2003). *Al-Ḥawī al-kabīr* (Vol.19). Lebanon: Dār al-Fikr.
- Al-Munjid fī al-lughah al-‘arabiyyah al-mu‘aṣirah* (2nd ed.). (2001). Beirut, Lebanon: Dar al-Mashraq.
- Al-Nawāwī, Zakariyya Muḥyiddīn. (2000). *Al-Majmu‘* (Vol.9). Beirut: Dār al-Fikr.
- Al-Qaradawi, Yusof. (1995). *The lawful and the prohibited in Islam*. Kuala Lumpur: Islamic Book Trust.
- Al-Qaradawi, Yusof. (2000). *Ijtihad kontemporer: Kod etik dan berbagai penyimpangan*. Surabaya: Risalah Gusti.
- Al-Qaradawi, Yusof. (2009). *Halal dan haram menurut perspektif Islam* (2nd ed.). Johor: Perniagaan Jahabersa.
- Al-Qaradawi, Yusof. (2012). *Islam holistik: Praktikal, sesuai di setiap tempat dan masa*. Selangor: Syabab Book Link.
- Al-Qarrāfī, Shihābuddīn Aḥmad Bin Idrīs. (1999). *Al-‘Iqd al-manzūm fī al-khuṣūṣ wa al-‘umūm* (Vol. 2). ‘Urmān, Kūrnish al-Ma‘ādī: Dār al-Kutub.

- Al-Qarrāfī, Shihābuddīn Aḥmad Bin Idrīs. (2003). *Al-Furūq*. Bayrut: Mu'assasah al-Risālah.
- Al-Qaṭṭān, Manna' Khalil. (1996). *Tārīkh al-tashrī' al-Islāmī al-tashrī' wa al-fiqh* (2nd ed.). Riyadh: Maktabah al-Ma'ārif li al-Nashrī wa al-Tauzi'.
- Al-Qil'ājī, Muḥammad Rawwās. (2000). *Al-Mausū'ah al-fiqhiyyah al-muyassarah* (Vol. 1, p. 1387). Lebanon: Dār al-Nafa'is.
- Al-Qurṭubī, Muḥammad Bin Aḥmad al-Anṣarī. (2005). *Al-Jāmi' li aḥkām al-Quran*. Beirut: Al-Maktabah al-'Aṣrīyyah.
- Al-Rabwā, Ibrāhīm Fādīl. (1997). Al-Dhabā'ih wa turuq al-Shari'ah li al-zakāh. In *Majallah al-fiqh al-Islāmī*, 10th Session, 2(10), 254-293. Jeddah: Majma' Fiqh al-Islāmī.
- Al-Sarakhsī, Shamsuddīn. (1986). *Al-Mabsūṭ* (Vol.11, p.196). Beirut: Dār al-Ma'rifah.
- Al-Shāfi'ī, Muḥammad Bin Idrīs. (2005). *Al-Risālah (Al-Shafi'ī letter in jurisprudence)*. Beirut, Lebanon: Dār al-Kutub al-'Ilmiyyah.
- Al-Sharbīnī, Shamsuddīn Muḥammad Bin al-Khāṭib. (2004). *Mughnī muhtāj ila ma'rifah ma'ānī alfāz al-minhāj* (Vol. 4). Beirut, Lebanon: Dār al-Fikr.
- Al-Shāṭibī, Ibrāhīm Musā. (2003). *Al-Muwāfaqāt li uṣūl al-Shari'ah* (7th ed., Vol.2). Beirut, Lebanon: Dār al-Kutub al-'Ilmiyyah.
- Al-Shawkānī, Muḥammad 'Alī Muḥammad. (1998). *Irshād al-fuḥūl ilā taḥqīq al-ḥaq min 'ilmī al-uṣūl* (Vol.2, p.756). Dār al-Salām.
- Al-Shawkānī, Muḥammad 'Alī Muḥammad. (2003). *Nayl awṭār* (2nd ed., Vol.6.). Mansūrah: Dār al-Wafā'.
- Al-Suyūṭī, Jalāluddīn 'Abdul Raḥmān. (1998). *Al-Ashbāh wa al-naẓa'ir* (5th ed., Vol.1). Cairo: Dār al-Salām.
- Al-Uthaymīn, Muḥammad Bin Ṣālih. (2002). *Shārh nuẓūm al-waraqāt fī uṣūl al-fiqh* (p.207). Egypt: Dār al-Ghad al-Ghadīd.
- Al-Zarqā, Mustafā. (1998). *Al-Madkhal al-fiqhī al-'āmm*. Damascus: Dar al-Qalām.
- Al-Zaydān, Abdul Karim. (2001). *Al-Wajiz fī uṣūl al-fiqh* (7th ed.).Lebanon: Resalah Publishers.
- Al-Zaydān, 'Abdul Karīm. (2011). *Al-Wajiz fī uṣūl al-fiqh*. Beirut: Resalah Publishers.
- Al-Zuḥaylī, Wahbah. (1997). *Al-Fiqh al-Islāmī wa adillatuhu* (4th ed.). Beirut: Dār al-Fikr.

- Al-Zuhaylī, Wahbah. (2007). *Uṣūl al-fiqh al-Islāmī* (3rd ed., Vol.2). Damascus: Dār al-Fikr.
- Ali Mustafa Yakub. (2009). *Kriteria halal-haram untuk pangan, obat, dan kosmetika menurut al-Quran dan Hadis*. Jakarta: PT. Pustaka Firdaus.
- Anisah Ab. Ghani & Saadan Man. (2006). Nilai-nilai adat dan budaya dalam amal ibadat masyarakat melayu. In Md. Saleh Md Ahmad, Abd. Karim Ali, Mohd Ridzwan Ahmad & Mohammad Zaidi Abd. Rahman (Eds.), *Hukum Islam dan budaya tempatan* (pp. 159-185). Selangor: Jabatan Fiqh dan Usul, Universiti Malaya.
- Anisah Abdul Ghani & Muhammad Safiri Ismail. (2010). Penentuan piawaian alkohol dalam makanan yang dibenarkan dari perspektif Islam. *Journal of Fiqh*, 7, 277-299.
- An-Nabhani, Taqīuddīn. (2005). *Al-Shakhṣiyyah al-Islamiyyah* (3rd ed., Vol.3, p.37). Beirut: Dār al-Ummah.
- Arif Fahmi Md. Yusof. (2005). Harta sepencarian: Application of 'urf in Malay customary law. In Irwan Mohd. Subri, Farah Salwani Muda @ Ismail, Mohamed Bachir Salem. (Eds.), *Studies in Syariah and law* (pp.109-122). Kuala Lumpur: Kolej Universiti Islam Malaysia.
- Asyraf Wajdi Dusuki & Nurdianawati Irwani Abdullah. (2007). Maqasid al-Shari'ah, Maslahah, and Corporate Social Responsibility. *The American Journal of Islamic Social Sciences*, 24(1), 25-45.
- Ayman Shabana. (2010). *Custom in Islamic law and legal theory: The development of the concept of 'urf and adah in the Islamic tradition*. New York: Palgrave McMillan.
- Azman Ismail & Md. Habibur Rahman. (2013). *Islamic legal maxims: Essentials and applications*. Kuala Lumpur: IBFIM.
- Azmi Aziz & Shamsul A. B. (2004). The religious, the plural, the secular and the modern: A brief critical survey on Islam in Malaysia. *Inter-Asia Cultural Studies*, 5(3), 341-357.
- Aznan Hassan. (2004). The compatibility of the Shariah in solving modern complex commercial practice: An appraisal. In Ahmad Sunawari Long, Jaffary Awang & Kamaruddin Salleh (Eds.), *Islam: Past and future*. Selangor: Faculty of Islamic Studies, UKM. Retrieved from www.researchgate.net/profile/...E.../e0b4952f235391a2ae.pdf
- Aznan Hassan. (2011a). *Fundamentals of Shariah in Islamic finance*. Malaysia: Islamic Banking and Finance Institute Malaysia, IBFIM.
- Aznan Hassan. (2011b). Shariah Principles in Halal Products. *Shariah Laws Reports*, 2: 29-51.

- Bailey, C. A. (2007). *A guide to qualitative field research* (2nd ed.). California: Pine Forge Press.
- Bernama. (2013, April 4). Abdullah reveals US\$500 million for equity fund. Retrieved from <http://www.bernama.com.my/bernama/v7/newsindex.php?id=939114>
- Blog Fatwa Malaysia*. (2013, November 6). Adakah siput escargot halal atau haram dimakan oleh orang Islam?. Retrieved from <http://www.e-fatwa.gov.my/blog/adakah-siput-escargot-halal-atau-haram-dimakan-oleh-orang-islam>
- Burke, J., Bergman, Jules & Asimoc, I. (1985). *The impact of science on society*. Washington: National Aeronautics & Space Administration, NASA.
- Carolyn, B & Palena, N. (2006). *Conducting in-depth interviews: A guide for designing and conducting interview for evaluation input*. USA: Pathfinder International. Retrieved from http://www2.pathfinder.org/site/DocServer/m_e_tool_series_indepth_interviews.pdf
- Centre for Artificial Intelligence and Robotics. (n.d.). *Syariah –compliant automated chicken processing system*. Kuala Lumpur: Malaysia Technology University.
- Consumer Association of Penang. (2006). *Halal haram: An important book for Muslims consumers*. Pulau Pinang: Consumers Association of Penang.
- Council of the Religion of Islam and Malay Custom, Kelantan Enactment. (1994). Section 38.
- Creswell, J.W. (2007). *Qualitative inquiry and research design: Choosing among five traditions*. California: Sage Publication, Inc.
- Crowther, D., & Lancaster, G. (2009). *Research methods: A concise introduction to research in management and business consultancy* (2nd ed.). United Kingdom: Elsevier Butterworth-Heinemann.
- Darbyshire, P., MacDougall, C. & Schiller, W. (2005). Multiple methods in qualitative research with children: More insight or just more?. *Qualitative Research*, 4(14), 417-436. Retrieved from <http://qrj.sagepub.com/content/5/4/417.short#cited-by>
- Department of Health and Human Services. (2009, January). Data Collection Methods for Evaluation: Document Review. *Evaluation Brief*, 18, 1-2. Retrieved from <http://www.cdc.gov/healthyouth/evaluation/pdf/brief18.pdf>
- Department of Statistics Malaysia. (2011). *Population distribution and basic demographic characteristics report 2010*. In Population and Housing Census 2010. Retrieved from http://www.statistics.gov.my/portal/index.php?option=com_content&id=1215

- e-Fatwa, Portal Rasmi Fatwa Malaysia. (1984). *Alkohol menurut pandangan Islam*. Retrieved from www.e-fatwa.gov.my
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (1988). *Alkohol sebagai penstabil minuman ringan*. Retrieved from www.e-fatwa.gov.my
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (1988). *Chicken slaughtering with using water bath stunning*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/penyembelihan-ayam-dengan-pelalihan-water-stunner>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (1998). *Breeding of snails (Anchatina Fullica)*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/pembiakan-siput-babi-achatina-fulica>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2000). *Guidelines on the production, preparation, handling and storage of halal food*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/garis-panduan-mengenai-pengeluaran-penyediaan-pengendalian-dan-penyimpanan-makanan>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2002). *The consumption of Newater*. Retrieved from www.e-fatwa.gov.my/fatwa-kebangsaan/penggunaan-air-baru-newater.
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2005). *Kandungan alkohol dalam tapai*. Retrieved from www.e-fatwa.gov.my
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2006). *Penggunaan pneumatic percussive stunning menurut pandangan Islam*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/penggunaan-pneumatic-percussive-stunning-menurut-pandangan-islam>
- e-fatwa, Portal Rasmi Fatwa Malaysia. (2008a). *Breeding and trading leeches and worms for medical and cosmetic purposes*. Retrieved from http://www.e-fatwa.gov.my/fatwa-kebangsaan-page?title=lintah&tid_2=All
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2008b). *Hukum menternak cacing dan lintah untuk tujuan perdagangan*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-negeri/hukum-menternak-cacing-dan-lintah-untuk-tujuan-perdagangan>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2008c). *Ternakan lintah*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-negeri/ternakan-lintah>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2008d). *Hukum menternak dan menjual lintah dan cacing untuk tujuan perubatan dan kosmetik*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-negeri/hukum-menternak-dan-menjual-lintah-dan-cacing-untuk-tujuan-perubatan-dan-kosmetik-0>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2009). *Hukum menjual dan menternak lintah dan cacing untuk tujuan perdagangan*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-negeri/hukum-menjual-dan-menternak-lintah-dan-cacing-untuk-tujuan-perubatan-dan-kosmetik>

- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2010). *Etil alkohol dalam makanan*. Retrieved from www.e-fatwa.gov.my
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2011a). *Alkohol dalam makanan, minuman, pewangi dan ubat-ubatan*. Retrieved from www.e-fatwa.gov.my
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2011b). *Hukum memakan daging/isi belangkas dan telurnya*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/hukum-memakan-dagingisi-belangkas-dan-telurnya>
- e-Fatwa, Portal Rasmi Fatwa Malaysia. (2011c). *Hukum memakan dan berubat dengan cicak Gekko Geckko (Tokay)*. Retrieved from <http://www.e-fatwa.gov.my/fatwa-kebangsaan/hukum-memakan-dan-berubat-dengan-cicak-gecko-geckko-tokay>
- El-Awa, Mohamed. (1973). The place of custom ('Urf) in Islamic legal theory. *Islamic Quarterly*, 17, 177-182.
- Farid Sufian Shuaib. (2008). Strengthening administrative institutions of Islamic law in Malaysia: An overview. *Jurnal Syariah*, 16, 443-464.
- Farid Sufian Shuaib, Tajul Aris Ahmad Bustami & Mohd Hisham Mohd Kamal. (2010). *Administration of Islamic Law: Text and Material* (2nd ed.). Singapore: LexisNexis.
- Fatwa Department Research Committee. (n.d.). *Custom ('Urf) and the scope of Islamic legal rulings*. Retrieved from <http://en.islamtoday.net/node/1646>
- Fatwa Management Department. (1987). *Collection of Muzakarah paperworks and minutes of meeting of breeding snails*. Putrajaya: JAKIM.
- Fatwa Management Department. (2002). *Collection of Muzakarah paperworks and minutes of meeting of newater*. Putrajaya: JAKIM.
- Fatwa Management Department. (2004). *Collection of Muzakarah paperworks and minutes of meeting of Hukum menggunakan bakteria yang diambil daripada najis bayi sebagai pemangkin dalam yogurt*. Putrajaya: JAKIM.
- Fatwa Management Department. (2008). *Collection of Muzakarah paperworks and minutes of meeting of Muzakarah paperwork of hukum menternak dan menjual cacing dan lintah untuk tujuan kosmetik & perubatan*. Putrajaya: JAKIM.
- Fatwa Management Department. (2011a). *Collection Muzakarah paperwork of legal ruling on eating meat/substance of horseshoe crab and its egg*. Putrajaya: JAKIM.
- Fatwa Management Department. (2011b). *Collection of Muzakarah paperworks and minutes of meeting of hukum memakan dan berubat dengan cicak Gekko Geckko (Tokay)*. Putrajaya: JAKIM.

Fauziah Mohd Noor. (2013). The importance of *halal* in Islamic law and Muslim life. In Yumi Zuhanis Has-yun Hashim (Ed.), *Halal, All that you need to know* (pp.1-6). Kuala Lumpur: Institut Terjemahan & Buku Malaysia Berhad.

Federal Constitution (15th ed.). (2010). The Commissioner of Law Revision, Malaysia. Retrieved from [www.agc.gov.my/images/.../pdf/Federal%20Consti%20\(BI%20text\).pdf](http://www.agc.gov.my/images/.../pdf/Federal%20Consti%20(BI%20text).pdf)

Fikriya Najitama. (2008). Sejarah pengumuman hukum Islam dan budaya serta implikasinya bagi pembangunan hukum Islam khas Indonesia. *Jurnal Al Mawarid*, 17,114. Retrieved from <http://journal.uui.ac.id/index.php/JHI/article/view/207>

Glenn, A. Boven. (2009). Documents analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27-40.

Golnaz, R., Zainalabidin, M., Mad Nasir, S., & Eddie Chiew, F.C. (2010). Non-Muslims' awareness of halal principles and related food products in Malaysia. *International Food Research Journal*, 17, 667-674.

Gottschall, E. (2014). Yoghurt-what kind of yoghurt starter to use. Retrieved from http://www.breakingtheviciouscycle.info/knowledge_base/detail/yoghurt-what-kind-of-yoghurt-starter-to-use/

Greene, R. A. (2011, January 27). World Muslim population doubling, report projects. *CNN Belief Blog*. Retrieved from <http://religion.blogs.cnn.com/2011/01/27/world-muslim-population-doubling-report-projects/?hpt=C1>

Hafiz, AG. (2011). 'Urf –o-Adah (custom and usage) as a source of Islamic law. *American International Journal of Contemporary Research*, 1(2), 178-185.

Halal Malaysia, Portal Rasmi Halal Malaysia. (2013). *Makanan dan minuman*. Retrieved from <http://www.halal.gov.my/v3/index.php/ms/garis-panduan/makanan-a-minuman>

Halal Malaysia, Portal Rasmi Halal Malaysia. (2013). *Takrifan halal*. Retrieved from <http://www.halal.gov.my/v3/>

Hasnan Kasan. (2008). *Institusi fatwa di Malaysia*. Selangor: Penerbit Universiti Kebangsaan Malaysia.

Ibn 'Ābidīn. (n.d.). *Majmū'ah rasa 'il Ibn 'Ābidīn* (Vol. 2, p. 114). n.p.: 'Alim al-Kutub.

Ibn 'Arabī, Abu Bakr Muḥammad Bin Abdullah. (2003). *Aḥkām al-Quran* (Vol.2, p.290). Beirut, Lebanon: Maktabah al-'Asriyyah.

Ibn Ashur, Muhammad Tahir. (2006). *Maqasid al-Shari'ah al-Islamiyah*. Selangor: Islamic Book Trust.

Ibn Kathīr. (2011). *Tafsīr al-Quran al-'azīm* (Vol.1). Cairo: Dār al-Ḥadīth.

- Ibn Manzūr. (1997). *Lisān al-‘arab* (3rd ed.). Lebanon: Dar Ihya’ al-Turath al-‘Arabī.
- Ibn Nujaym. (1993). *Al-Ashbāh wa al-naẓā’ir*. Beirut: Dar al-Kutub al-‘Ilmiyyah.
- Ibn Qayyīm al-Jauziyah. (2007). Panduan Hukum Islam (3rd ed.)(Asep Saefullah, FM & Kamaluddin Sa’diyatulharamain, Trans). Jakarta: Pustaka Azzam.
- Ibn Rushd, Abū Walīd Muḥammad Bin Muḥammad. (1995). *Sharh bidāyah mujtahid wa nihāyah al-muqtaṣid* (2nd ed., Vol. 3). n.p.: Dār al-Salām.
- Imran Rosyadi. (2005). Kedudukan al-‘adah wa al-‘urf dalam bangunan hukum Islam. *Jurnal Fakultas Agama Islam*, 17 (1), 3-12.
- International Fiqh Academy of Jeddah. (1997). Slaughtering, No.95 (10/3). Retrieved from <http://www.fiqhacademy.org.sa/qrarat/10-3.htm>
- Jafri Abdullah, Suhaimi Ab Rahman & Zaidah Mohd Noor. (2011). Sembelihan halal dalam industri makanan halal. In Suhaimi Ab Rahman & Jafri Abdullah (Eds.), *Pengurusan Produk Halal di Malaysia* (pp. 26-50). Serdang: Penerbit Universiti Putra Malaysia.
- Jawatankuasa Kajian Uruf Pakai Negeri Pahang. (2008). *Laporan penuh kajian penetapan uruf emas pakai negeri Pahang Darul Makmur 2008*. Retrieved from www.zakatpahang.my/Terbitan/KertasKerja/Laporan%2520Kajian%2520Uruf%2520Negeri%2520Pahang
- Jawatankuasa Fatwa Majlis Kebangsaan Bagi Hal Ehwal Ugama Islam Malaysia. (n.d.). Retrieved from <http://www.e-fatwa.gov.my/jawatankuasa-fatwa-majlis-kebangsaan-bagi-hal-ehwal-ugama-islam-malaysia>
- Kāmil Musā. (1996). *Aḥkām al-aṭ‘imah fī Islām*. Beirut, Lebanon: Dar al-Basha’ir al-Islāmiyyah.
- Khallāf, Abdul Wahab. (1995). *‘Ilm uṣūl al-fiqh wa khulāṣah tārikh al-tashri’ al-Islāmī*. Cairo: Dār al-Fikr al-‘Arabī.
- Kothari, C.R. (2004). *Research methodology: Research and techniques* (2nd ed.). New Delhi: New Age International (P) Limited, Publishers.
- Libson, G. (1997). On the development of custom as a source of law in Islamic law: Al-ruju’ ‘ilā al-‘urf ahad al-qawa’id al-khams allāṭī yatabanna ‘alayha al-fiqh. *Islamic law and society*, 4(2), 131-155.
- Ma’āyir al-istiṭābah wa al-istikhbāth fī āl’-aṭ‘imah wā al-’ashribah. (2011). In *Fatawa Islam Web*. Retrieved from www.islamweb.net
- Mahamad Naser Bin Disa. (n.d.). *Islam agama Negara: Undang-undang tertinggi negara*. Retrieved from http://www.arkib.gov.my/c/document_library/get_file?uuid=c9795c41-1cdb-4aab-a9a2-d98a1410e6df&groupId=187507

- Mahayudin Yahaya & Ahmad Jelani Halimi. (1993). *Sejarah Islam*. Selangor: Fajar Bakti Sdn. Bhd.
- Mahmood Zuhdi Abdul Majid. (2000). Fiqh Malaysia: Konsep dan cabaran. In Paizah Ismail & Ridzwan Ahmad (Eds.), *Fiqh Malaysia: Ke arah pembinaan fiqh tempatan yang terkini* (pp.3-19). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya, APIUM.
- Mahmood Zuhdi Abdul Majid. (2004). *Pengantar undang-undang di Malaysia* (2nd ed.). Kuala Lumpur: Penerbit Universiti Malaya.
- Mahmood Zuhdi Abdul Majid. (2006). Pengaruh timbal balik antara hukum dan budaya dalam Syariat Islam. In Mohd Salleh, Abd. Karim Ali, Ridzwan Ahmad & Mohamad Zaidi Abdul Rahman (Eds.), *Hukum Islam & budaya tempatan* (pp.1-18). Malaysia: Akademi Pengajian Islam, Universiti Malaya.
- Mahmood Zuhdi Abdul Majid. (2008). Ijtihad dan fatwa di abad ke dua puluh satu: Keperluan kepada fiqh semasa berorientasikan tempatan. In *International Conference on Ijtihad and Ifta' In The 21st Century: Challenges and Prospects* (pp. 557-575). Kuala Lumpur: International Islamic University Malaysia.
- Mahmood Zuhdi Abdul Majid. (2011). *Transformasi fikah semasa*. Selangor: PTS Islamika Sdn. Bhd.
- Majelle. (2001). Kuala Lumpur: The Other Press.
- Majlis Islam Sarawak Ordinance. (2001). Section 40 (1-2).
- Mālik Bin Anas Bin Mālik. (1995). *Al-Mudawwanah* (Vol.1.). Beirut: Dar al-Kutub al-'Ilmiyyah.
- Mashood Baderin. (2009). Understanding Islamic law in theory and practice. *Legal Information Management*, 9(3), 186-190.
- Md. Salleh bin Haji Md @ Haji Ahmad. (2000). 'Urf dan adat semasa di Malaysia sebagai asas penentuan hukum yang tidak dinaskan. In Paizah Ismail & Ridzwan Ahmad (Eds.), *Fiqh Malaysia: Ke arah pembinaan fiqh tempatan yang terkini* (pp. 99-125). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya, APIUM.
- Md. Saleh Haji Ahmad. (2001). Pengajian Syariah: Hubungannya dengan adat resam serta keadaan tempatan. In Mahmood Zuhdi Abd. Majid (Ed.), *Dinamisme pengajian Syariah* (pp.59-92). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya.
- Md. Zaki Abd. Manan, Hasnan Kasan & Mohd Zamir Bahall. (2013). *Pembangunan Islam di Malaysia*. Retrieved from www.islam.gov.my/en/pembangunan-islam-di-malaysia
- Meyer Rochow, V.B. (2009). Food taboos: Their origins and purposes. *Journal of Ethnobiology and Ethnomedicine*, 5 (18), 1-10.
- Miles, M.B. & Huberman, A.M. (1994). *Qualitative data analysis: A sourcebook of new methods* (2nd ed.). Thousand Oaks, CA: Sage.

- Mohammad Aizat Jamaluddin, Mahmood Zuhdi Abdul Majid, Mohd Anuar Ramli, Nor Nadiha, Mohd Zaki, Suhaimi Ab Rahman & Dzulkifly Mat Hashim. (2011). Realisasi pandangan fuqaha tentang makanan berasaskan nilai saintifik semasa. In *Seminar Hukum Islam Semasa vii* (pp. 1–15).
- Mohammad Aizat Jamaluddin & Mohd Anuar Ramli. (2011). Sumber asas penentuan halal haram terhadap barangan guna. In Suhaimi Ab Rahman & Mohammad Aizat Jamaluddin (Eds.), *Halal haram dalam kepenggunaan Islam* (pp. 20-37). Selangor: Penerbit Universiti Putra Malaysia.
- Mohammad Aizat Jamaluddin, Mohd Anuar Ramli, Suhaimi Mustafa & Mahmood Zuhdi Abdul Majid. (2012). Aplikasi al-intiqal dalam produk berasaskan makanan. In *National Seminar On Contemporary Fiqh: Issues And Challenges*. Malaysia: IIUM.
- Mohammed Farid Ali. (2006). *Custom ('urf) as a source of Islamic jurisprudence in the works of Ibn 'Ābidīn al-Shamī (D1252/1836)*. (Unpublished master dissertation), International Islamic University Malaysia, Malaysia.
- Mohammad Hashim Kamali. (1994). Shari'ah and the challenge of modernity. *IKIM Law Journal*, 2(1), 1-27. Retrieved from <http://www.hashimkamali.com/index.php/publications/item/112-shariah-and-the-challenge-of-modernity>
- Mohammad Hashim Kamali. (1998). *Principles of Islamic jurisprudence*. Selangor: Ilmiah Publishers.
- Mohammad Hashim Kamali. (2013). *The parameters of halal and haram in Shariah and the halal industry*. Kuala Lumpur: International Institute of Advanced Islamic Studies (IAIS).
- Mohammad Jauhar. (2009). *Makanan halal menurut Islam*. Jakarta: Lintas Pustaka.
- Mohamad Zarifi, M.D. & Taqwa, Z. (2009). Petunjuk-petunjuk keadilan sosial. *Jurnal Penyelidikan Islam*, 22, 117-137.
- Mohd Anuar Ramli. (2006). Instrumen 'urf dan adat melayu sebagai asas penetapan hukum semasa di Malaysia. *Jurnal Pengajian Melayu*, 17, 253-289.
- Mohd Anuar Ramli & Mohammad Aizat Jamaluddin. (2011). Kriteria makanan yang baik dan buruk menurut perspektif kepenggunaan Islam. In Suhaimi Ab Rahman & Mohammad Aizat Jamaluddin (Eds.), *Halal haram dalam kepenggunaan Islam semasa* (pp. 65-83). Selangor: Penerbit Universiti Putra Malaysia.
- Mohd Anuar Ramli & Mohammad Aizat Jamaluddin. (2012). Sumbangan Sheikh Muhammad Arshad B. Abdullah al-Banjari dalam fiqh al-at'imah (makanan) di dalam kitab sabilal-muhtadin. *Jurnal al-Tamaddun*, 7(2), 61-76.
- Mohd Akram Dahaman Dahlan, Noor Naemah Abdul Rahman, Ridzwan Ahmad, Mohd Roslan Mohd Nor & Muhammad Safiri Ismail. (2012). Changes and

differences in fatwa from Malaysia and Singapore contexts. *Middle East Journal of Scientific Research*, 12 (2), 204-214.

- Mohd Daud Bakar. (1999). Hukum Islam antara prinsip Syariah dan perbendaharaan fiqh. In Abdul Karim Ali & Raihanah Azahari (Eds.), *Hukum Islam semasa bagi masyarakat Malaysia yang membangun* (pp.13-46). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya.
- Mohd Daud Bakar. (2000). Pelaksanaan qiyas dalam faktor semasa dan setempat di Malaysia. In Paizah Ismail & Ridzwan Ahmad (Eds.), *Fiqh Malaysia: Ke arah pembinaan fiqh tempatan yang terkini* (pp. 71-97). Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya, APIUM.
- Mohd Fauzi Bin Audzir. (2003). *Uruf tempatan di negeri Kedah dan kesannya terhadap perubahan hukum: Satu analisis*. (Unpublished master dissertation). Jabatan Fiqh dan Usul, APIUM, UM, Kuala Lumpur.
- Muhammad Adam. (2003). *Mechanical slaughter of meat*. Retrieved from <http://www.daruliftaa.com/node/4705>
- Muhammad Akram Laldin. (2006). *Islamic law: An introduction*. Kuala Lumpur: Research Centre International Islamic University Malaysia.
- Muhammad Akram Laldin. (2008). *Introduction to Shari'ah & Islamic jurisprudence* (2nd ed.). Malaysia: CERT Publications Sdn. Bhd.
- Muhammad Bakr Ismail. (1997). *Al-Qawā'id al-fiqhiyyah bayna al-aşālah wa al-tawjīh*. Maydān al-Husāyn: Dar al-Mannār.
- Muhammad Firdaus Nurul Huda. (2002). *Kesan perubahan sosial terhadap hukum Islam: Satu kajian tentang metodologi Syariah dan perlaksanaanya*. Selangor: Thinker's Library Sdn. Bhd.
- Muhammad Munir Chaudry, Jackson, C., Muhammad Mazhar Hussaini & Mian Nadeem Riaz. (1997). *Halal industrial production standards*. USA: J&M Food Products Company Illinois.
- Muhammad Zaini Yahya. (1999). *Pengaruh 'urf terhadap penetapan hukum fiqh*. (Unpublished master dissertation). Universiti Kebangsaan Malaysia, Malaysia.
- Muhsin Khan. (n.d.). *Translation of Sahih Bukhari*. Retrieved from muhhsinin.blogspot.com
- Munif Zariruddin Fikri Nordin (2010, November 23-24). Faktor agama dalam asimilasi budaya Arab ke dalam budaya Melayu. Paper presented at the *International Conference on Minority and Majority: Language, Culture and Identity* (ICMM 2010), Hilton Kuching, Sarawak, Malaysia.
- Musyaddad Hasbullah. (2007a). Ijtihad dalam penentuan hukum Syarak dan amalan muamalat. In Nik Salida Suhaila Nik Salleh, Mohammad Noorizzuddin Nooh & Sapora Sipon (Eds.), *Syariah dan undang-undang: Isu dan amalan* (pp. 1-18). Negeri Sembilan: Universiti Sains Islam Malaysia.

- Musyaddad Hasbullah. (2007b). 'Urf sebagai sumber hukum Syarak: Tinjauan dalam amalan Muamalat. In Nik Salida Suhaila Nik Salleh, Mohammad Noorizzuddin Nooh & Sapora Sipon (Eds.), *Syariah dan undang-undang: Isu dan amalan* (pp. 61-79). Negeri Sembilan: Universiti Sains Islam Malaysia.
- Nicolaou, M., Collen, M.D., Rob, M.V.D., Johannes, B., Stronks, K. & Jaap, C.S. (2009). Cultural and social influences on food consumption in Dutch residents of Turkish and Moroccan origin: A qualitative study. *Journal of Nutrition Education and Behavior*, 4(4), 232-241.
- Noor Naemah, A.R. (2003). Pembangunan institusi fatwa di Malaysia: Satu analisa terhadap perkembangan semasa. Retrieved from <http://www.muftiselangor.gov.my/EBook/Download/KoleksiBukuHimpunanKertasKerja/Buku%20Pembangunan%20Ummah/10BukuSeminarPembangunan.pdf>
- Noor Naemah Abd. Rahman. (2007). Amalan fatwa di Malaysia: Antara keterikatan mazhab dan keperluan tarjih, *Jurnal Fiqh*, 4, 85-102.
- Noriah Ramli & Hamzah Mohd Salleh. (2013). Do we need halal certification, research and training?. In Yumi Zuhani Hashim (Eds.), *Halal, All that you need to know* (pp.6-12). Kuala Lumpur: Institute Terjemahan & Buku Malaysia Berhad.
- Nurulhidayah Ahmad Fadzillah, Yaakob Che Man, Mohammad Aizat Jamaluddin, Suhaimi Ab Rahman & Al-Kahtani, A. (2011). Halal food issues from Islamic and modern perspectives. *2nd International Conference, Historical and Social Sciences*. Singapore: IACSIT Press.
- Nyazee, Imran Ahsan Khan. (2000). *Islamic jurisprudence*. Pakistan: International Institute of Islamic Thought.
- Othman Ishak. (1979). *Hubungan antara undang-undang Islam dengan undang-undang adat*. Kuala Lumpur: Dewan Bahasa dan Pustaka.
- Othman Ishak. (1981). *Fatwa dalam Perundangan Islam*. Kuala Lumpur: Penerbit Fajar Bakti Sdn. Bhd.
- Otto, J.M. (2009). Rule of law, adat law and Sharia: 1901- 2001 and monitoring the next phase. *Hague Journal on the Rule of Law*, 1, 15-20.
- Oxford Advanced Learner's Dictionary* (7th ed.). (2005). New York: Oxford University Press.
- Paizah Ismail. (2008). *Hudud: Hukum dan perlaksanaan* (p.310).Selangor: Karya Bestari Sdn. Bhd.
- Paizah Ismail. (2010a). Ijtihad sebagai manhaj istinbat hukum Islam dalam pengeluaran fatwa. In *Monograf al-Ifia'* (pp. 20-31). Selangor: Bahagian Pengurusan Fatwa, Jabatan Kemajuan Islam Malaysia.

- Paizah Ismail. (2010b). Pendermaan organ dari perspektif Islam. In *Monograf al-Ifta'* (pp. 62-73). Selangor: Bahagian Pengurusan Fatwa, Jabatan Kemajuan Islam Malaysia.
- Patton, M. Q. (1987). *How to use qualitative methods in evaluation* (2nd ed.). Newbury Park, California: SAGE Incorporation, Inc.
- Patton, M.Q. (1990). *Qualitative evaluation and research method* (2nd ed.). California: Sage Publication, Inc.
- Penang Syariah Judiciary Court. (n.d.). *Perundangan Syariah di Malaysia: Satu analisis sejarah*. Retrieved from http://www.jksnpp.gov.my/JKSNPP1/index.php?option=com_content&task=view&id=124&Itemid=76&lang=bn
- PUB, Singapore's national water agency. (n.d.). NEWater. Retrieved from <http://www.pub.gov.sg/about/historyfuture/Pages/NEWater.aspx>
- Qal'ājī, Muḥammad Rawwās & Qunaybī, Hāmid Sādiq. (1996). *Mu'jam lughah al-fuqahā'* (*Dictionary of Islamic legal terminology*). Beirut, Lebanon: Dār Al-Nafa'is.
- Rahimin Affandi Abdul Rahim & Mohd Anuar Ramli. (2007). Mazhab Syafi'i dalam pengajian syariah di Malaysia : Satu analisis. *Jurnal Fiqh*, 4, 39–76.
- Rahimin Affandi Abdul Rahim, Paizah Ismail & Nor Hayati Mohd Dahlal. (2009). Ijtihad dalam institusi fatwa di Malaysia: Satu analisis. *Journal of Syariah*, 17(1), 195-222.
- Ridzwana Mohd Said. (2011). *Usefulness of environmental information in stakeholder's decisions: The case of Malaysia*. (Unpublished doctoral dissertation). International Islamic University Malaysia, Malaysia.
- Ruhana Padzil. (2007). An analysis on Johor-Singapore water issue: Supply and demand. *Jati*, 12, 55-69.
- Ruqiyah Tāhā. (2003). *Athār al-'urf fi fahmi al-nuṣūṣ*. Lebanon: Dār al-Fikr.
- Sally, T. (2000). Data analysis in qualitative research. *Evidence-Based Nursing Journal*, 3, 68-70.
- Sapsford, R. & Jupp, V. (2006). *Data collection and analysis* (2nd ed.). London: SAGE Publication Ltd.
- Sekaran, Uma. (1984). *Research method for managers: A skill-building approach*. America: John Wiley & Sons Inc.
- Shamsiah Mohamad & Ameer Azezy Tuan Abdullah. (2007). Kedudukan mazhab Syafi'ie dalam isu-isu muamalat di Malaysia. *Jurnal Fiqh*, 24, 223-226.
- Sheikh Ghazali Abdul Rahman. (2012, October 24). Proses penyediaan fatwa di Malaysia: Peraturan dan amalan. In *Muzakarah Pakar: Garis Panduan dan*

Piawaian Pengeluaran Fatwa Peringkat Kebangsaan. INFAD, USIM: Dewan Senat.

Siddiq Fadzil. (2006). Pertembungan Islam dengan budaya peribumi: Pengamalan alam Melayu. In Md. Saleh Md Ahmad, Abd. Karim Ali, Mohd Ridzwan Ahmad & Mohammad Zaidi Abd. Rahman (Eds.), *Hukum Islam dan budaya tempatan* (pp. 137-156). Selangor: Jabatan Fiqh dan Usul, Universiti Malaya.

Silverman, D. (2011). *Interpreting Qualitative Data: A guide to the principles of qualitative research* (4th ed.). Thousand Oaks, California: SAGE Publications Ltd.

Suwaid Tapah. (2004). Pelaksanaan undang-undang Islam di Malaysia. In *Seminar Hukum Islam*. Kelantan: Kolej Islam Antarabangsa Islam Sultan Ismail Petra (KIAS).

Tafsir al-Jalalayn. (2008). Louisville: Royal al-Bayt Institute for Islamic Thought.

Taiwo Moshood Salisu. (2013). 'Urf/ 'ādah (custom): An ancillary mechanism in Shari'ah. *Ilorin Journal of Religious Studies*, 3(2), 133-148.

Tariq Ramadan. (2008, March 18). *No faithfulness without evolution*. Retrieved from <http://www.tariqramadan.com/No-faithfulness-without->

The Pew Forum. (2009, October 7). *Mapping the global Muslim population: a report on the size and distribution of the world's Muslim population*. Retrieved from <http://www.pewforum.org/Muslim/Mapping-the-Global-Muslim-Population.aspx?evolution,1400.html>

The Pew Forum. (2012, December 18). *The global religious landscape: Are port on the size and distribution of the world's major religious groups as of 2010*. Retrieved from <http://www.pewforum.org/global-religious-landscape-muslim.aspx#ftnrtn8>

The Nature of Qualitative Inquiry. (n.d.). Retrieved from http://www.sagepub.com/upm-data/3298_Patton_Chapter_1.pdf

Titik Kuntari, MPH. (n.d.) Makan dan minum. Retrieved from <http://medicine.uui.ac.id/upload/klinik/elearning/ikm/makan-dan-minum-fkuii-tk.pdf>

Toda, M., & Morimoto, K. (2001). Health practice in Islam- The cultural dependence of the lifestyle formation. *Environmental Health and Preventive Medicine*, 5, 131-133.

Wael Hallaq. (2009). Who's who in the Shari'a. In *An introduction to Islamic law* (pp.7-13). New York: Cambridge University Press.

Wan Mohammad Bin Sheikh Abdul Aziz. (n.d.). *Pelan penyelarasan perundangan Islam di Malaysia: Peranan dan cabaran JAKIM*. Retrieved from http://www.islam.gov.my/sites/default/files/bahagian/bpict/pelan_penyelarasan_undang2_ikim_6_april_2011.pdf

Wan Zulkifli Wan Hassan. (2009). Nilai-nilai fleksibiliti dalam sumber perundangan Islam. *MALIM: Jurnal Pengajian Umum Asia Tenggara*, 10, 53-72.

Webster's ninth new collegiate dictionary. (1984). America: Merriam-Webster Inc.

Wizārat Awqāf wa al-Syu'ūn al-Islāmiyyah. (2005). *Al-Mausū'ah al-fiqhiyyah* (2nd ed., Vol. 28). Kuwait: Wizarat Awqāf wa al-Syu'ūn al-Islāmiyyah.

Wright, Len Tiu. (1996). Exploring the in-depth interview as a qualitative research technique with American and Japanese firms. *Marketing Intelligence & Planning*, 14 (6), 59-64.

Zainal Kling. (2010). Memahami konsep keutuhan budaya dan moral. In Khairul Azmi, Mohd Saifuddeen & Norhanizah (Eds.), *Ke Arah Umat Hadhari* (pp. 357-376). Kuala Lumpur: Yayasan Ilmuwan.

Zaini Nasohah. (2004). *Pentadbiran undang-undang Islam di Malaysia sebelum dan menjelang merdeka*. Kuala Lumpur: Utusan Publications & Distributions Sdn. Bhd.

Zaini Nasohah. (2005). Undang-undang penguatkuasaan fatwa di Malaysia. *Islamiyyat*, 27(1), 25-44.

Zainur Rijal, A.R., Arnida, A.B., Wan Azura and Lubna, A.R. (2006). *Kesan bahasa Arab terhadap penghuraian makanan dalam surah al-Maidah dan surah al-An'am: Kajian dari aspek terminologi, semantik dan budaya*. (Unpublished research paper). Kolej Universiti Islam Malaysia.

Zulkifli Hassan & Abdul Rahman. (2005, September 19-20). The position of al-Quran as a source of law under the Malaysia legal system. Paper presented at the *International Seminar on al-Quran, Islamic Science University of Malaysia*. Retrieved from <http://zulkiflihasan.wordpress.com/my-publication/>

Zulkifli Mohammad al-Bakri. (2007, November). Tubuhkan lembaga tetap fatwa. *Al-Islam*, 74-77.

Zulkifli Mohammad al-Bakri. (2008). *Fatwa dan mufti: Hukum, etika dan sejarah* (p. 111). Negeri Sembilan: Universiti Sains Islam Malaysia.

Zulkifli Mohammad al-Bakri. (2010). Fatwa syazah. In *Monograf al-iftā'* (pp. 1-10). Selangor: Bahagian Pengurusan Fatwa, Jabatan Kemajuan Islam Malaysia.

LIST OF PUBLICATIONS

Journal Article

Suhaimi Ab. Rahman, Zulaipa Ruzulan & Muhammad Shahrin Ab. Karim. (2014). Development of Islamic Law: The Application of 'Urf in *Halal* Animal Slaughtering Practices. *Sains Humanika*, 1 (1), 11- 17.

Chapter in Book

Suhaimi Ab Rahman, Zulaipa Ruzulan & Budeeman Mana. (2014). Prinsip *Darurah* dan Aplikasinya dalam Perbankan dan Kewangan Islam. In Russly Abd Rahman, Nurdeng Deuraseh & Mohammad Aizat Jamaludin (Eds), *Isu Halal Kontemporari 2* (pp. 308-326). Serdang: Penerbit Universiti Putra Malaysia.