

## Third party certification of food

Senate Standing Committees on Economics  
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Dear Committee Members

### **Halal certification is not required by the Qur'an**

The following verses from the Qur'an make it plain that food is halal (permissible) once the believer pronounces the name of Allah over the food. "*Eat of that over which the name of God hath been pronounced, if ye believe in his signs.*"<sup>1</sup> (Qur'an 6:118), and an alternative translation, "*Therefore, eat of that on which Allah's name has been mentioned if you are believers in His verses.*" Also, "They will ask thee what is made lawful for them. Say: Those things which are good are legalised to you... *Eat, therefore, of what they shall catch for you, and make mention of the name of God over it...*" Verse five continues, "This day, things healthful are legalised to you, and the meats of those who have received the Scriptures are allowed to you, as your meats are to them." (Qur'an 5:4-5).<sup>1</sup>

### **Even Muslim Clerics decry the outrageous practice of Halal Certification.**

Halal certification is not universally accepted by all Muslims as legitimate. In 2012 Imam Habib Bewley<sup>2</sup> delivered a Khutba (sermon) about the rort of halal certification. This influential Imam is from the Jumu'a Mosque of Capetown in South Africa. He has criticised the practice of halal certification questioning the motives of those who establish such schemes. He explains why halal certification is NOT a requirement of the Qur'an and how it is actually damaging for most Muslims. This Imam proclaims that certification is actually against Islamic Law. He goes on to talk about halal certification agencies that claim to have the only true or correct interpretation of halal, "They are expressly forbidding businesses, shops and restaurants from purchasing goods from sources other than those approved by them. And, by extension, they have declared all non-approved goods forbidden, haram. They do exactly what Allah commands them not to do."

### **Halal Certification is redundant**

Since, believers can fulfil their religious obligation by pronouncing the name of God over their food and meats; it is therefore, redundant to pay for commercial halal certification. Any believer can make their food halal at no cost to themselves, and certainly without imposing a religious tax on the general public to pay for their personal belief system. Halal certification is totally unnecessary, it is simply a scam perpetrated on the Australian consumer by greedy and unscrupulous Islamic organizations through gullible or greedy food companies. Obviously, the basic economics of this certification is that this company overhead will be reflected in the cost of goods sold to the consumer. The ritual preparation of food according to Sharia Law adds nothing to the nutritional value, hygiene, or improvement in food safety standards that are not already provided for by Australian Standards and regulations regarding food preparation, storage and transportation. Halal certification organizations may have 'religious expertise', but not hygiene, contamination and food safety expertise, so they are not qualified for the job they claim they are doing which is already covered by Australian Standards anyway. It's astounding that companies are paying for a bit of hocus-pocus. For huge sums of money they're getting the equivalent of a Hail Mary.

### **Halal Certification is the unconstitutional establishment of a religious observance**

It is unconstitutional for the Commonwealth to make any law for establishing any religion or for imposing any religious observance (Australian Constitution, Section 116). Halal certification is a blatant case of discrimination against the Australian people because a religious observance (halal food) of a minority group is being established as the norm for all Australian citizens. This is an infringement on, and erosion of our democratic right to be treated as free and equal citizens. This imposition is neither value adding, wanted nor

warranted. It adds nothing to the social betterment, health and wellbeing of Australian consumers. In a secular democracy religion should play no role in shaping public policy and religious institutions should not enjoy a privileged position in society. It is unconstitutional to make laws or create policies that are based on religious dogma or doctrine. It is unconstitutional to establish a religious observance at the expense of the majority of Australians for the benefit of a religious minority. The Government through the Department of Agriculture, Fisheries and Forestry (DAFF) and Australian Quarantine and Inspection Service (AQIS) administer halal meat production in abattoirs which is a waste of the tax-payers money to benefit a religious minority.

#### **Halal Certification is a Violation of Democratic Freedoms**

The Government should not make any laws or public policies that limit the freedom of its citizens, unless it is to foster better social outcomes or improve the health and wellbeing of its citizens, for example setting a minimum school leaving age, restricting smoking in workplaces or mandating a vaccination program for children. Such laws limit freedoms only where such limitations are to prevent harm to others.

Without their consent, Australian consumers are forced to accept halal certified foods that they neither want nor need. What's most important is that halal certification does not improve the social good, health and wellbeing of Australian citizens. Limiting the general population's choice of foods for the sake of a minority is undemocratic and morally wrong. Limiting Australian consumer's choice to halal foods only (this is fast becoming the case) is not done to prevent any harm to others, but to benefit the superstitious religious preferences of a minority. Halal certification adds nothing to the quality, nutritional value or hygiene of food ritually prepared according to Islamic Sharia law. It only caters to a religious minority who want food that has been ritually prepared to allay their superstitious fears about the 'spiritual' purity of their food.

Every person in a secular democracy is free and equal. The Government of Australia has been elected by its citizens to treat each person as free and equal. Australian consumers have the right to freely choose or reject halal foods. This freedom of choice has been seriously eroded because the halal food industry caters to a minority of consumers; the majority of consumer's preferences have been disregarded. That is, Muslims have been given what they believe they need, but the majority of Australian consumers have been given no choice in the matter. All Australian citizens have the right to be treated fairly and equally. However, the minority Muslim population in Australia is being catered for, but the majority of Australian consumers have been given no choice.

#### **Halal Certification if Continued Should be Based on a User Pays Principle**

The majority of consumers do not want halal food. In most cases halal free foods are disappearing, and so consumers are being forced to accept halal food. This restriction of choice is unconscionable. That we should be forced to pay for a non-service, non-value added endorsement of the everyday staples of life is criminal. This is inequitable and undemocratic. That we should be forced to pay for other peoples religious preferences is ridiculous in the extreme. That big food companies and the Australian Government are complicit in this scam being perpetrated on Australian consumers is astounding. It is morally and unconstitutionally wrong to put the religious (fictional) concerns of the few ahead of the rights of the many. In a democracy the Government should not enact laws or policies that force the majority of citizens to conform to or pay for the preferences of a select few. We are not being treated equally and we have no free choice concerning halal food because food labeling is inadequate, probably deliberately so (Cadbury and Nestle don't label their foods, but pay halal certification). Money for halal certification does not benefit the majority of Australians, but goes to just a few wealthy non-profit organizations whose questionable finances fund who knows what. Allegations of corruption, bribery and exorbitant fees have been reported and investigated by the AFP.<sup>3</sup> As Prime Minister Abbot has said there are hundreds of Australians financing terrorist organizations, therefore it is not unreasonable to suspect some of the money raised from halal certification funds terrorism.

Not only do these not-for-profits pilfer from the Australian people to pay for their religious rituals, but in addition they get tax concession status at the expense of Australian taxpayers. This is a double-dip in which Australians pay for a privileged few to have ritually purified food – Australians are getting rorted for a double whammy – taxed on the food we eat and providing the tax-payer funded concessions for Certifiers. Halal certifiers declare that the halal certification money funds Islamic schools and mosques. This increases segregation and creates a fertile environment for the growth of radicalisation. If big food companies must capitulate to Islamic fundamentalism and pay the Islamic tax on the food supply chain, then the Government must guarantee that the cost is not passed on to the consumer, but is passed back to the halal certifiers through taxation and licensing fees whilst restricting Certifiers to charging a very minimal fees for halal certification. In other words stop making this bogus industry profitable. The government should build a mountain of red tape and high regulatory fees around this service to make it less economically attractive. The economics is back the front; since the food companies incur costs to be halal compliant they should be charging the halal certifiers to recover the costs, not the other way around. If halal certifiers were doing it for genuine religious motives and for the good of the Muslim community they would be doing it for free, rather than for profit.

### **Halal Certification is a Slippery Slope to the Islamification of Australia**

Halal certification gives privileged status to a religious, social and cultural value system that is barbaric (death-for-apostasy-and-blasphemy laws), superstitious, primitive, anti-Western, alien and foreign to Aussies. As Professor Riaz Hassan <sup>4</sup> says in his well-researched and evidence based study of Islam across multiple countries, “Misogynist and patriarchal attitudes are deeply entrenched in the modern Muslim consciousness.” Referring to countering the adverse effects of modernity he says, “Most modern Muslims apparently have few doubts that implementing Sharia law in contemporary Muslim societies would alleviate their problems”. Professor Hassan’s evidenced based wide ranging study of the teachings, beliefs and practices of Muslim’s worldwide shows that the majority of Islamic views are incompatible with human rights, women’s rights and the values and freedoms of Western secular democracy. It is imperative that the Australian government does not turn to these religious fictions as the basis of a sane and civil society. No religion, and in particular a primitive and backward religion like Islam, is the proper basis for law making in Australia. Only secularism keeps the proper separation of church and state. Secular humanism has given us democracy, freedom, equality and human rights. Any time religion has gained ascendancy in the public sphere inequality, oppression and persecution has been the result. As it stands, the Australian Government looks like it intends to establish an Australian theocracy based on Islamic belief systems. Publicly the Government is denouncing ISIS as a death cult, but at the same time it is legislating Australia toward becoming an Islamic State.

### **Halal Certification needs to be Properly Regulated**

If big food companies must have halal or kosher certification for the overseas markets, then certain regulations need to be put in place. All food or other companies involved should prominently display labeling for halal/kosher certification compliance on their products, including displaying the certifying organization. This way the consumer gets to make an informed choice. Company annual reports should fully disclose the cost of certification and who supplied them the ‘service’. The company must declare on a statutory declaration that none of these costs are passed on to the consumer in the pricing of their products. All halal/kosher certification organizations must fully disclose earnings from certifying activities in their annual reports. These earnings should be taxed at the company tax rate so that these organizations pay their fair share of the tax burden and return something to the Australian economy. The Government and food companies should push back against countries insisting on halal products. Australia now has a significant alternative new market under the FTA with China, a country that appreciates the best practice Australian Standards followed in producing our quality foods.

### **Halal Certification Discriminates Against Australian Workers**

The requirement of DAFF and AQIS for abattoirs to employ only Muslim males to slaughter animals is discriminating against Non-Muslim workers for the sake of a minority who will, under this scheme, enjoy continuous employment at the expense of Australian workers. Australian workers of Non-Muslim background are being treated as second class citizens not considered as equal to or as morally fit for the task as their 'holy' Muslim counterparts.

Thank you for your consideration of my submission.

Yours Sincerely

S. Osborne

### References:

1. J. M. Rodwell (trans.), *The Koran*, (London: Phoenix, 1994), p.90, 67-68.
2. *The Jumua Mosque of Cape Town: Khutba on Halal Certification Fiasco*. [online] Available at: <http://www.jumuamosquect.com/khutbas/khutba/archive/2012/january/27/article/khutba-on-halal-certification-fiasco.html> [Accessed 25 Jul. 2015].
3. *Why halal certification is in turmoil*. [online] The Sydney Morning Herald. Available at: <http://www.smh.com.au/national/why-halal-certification-is-in-turmoil-20141227-12cmd3.html> [Accessed 25 Jul. 2015].
4. Riaz Hassan, *Inside Muslim Minds*, (Carlton, Victoria: Melbourne University Press, 2008), p.55-56.