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Negotiating *Ḥalāl* Consumption: The Interplay of Legitimacy, Trust, and Religious Authority

Negotiating *Ḥalāl* Consumption: The Interplay of Legitimacy, Trust, and Religious Authority[1]

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Abstract[3]

The term *ḥalāl* as used in the context of Europe's food production industry is not congruent with the religious sense and the translation of the term as it is explained by Islamic legal scholars. In the food industry *ḥalāl* seems to represent a kind of religious branding, especially in non-Muslim societies, that indicates a product meets the dietary needs of a specific group, i.e., Muslims. This discrepancy in the way the term is used raises questions of religious authority, legitimacy, and trust among the actors involved. On the basis of an ethnographic case study conducted in Leipzig, a city located in Eastern Germany, this paper investigates how practicing Muslims negotiate *ḥalāl*-complaint consumption in a non-majority Muslim society. By looking at the social and legal context in which Muslims are embedded, the paper argues that the legal constraints of *ḥalāl* slaughter in Germany, on the one hand, and the lack of centralized Muslim authority, on the other, influence Muslims' consumption behavior. The paper concludes by arguing that the principle of trust seems to be the most important aspect when purchasing *ḥalāl* products and it can to some extent outweigh the legitimacy of the *ḥalāl* certificate. In addition, the paper delivers novel insights into the way Muslim actors negotiate normative orders (*šarīʿa* and state-centered law), especially the issue of *ḥalāl* and '*ḥalāl*ness', within the complex context of a non-Muslim society.

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1. Introduction

Religious rules impact not only the ways people act and behave, but also the ways they consume food and drink. In Muslim-majority countries, when Muslims purchase food and drink, they usually do not think of the 'ḥalālness' of products because all products must be suitable for Muslim consumption. In non-Muslim majority countries, however, practicing Muslims are expected to think about whether the products offered in supermarkets meet Islamic dietary regulations (ḥalāl). The term ḥalāl derives from Arabic and means allowed or permissible. It is usually contrasted with ḥarām (forbidden). In Islamic legal theory, ḥalāl is one of the five normative guidelines (see Rohe 2010: 10; Elliesie 2014a: 7) that are "intended to order the entire range of human activity and to set human life in good order" (Hallaq 2009: 19). It stands for all actions, ways of life, and objects that are lawful according to Islamic law. In everyday language ḥalāl is usually associated with meat slaughtered in compliance with Islamic dietary rules, which are mostly drawn from various verses in the Qurʾān.[4] In non-Muslim societies, ḥalāl seems to represent a kind of religious brand that indicates a product meets the dietary needs of a specific group of followers, i.e., Muslims. Labeling products as ḥalāl "is not exclusively a religious act – it is also a commercial activity pursued by religious organizations, as well as by secular companies, for profit" (Raza 2018: 3). This double function of the ḥalāl label raises questions of religious authority, legitimacy, and trust among the actors involved.

In Germany, ḥalāl-labeled products are not regularly found in mainstream supermarkets.[5] Instead, with a few exceptions, they are confined to the realms of specialty stores.[6] For the individual consumer, the 'ḥalālness' of a product is not estimated on a scale; it is an all or nothing calculation. How a cow is raised and slaughtered, how the meat is packaged, stored, transported, and sold, are all supposed to be ḥalāl, which leaves potential unanswered questions for Muslim consumers who endeavor to consume ḥalāl products in Germany: Did the cow receive proper treatment? Who slaughtered it? Did the person perform all the necessary steps? Was the meat stored under ḥalāl conditions or was it possibly cross-contaminated in the cooling room? Did the meat travel a long way, or did the meat processing only happen in Germany? And does the store that offers the meat also sell alcohol? Questions like these could result in a Muslim consumer wanting to know more – to acquire valid knowledge about each step in the production chain. This desire is not an exclusive prerogative of the ḥalāl market. A quick look at the dairy section of any supermarket shows a variety of certificates and seals that provide information about working conditions, sustainability, treatment of the animals, production methods, etc. A ḥalāl certificate aims at providing knowledge to create trust in the religious legitimacy of the product and to

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[4] The Qurʾān: 2:168; 2:172; 2:173; 5:3; 5:87; 5:88; 5:93; 5:96; 6:118; 6:145; 16:115; 16:116 and 22:30.

[5] When ḥalāl products are explicitly or implicitly sold or marketed, the word can spark strong negative responses in certain sections of the German (online) society: see, e.g. media reports on reactions to ḥalāl meat sold at Edeka supermarkets (see the article on the fact-checking website Mimikama: Tom Wannenmacher, Wird bei Edeka nun Halal-Fleisch verkauft? 10 March 2016. https://www.mimikama.at/allgemein/wird-bei-edeka-halal-fleisch-verkauft/ [accessed 19.02.2020]) and reactions to implicit marketing to Muslims (see: Jule Schulte, Warum diese Katjes-Kampagne für Aufregung sorgt – und die Empörung schwachsinnig ist, *Stern* Online, 30 January 2018: https://www.stern.de/neon/wilde-welt/wirtschaft/katjes--aufregung-um-muslima-in-der-kampagne---ein-kommentar-7844006.html [accessed 19.02.2020]).

[6] Wiesenhof, a German producer of poultry products, describes the certification processes on its website: https://www.wiesenhof-news.de/faq/ (accessed 19.02.2020). The supermarket Rewe informs its customers about ḥalāl consumption on its website: https://www.rewe.de/ernaehrung/halal/ (accessed 19.01.2020). In France and the UK ḥalāl meat is widely sold in mainstream supermarkets. Here, ḥalāl certifiers compete with each other, especially regarding the issue of non-stunned and pre-stunned slaughter (Lever and Miele 2012: 529, 535).

animate the consumer to make a purchase decision. The problem is that the certificates themselves might not be trusted because consumers do not possess knowledge about the certification process. By not trusting the certificate they withhold recognition of the religious authority of HCBs (*ḥalāl* certification bodies). In 2011, Johann Fischer described this dilemma as the "halal frontier", which stands here for a "'frontier of knowledge' [which] indicates that a better understanding of halal materiality is required" (90). Because there is no religious authority that could provide guidance on how to navigate this frontier of knowledge present on the German *ḥalāl* market, a Muslim consumer seeking to comply with *ḥalāl* consumption in Germany may find him- or herself lost and without landmarks in the consumption procedure. She or he must develop her/his own set of navigation tools. In our inquiry, the interlocutors use different mechanisms of trust to compensate for the lack of institutional and religious structures that could provide more transparency in the *ḥalāl* consumption process.

Based on intensive fieldwork conducted between March and June 2018 in Leipzig , in the context of two research projects – "Scharia in genuin europäischen Settings: Konnex muslimischer Lebenspraxis zu islamischer Normativität" of the Department 'Law & Anthropology' of the Max Planck Institute for Social Anthropology (MPI) and "Moscheegemeinden in Sachsen" of the Institute of Oriental Studies of the University of Leipzig (OI UL) –, this paper focuses on the ways practicing Muslims negotiate their *ḥalāl*-complaint consumption. After a brief overview of the historical and socio-political context surrounding Muslim lives in Leipzig, the paper elaborates the various mechanisms of trust used by our interlocutors to compensate for the lack of institutional and religious structures. By reflecting upon the particular features of Muslim religious authority and the legal constraints of *ḥalāl* slaughter in Germany, this paper provides insights into 1) the ways practicing Muslims negotiate their *ḥalāl*-compliant consumption within this context and 2) the challenges it poses for the consumer and the *ḥalāl* industry.

2. The Limits of Representation

The empirical data the case study is based on are situated at the micro-level in Leipzig, Germany. To understand the actions of actors operating in the German *ḥalāl* market, we outline the internal diversity of the Muslim part of society and how this creates issues with ensuring political representation of Muslims and with a lack of religious authority on the part of Muslim organizations. This leaves the various *ḥalāl* certification bodies to compete among themselves for market and consumer recognition in their effort to exercise religious authority.

Over the years, political and societal actors have intensified their call for Muslim representatives. Likewise, a desire to represent and be represented in political processes, to play an active part in political and societal decisions, and to develop a strong voice in public discourse has become more prominent. In the case of efforts to push for a safe and comprehensive *ḥalāl* certification process, this lack of representation and the consequent inability to issue, monitor, and lobby for such certifications is a clear issue. Muslims in Germany are diverse with respect to their affiliations within the numerous currents that make up Islam, the degree to which they identify with their religion, and their degree of organization in, e.g., mosque communities (Stichs 2016: 26; DIK 2012: 67; Haug et al. 2009: 97/ 167). In the face of this internal diversity, attempts to cooperate and opt for a common political representation have been initiated but encountered substantial difficulties.

Muslims in Germany have difficulties with establishing representation on a political level. The Deutsche Islam Konferenz (DIK) illustrates these challenges. Established as an ongoing event in 2006 by the Minister for Internal Affairs, Wolfgang Schäuble, the conference is meant to serve as a platform for dialogue between the German state and Muslims in Germany. To this end, a varying group of delegates from large umbrella and national mosque organizations as well as selected prominent individuals are invited to participate. But the format has one intrinsic problem: only 20% of Muslims living in Germany were registered members of a religious association or community in 2009 (Haug et al. 2009: 167, 170).[7] In a survey commissioned by the DIK, only one-quarter of the respondents felt represented by the umbrella organizations present at the DIK (Bayat 2016: 124; Haug et al. 2009: 173–174). The inclusion of selected Muslim individuals from outside such organizations cannot compensate for this deficit (Bayat 2016: 298). This leaves the composition of the DIK and especially the umbrella and national mosque organizations with a deficit concerning legitimization and representation (Bayat 2016). Lobbying for interests on the inner-group level as well as on the political level requires leverage, which in turn is dependent on having credibility, which is difficult to portray if no organizational body is established. Hence, large umbrella organizations act as the main representatives in negotiations and conversations with political and societal actors despite their lack of authority to speak for Muslims in Germany as a whole.

Furthermore, the degree of organizational structures differs within Germany due to historical developments after the second World War. The establishment of Muslim organizational structures surrounding mosque communities on a larger scale in Western Germany[8] dates back to the 1960s (Lemmen 2002: 25; Bayat 2016: 64–67). The case study, however, is situated in Leipzig, a major city in Saxony, which is part of Eastern Germany.[9] The number of people from Muslim-majority countries in the German Democratic Republic (GDR) was small and migration was organized only from socialist states (Gruner-Domić 1999: 216). The migrants, who came either for educational purposes or work (as so-called *Vertragsarbeiter*, or "contract workers"), were relegated to living quarters separated from the rest of German society and their stay was intended to be short-term. Therefore, and because there was no possibility for migrants to formally organize due to state repression, no official Muslim organizational infrastructure developed (Bade and Oltmer 2004). After the reunification of Germany in 1990, many contract workers lost their legal status and jobs and left the country, as did half of the students enrolled in East German universities (Kindelberger and Kindelberger 2007: 7). In the 1990s and 2000s through the present, the number of Muslims living in Eastern Germany has increased through West-East migration within Germany, the arrival and settling of migrants from abroad, and conversion to Islam. The Leipzig city council estimates that by the end of 2017, 24,000 of the city's ca. 590,000 residents were Muslim (Stadt Leipzig 2019).[10] In Leipzig, there are currently seven officially registered Muslim associations, one of which is part of an umbrella organization – DİTİB (Diyanet İşleri Türk-İslam Birliği, or the Turkish-Islamic Union for Religious Affairs). Thus, there is an increasing degree of consolidation at the organizational level, which is, however, not comparable with organizational structures in

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[7] Chbib (2011: 109) points out both the power of quantitative research and its difficulties. Instead of collecting data on members, she calls for collecting data on visitors and participants connected with religious organizations.

[8] The usage of the term West Germany in this paper refers to the Federal Republic of Germany (FRG) before the German reunification in 1990. The term Western Germany, however, refers to the current region of Germany that belonged to western portion of Germany before 1990.

[9] The usage of the term East Germany in this paper refers to the German Democratic Republic (GDR), a state established from 1949 to 1990, while the term Eastern Germany refers to the region of contemporary Germany that consists of the states of the former German Democratic Republic (GDR).

[10] For further information on Muslim life in the GDR see: Hakenberg and Klemm 2016; Perabo 2018.

Western Germany. In this context, *ḥalāl* consumption for the interlocutors in this case study is situated in an environment that is characterized by a different availability and range of *ḥalāl* products and services than for consumers in, for example, Cologne or Berlin.

3. The Three Principles of Trust

When strolling down the first half of Eisenbahnstraße[11] in Leipzig, one notices the omnipresence of *ḥalāl*. It is visible in many convenience stores in the form of stickers on windows, signs advertising (halal) meat and in the names of the shops themselves (i.e. "Halal Land"). It appears in Latin letters reading 'halal' (Arabic) or 'helal' (Turkish), or in Arabic letters – حلال. Sometimes it is visible from afar, written in bold big letters, and sometimes hidden among colorful depictions of animals. *Ḥalāl* is integral to the public perception of this particular street as a place where "oriental" groceries abound, where many snack bars and restaurants offer döner kebab, shawarma, falafel, and hummus. It is one of the few places in Leipzig where people are not predominantly *white* and where conversations mostly take place in languages other than German. There are two mosques in close proximity. Eisenbahnstraße with its well-established Muslim infrastructure is virtually unique in Leipzig. All but one of our interlocutors stated that they went grocery shopping on Eisenbahnstraße. Many go there to buy meat. Yet, for some of the interlocutors, the issue of trust and the lack of credibility of the *ḥalāl* designation of products is a reality even here.

Theoretically, certification processes have the function of eliminating the need for the consumer to evaluate whether something is *ḥalāl*. If a product or service is certified *ḥalāl*, the producer can place a logo on the wrapping to indicate its *ḥalāl* nature. This process could, especially in a majority non-Muslim society, facilitate *ḥalāl*-compliant consumption. After all, the '*ḥalāl*ness' of products is not easily verifiable (Fischer 2011: 90). In an ideal world, the consumer would trust that the descriptions on the wrapping, the list of ingredients, and the information on the content/quality of the product are accurate. However, navigating between what is religiously obligatory and what is religiously forbidden in a majority non-Muslim society is evidently a constant learning process; migrants begin this process at different ages and with a variety of priorities.

Our interlocutors were all born outside of Germany (Hamed and Aziz in Pakistan, Rashid in Afghanistan, and Fatma and Tarek as well as Azme and Alaa in Egypt). All but two were socialized in Muslim-majority societies. For them, adapting to life in Germany included the renegotiation of internalized behavioral rules[12] about *ḥalāl* consumption. In their former environment, the '*ḥalāl*ness' of products was taken as given. Living a *ḥalāl*-compliant life in a majority non-Muslim country like Germany, however, resulted in a new consciousness in the interlocutors. The two interlocutors who grew up mostly in Germany but were born in a Muslim-majority country also experienced transitional changes in their consumption behavior directed at

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[11] Time and again, this street, which runs through neighborhoods described as multicultural, has been the focus of media attention that shapes and reinforces its negative image as hotspot for criminality and ethnic violence. Before 1990 it was a working-class neighborhood and it subsequently changed into a place of opportunity for migrants. However, it also became a place where the city officials deliberately placed migrants, creating a high density of migrants, which in turn contributes to certain stereotypes (Cremer 2016; Leimer 2010; Kühl 2010). Cremer (2016) spotlights various Muslim views regarding Eisenbahnstraße. Some avoid it as a place of segregation; others appreciate it for its plurality. Most consider it a place for shopping, underlining that there is no alternative. "Eisenbahnstraße is considered a necessary place for the Muslim community, whether for the grocery stores, the mosque, or just because it is a place where being Muslim is not exceptional" (Cremer 2016: 67, translation by the authors).

[12] On the idea of internalized behavioral rules as an aspect of consumption decisions (here in the case of fair trade products), see Andorfer and Liebe (2013).

living a *ḥalāl*-compliant life. Some of the interlocutors mentioned their reliance on *ḥalāl* logos printed on a wrapping when buying meat or other groceries, whereas others dismissed the logos as mere "stickers" and declared the production and certification procedures to be not transparent enough. In fact, despite *ḥalāl* being highly visible in the shops on Eisenbahnstraße, there is little information about the actual '*ḥalāl*ness' of (meat) products. The interlocutors used different ways of making sure that they adhered to *ḥalāl* consumption. We illustrate how these trust relationships play out in various *ḥalāl*-meat purchasing mechanisms. All our interlocutors perceive themselves as Muslims who aim for a *ḥalāl*-compliant lifestyle in a majority non-Muslim society. The interlocutors buy *ḥalāl* meat based on three different purchasing strategies: 1) personal relationship to the butcher, 2) DIY butcher, and 3) trust in the industry.

1) Personal Relationships to Islamic Butcher/Vendor
The principle of trust, in this case, is enacted between two parties – the one who trusts and the one who is trusted. The relationship between them will be analyzed from the perspective of the trust-giver – the consumer. The consumer is not sure about the '*ḥalāl*ness' of the meat at the shop and consequently seeks assurance by asking the butcher/vendor. The latter assures the consumer that the meat is *ḥalāl* and the consumer, in turn, trusts the word of the Islamic butcher/vendor. Here, the butcher/vendor is recognized as a fellow Muslim and the personal relationship of the shopping interaction is the key component. The butcher/vendor being Muslim implies that the two parties share rules/religious regulation as the basis of their action. This makes the assessment of trustworthiness more transparent for the consumer and the bond of trust only needs to be established once. By providing assurances about the '*ḥalāl*ness' of the meat, the butcher/vendor becomes subject to a sanctioning mechanism: the divine punishment in case of a deliberate lie. This act of taking responsibility does not require a verbal form of active confirmation; the mere fact of working as an Islamic butcher/vender is a moral choice, and open fraud would accordingly be a burden of conscience by making the butcher responsible before God. Or as our interlocutor Rashid[13] put it: "When someone who is Muslim says 'it is *ḥalāl*', then I have to accept it per se that it is *ḥalāl*. […] I trust him with it and in doing so I don't become guilty but my counterpart if he mixed in something or it [the meat] isn't *ḥalāl*. Then it [the guilt] lies with him, not with me."[14]

   Concerning *ḥalāl* consumption, Rashid talks about globalization and capitalism and the erosion of *ḥalāl*. Halal certification takes place within globalized markets, which he sees as based on exploitation of humans, animals, and the environment. As a result, his trust in *ḥalāl* as a label has been damaged. *Ḥalāl* certificates serve as important markers in majority non-Muslim societies and are intended to serve as a trustworthy indicator of '*ḥalāl*ness'. However, in the current state of Muslims organizations in Germany and global production conditions he wishes for more comprehensive and thorough certification mechanisms. On the question of how to achieve that goal he is pragmatic: "something has to change and that's an individual responsibility". Azme and Alaa, Fatma and Tarek also buy meat and other groceries in shops on Eisenbahnstraße but do not limit themselves to these personal relationships.

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[13] All names have been anonymized.
[14] The English translations of all direct and indirect quotations cited in this paper were translated by the researchers from German or Arabic.

2) DIY Butcher

Aziz butchers animals at abattoirs in the region surrounding Leipzig. He recounts how he drives to the locations, chooses and buys an animal on-site, and butchers it there himself. When we asked about the procedure and its legal framework, he answered that the employees of the abattoirs record the license number of his car together with the ear tag of the animal he chooses and buys on-site. He did not mention obtaining a special permit to perform the act of butchering himself. Rather, he pointed to his life-long experience of handling animals. According to him, there are several other people who opt for butchering animals themselves, especially around ʿĪdu l-Aḍḥā (the feast of sacrifice), the most important holiday in the Islamic calendar. To him, leading a *ḥalāl*-compliant life becomes particularly difficult when it comes to consuming *ḥalāl* meat. He has lived in Germany for nearly 30 years[15] and has witnessed recurring problems with food safety, concerning, for instance, meat destined to become döner kebabs.[16] This has damaged his trust in the *ḥalāl* meat sold in restaurants and food stalls and has led to him directly butchering animals in a slaughterhouse.

Additionally, his *ḥalāl* perception has changed toward a more restrictive interpretation. He is convinced that only meat from non-stunned animals can be considered *ḥalāl* according to the Prophet Muḥammad. However, in Germany animals must, as a rule, be stunned before slaughter.[17] In order to consume meat from non-stunned animals*,* he has two options: buying imported meat or butchering animals himself. The latter, however, is the most laborious option in terms of accessibility. In theory, it entails obtaining a derogation to legally butcher an animal as a private person at an abattoir. To receive such a permit, individuals may have to prove their ability to skillfully perform the killing and attend a workshop. In Aziz's case, the procedure seems to be more easily accessible due to the apparently lax handling of the issue by the employees of the abattoirs. However, we were not able to accompany him due to severe communication problems after the meeting. This leaves us with many question marks concerning the accuracy of his account. Assuming that his story reflects the situation at Saxonian abattoirs, we might conclude that the lax handling of *ḥalāl* slaughter opens up a free space in which the maneuvering between animal welfare and religious freedom can take on a different form.

3) Principle of Trust in the Industry

Alaa and Azme trust the *ḥalāl* certificates in supermarkets, for instance the *ḥalāl* certificate printed on products from a well-known poultry company. *Ḥalāl* is a holistic concept that has a twofold meaning to them. On the one hand, it is a flexible concept with changing meanings depending on the context. After moving from Egypt to Germany, they had to confront the question of whether meat from pre-stunned animals is considered *ḥalāl* or not. They changed their conception after evaluating animal welfare. Furthermore, whenever they are invited for meals outside their house, they never refuse to eat meat, unless it is pork. *Ḥalāl* labels influence their consumption. For both interlocutors, *ḥalāl* has two dimensions: the adherence to slaughter regulations based on the Qurʾān, which is indicated by the certificates, and the aspect of modest consumption. Thus, the choices of buying *ḥalāl*-certified meat at the supermarket (mostly poultry) and *ḥalāl* meat at, e.g.,

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[15] Aziz has spent most of this period in Leipzig. But in the 1990s, at the beginning of his time in Germany, he also briefly lived in Western Germany.

[16] When explaining his consumption habits, he mentioned the rotten meat scandal that occurred in 2005/2006 as a turning point in his trust in food safety in Germany.

[17] For a more detailed study of the discourse connected with this policy, see Elliesie and Armbruster, forthcoming.

the shops on Eisenbahnstraße, do not contradict each other. Fatma and Tarek only buy meat that carries a *ḥalāl* logo, which to them indicates that the animal was not slaughtered in another god's name. To them, it is not important where the meat is sold. Their trust is directed toward the certification procedures and the inner mechanisms of production monitoring, thus toward a faceless entity or system rather than to a physical person or place.

For Hamed, by contrast, the *ḥalāl* certifications carry no meaning: "[The] *ḥalāl* logo is only a sticker." He trusts governmental structures but not Muslim ones. Meat sold in supermarkets or in fast food restaurants is *ḥalāl* to him, if it is slaughtered according to the Qurʾān.[18] Apparently, to him "conventional" meat meets these criteria. The most important aspect to him is that the animal is not slaughtered in another God's name but the Abrahamitic/monotheistic God. He observes that performing the slaughter himself would be the ideal option, and he has already done so while living abroad. If he wants to make sure a product is *ḥalāl*, he trusts certificates which indicate production criteria that are compatible with *ḥalāl* rules, such as vegetarian, vegan, and kosher.

As these examples suggest, religious authority is a central component of trust. Thus, in the following sections of this paper, the principles of trust will be put in perspective by first introducing and discussing the notion of religious authority in a Muslim context. Secondly, *ḥalāl* certification processes on the international and national level will be outlined with a focus on the legal constraints of *ḥalāl* slaughter in Germany. In a third step, negotiation processes concerning a *ḥalāl*-compliant lifestyle of the interlocutors will be retraced.

4. Religious Authority and Power: Muslims in Germany

In recent years, the visibility of Muslims and their religious practices in German public spaces has greatly increased, especially due to the influx of refugees from predominantly Muslim countries in the last decade. Despite their increasing numbers, Muslims still struggle to integrate their religious convictions into their lives, especially in Eastern Germany (Rohe 2016: 71). The social configurations, legal structures, and religious frameworks which Muslims experienced in their countries of origin differ from those in Germany. These differences in social life can pose various challenges for Muslims. One of these challenges would be that of living a religious life outside the realm of *dār al-islām*[19] (the territory of Islam) and complying with Muslim precepts of *šarīʿa*[20]

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[18] See the Qurʾān 5:4/5: "They will ask thee as to what is lawful to them. Say: Lawful to you are all the good things of life. And as for those hunting animals which you train by imparting to them something of the knowledge that God has imparted to yourselves – eat of what they seize for you, but mention God's name over it and remain conscious of God: verily, God is swift in reckoning. Today, all the good things of life have been made lawful to you. And the food of those who have been vouchsafed revelation aforetime is lawful to you,14 and your food is lawful to them" (Translated by Asad 1980: 181–182)

[19] *Dār al-islām* (territory of Islam) is a highly controversial concept: in classical Islamic law (*fiqh*), it is often contrasted with *dār al-kufr* or *dār al-ḥarb* (territory of war). This dichotomy resurfaces in current discourses, especially in connection with Muslim minorities living in the West. Although the term *dār al-islām* has been used since the first centuries of Islam in the context of warlike conflicts, especially in the time of the Umayyads (*al-Umawiyyūn*), it is not mentioned either in the Qurʾān or in the Sunna. *Dār al-islām* is defined by legal scholars (Elliesie 2014b: 347) as the realm where Islamic rules and regulations prevail, where a Muslim ruler has control (*istīlāʾ*) over the country, where security (*al-amn*) and freedom of worship (*šaʿāʾir ad-dīn*) are guaranteed and where justice holds sway (see Ibn al-Qaiyim al-Ǧauzīya 1997, volume 2: 728; al-Nīšābūrī 1996, volume 3: 459; al-Baihaqī 1994, volume 9: 16; al-Māwardī 1985; volume 1: 275; for further explanation and discussion of both concepts see: Albrecht 2018; Auda 2018; Bashir 2018; Ramadan 2001). Nowadays, this way of dividing the world is criticized as having lost its significance. The current Grand Imam of al-Azhar, Aḥmad aṭ-Ṭaiyib, argues that the classification of the world into *dār al-islām* and *dār al-ḥarb* was a product of the armed conflicts with non-Muslims during the early time of Islam. This does not, however, apply to the current situation in which most Muslims live (see Aḥmad Aṭ-ṭaiyib, "Mā maʿnā dār al-Islām" episode 18 of the television show *Al-Imām aṭ-ṭaiyib*, streamed live on 23 June 2016. YouTube video, 3:09. https://bit.ly/35fEKvT [accessed 02.01.2020]).

within a predominantly non-Muslim society. In other words, while the fixed and institutionally framed religious structures in Muslim countries can offer a clear point of reference and regulatory framework for everyday life, practicing Muslims in Germany have to find new ways to follow Islamic precepts.[21]

At the same time, the German state has no official religion and the basic principle which constitutes the relationship between state and religious communities is the "neutrality of the state".[22] This means that the state is not allowed to interfere in religious affairs or define what constitutes a religion or a religious behavior.[23] Religious communities have to "regulate and administer their affairs independently within the limits of the law."[24] Accordingly, the German state cannot establish state-regulated religious authorities[25] that control religious life and adjudicate religious matters for particular religions or denominations. In order to comply with *šarīʿa* in their new communities, practicing Muslims in Germany – and in Europe more broadly – have to negotiate non-Muslim-based social structures and normative orders and find solutions to the unique challenges and problems they face in various daily life practices (Bunt 2003: 125–133). The religious life of Muslims in Germany is, despite endeavors to introduce more formal institutional structures, shaped mostly by two main factors: the absence of organizational structure and centralized religious authority and the large amount of free space for individuality. This applies particularly to those who originate from Muslim-majority countries where religious institutions are blended with state institutions and the law is to a certain extent adapted to Islamic rulings.

When it comes to the finest activity of everyday life, e.g. eating and drinking, practicing Muslims in Germany are expected to be aware of what kinds of food and drink are permissible according to Islamic rules.[26] Since Islamic religious authority is not institutionalized in Germany, differing interpretations of religious texts are not binding or circumscribed – as would be the case in Muslim-majority countries, or for followers of other religions such as the Catholic Church. Rather, interpretations vary depending on the social, political, and even individual contexts in which they are embedded. The fact that the Qurʾān and Sunna are open for a wide range of interpretations (see

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[20] *Šarīʿa* (Arab.; pl. *šarāʾiʿ*) is a contested term that currently has negative connotations, especially in media and public discourses in the West. *Šarīʿa* literally means "the path to the waterhole" (mawrid aṭ-ṭarīq al-laḏī yūṣil ilā al-māʾ, see: Qurʾān 45: 18). It is the imagined totality of the normative system of Islam, the message given by God to Muḥammad. It includes legal and ethical moral rules and statements of faith. According to Islamic legal theory, the Qurʾān, Sunna, *qiyās* (analogical reasoning), and *ijmāʿ* (juridical consensus) are the sources of *šarīʿa* (see Krawietz 2011). Other scholars refer to *šarīʿa* as a product of the human endeavor to understand the divine will (see Abū Zaid 1996: 16; An-Naʿim 2008: 12–15; Hefny 2010: 77–80).

[21] For example: in majority Muslim contexts working times during Ramadan are usually adapted to the fasting time; the meat in any Egyptian butcher's shop is supposed to be *ḥalāl*. No such adaptations of social structures are likely to be present in non-Muslim majority contexts.

[22] Grundgesetz für die Bundesrepublik Deutschland (GG), Bundesgesetzblatt Jahrgang 1949 No. 1, issued on 23 May 1949, pp. 1ff. See Art. 137 (1) GG in conjunction with Art. 137 (1) WRV. This paper uses the English translation prepared by Christian Tomuschat, David P. Currie, Donald P. Kommers, and Raymond Kerr, in cooperation with the Language Service of the German Bundestag, 2019.

[23] In this context, the main objective of the German state is to protect the freedom of religious life. The German state can, however, cooperate with religious communities and help them to establish religious life under the protection of German law. For a detailed overview about the possible forms of cooperation between the German state and religious communities, see Korioth and Augsberg 2010: 321–325.

[24] See Art. 140 GG in conjunction with Art. 140 WRV.

[25] In many Muslim-majority countries, there are institutions in charge of religious matters, although the role of such institutions has declined in recent years. These include, for instance, Al-Azhar in Egypt, the Standing Committee for Legal Issues in Saudi Arabia (al-Laǧna ad-Dāʾima li-l-Buḥūṯ al-ʿIlmīya wa-l-Iftāʾ), and the office of Supreme Religious Leader in Iran (Persian رهبر, *rahbar*), which was established according to the Iranian constitution of 1979.

[26] On drinking see Salim 2018 and on eating cf. Elliesie and Armbruster, forthcoming.

Elliesie 2014a: 5f.) highlights the issue of religious authorities[27] (see Krämer and Schmidtke 2006: 1–2). In this context, a number of questions arise: Who speaks for Muslims? Who speaks on behalf of God? Who is entitled to interpret religious texts and transmit religious knowledge? What is the role of contemporary and former Muslim scholars (ʿālim, plural ʿulamāʾ) and of religious institutions and figures in Islamic countries regarding religious matters for Muslims living outside the territory of Islam? To what extent can imams, religious communities, and individuals exert religious authority? Where exactly do the sources of religious authority in Islam lie? (ibid). It is not the purpose of this paper to provide answers to these questions. However, asking these questions helps us understand and delineate the practices related to ḥalāl among our interlocutors. An analytical starting point for this exploration will be the notion of authority and the attempt to connect it to Muslim practices and thoughts.

Authority(ies) in Islam

The word authority derives from the Latin word *auctōritās* which means "invention, advice, opinion, influence, power, command".[28] It signifies "the power or right to give orders, make decisions, and enforce obedience".[29] The idea of religious authority usually refers to clergy[30] in the Christian sense. This does not, however, apply for religious authority in Islam. There is no specific figure nor any centralized authority in Islam[31] that unequivocally speaks for Muslims the way the clergy do in the Christian context. In Islam there is a rule that states, "*lā wasāṭata baina al-ʿabdi wa-rabbihi*", meaning that Islam does not envisage intermediaries between God and the believers (Abū Zahra 1969: 67). Nevertheless, this does not mean that the concept of authority does not exist at all in Islam (Mandaville 2007: 305). Islamic religious authority has multiple forms and numerous sources within certain political, social, cultural, and religious contexts. Throughout history, a number of religious leaders and figures have been considered authoritative voices of Islam. Today, the quest for and implications of religious authority are crucial in Europe, both for Muslim believers and for political leaders who seek to identify an official representative body for Muslim communities (Schneiders and Kaddor 2005: 16).

Authority, as indicated by Krämer and Schmidtke, is an elusive concept and a very hard one to define and narrow down, especially in the Islamic context (Krämer and Schmidtke 2006: 1). Max Weber defines authority as "die Chance für einen Befehl bestimmten Inhalts bei angebbaren Personen Gehorsam zu finden" (Weber 1980: 28), or the likelihood that a command within a given context will be obeyed by a given group without recourse to coercive power. Legitimacy (*Legitimität*) and the absence of coercive power are for Weber the key elements which distinguish

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[27] Abou El Fadl argues that there is no centralized authority in Islam other than God and the Prophet which is reflected by texts, e.g. the Qurʾān and Sunna (Abou El Fadl 2003: 11). This raises the question of who is authorized to transmit the essence of religious knowledge to Muslim believers.

[28] See the entry for "authority" from the Online Etymology Dictionary (https://www.etymonline.com/word/authority#etymonline_v_18966 [accessed 02.01.2020]).

[29] See the entry for "authority" from Oxford Dictionaries (https://bit.ly/2MN9uxS [accessed 02.01.2020]).

[30] As indicated by Carroll, "clergy are typically granted authority in their ordination to proclaim the Word of God, administer the sacraments, and order the life of the congregation" (Carroll 1981: 99).

[31] Shia Islam is a major exception and represents one of the main two trends in Islam. Most of the Shia believe in the theology of Twelver. The term Twelver refers to adherents of the twelve divinely ordained Imams (starting with Alī b. Abī Ṭālib and ending with Muḥammad b. al-Ḥasan al-Mahdī). Twelver Shia Muslims believe that the Twelver Imams and their followers can through the means of *iǧtihād* (independent reasoning) interpret the Qurʾān and adjudicate religious matters. Accordingly, the Twelver Shia, in contrast to Sunni, have acknowledged authoritative bodies to speak for them. In modern times, Shia Islam has undergone fundamental changes in its authoritative structure, especially after the Islamic Revolution in Iran in 1979 and the implementation of *Vilayat-e Faqih* (Guardianship of the Islamic Jurist; Persian: ولايت فقيه) (Amirpul 2006: 218–240).

authority (*Autorität*) from power (*Macht*) (Krämer and Schmidtke 2006: 1–2.). With specific reference to religious authority, Krämer and Schmidtke suggest an interesting additional dimension: "In the monotheistic religions founded on revealed scripture, religious authority further involves the ability (chance, power, or right) to compose and define the canon of 'authoritative' texts and the legitimate methods of interpretation" (ibid.).

In line with Sarah Albrecht, in this study we understand religious authority not as being based on sovereignty or coercive power, but rather in the Bourdieuian sense of a symbolic power based mainly on acceptance (Albrecht 2018: 32; 294), "a power of constituting the given through utterances, of making people see and believe, of confirming or transforming the vision of the world […] a power that can be exercised only if it is recognized" (Bourdieu 1991: 170). Building upon this definition, religious authority is relational and contingent because it is based on recognition, persuasion, and trust (Krämer and Schmidtke 2006: 1–2; Albrecht 2018: 394; Zaman 2012: 32). Furthermore, Zaman emphasizes that religious authority should be understood within the given social, political, and historical context in which it is produced and perceived (Zaman 2012: 32).

In addition, religious authority is a matter of contestation and debate by both the authoritative bodies and the followers of a religion (Zaman 2012: 33; Albrecht 2018: 394). Contestation of religious authority in Islam is not a modern phenomenon; rather it has been a matter of controversy and armed conflicts ever since Islam's inception. During his lifetime, the Prophet Muḥammad was considered the single charismatic authority[32] in the Weberian sense, hence entitled to transmit divine revelation. After his death, however, early Muslims were confronted for the first time with questions of legitimacy and authority (Zaman 2009: 207). Khaled Abou El Fadl argues that the rebellions and the conflicts during the period of the first four caliphs reveal this crisis or lack of an uncontested authority (Abou El Fadl 2003: 12).[33] In modern times, the concept of religious authority has gained unprecedented salience and it is currently a matter of considerable contestation among Muslim believers, Islamic legal scholars, intellectuals, and activists.[34] Heated debates among Muslim scholars in the last two centuries have led to what Olivier Roy has called "the crisis of religious authority and religious knowledge" (Roy 2004: 158ff.)[35] and Francis Robinson a

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[32] For Max Weber charisma "soll eine als außeralltäglich (ursprünglich, sowohl bei Propheten wie bei therapeutischen wie bei Rechts-Weisen wie bei Jagdführern wie bei Kriegshelden: als magisch bedingt) geltende Qualität einer Persönlichkeit heißen, um derentwillen sie als mit übernatürlichen oder übermenschlichen oder mindestens spezifisch außeralltäglichen, nicht jedem andern zugänglichen Kräften oder Eigenschaften [begabt] oder als gottgesandt oder als vorbildlich und deshalb als 'Führer' gewertet wird. Wie die betreffende Qualität von irgendeinem ethischen, ästhetischen oder sonstigen Standpunkt aus 'objektiv' richtig zu bewerten sein würde, ist natürlich dabei begrifflich völlig gleichgültig: darauf allein, wie sie tatsächlich von den charismatisch Beherrschten, den 'Anhängern', bewertet wird, kommt es an" (Weber 1980: 140). In short, charisma refers to a characteristic of an individual who possess certain extraordinary character traits that make him or her a leader.

[33] These conflicts include, for instance, the civil war, known as the Wars of Apostasy (ḥurūb ar-ridda), during the time of the first caliph Abū Bakr (632–634) and the assassinations of the second caliph ʿUmar b. al-Ḫaṭṭāb (634–644), the third caliph ʿUthmān ibn ʿAffān (644–656), and the fourth caliph ʿAlī b. Abī Ṭālib (656–661).

[34] In her insightful study on the concept of *dār al-islām* and *dār al-ḥarb*, Albrecht illustrates current controversies among Islamic legal scholars regarding the question of who is authorized to issue legal opinions, where, and for whom. Some of these controversies were sparked, for instance, by the Egyptian scholar Ṣalāḥ ad-Dīn Sulṭān, a member of the European Council for Fatwa and Research (ECFR), and the Fiqh Council of North America (FCNA), when they urged the Grand Muftī of Egypt, ʿAlī Ǧumʿa, to coordinate and consult with the boards of fatwa and research in majority non-Muslim countries (Albrecht 2018: 391ff.).

[35] Olivier Roy draws a connection between the crisis of religious authority and the declining role of religious teaching institutions. Since the eleventh century the body of learned ʿulamāʾ within the madrasa system had de facto hegemony on religious discourses. However, this body of ʿulamāʾ has been in crisis since the nineteenth century. Political authorities are gradually taking control over traditional madrasas (for instance, following legislation in 1961, the Egyptian president now appoints the Grand Imam of Al-Azhar in Cairo). Traditional madrasas have also been bypassed by the establishment of modern alternative religious institutions and private madrasas. Multiple actors within and outside the traditional madrasa system share the hegemony over the production of religious knowledge (Roy 2004: 158–164).

"fragmentation of religious authority" (Robinson 2009: 339). This has been triggered by a series of global processes: the globalization of knowledge, modernization, the proliferation of mass media, the rise of information and communication technologies, the increasing access to education, and the increasing rate of literacy (Mandaville 2007: 306; Robinson 2009: 339; Roy 2004: 160; Salvatore 2012: 200; Sunier 2018: 61).

Francis Robinson emphasizes the role played by print media in the mid-twentieth century in undermining and fragmenting the authority of *ʿulamāʾ* (Robinson 1993: 234). By turning to printed media, the *ʿulamāʾ* shook the very pillars of Islamic production of knowledge, which based its trustworthiness, value, and authority on oral transmission (ibid.). While print and other modern media have given *ʿulamāʾ* new chances to disseminate their religious knowledge to a broader audience and consequently reaffirm their authority on a global scale; these media have also given voice to emergent new actors who claim their own religious authority in competition with the traditional *ʿulamāʾ* (see Albrecht 2018: 394; Mandaville 2007: 309; Robinson 2009: 353). New media and communication technologies have opened up a large free space for Muslims all over the world to access a variety of interpretations of religious primary sources and divergent religious knowledge (see Bunt 2018: 63–98). As a result, the production of religious knowledge no longer lies within the authority of traditional *ʿulamāʾ* and the holders of *iğāza* (see Bunt 2003: 205–211).[36] As Robinson describes, every Muslim now has the chance to access and engage with religious texts and select from a wide variety of sources, interpretations, and visions of Islam in diverse social, political, and geographical contexts (Robinson 1993: 245).

Furthermore, both professionals and semiprofessionals – intellectuals, religious populists, and activists – are increasingly involved in the production of religious knowledge with no recognizable hierarchy. Additionally, since Muslims are nowadays exposed to a wide variety of new ideas, world views, and new conceptions of religion (Mandaville 2007: 306), the field of Muslim authority is undergoing a gradual 'democratization' process. In fact, believers can now also employ social media to critically engage with religious scholars, intellectuals, and activists and even evaluate their thoughts. Peter emphasizes that the role and influence of traditional Imams, especially in the context of non-Muslim majority societies, has declined to a certain extent (Peter 2006).

Given this multitude of competing religious authorities, in the following section we look at the ways our interlocutors negotiate with religious authorities on the individual level in their daily life practices. In addition, we focus on how the negotiation processes of the interlocutors are influenced by social and legal structures and individual frameworks.

Interpretative Authority: Ethnographic Field Notes
The shift in Islamic authority was also corroborated by some of our interlocutors, who strongly disagreed with the version of Islam represented by their local imam. During a household interview, Alaa and Azme, for instance, expressed their critical views toward the religious discourse taking place in the Al-Rahman Mosque in Leipzig. Alaa emphasized: "My understanding of Islam is totally different than the one of the imam. As an *Azharī* [graduate of Al-Azhar University], I have another version of Islam". He added that he is not positively impressed by any imam in the state of

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[36] *Iğāza* is an Arabic word which literally means 'authorization, license'. It implies that "an authorized guarantor of a text or of a whole book (his own work or a work received through a chain of transmitters going back to the first transmitter or to the author) gives a person the authorization to transmit it in his turn, so that the person authorized can avail himself of this transmission" (Vajda, Goldziher, and Bonebakker 2012).

Saxony. His educational background serves as the main source of his understanding of Islam: "I am an Islamic scholar or rather an Islamic theologian, which means that I have studied enough and learned about Islam, so that I am able to represent my version of Islam and transmit it to other Muslims".

Both of the interlocutors further indicated that the local imam exercises authority over the Muslim community in Saxony. However, they do not think that a hierarchical structure of authority over Muslims is stipulated by Islam. They are critical of the degree of attention and value awarded to the local imam by both local Muslims and the German community. Alaa expressed the view that the imam in general has only a limited role and, hence, Muslims should not turn to him with every issue and question they have. Azme declared that the lack of alternative Arabic mosque communities is the only reason why they go to the Al-Rahman Mosque. The fact that the Al-Rahman Mosque is at present the only religious space for Arabic-speaking Muslims in Leipzig serves to some extent as a source of authority given to the imam as a leader of the mosque community. In addition to conducting shared prayers, the mosque offers various activities such as Arabic and religious lessons, Muslim funerals, and counseling for families.[37] These services can further increase the authority of the imam. Muslims living in Leipzig, especially Arabic-speaking ones, seem to navigate religious life by (1) accessing religious knowledge themselves and finding their own ways through a wide variety of sources and interpretations of Islam or (2) relying on religious authority represented by the local imam.

In another household interview, Tarek and Fatma also criticized the role of the imam, both in Germany and in their country of origin. Fatma pointed out that "in both Egypt and in Germany, imams are only concerned about having control over Muslims and making them obedient, like herd animals". Tarek does not agree with some of the *fatāwā* (Islamic legal opinions) issued by the local imam of the Al-Rahman Mosque: "Muslim men are not allowed to shake hands with women and Muslims are not allowed to congratulate Christians on their religious festivities, like Christmas". Tarek argues: "This is his own opinion; I do not follow it since I do not think that it is *ḥarām* [forbidden]". Tarek emphasizes that most people who ask the imam to issue a *fatwa* do not have any specific religious education. Tarek's and Fatma's educational background – study at Al-Azhar University and contact with other educated people in their families – serves as source for acquiring autonomous religious knowledge. Like Alaa and Azme, they both highlight the lack of other, more moderate Arabic mosques: "We need a moderate alternative that does not incite against others and only preaches about what God and the Prophet say; and does not talk about unbelievers or Germans".

By contrast, for Rashid (who is a representative for his mosque), it is the mosque community that serves as a source of religious knowledge. He further relies on his parents and the vast sources of religious knowledge available on the internet, or in his words "*šaiḫ* Google". In particular, he mentioned the videos and posts published in English by the US preacher Nouman Ali Khan.

In our interview with the imam of the Ahmadiyya community in Leipzig, he defines his role as an imam in two respects, internally and externally. Internally, he is responsible for the religious education and spiritual training of the community members. He serves as a role model and a person of trust. Externally, he considers himself entitled to raise awareness, disseminate and transmit knowledge about Islam and to be available as a contact person for politics.

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[37] See the page "Aktivitäten" (activities) on the website of the Al-Rahman Mosque: https://bit.ly/39rj5El [02.01.2020].

During the participant observation we conducted in Leipzig, Nasrat talked about his understanding of Islam and his position in relation to the Muslim authorities. In his view, there is only one right version of Islam that Muslims should follow. He based his position on the saying of the Prophet transmitted by ʿAbdallāh ibn ʿUmar: 'Verily it will happen to my people even as it did to the Children of Israel. The Children of Israel were divided into seventy-two sects, and my people will be divided into seventy-three. Every one of these sects will go to Hell, except one sect.' The Companions said, 'O Prophet, which is that?' He said, 'The religion which is professed by me and my Companions'." Nasrat was critical of the role of religious authorities such as imams and mullahs (Persian: mollā[38]), as they try to mediate between God and the people and claim to know the authentic word of God.

These examples highlight how religious authority is negotiated by Muslims and the role played by education and modern technologies in fragmenting the traditional authority of the ʿulamāʾ and in offering Muslims alternative sources for the acquisition of religious knowledge and interpretation of the religious texts. Robinson illustrates the way that "[…] religious authority, in the helpful image of the French political scientist, Olivier Roy, has become a 'bricolage', a do-it-yourself-project" (Robinson 2009: 353). Thus, he points out, "every individual's view comes to have the same value as everyone else's. Arguably, the Muslim world has returned to the interpretative anarchy which marked its early years" (ibid).

Ultimately, the prerogative of interpretation and the monopoly on the transmission of religious knowledge have broken down. Mandaville suggests that the competition between authoritative bodies may encourage believers to find and embrace an interpretation of Islam that is better suited to their personal circumstances and inclinations (Mandaville 2007: 304–305).[39] This is also reflected in our findings, as religious authority is negotiated by our interlocutors on the individual level. The production of religious knowledge no longer lies in the hands of traditional authorities such as ʿulamā and imams. Islamic authority is fragmented and there is no power that can control religious affairs or enforce religious rulings. Individuals access religious knowledge themselves. Our interlocutors find their own way based on the available sources and versions of Islam. This is evident in discourses related to ḥalāl, as will be explored in the following section.

Religious Authorities in the Case of Ḥalāl

As illustrated, religious authority among Muslims has become more complicated in the last two centuries. In Muslim-majority countries, religious institutions, which are mostly controlled by state authorities, play a decisive role in religious affairs. In majority non-Muslim countries (in our case Germany), the state does not intervene in religious matters. According to the German constitution (*Grundgesetz*), "[r]eligious societies shall regulate and administer their affairs independently within the limits of the law that applies to all. They shall confer their offices without the participation of the state or the civil community".[40] Muslims in Germany represent a heterogeneous group with regard to their educational and ethnic or cultural backgrounds, their levels of religiosity, their

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[38] The word 'mullah' drives from Arabic *mawlā* which means 'lord' or 'master'. It is "a title of function (ʿuhda), of dignity or profession (manṣab) and of rank (martaba)" (Calmard 2012). The term is used in some parts of the Muslim world, e.g. Iran, Afghanistan, and Pakistan, to refer to religious leaders.

[39] In majority non-Muslim societies, the clash, or rather the encounter, between Muslims and non-Muslims with different backgrounds, origins, and religious and political persuasions may produce a pluralistic understanding of Islam and different versions of Islamic ways of life than those that dominate in Muslim-majority societies.

[40] "Jede Religionsgesellschaft ordnet und verwaltet ihre Angelegenheiten selbständig innerhalb der Schranken des für alle geltenden Gesetzes. Sie verleiht ihre Ämter ohne Mitwirkung des Staates oder der bürgerlichen Gemeinde": Art. 140 GG in conjunction with Art. 140 WRV.

political affiliations, and their diverse experiences. Thus, it seems impossible to have one representative body that adjudicates religious matters and speaks for all Muslims living in Germany. The lack of institutionalized religious authority for Muslims in Germany allows multiple actors and private organizations to compete to attain religious legitimacy (Roy 2004; Mandaville 2007; Robinson 2009). This has also given individuals a considerable space to navigate through the various competing sources and forms of religious authorities inside and outside Germany and choose their own paths (Robinson 1993: 245; Bunt 2009: 7–54). Regarding the case of *ḥalāl*, our interlocutors indeed navigate through the available sources and have developed their own *ḥalāl* concept; nevertheless, they are pressured to negotiate it in accordance with the dominant social, economic, legal, and religious structures.

The issue of *ḥalāl* and the *ḥalāl* industry provides an example of the lack of a centralized religious institution. In Germany, the *ḥalāl* market incorporates a wide variety of actors who claim authority over *ḥalāl* and '*ḥalāl*ness': Islamic scholars, imams, food scientists,[41] veterinarians, certifiers, entrepreneurs, butchers, salespersons, ordinary believers. They all share a sort of pluralistic religious authority and impact the *ḥalāl* consumption of the Muslim communities in Germany. As a result of the proliferation of authority over the *ḥalāl* market, a multiplicity of *ḥalāl* certifications and standards has arisen. Bergeaud-Blackler indicates that the crucial reason behind the variations of the *ḥalāl* standards lies not in the different rulings of the Islamic legal schools, but rather in the "logical marketing differentiation on both economic and religious markets" (Bergeaud-Blackler 2016a: 123). There is no mechanism established by secular law to set the rules and standards for the *ḥalāl* market because of its religious nature. The concept of defined religious authorities that have control over the *ḥalāl* industry and decide on the '*ḥalāl*ness' of products does not exist in German law. This has led to an increasing competition between all actors involved in the *ḥalāl* industry, whereby every certifier wants to appear 'more *ḥalāl*' than its competitors (ibid. 105). Some *ḥalāl* certification bodies in Germany try to compensate for the lack of religious legitimacy by, for example, recruiting Islamic scholars and highlighting their educational background in Islamic studies or the involvement of their board members in mosque communities. Additionally, most of the certifiers highlight the recognition they have gained from international *ḥalāl* authorities and certification bodies in Muslim-majority countries. By so doing, the *ḥalāl* certifiers hope to gain trust, credibility, and greater public acceptance of their products among Muslim consumers in Germany. At present, there is no collective body of certifiers or Islamic scholars who strive for a single *ḥalāl* standard for Muslims in Germany. The globalization of knowledge, modernization, the rise of information and communication technologies, and the increasing debates on social media regarding religious matters have led to new modes and forms of dealing with the question of religious authorities.

On the consumer level, there is a widespread lack of awareness of the diverse *ḥalāl* certifications and their manifold standards. The *ḥalāl* certification processes and the monitoring methods used by firms and *ḥalāl* certification bodies are often not transparent for the individual consumer (see Bergeaud-Blackler 2016a). The principle of trust (see section 3) seems to be the most important aspect when purchasing *ḥalāl* products and it can to some extent outweigh the legitimacy of the *ḥalāl* certificate. Consequently, the religious affiliation of the butcher or the salesperson plays a decisive role in the purchase of *ḥalāl* products. The religious affiliation gives the butcher or the

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[41] Bergeaud-Blackler notes the role of food scientists (rather than religious scholars) in the creation of guidelines for the industrial production of *ḥalāl* food (2016b: 92–93).

salesperson recognition, which in turn influences a consumer's decision on whether a certain product is allowed for Muslims. In this context the religious identity of the butcher and salesperson serves as a source of religious legitimacy for Muslims. The analysis of our interlocutors' purchasing strategies shows that the creation of credibility as to what *ḥalāl* is occurs on the individual level. It is shaped by the lack of authority on certain levels, which means that negotiation processes are fueled by other influences, such as social and economic configurations, legal structures, and religious frameworks.

Ḥalāl Certification Bodies (HCBs): The Struggle for Authority

In 2014, there were an estimated 400 *ḥalāl* certification bodies (HCBs) worldwide – most of them without accreditation by or registration with an international organization (HalalFocus 2014). The demand for halal certified products is expected to grow in parallel with "the increase in the Muslim population all over the world." (Abd Latiff et al. 2014: 87). Following this market trend, *ḥalāl* certification bodies began to proliferate, as Abd Latiff et al. note, without "rules and regulations pertaining to the establishment of *ḥalāl* certification bodies"; therefore, "the discretion of whether or not to accept products certified by these bodies was set to the consumers and the consuming countries" (ibid: 90). In other words, it was/is left to individual consumers and the state to work out guiding principles as to what *ḥalāl means* in an economic setting. In some countries, this unorganized situation was soon regulated and institutionalized by state and/or market actors, who strive to gain international accreditation and recognition for their standards. Moreover, starting from the mid-2000s, some states and organizations have attempted to standardize *ḥalāl* internationally. In this context, Bergeaud-Blackler (2016c) argues that

> "[e]ach initiative has adopted a pragmatic approach in line with their own requirements and each attempt to impose their views on their trade partners. Malaysia opts for the expertise, the US, to build a network of mutual recognition, the Gulf countries are competing to be the worldwide religious reference point, Turkey plays the community card and attempts to take OIC (Organisation of Islamic Cooperation) leadership to Malaysia, and the Europeans are trying to impose their standard by erecting legal barriers." (196)

Malaysia has hitherto managed to be the most successful country in establishing a comprehensive *ḥalāl* standard, which is developed and monitored by the state agency JAKIM, the Department of Islamic Development Malaysia, and has gained international recognition (Abd Latiff et al. 2014; Badruldin et al. 2012).

In Germany, however, there are no such established standards. As in other countries, uneven certification practices and a lack of transparency leave Muslim consumers to find their own way (Nakyinsige et al. 2012: 213). This situation of disorientation for consumers is noted in the work of the EC-funded research project DIALREL. They point to the problem of "self-appointed certification bodies" and address authenticity of *ḥalāl* certificates and the lack of auditing standards as being among the issues that need to be solved in the future in order to ensure a trustworthy and efficient *ḥalāl* standard in the EU (Anil et al. 2010: 14–15). In the context of *ḥalāl* standards

competing in the international arena, it should be noted that the establishment of a widely recognized, state-created and controlled definition of *ḥalāl* constitutes a form of soft power.[42]

In Germany, there are nine[43] *ḥalāl* certification bodies that certify products and services according to their own specific *ḥalāl* standards. These standards vary, e.g. concerning the question of whether pre-stunned slaughtered animals can still be considered *ḥalāl* or not.[44] On the national and international level, *ḥalāl* certification bodies have joined forces to work out *ḥalāl* certificates that aim at ensuring the quality and adherence to religious norms that the respective standards are meant to operationalize. In Germany, five *ḥalāl* certification bodies have joined efforts and founded the Gütegemeinschaft Halal-Lebensmittel (quality assurance association for *ḥalāl* food products) under the umbrella of RAL German Institute for Quality Assurance and Certification, an independent organization that issues quality marks for products of all types. Some *ḥalāl* certification bodies are part of international networks such as the World Halal Council, the International Halal Integrity Association, and the Halal Research Council. The nine Germany-based *ḥalāl* certification bodies act as competitive market participants which are interested in creating a demand for their service. No institutional body in Germany holds enough religious authority to generate a comprehensive *ḥalāl* standard that could be regulated and monitored by this institution and could counteract consumer disorientation and misuse of the *ḥalāl* designation.

Ḥalāl production is also subject to state regulations and legal obligations. The *ḥalāl* meat market in Germany for example, is conditioned by EU and national legislation. EU legislation sets the overall framework. On the one hand, the European Union's Council Regulation 1099/2009[45] directs that all animals be stunned before slaughter. On the other hand, derogations can be allowed by the member states of the EU based on the principle of freedom of religion.[46] As a result, both pre-stunned and non-stunned slaughter are possible slaughter methods in the EU. However, to date implementation among EU member countries has not been consistent, since the respective national slaughter regulations fall under the sovereignty of the member states.[47] In the case of German legislation, the pre-stunning method is the norm. All animals, whether within the context of *ḥalāl* slaughter or not, must be stunned before killing. German legislation (the Tierschutzgesetz [TierSchG], or Animal Welfare Act)[48] grants exceptions to members of a religious community in which mandatory religious prescripts prohibit the consumption of meat from pre-stunned animals.

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[42] In this context, the developments and efforts by the Malaysian government concerning the Malaysian standard MS1500 is a good example. Many certifiers around the world already recognize the MS1500, including the FAO and WHO, which mention it in their *Codex Alimentarius.*

[43] There are no reliable sources concerning the quantity and quality of the *ḥalāl* certification bodies in Germany. The information about *ḥalāl* certification bodies in Germany derives from our own research. Please note that the list may be incomplete or information outdated: 1) Halal Control (https://www.halalcontrol.de), 2) EHZ (Europäisches Halal Zertifizierungsinstitut; https://www.eurohalal.eu), 3) IZM (Islamisches Zentrum München), 4) m-haditec (http://www.halal-zertifikat.de), 5) Halal Europe (https://halaleurope.de/willkommen.html), 6) ECT Halal World (https://www.halalworld-germany.de), 7) IZH (Islamisches Zentrum Hamburg), 8) WHU (World Halal Union, http://www.halal-zertifizierung.de/#about), 9) HCG (Halal Certificate Germany, http://www.halal-certification.de) [access date for all websites: 02.01.2020].

[44] For example, Halal Control does not consider industrially slaughtered meat to be *ḥalāl* and hence does not certify meat in Germany (see the page "Gründsätze" (principles) on the Halal Control website: https://www.halalcontrol.de/4-2/ [accessed 19.02.2020]).

[45] Official Journal of the European Union, L 303/1 (18 November 2009): 1–30.

[46] On Germany's policy, see Elliesie and Armbruster, forthcoming.

[47] For a detailed overview of the implementation of pre-stunning and non-stunning in individual European states, see the section "Germany" in the report "Legal Restrictions on Religious Slaughter in Europe" from the Law Library of Congress, https://www.loc.gov/law/help/religious-slaughter/europe.php#germany (last updated September 2019, accessed 19.02.2020).

[48] Tierschutzgesetz, Bundesgesetzblatt Jahrgang 2018 Teil I Nr. 47, Bonn, issued on 20 December 2018, pp. 2586ff. (latest revised version).

In this case, a derogation must be requested from the responsible authority at the federal level and, if granted, does not apply to commercial slaughter (TierSchG §4 a, para 2, no. 2). As the German case illustrates, the legal framework can limit consumption options for individuals who have certain definitions as to what renders meat *ḥalāl*. In Germany, Muslim consumers have the option to choose between imported meat of non-stunned animals, which may not satisfy the requirement of freshness, or meat of pre-stunned animals slaughtered in Germany. Meat from non-stunned animals slaughtered in Germany is an exception due to the legal restriction that requires filing for a derogation and prohibits commercial non-stunned slaughter.

From a global point of view, Germany and other European countries do not have the institutional framework to monitor *ḥalāl* meat production. Abd Latiff et al. describe *ḥalāl* certification as a "quality control system" that (ideally) encompasses all aspects of production (2014: 86). These aspects of *ḥalāl* products might hold true for consumers in countries with a majority Muslim population and goods produced in the EU for export (Regenstein et al. 2003). With regards to the actual quality of *ḥalāl* products certified in the EU, the situation does not look promising. In a comparative analysis of global *ḥalāl* standards, HMC, which was chosen for the study as a representative European certifier, ranked last, fulfilling only 27% of the requirements Abd Latiff et al. (2014: 95) tested. Consequently, even in France and the UK, the two European countries with the largest market for *ḥalāl* products and the most sophisticated *ḥalāl* certification process in EU comparison, consumer trust in *ḥalāl* meat products is low (Lever and Miele 2012: 530–532).

5. Negotiating *Ḥalāl* Consumption

Following up on the discussion of the struggles for religious authority, the denial of recognition of religious authorities by parts of Muslim communities, and the resulting individual negotiation processes regarding *ḥalāl* consumption, a second structural layer of limitations becomes apparent. The national slaughter regulations and EU-level religious freedom principles determine what kind of meat is readily available on the *ḥalāl* market in Germany. Nevertheless, *ḥalāl* certifications do not always serve their assigned purpose of offering orientation and encouraging the consumer to trust their standards. Our interlocutors purchase *ḥalāl* meat using three different mechanisms: 1) personal relationship to the butcher, 2) DIY butchering, and 3) trust in the industry.

These mechanisms ensure that their purchase is in line with their understanding of *ḥalāl* and can be arranged along a *ḥalāl* continuum. It spans from 'easy' to 'laborious' according to the accessibility of *ḥalāl* meat; individuals' placement along this continuum is determined by their *ḥalāl* concept.[49] Starting with easily accessible, Hamed has the least constraints on his purchasing options. He considers *ḥalāl* all meat that is not slaughtered in another God's name and does not look for *ḥalāl* certificates. Fatma and Tarek, and Alaa and Azme, look for *ḥalāl* certificates when purchasing meat. Since *ḥalāl*-certified meat can only seldom be found in mainstream supermarkets, they rely on Islamic butchers, and hence they are placed further in the direction 'less easy/more laborious' on the continuum. Rashid does not trust *ḥalāl* certificates and his own verification mechanism relies on a personal relationship with the Islamic butcher in order to ensure *ḥalāl* consumption. The most laborious consumption is performed by Aziz, who only considers meat

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[49] The idea for the continuum derives from Fischer (2011: 102). His continuum ranges from purism to pragmatism. We remodeled it to fit our case study.

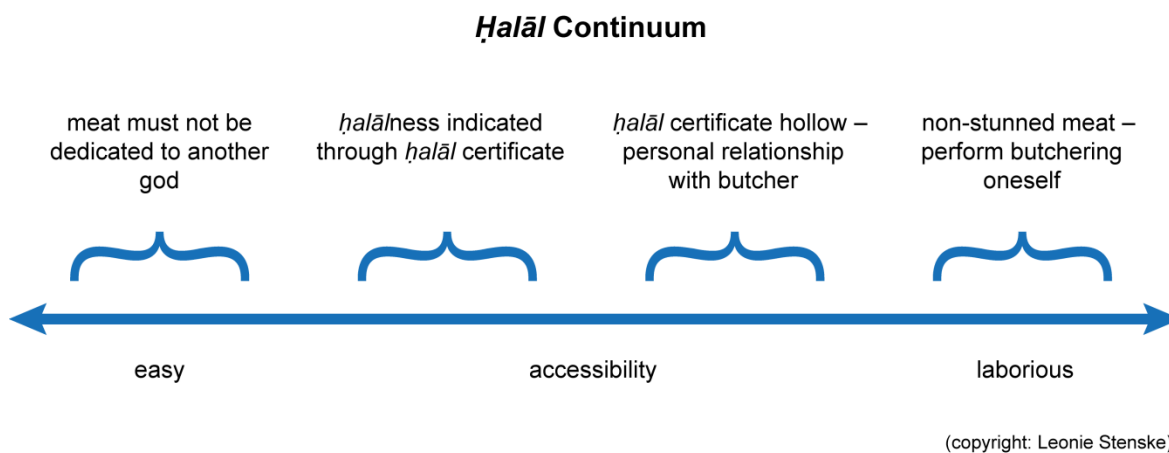from non-stunned animals *ḥalāl* and does not trust the institutional framework for food safety in Germany.

Ḥalāl Continuum

meat must not be dedicated to another god	*ḥalāl*ness indicated through *ḥalāl* certificate	*ḥalāl* certificate hollow – personal relationship with butcher	non-stunned meat – perform butchering oneself

easy   accessibility   laborious

(copyright: Leonie Stenske)

Figure 1: Ḥalāl *continuum*

The continuum illustrates that consumption is shaped by accessibility. The limited options are a product of the fact that the German *ḥalāl* economy is located in a majority non-Muslim society, and in Leipzig specifically the number of potential consumers in the *ḥalāl* market is limited. In addition, German and EU legislation restrict slaughter methods by making pre-stunning the norm and non-stunning the rare exception. *Ḥalāl* concepts do inform and heavily influence purchase decisions, but at the same time the limited options influence individual *ḥalāl* concepts and, ultimately, individual consumption.

This interplay of accessibility and personal *ḥalāl* conception can be seen clearly in the case of Alaa and Azme. They recount how they reassessed their concept of *ḥalāl* after moving to Germany. Previously they had considered meat by pre-stunned animals *ḥarām*; but in Germany they revised their convictions and concluded that the principle of animal welfare, which is the core argument of the Animal Welfare Act, is reasonable and also compliant with their understanding of the Islamic precept of animal welfare. Rashid is concerned with taking responsibility for his actions, critically assessing the impact his consumption has on the environment and other people. Based on his personal *ḥalāl* concept, his critical assessment of halal products makes up for *ḥalāl* certificates issued by German businesses that do not incorporate this holistic approach. To Hamed, regular meat – with the exception of pork – can be considered *ḥalāl* because to him, the German slaughter regulations are in line with the *šarīʿa*. His personal *ḥalāl* concept does not limit the accessibility of meat consumption.

Another factor besides accessibility that may inform an individual's purchasing criteria is the time that the person has already spent in Germany. Aziz follows the strictest *ḥalāl* concept and is the person who has been living in Germany for the longest time among our interlocutors. He has, therefore, witnessed changes in majority society's perception of Muslims as well as several food safety scandals. On the other hand, the two married couples with children follow the *ḥalāl* concept that is easiest in terms of feasibility and they trust *ḥalāl* certificates. Our interlocutors base their trust mechanisms on different forms of religious authority. Alaa and Azme, Fatma and Tarik,

Hamed, and Aziz trust their own expertise whereas Rashid, Alaa and Azme, and Fatma and Tarik (also) trust the Islamic butcher/vendor as an authority. Hamed is himself an imam and Islamic theologian, whereas Alaa and Azme, and Fatma and Tarik studied at Al-Azhar University. Aziz described studying Koran exegesis with a *ʿālim* in Leipzig.

The issue of transparency concerning *ḥalāl* certification, *ḥalāl* certification bodies, and monitoring mechanisms leaves two of our interlocutors mistrusting products labeled as *ḥalāl*. To Rashid, *ḥalāl* certification in Germany is not monitored well enough to ensure adherence to the moral and ethical criteria that *ḥalāl* consumption entails for him: capitalist principles supersede the meaning behind the word. Instead, personal relationships with butchers or shops owners are the criteria on which Rashid bases his trust in the '*ḥalāl*ness' of meat. The *ḥalāl* certification in this case takes the shape not of a materialized logo but of a personal assurance: the Islamic butcher vouches with his Muslimhood. Thus, trust in *ḥalāl* is not linked to a logo from an *ḥalāl* certification bodies. This trust is not general; rather, it is confined to particular spaces and personal relationships.[50] Aziz's perception of *ḥalāl* is more restrictive than the certification standards of most *ḥalāl* certification bodies: *Ḥalāl*-certified poultry sold in mainstream supermarkets is stunned before slaughter – hence the *ḥalāl* certificate does not carry any meaning for him. The gradual emptying of meaning connected with the *ḥalāl* designation in the cases of Rashid and Aziz is due to a perceived *ḥalāl* frontier (Fischer 2011). They do not trust the '*ḥalāl*ness' of a *ḥalāl*-certified product because they cannot possibly know whether their definition of *ḥalāl* is covered by the *ḥalāl* standard a product is certified by. Fischer states that "trust and personal relationships are essential in the understanding and practice of *ḥalāl* certification" (2011: 96). As discussed above, there is no central religious authority in Germany to monitor *ḥalāl* certification bodies. Some of them are well connected, and some are accredited by institutions and countries outside the EU. Nevertheless, transparency and information are scarce, leaving *ḥalāl* at risk of being further hollowed out.

6. Conclusion and Outlook

In the case study in Leipzig, our interlocutors showed agency in the shape of negotiation processes when confronted with the challenge of living a *ḥalāl*-compliant life in Germany. The institutional structures limit their consumption behavior, leading them to develop different purchasing strategies that relied on various forms of religious authority. The lack of centralized religious authority is also evident in the *ḥalāl* industry. In Germany, the *ḥalāl* market incorporates a wide variety of actors who claim authority over *ḥalāl* and '*ḥalāl*ness', which directly impacts Muslims' *ḥalāl* consumption. The social demographics of Leipzig as part of Eastern Germany present further challenges for a *ḥalāl*-compliant lifestyle, since Muslim infrastructure has only begun to establish itself there since the 1990s. Nevertheless, there is already a notable public presence of *ḥalāl* in the urban landscape, which offers guidance and orientation but also triggers skeptical questioning about the meaning of the word in a commercial context.

Reflecting on the findings from the case study in Leipzig, further questions arise. In light of the personal trust relationships between (Muslim) consumers and (Muslim) vendors/butchers, what

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[50] During our research, we encountered what we refer to as "hidden *ḥalāl* networks". By this we mean restaurants and cafés that are considered *ḥalāl* by interlocutors but are not openly labeled as such. The knowledge about these places is transmitted via networks. This leaves open the question of why the labeling happens informally and what role the owners/employees of these places play in creating trust.

factors create trust other than religious affiliation? What role does nationality/descent or language play, for instance? Are *ḥalāl* consumption and doing *ḥalāl* business gendered activities?

There are other Muslim spaces in Leipzig besides Eisenbahnstraße. Time, however, is an important variable here. The infrastructure on Eisenbahnstraße has had more time to grow and to establish itself than in other locations in the city.

The dense public presence of *ḥalāl* on Eisenbahnstraße is unique in Leipzig, and can thus shed light on likely future developments. It is a place of competition between different Islamic butchers who sell *ḥalāl* meat. This suggests that inter-Muslim close monitoring of the quality of *ḥalāl* meat might leave less space for inaccuracy. In the future, the networks of entrepreneurs and their experiences may bear fruits elsewhere in the city or the state. The establishment of a public presence of *ḥalāl* is an act of claiming space and belonging. At the same time, the increased visibility of *ḥalāl* in the public space may (and in fact already has) become, for some, an indicator of Muslim/Islam as someone/something not belonging to Germany. Connecting food to a sense of belonging is nothing new in Germany. Right-wing groups have considered *ḥalāl* a sign of foreignness since the 1990s/2000s, when the spread of snack bars selling döner kebab and the consumption of *ḥalāl* döner was constructed as something foreign and un-German and challenged with the motto "Bockwurst statt Döner" ("sausages, not döner kebab"; Möhring 2012: 449). Nevertheless, *ḥalāl* has nowadays become increasingly visible in the shape of stickers printed on shop fronts and certificates and documents indicating the '*ḥalāl*ness' of meat. This increased availability and visibility in the public sphere presents a greater scope for racist constructions surrounding Muslims and Islam in Germany. This holds especially true in Saxony, where the far-right movement Pegida is mobilizing many people "against the Islamization of the Occident" and the right-wing AfD party (Alternative für Deutschland, or "Alternative for Germany") won three direct mandates in the federal parliamentary election in 2017 and 38 of 119 seats in the Saxony state parliament in 2019 (Statistisches Landesamt Sachsen 2017, 2019). Nearly half of the Muslims living in Saxony reside in Leipzig and have relatively easy access to Islamic butcher shops. Others, who live in cities like Dresden, Chemnitz, and Riesa or in rural areas, have more limited access to *ḥalāl* consumption options. Shifting the focus from urban to rural areas would give different insights into Muslim life in a majority non-Muslim society.

Outside of Muslim communities, awareness of the concept of *ḥalāl* as a set of dietary rules has become widespread. In the context of a majority non-Muslim country, proclaiming one's affiliation to Islam or being assigned a Muslim identity from the outside can create social pressure regarding one's lifestyle choices. One of the authors of this paper, Abdelghafar, notes that as a result of just being *perceived* as a Muslim, he has often been given unsolicited advice on whether or not a product is *ḥalāl*. In this context, having a Muslim identity implies eating *ḥalāl*. Thus, as soon as a religious affiliation is proclaimed or perceived, social control may start. This control is not exerted only by non-Muslims, but can be found in the Muslim community as well.

Considering the meaninglessness of the *ḥalāl* certificate for two of our interlocutors, the issue of the commercialization of *ḥalāl* arises. This leads to a number of research questions, for example: What institutional measures would have to be taken by the Islamic organizations in Germany to counteract this development? How might it be possible to establish a comprehensive *ḥalāl* standard implemented and monitored by religious authorities? Who should be entrusted with such a task? And what possibilities exist for addressing the issue of transparency?

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