

**THE CONCEPT OF *FIQH AL-TA'AHHUB* (JURISPRUDENCE OF PREPAREDNESS)
AS AN APPLICATION IN HALAL INDUSTRY RISK MANAGEMENT**

Muhamad Afiq Abd Razakⁱ, Ammar Ismailⁱⁱ, Mohd Zaid Daudⁱⁱⁱ & Mohd Anuar Ramli^{iv}

- ⁱ (*Corresponding author*). Lecturer, Academy of Contemporary Islamic Studies (ACIS), Universiti Teknologi MARA (UiTM) Shah Alam, 40450 Shah Alam, Selangor. muhamadafiq@uitm.edu.my
ⁱⁱ Lecturer, Academy of Contemporary Islamic Studies (ACIS), Universiti Teknologi MARA (UiTM) Shah Alam, 40450 Shah Alam, Selangor. ammarismail@uitm.edu.my
ⁱⁱⁱ Lecturer, Academy of Contemporary Islamic Studies (ACIS), Universiti Teknologi MARA (UiTM) Shah Alam, 40450 Shah Alam, Selangor. mohdzaid@uitm.edu.my
^{iv} Associate Professor, Department of Fiqh & Usul, Academy of Islamic Studies Universiti Malaya, 50603 Kuala Lumpur. mohdanuar@um.edu.my

Abstract	<p><i>Fiqh al-ta'ahhub</i> (فقه التأهب) is a concept of fiqh or jurisprudence that deals with the state of preparedness. As part of <i>fiqh al-tawaqqu'</i> (فقه التوقع) or 'future fiqh', <i>fiqh al-ta'ahhub</i> aims to bring a methodology or way of thinking towards risks or uncertainties in many aspects of a human's life from an Islamic perspective. However, the discussion about this jurisprudence has not been explored much, except by a few contemporary scholars. Therefore, this study aimed to expand the concept of <i>fiqh al-ta'ahhub</i> as it is relatable in many contemporary applications, including halal industry management. This study was conducted using the qualitative method, a literature study for data collection. For data analysis, the methods used are content analysis, deductive, and inductive approaches. Based on the study's findings, it can be identified that the need for risk management in the industry meets the principles of Islam, which can be concluded as <i>fiqh al-ta'ahhub</i>. Further research is needed to develop this concept in more detail.</p> <p>Keywords: <i>Fiqh al-Ta'ahhub, Preparedness, Halal, Industry, Risk Management.</i></p>
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INTRODUCTION

The state of preparedness is an essential condition in facing risk or uncertainty. Risk can be defined as "a measure of the probability and consequence of uncertain future events" (Yoe, 2019). In general, risk is the uncertainty of the occurrence of an incident that can impact life, such as disaster, accident and so on. From the Islamic perspective, risk can be overcome through preparedness, which is advocated since parallel values are outlined in the Quran and Prophetic teaching. Many scholars have widely presented the discourse on risk management in Islam. However, in most cases, the concept of risk management in Islam usually focuses on the aspect of *muamalat al-māliyah* (transaction of property), which includes Islamic finance, banking, economy, etc. Among the earliest elaborations on the concept of risk is Elgari (2003), in which he explained under the concept of '*mukhāṭarah*'. Furthermore, El-Gamal (2006) equates risk in Islam as '*gharār*' (uncertainty or hazard). This debate of risk only revolved around financial risk; nevertheless, as many industries have expanded, such as the halal industry, the discourse on risk management concept now necessitates fresh discourse in a way that it should not be viewed only within the boundary of *muamalat al-māliyah*, but also in another discipline in this case, halal industry management.

Halal industry management is a considerably new discipline that emerged since the introduction of halal certification. Several scholars identified and further classified types of risks related to the halal industry. Radzi et al. (2016) classified halal food supply management risks as production, purchase, halal compliance, demand, and procurement risks. However, a detailed study on how risk should be dealt with, fundamentally based on an Islamic approach and the emphasis on 'preparedness', has not been touched upon in the context of halal industry management. According to the Systematic Literature Review (SLR) conducted by Radin Eksan (2020), studies related to halal risk management are very few and insufficient. In addition, the concept of preparedness according to Islam is seemingly limited based on the literature review. Therefore, this study was conducted to elaborate the jurisprudence of preparedness or '*fiqh al-ta'ahhub*' to fill this gap within the Islamic concept of risk management. This study intended to focus on the scope of halal industry management to see the relationship and how the state of preparedness can benefit when it comes to halal industry risks.

FIQH AL-TA'AHHUB CONCEPT

The urgency for being prepared for something that will happen in the future is an element that exists in Islam. In a more general sense, Islam highlights the importance of *yaum al-akhīrah* (hereafter), which all mankind has advocated to be prepared with in terms of doing good deeds as much as possible in life. Although it is not widely discussed, the understanding of preparedness in Islam is known by the name of *fiqh al-ta'ahhub* or some writings would be referred to as *fiqh al-isti'dād*. *Fiqh al-isti'dād* usually discussed in the context of ritual performance, such as preparation for Ramadan month, i.e. preparation for forthcoming *laylatul qadr* during the last ten days of Ramadan (al-Mausili, 2023; Mzawak, 2011). On the other hand, *fiqh al-ta'ahhub* is more inclined to preparedness in decision-making when it comes to the situation that is risky or leads to uncertainty. Henceforth, the term *fiqh al-ta'ahhub* will be used accordingly for this writing.

Maqāsīd scholar Sheikh Dr Aḥmed al-Raysūnī coined the term *fiqh al-ta'ahhub*. According to al-Raysūnī, *fiqh al-ta'ahhub* is a *fiqh* or jurisprudence under bigger scope of *fiqh al-tawaqqu'* (jurisprudence of the future). He emphasized that *fiqh al-tawaqqu'* does not stop at understanding the current reality only but also requires knowledge of the reality that will happen in the future, and this would require a form of preparedness that should be equipped by Muslim individuals or as a whole.

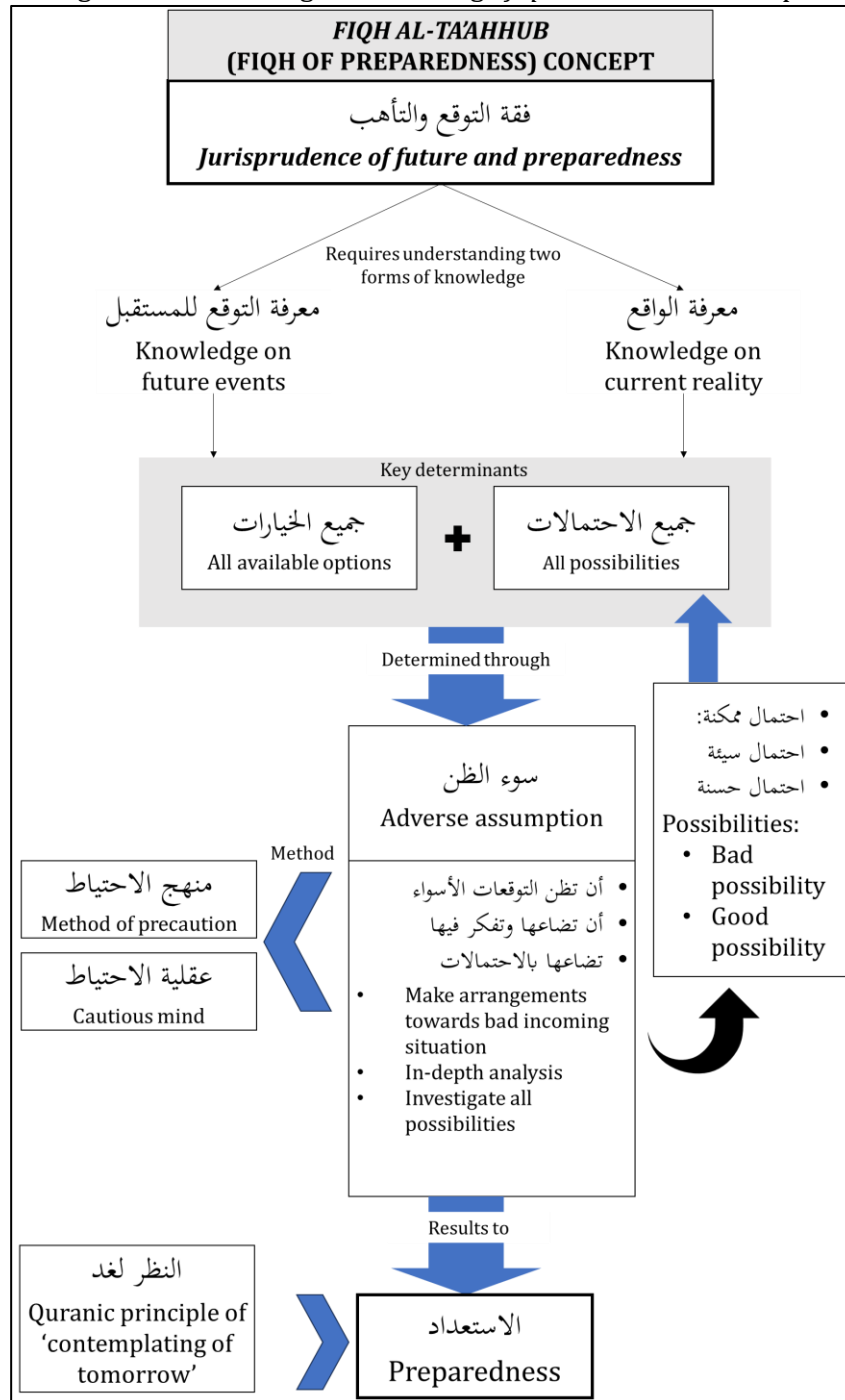
In developing this concept, al-Raysūnī explained that the understanding of preparedness involved two forms of knowledge, namely, (1) knowledge of current reality (*ma'rifah al-wāqī'*) and second, (2) knowledge of things that will happen in the future ahead (*ma'rifah al-tawaqqu' li al-mustaqbal*). Through knowledge of these two forms of knowledge, it is then necessary to analyze two first matters: (1) all possibilities (*jamī' al-ithmalāt*) and (2) all options available to overcome those matters (*jamī' al-khiyārāt*). Next, al-Raysūnī explained that this process needs to gather all the possibilities, whether it is the potential of bad possibilities/bad situations (*ihthimal sayyi'ah*) and also good possibilities/good situations (*ihthimal ḥasanah*). However, prioritising the bad possibilities before the good ones is necessary.

A clear *tasawwur* (visualising) on both of these matters requires *sū' al-ẓann*, which is a negative expectation or an image of the worst situation that can happen so that caution can be placed in facing that particular situation. It is imperative to understand that *sū' al-ẓann* here does not mean thinking badly towards people or fellow believers because this is an act that is prohibited in Islam, but rather a negative assumption or adverse expectation, i.e. worst-case scenario that could happen to create a sense of prudence. In other words, it aims to avoid an unwanted situation; the impact can be reduced if it does happen. The interaction with *sū' al-ẓann* has several foundations and an important role that is focused on in the *fiqh al-ta'ahhub* approach as follows:

- 1) Making arrangements for bad things to happen;
- 2) Make an in-depth analysis of the matter;
- 3) Investigate all possibilities (*ihimālāt*), whether they are bad possibilities (*ihimālāt sayyi'ah*) or good possibilities (*ihimālāt ḥasanah*)

At this stage, al-Raysūnī explained this method, known as the method of caution (*manhaj al-ihitiyāt*) and the cautious mind (*'aqliyyah al-ihitiyāt*). It forms a way of thinking that is always alert and ready for all possibilities, whether good or bad. This method is used not only in the context of facing disasters but can even be applied in all aspects of human life. Therefore, the concept of *fiqh al-ta'ahhub* can be illustrated in Figure 1.

Figure 1. Risk management through *fiqh al-ta'ahhub* concept



Adapted from al-Raysūnī (2023); n.n, (2023)

DALĪL OF FIQH AL-TA'AHHUB

The foundation of *Fiqh al-ta'ahhub* is outlined in the Qur'an:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَلْتَنْظُرْ نَفْسٌ مَّا قَدَّمَتْ لِغَدٍ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ﴾

This means, "O you who believe! Fear Allah and let everyone pay attention to what he has done for tomorrow (hereafter), and fear Allah. Indeed, God is very careful about what you do." (al-Quran. Al-Hasyr: 18).

Based on the verse, the concept of (النظر لغد) or "contemplation of tomorrow" seeks Muslims to think about the future and to choose good consideration for any action because it can affect the hereafter. This is the underlying principle of *fiqh al-ta'ahhub*. Commenting on this verse, al-Raysūnī stated that this verse can also be applied to everyday matters of human life, i.e. always be prepared by thinking about what will happen in the future and be alert. This is because the passage of time is so fast that various future risks require comprehensive thinking. This notion resonates with the exegesis of al-Quran by *mufasssīrīn*. According to Ibn Katsir (2000) he explained the verse (وَلْتَنْظُرْ نَفْسٌ مَّا قَدَّمَتْ لِغَدٍ) as an order to make calculations on oneself before being asked for accountability and to observe what has become self-supply from righteous deeds for the day to be returned; that is, the day before they met Allah swt in the hereafter.

Furthermore, according to Sayyid Quṭb's '*Tafsīr Fī zilāl al-Qurān*', he emphasised the connection between piety and the attitude of checking the extent to which supplies of good deeds are prepared for the afterlife. Furthermore, Sayyid Quṭb explained that this verse makes a person observe the details of good deeds in their account as preparation for the hereafter. What can be understood here is that this verse connects the nature of piety with the state of preparedness (Quṭb, 2010; Quṭb, 2003). In *Tafsīr al-Azhar* by Hamka, he mentions that the word 'نظر' means to be alert and observe for a long time; that is, to think deeply (*tafakkur*) (Hamka, 1990).

In the context of preparation for defence, arguments in the Qur'an also recommend that adequate preparations be made to face the enemy. It is not only in the context of having strength, it even has elements that can terrify the enemy. This is according to the words of Allah swt:

﴿وَأَعِدُّوا لَهُمْ مَّا اسْتَطَعْتُمْ مِّنْ قُوَّةٍ وَمِنْ رِّبَاطِ الْخَيْلِ تُرْهَبُونَ بِهِ ءَعَدُّوا لِلَّهِ وَعَدُّوْكُمْ﴾

This means, "Prepare against them what you (believers) can of (military) power and cavalry to deter Allah's enemies and your enemies as well as other enemies unknown to you but known to Allah..." (al-Quran. Al-Anfal:60).

APPLICATION OF FIQH AL-TA'AHHUB IN HALAL INDUSTRY RISK MANAGEMENT

For the context of halal industry management, *fiqh al-ta'ahhub* aims to preserve halal integrity, ensuring that the halal status of products and their handling is preserved, starting from the raw material until it reaches the hands of the consumer. The concept of *fiqh al-ta'ahhub*, leads to the formation of risk assessment of things that have not yet happened and preparation (*isti'dād*) in facing the risk should it happen. Maintaining the product's halal status is the party responsible for preparing or producing the product to avoid pollution, exploitation, fraud, food crime, food terrorism, etc. Therefore, the purpose of *fiqh al-ta'ahhub* is parallel to the method of *fiqh (qawā'id fiqhiyyah)* set by the scholars (al-Zuhaylī, 2006) since the state of preparedness also involved weighing between good possibility and bad possibility hence as the legal maxim outlined:

{درء المفساد مقدم على جلب المصالح}

Meaning: "Avoid damage should be preceded by attracting maslahah."

Fiqh al-ta'ahhub can be the foundation and an approach to halal risk management. In the Malaysian halal certification framework, the assurance of halal products can be regulated by implementing a system called the Halal Assurance Management System (HAS). To protect halal integrity, HAS has required the industry to develop a system that can estimate risks, called the Halal Risk Management Plan (HRMP). Based on Malaysian Standard MS2400:2019 Halal Supply Chain Management System, halal risk management consists of seven (7) principles:

- 1) Identification of potential halal contaminants/precursors;
- 2) Identify control measures;
- 3) Identify the Halal Control Point (HCP);
- 4) Identify the monitoring system for the specified HCP;
- 5) Identify corrective actions against the determined HCP;
- 6) Identify the verification procedure;
- 7) Documentation and record management.

In this context, implementing risk management is very much in line with the concept of *fiqh al-ta'ahhub*. In many risk management system, particularly Halal Risk Management Plan, it requires the stakeholder to identify the threat or contaminants that can affect the halal integrity of the product or during its handling. Threats identification are made before the incident occurs, and this is also called a proactive approach. This resonates with the *ma'rifah al-tawaqqu' lil mustaqbal* principle, as explained in Figure 1. In determining the Halal Control Point (HCP), all possibilities will be listed, and this coincides with the analysis of *ihitimālāt* – where in this context, *ihitimālāt sayyi'ah* as presented by al-Raysūnī, which is the forms of contamination that can occur when a process is carried out. The determination of the HCP itself is very much in line with the concept of *sū' al-ẓann*, which is to put a process as a control point that needs to be monitored because the possibility of contamination is significant. This relationship can be simplified as in Table 1.

Halal Risk Management Plan principles	Elements of <i>fiqh al-ta'ahhub</i> approach	Explanation
Identification of potential contaminants/precursors	<ul style="list-style-type: none"> • <i>Ihtimālāt sayyi'ah</i> as part of <i>ma'rifah al-tawaqqu' lil mustaqbal</i> through <i>sū' al-ẓann</i> • <i>Ma'rifah al-wāqi'</i> 	Sources of contamination or non-compliance are analyzed for any possibility at any given time. This principle also requires a technical understanding to draw the appropriate type of risk.
Identify control measures	<ul style="list-style-type: none"> • <i>Jamī' al-khiyārāt</i> • <i>Ma'rifah al-wāqi'</i> 	Control measures are actions to ensure the notified risk will not occur beforehand. Therefore, options are arranged to block any possibility that could lead to such incidents. It also requires a technical understanding to determine effective control measures.
Identify the Halal Control Point (HCP)	<ul style="list-style-type: none"> • <i>Ihtimālāt sayyi'ah</i> as part of <i>Ma'rifah al-tawaqqu' lil mustaqbal</i> through <i>sū' al-ẓann</i> • <i>Ma'rifah al-wāqi'</i> 	This step involves determining points where contamination or non-compliance will occur if monitoring is not taken carefully. Therefore, HCP is a risk that needs to be dealt with. It also requires a technical understanding to rank the risk.

Identify the monitoring system for the specified HCP	<ul style="list-style-type: none"> • <i>Jamī' al-khiyārāt</i> • <i>Ma'rifah al-wāqī'</i> 	This principle involves a determination of sets of actions to control the risk by specifying (1) what, (2) how, (3) who, and (4) the frequency for monitoring action of that particular HCP. This means reviewing possible actions and requires a technical understanding to implement a monitoring system effectively.
Identify corrective actions against the determined HCP	<ul style="list-style-type: none"> • <i>Ihtimālāt ḥasanah</i> through <i>hisbah</i> (evaluation) • <i>Ma'rifah al-wāqī'</i> 	This principle involves establishing corrective action to restore the intended objective if the monitoring system is not effectively implemented. It also requires technical understanding to rank the risk.
Identify the verification procedure	<ul style="list-style-type: none"> • <i>Manhaj al-ihtiyāt</i> 	The verification procedure is a method established to validate the entire plan so that all information is correct, effective and precise. This principle is an act of prudence.
Documentation and record management	<ul style="list-style-type: none"> • <i>Manhaj al-ihtiyāt</i> 	Documentation and recordkeeping are procedures to implement evidence for each plan accordingly. Should any discrepancies be found, this can be used as a reference for future improvement.

Table 1: Relationship between Halal Risk Management Plan (HRMP) principles with the concept of *Fiqh al-ta'ahhub* approach (Researcher's analysis)

CONCLUSION

Fiqh al-ta'ahhub is a concept that has proven to have a basis in the Islamic perspective that deals with preparedness towards risks or uncertainty. *Fiqh al-ta'ahhub* comprises the Islamic approach to analysing risk and providing urgency to prepare in terms of resources when dealing with an uncertain future. This concept potentially becomes the Islamic framework's foundational principle in risk management. Pertaining to the halal industry, *fiqh al-ta'ahhub* resonates with the Halal Risk Management Plan (HRMP) principles, in which all threats or contaminants that can affect halal integrity are analysed and mitigation plans are set beforehand. By understanding *fiqh al-ta'ahhub* through Halal Risk Management Plan, it also proves that Islamic principles encourages its adherents to always be mindful and prudent in any situation, especially things that can impact life in adversity. Further research is necessary to explore the application of *fiqh al-ta'ahhub* in halal industry management.

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