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Bacon or Beef? 'Fake' Halal Scandals in the Russian Federation

Consolidating Halal Norms Through Secular Courts

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Abstract

This article aims at analyzing how the penetration of a commercial rational into the religious field impacts the relations between the State and the Muslim religion in the case of post-Soviet Russia. Here, the rise of a 'halal market' – that is the market for halal products and the market of halal certification – was punctuated by scandals. This research scrutinizes one of them, linked with halal meat products containing pork DNA. This scandal is studied as it reveals the pre-existing order and is considered per se, as a critical test when common values and norms are either abandoned or strengthened, and previously established relations are transformed.

First, the article presents how Islam is organized and regulated in the Russian Federation; then it analyzes the 'scandalization strategy,' which leads to the reconfiguration of the game of actors. Lastly, it examines how the scandal, through the use of law and court decisions, contributes to the extension, legitimization and consolidation of the certificated 'halal' norm beyond the circles of pious Muslims.

This research is based on empirical data gathered in Moscow and Kazan in 2018: the observation of a court trial and the analysis of documents relating to the legal proceedings, semi-structured interviews and online research.

Keywords

Islam – halal – market of Muslim goods – commodification – Russian Federation – post-Soviet

On March 13, 2018, Andrei Maslov¹ bought a Tsaritsyno brand ‘special beef’ sausage (*Govyazh’ya osobaya*) bearing a halal label at an Auchan store in the city of Kazan (Republic of Tatarstan, the Russian Federation). Since store personnel refused to provide a document stating that the product complied with halal standards, he took it to the Tatarstan Interregional Veterinary Laboratory to undergo expert analysis. One week later, he received the results: the sausage contained DNA from *Sus scrofa* [*domesticus*], or pork DNA. Andrei Maslov considered that his rights had been violated and took the matter to court.

As illustrated by this example and many others, introducing halal certification has brought about complex changes with the increasing involvement of consumers, a market rational, and unprecedented calls for regulatory standards. In the Russian Federation (hereafter shortened to Russia), these changes are themselves part of a shift toward a capitalistic market economy, political pluralization, and multi-faceted religious renewal. A number of studies have explored the connection between the political and social transformations that followed the collapse of the USSR and the socialist system, the liberalization of religious beliefs in the 1990s, and changes to religion itself. However, relatively little research has been devoted to the economic dimensions of such changes (Gudeman & Hann 2015). Until very recently, research about Islam in Russia has been kept separate from the economic turn that renewed religious studies (Haenni 2005; Obadia 2017).

The crucial role played by the state in formatting Islam in the post-Soviet space, especially through the ‘spiritual boards of Muslims’ (further referred to with the Russian acronym as DUMs), is well informed (Alikberov et. al. 2019; Bekkin 2017; Braginskaia 2012; Tasar 2017). But how does the tendency towards an ‘economicization’ of the world – the shift from a ‘political regime [...] towards a global market regime’ (Gauthier 2017: 94) – affect the relationship between the state and Islam? Indeed, the economic field provides opportunities for religious actors and believers to become more independent from the state. At the same time, the halal market which pre-supposes routine and well-defined certification processes, is part of a trend to eradicate informality. Even more than the commercial aspects, could the primary characteristic of the halal market be said to derive from the ‘bureaucratization of Islam’ within and alongside the state as a form of modernization that is also shaped by other factors such as ethnicity (Müller & Steiner 2018)?

While arguing that practices and a market *imaginary* permeate the entire social dimension of halal, this article focuses on how state bureaucracy is impacted by the ‘economicization’ of religion. It investigates the symbolic struggle for formatting the ‘halal market’ and argues that the penetration of an

1 The name was changed.

economic rational into the religious sphere strengthens the state's capacity to shape Islam.

It takes a case study approach – specifically, the case of the scandal over Tsaritsyno's 'mislabeling' of products as 'halal' – to explore the way in which the appearance of the halal market has changed the resources of religious actors, reshaped legitimacy within the Islamic field, and at the same time reformed relations with the state. Studying scandals makes it possible to go beyond the analyses which are focused on the marketing and organizational aspects of the halal market (Safiullin, Galiullina, and Shabanova 2016; Shovkhalov 2018) to understand its structuring effects. As pragmatic sociology would invite us to do, this article considers the scandal as both an observatory and a critical test: an observatory insofar as it uncovers the apparatus (*dispositif*) (Foucault 1975) on which trust is built, and a critical test insofar as it leads to the transformation of these *dispositifs*. It also causes the actors to reposition themselves and the roles played by institutions and their power to be redistributed (De Blic & Lemieux 2005).

This article is based on empirical data gathered in Moscow and Kazan in July and August 2018, in particular the observation of the court trial mentioned above and the analysis of documents relating to its legal proceedings, as well as semi-structured interviews and online research – looking at websites of the Spiritual Boards, certification agencies, articles in the Muslim online media, and Muslim blogs. First, it looks at the factors that provide the context of the structuring of Russian Islam and the means used by the state to regulate it, which is essential for understanding the singular challenges of the development of the halal market in Russia. Next, it analyzes the mechanisms by which a 'strategy of scandalization' caused a shift in relations between religious actors and the secular authorities. The third and final section examines how, through legal arguments and capturing the attention of the media, the scandal contributed to the expansion, legitimation, and consolidation of the halal standard beyond the circle of pious Muslims. Although it looks at a single case in Tatarstan, similar dynamics of scandalization around halal certification have been occurring across Russia in recent years. Thus the more general dynamics revealed by scandalization – that is the simultaneous strengthening of religion and the state and their mutual dependency – can be said to be operating across Russia, even where Muslim populations are in a minority.

Islam in Russia: Between the State and the Market

Halal belongs to the Islamic tradition, but what it encompasses has changed considerably in recent decades and Muslims may not agree on how to define it.

The halal market is intrinsically tied to changes in the capitalist economy and ‘results from the proceduralization of halal that transformed a *discursive space* specific to the Muslim world into a *procedure-norm* for the “needs” of “individual” Muslims in the world’ (Bergeaud-Blackler 2017: 22, original emphasis). Halal developed as an integrated standard in global commerce according to an identifiable genealogy in a system involving economic players (major meat exporters) and religious players. While dietary practices among Russian Muslims have always been influenced by Islamic tenets, the appearance of a halal market is a recent development, dating back to the mid-2000s.

Halal in Russia: From Practices to Market

Russia has the largest Muslim population in Europe after Turkey. Muslims represent between 11% and 14% of the population (between 15 and 20 million people, depending on the estimate) (Rosstat 2010).² Islam is a minority religion in Russia, but there are significant variations in different geographic areas. In the historic cradle of the Volga-Ural and in the northeastern Caucasian regions, Islam has been present for centuries (the oldest mosque in Russia, located in Derbent, Dagestan, was built in the eighth century). In these areas, Muslims constitute a majority – slightly more than 50% in Tatarstan, over 90% of the population in the cases of Dagestan and Chechnya. The question of consuming halal product is different in Muslim majority regions from its appearance in major urban centers such as Moscow, where numerically large Muslim communities are still a minority and live among a Russian Orthodox majority in a highly secularized environment. Although migration from Muslim majority regions, including former Soviet republics in Central Asia, is reshaping Russia’s religious landscape, Islam is not a recent import. In this way, Russia differs from other European countries where the increased presence of Islam can be linked to patterns of postcolonial migration. Rather, Islam is officially considered one of the ‘traditional religions’ of Russia.

During the Soviet period, Muslims did not seek out products that were labelled ‘halal.’ In predominantly Muslim regions and communities, ‘traditional’ foodways made it possible to obtain meat that had been slaughtered appropriately and to avoid certain forbidden foods. Even in Russia’s big cities, the key role played by farmers’ markets (not least in alleviating food shortages

2 The figures are based on the last census (2010) and other official statistics. Such statistics are controversial, however, and subject to manipulation because being registered as ‘Muslim’ does not necessarily mean that an individual is a practicing Muslim. As with declarations of Christianity and Russian Orthodoxy, declared adherence to Islam may be part of a broader identity without reflecting high adherence to official teachings or practices.

in state supply chains) contributed to maintaining short-circuit supply networks, often specific to a given ethnic group. In the 1990s, the Tatars of Moscow continued to have meat brought from the villages (Safarov 2015), while even today a number of Muslims buy halal products from producers they know personally. Diasporas play an important role in providing direct contact with Central Asian and Azerbaijani producers (cattle may be transported from Azerbaijan and slaughtered locally).

State Control and Financing Islam in Russia

For most Muslims, consuming halal means refraining from consuming pork and alcohol. For a majority of consumers, there is no need for a halal label. This 'simplified halal,' according to the expression used by Safarov (2015), is different from the 'certified halal' that has developed over the last 15 years in parallel to Russia's expanded participation in global trade. The introduction of certified halal products into the Russian market took place in the context of a largely State-controlled Islam and a high degree of fragmentation of representative institutions.

The Russian Empire, the USSR, and then the Russian Federation administered Russian Islam within the scope of efforts to create a 'Muslim church' (Tasar 2017) subject to secular power. The system was based on creating muftiates – the spiritual boards of Muslims (DUMs). Muftiates have considerable power to appoint, pay, and control imams and to organize pilgrimages. Currently, each mosque must be registered as a religious organization with the Ministry of Justice and placed under the control of a DUM.

During the Soviet period, there were just two DUMs for the entire territory of the USSR. In the 1990s, Muslim institutions underwent fragmentation along geographic and ethno-national lines, as well as according to personal rivalries. In 2018, there were more than 80 DUMs (Atlas of Islamic Community of the Russian Federation), theoretically governed by so-called federal umbrella DUMs, which also varied in number. Competition is fierce among the different spiritual boards and even within the same board. They are linked with clientelist ties to power, not with dogmatic or theological differences.

Secular authorities are directly involved in co-opting and appointing religious figures. Depending on the circumstances, they set their sights on one or another of the federal DUMs and may even encourage the creation of new DUMs. The state also plays a key role in financing the DUMs and more generally the mosques. The Constitution of the Russian Federation prohibits direct financing of religious organizations, yet public money is transferred to religious organizations via cultural or humanitarian programs and foundations.

According to one imam, such funding, even in small amounts, 'has been sufficient to buy off everyone' (interview 1) given the financial difficulties faced by mosques and the clergy and dwindling support from foreign sources.

Under the circumstances, it is hardly surprising that the different DUMS (and even the various administrative bodies and the dignitaries working for the bigger ones) should compete for the prestige and proximity to power that gives access to resources. The development of halal certification systems has changed the rules of the competition game among DUMS. Certification opens an avenue to a direct, market-based source of income that bypasses direct and indirect state support. Relatedly, it reorganizes the clientelist system by redistributing authority. Resources generated by DUMS' own activities reduce the importance of proximity to power and legitimacy in the eyes of the authorities. In addition, halal certification requires religious legitimacy that state institutions do not have. Finally, in the context of Russia's securitization of Islam and of criminalization of non-coopted groups, the efforts of DUMS to bring the halal issue to the fore are also an attempt to depoliticize Islam. Promoting halal certification as a major activity allows DUMS to reinforce their support for a vision of Islam that is in line with the officially-promoted values of the Russian Federation. The 'halal lifestyle' is fully consistent with the officially-endorsed social model.

Development of the Halal Market and Transformation of the Clientelist System

The first certification body in the entire Commonwealth of Independent States was established in 2002 in Russia. The first halal labels began to appear on some products sold in the Russian market beginning in the mid-2000s, and in 2009 the first halal standards were introduced. Demand for certification was motivated by a desire to export, especially after the Russian Federation joined the WTO in 2012. With the economic and political crisis following the annexation of Crimea in 2014, interest grew in redirecting a share of exports toward the Muslim world. Developing halal standards had become necessary to earn the trust of importers of Russian products in Muslim countries. Demands for a guarantee of authenticity did not come from the domestic market but the introduction of a commercial standard altered the relationship of trust between consumers, producers, and distributors.

Little by little, a market for certification began to develop. Initially, dedicated agencies were in charge of guaranteeing that products complied with the characteristics they claimed to possess. Since it involves compliance with Sharia, the certification process requires cooperation with religious authorities and expertise. All secular states face this challenge in combining regulation in

the market with religious authority.³ Russian legislation does not forbid bodies that are independent of DUMs to issue halal certifications and some companies have developed their own certification system. It was not surprising, however, that the first halal standards and centers providing certification came from the spiritual boards. The standards provided by the International Center for Halal Standardization and Certification (ICHSC) of the Russia Mufti Council and the Halal [Certification] System of the Halal Standards Committee of the DUM of the Republic of Tatarstan, both created in 2005, are two of the oldest and most important ones. Officially, they are legally distinct entities, but they are governed by the DUMs.

Halal's economic dimension is obviously important for producers and exporters as much as for certifying bodies. It is difficult to obtain information about certification fees and profits (a 'trade secret'). The head of the Halal Standards Committee of the Tatarstan DUM indicated that in the summer of 2018 there were 122 halal businesses working with the Committee and the fee for certification was about the same as the average monthly earnings of a resident of Tatarstan (around 340 euros, *Real'noe Vremja*). In April 2019, the ICHSC provided certificates to 200 businesses, including 20 for export, compared to around 40 in 2010 (ICHSC Website). Certification was rapidly becoming a modest additional source of income for the DUMs, but one that does not depend on public funding.

These opportunities help explain the rise in the number of halal certification centers. In 2016, 12 centers were listed for Russia (Shovkhalov 2018). In the summer of 2018, there were 18 (Interview 2), in addition to halal certified producers from Belarus and Kazakhstan that are very active on the Russian market. In June 2019, 25 systems were registered in the single registry of 'voluntary certification systems' kept by Rosstandart, the Federal Agency on Technical Regulating and Metrology (Rosstandart Website). The certification market is also becoming increasingly competitive.

The growth in food certification has also created the conditions for contestations over whether the food products actually respect the required criteria: market growth structurally leads to an increase in the number of scandals. The case presented here is but one among many examples in 2018 in which the compliance of halal products with requested criteria was challenged, but unlike other cases, it could be studied comprehensively because it involved a lawsuit. Moreover, this particular scandal unfolded against the broader

3 In Russia, at the current stage, Rosstandart agency recognized halal standards as only 'voluntary certification.' A working group with Rosstandart and DUM representatives was set up to establish official state standards, but without any result so far.

backdrop of public concern within Russia to improve quality standards within the food industry – for example, the standards that apply to ‘organic’ food were also still underdeveloped in Russia. It was also when health risks received growing attention and consumer advocacy groups became more powerful. Moreover, it involved a company that had been in the spotlight of such debates before. In 2016, Tsaritsyno took Channel One Television to court because it had reported that Tsaritsyno sausages contained soy, although soy was not listed in the ingredients (Lenta.ru, April 2016). According to the independent consumer watchdog organization Roskontrol, 75% of the sausages sold in Russia were fraudulent (Lenta.ru, March 2016).

The ‘Strategy of Scandalization’ and the Reconfiguration of Actors

In the present case, taking matters before the courts was part of a ‘strategy of scandalization’ (Offerlé 1998) in a fierce competition. Since the 2000s, the growing halal market has reset the ‘configuration of actors’ (Elias 1991) and changed the nature of the competition game by bringing to the fore the question of the credibility of certification centers.

Anatomy of a Scandal

The Tsaritsyno scandal may be seen as a play in three acts taking place chronologically. Each act follows its own distinct line of reasoning.

Act 1: The Courts

Andrei Maslov took the matter before the administrative court and filed a lawsuit in the civil court. After receiving the results of the expert analysis detecting swine DNA, officers from the Tatarstan Branch of the Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing (Rospotrebnadzor) made a surprise visit to the Auchan store. They seized more ‘special beef’ sausages and sent them to a different laboratory for analysis, which also detected the presence of pork (Judgment). Rospotrebnadzor fined the Tsaritsyno company RUB 100,000 (approximately EUR 1,362) for violating administrative codes (Letter).

Mr. Maslov did not stop there. He asked the civil court to award damages to cover the costs he had incurred. He wanted the Auchan store to reimburse RUB 119.01 (EUR 1.60) for the purchase of a defective product; RUB 1,495.01 (EUR 20) to cover the cost of analysis by the veterinary laboratory; RUB 86.96 (EUR 1.18) for postage; and finally RUB 500,000 (EUR 6,810) for non-pecuniary damages (Judgment). The hearing took place on August 2, 2018 in a district

court in Kazan, and the judge ruled that Auchan was responsible for merchandise sold in its stores and that the plaintiff should be reimbursed for the cost of the product, the laboratory analysis and the postage, and that he should receive symbolic damages amounting to RUB 1,000 (EUR 13) (Judgment).

Act 2: The Media

At this point, given the modest financial stakes, almost no one seemed interested in the case. No representative of the Auchan store or Rospotrebnadzor attended the trial, nor did the plaintiff himself bother to appear. Among the few people in the court room were two representatives of the third party, the sausage manufacturer Tsaritsyno (a company lawyer and Dinar Sadykov, the director of the certification center of the company). Just one person representing the public attended: the author of this article.

The contrast could hardly be more vivid between the trial, the publicity it received, and – most of all – its future repercussions. A new campaign appeared on social media protesting against ‘fake halal’ products. Several articles published in a Kazan newspaper denounced what they called ‘the Ostap Bender’ (in reference to the con man in Ilf and Petrov’s novels)⁴ of halal, who was interested only in getting rich (Buzines online). A few public figures with followers on blogs and social media were particularly vocal in accusing the center that had delivered the certificates to businesses that marketed illicit food products as halal products.

Information about ‘fake halal’ products quickly spread in the Muslim press and social media, especially on the website of the Russia Mufti Council and in Tatarstan’s newspapers. At the same time, expert analyses were conducted over the next few months in other republics (FoodNewsTime). In each instance, pork DNA was found in beef products sold under the Tsaritsyno brand name.

At this point, the scandal was limited to the Muslim community. Several months went by before articles appeared in the general Russian press (autumn 2018), just when the international repercussions of this trial started to emerge (RBK).

Act 3: International Repercussions

In October 2018, the World Halal Council (WHC), an international organization founded in Malaysia in 1999, held its conference in Istanbul. Three organizations in the Russian Federation were members of the WHC: the ICHSC, the

4 An attractive and resourceful con man, Ostap Bender is the central character of the novels *The Twelve Chairs* (1928) and *The Little Golden Calf* (1931) written by Soviet authors Ilya Ilf and Yevgeni Petrov.

Halal Standards Committee of the Tatarstan DUM, and Dinar Sadykov's Center for Halal Audit and Control. Their exchanges became so heated that some of the Russian representatives had to be called to order. A resolution was passed stating that the Assistant Secretary General of the organization (a member of ICHSC) had to apologize to the WHC for unacceptable and inappropriate manners (Islamnews.ru, RBK). The General Assembly of the WHC further stripped Dinar Sadykov of his position as Assistant Treasurer and suspended his membership from the organization for three years (Russia' Council of Muftis website). The Mufti Council publicly announced that it regretted that the actions of Dinar Sadykov 'had done irreparable harm to the authority of [the Russian Federation] on the international stage' (Islamnews.ru).

This brief chronological account of the controversy throws light on the various actors' strategies, particularly the instrumentalization of judiciary procedures and the international dimension of the growing competition within the Islamic field. The rivalry driving this scandal was both commercial and institutional.

Competing Interests

Let's try to understand the relations among the protagonists of this affair. The certifying organization, the Center for Halal Audit and Control, along with its director, Dinar Sadykov, were specifically targeted by the Muslim press covering the scandal.

Sadykov entered the business of halal products in 2007. In 2011, he became the director of the Halal Standards Committee of the Tatarstan DUM (islamrf.ru). At the same time, he was put in charge of the affiliate of the Islamic Chamber Research and Information Center of the Organization of Islamic Cooperation that opened in Kazan (Tatar-inform.ru, 2011). He later resigned, grew distant from the DUM (HCRT Website), and created the republic's first certifying agency. This was followed by a second one, the Center for Halal Audit and Control. The reasons for his dispute with the Tatarstan DUM are not entirely clear (they may have had to do with his opposition to the mufti appointed in 2012). The business reasons for the conflict are, however, easy to understand.

Tsaritsyno is one of the leading producers of halal meat products on the Russian market and one of the companies that had invested most heavily in halal production, using modern technology designed to limit the risk of contamination. To certify its products, the company initially used the services of the ICHSC. In 2013, a first scandal erupted, when some of the meat products manufactured by Tsaritsyno were suspected of not meeting halal standards. The following year, the ICHSC suspended its certificate. Some sources say that

Tsaritsyno then sought to engage a different certification center: the Halal Standards Committee of the Tatarstan DUM, which refused, as did the certification center of Kazakhstan (Russia Council of Muftis Website 2014; Biznes Online 2018). According to other sources, it was Dinar Sadykov who took the initiative to steal Tsaritsyno's business from the ICHSC (Muslim.kz 2018). At any rate, Tsaritsyno's halal products subsequently received certification from Sadykov's Center for Halal Audit and Control. As it turns out, the Russia Mufti Council and the Tatarstan DUM became allies in the attacks on Dinar Sadykov. The scandal provided a way for both of them to discredit their competitor and adversary.

Concerning the individual at the origin of the scandal, some enthusiastically noted the civic spirit of 'an ordinary Russian guy' from Kazan who helped reveal the presence of swine DNA in products manufactured by Tsaritsyno (Regiony-online, 2018). But how often does one request an expert analysis of a sausage before eating it? This is no ordinary civic spirit and, as we may have suspected, Andrei Maslov was no random citizen. He had ties to the general director of the ICHSC of the Russia Mufti Council, and appears to have done legal work for the ICHSC. The ease with which it is possible to trace the network of relations among these different players shows that the official Muslim field in the Russian Federation is indeed a small world.

The Stakes for Russian Institutions

Beyond commercial considerations, there were institutional stakes for those involved in the scandal. The market for Muslim goods, by altering the value of the financial and symbolic capital of the religious powers, transformed the clientelist relationship that they had formed with government representatives.

The scandal was also the outcome of the DUMS' struggle to assert their monopoly on halal certification. The Muslim press pointed out that Dinar Sadykov's certification center operated independently of any DUM, using this argument to discredit it. The website of the Russia Mufti Council brought attention to the fact that the organization that had issued the certificate 'had no ties to a Muslim spiritual board' (Russia Mufti Council website, 2018).

Because the expanding market for Muslim goods and services generated new sources of funding, religious figures were able to gain a degree of independence from the state. The hegemonic position of the DUMS as institutions representing Muslims depended on being co-opted by the secular power – much more than it depended on their own material and religious capital. Bearing this in mind, it is easy to see why they might consider potential autonomy to be a threat. Yet if halal certification – and the resulting development of private certification centers – threatened to weaken the DUMS, it also provided

the means to reinforce their proximity to the state. When the DUMS portrayed themselves as the only qualified certifiers, or as the most reliable ones, they became more valuable in the eyes of the authorities. In this sense, halal certification changed the balance in negotiations with public authorities and therefore increased the chances for the institution to obtain funding thanks to the state's clientelist networks.

We can see how the halal market transformed the relationship of trust by institutionalizing it – through the certifying bodies, and through a combination of two sources of legitimacy: the market and the state. On the one hand, the ups and downs of the market ultimately validated the credibility of the certificate. Very few DUMS could boast, as the ICHSC did, that their halal committees certified products for export to Muslim countries. Market recognition for the legitimacy of a standard guaranteed by a religious institution ultimately strengthened the position of this religious institution in the eyes of public authorities.

At the same time, the religious institutions had access to financial and symbolic resources because they were close to the authorities, making it easier to obtain validation from the market. The certification bodies overseen by the DUMS cast themselves as 'more credible' to deliver halal certificates because of their quasi state-conferred status. This form of 'state legitimacy' depends on the bureaucratic capacity to control the standards and resources of government expertise and on the key role played by public bodies. Rospotrebnadzor is a public administration. The 'voluntary halal certification system' was developed jointly by the Russia Mufti Council and the Russian Scientific and Research Institute for Certification which was then a state agency and the leader of quality management (Shovkhalov 2018), while the Halal Standards Committee of the Tatarstan DUM cooperated with public organizations, such as the Center for Hygiene and Epidemiology of the Republic of Tatarstan (Interview 3).

In discussions of the scandal, another derivation for this 'state-conferred legitimacy' is that the state appears to embody the common good, unlike commercial enterprises that serve private interests. A Muslim blogger, explained for example: 'There are only two types of organization that deliver halal certification in Russia. The first were created at the muftiates, and the others are private agencies.' (Biznes-Online 11–2018). For him, 'The difference has to do with the notion of responsibility. The centers overseen by the muftiates bear the weight of responsibility before the ummah and also before the State.' At the same time, the state appears to be an arbiter among competing institutions. A member of the Council of Ulama of the Halal Standards Committee of the Tatarstan DUM described it this way: 'How do Muslims know whom to trust,

when each of the systems attempts to show that it's better than its neighbor?' (Interview 4).

Such is the paradox of halal certification: while it is an instrument of market-conferred autonomy, it needs the state insofar as the state has the capacity (although not without meeting certain conditions) to generate the trust of the market stakeholders that religious powers alone cannot provide.

Spreading the Halal Norm

While a strategic analysis makes it possible to describe the rationale underlying the actions in the religious sphere, it does not give us a measure of the social effects of the scandal beyond this very limited space. This next section looks at the scandal as a *test* and analyzes the mechanisms by which the halal certification norm was established, redefined, and disseminated.

As Eric de Dampierre suggested, a scandal is a test of transgressed values. It allows a community to determine whether or not it has become indifferent to these values (de Dampierre 1954). Scandal is not just a *revealer*, but it *establishes* something: either a collective reaffirmation of the transgressed values (and therefore their reinforcement); or, conversely, a collective demonstration of their obsolescence. In this case, the consolidation of the norm occurred simultaneously with the transformation of the group that reaffirmed the norm. A study of the arguments put forward during the trial, the way in which they spread from one sphere to another, and the way they took on different meanings according to the context of communications helps us understand how a shared standard within a small group is transformed as it is being disseminated.

Reconciling Halal and the Secular: The Acrobatics of the Judicial System

Taking the matter before the courts is what made this scandal possible. Paradoxically, however, the administrative authorities and the Justice of the Peace avoided infringing on religious territory. The court's decisions remained within the scope of the secularism written into the Constitution of the Russian Federation. As is often the case in secular countries, the rules governing the labelling, safety, and quality of food products (i.e. the protection of consumers' rights) are what justified disciplinary measures, with no reference to a religious rule. The word halal did not appear in the report issued by Rospotrebnadzor, nor in the ruling of the civil court (except in the account of the plaintiff's reasons for bringing a lawsuit). What's more, reading through all of the documents, it becomes clear that as the administrative

formatting went on, defining the issue as a halal problem gradually disappeared from the qualification of the charges.

The report written after the sample tested on April 28 mentions that the sausage was labelled 'halal.' The only information appearing in the report of the laboratory analysis on May 17 concerns swine DNA, which shows that this is the only information the laboratory sought to detect. The veterinary expert report dated May 18 confirmed that the presence of swine DNA was a violation of two Customs Union technical regulations: TR N° 022/2011 On Food Labeling and TR N° 034/2013 On Safety of Meat and Meat Products. This document mentions the presence of a mark indicating compliance with halal standards, yet it does not explain the connection with the violation.

The report of an inspection in the Auchan supermarket (conducted on April 28, 2018 and dated May 30, 2018) repeats the conclusions of the expert report stating that the sausage does not comply with Customs Union technical regulations N° 022/2011 and N° 034/2013. It further states that in the case of the second regulation, the violation concerns 'the organoleptic indicators and the conformity of information appearing on the product label,' but without mentioning the halal label.

Finally, the administrative offense report issued by Rospotrebnadzor on June 21 indicates that 'pork DNA was detected, whereas it does not appear on product packaging intended for the consumer [i.e. the label]'. It is precisely this, along with other violations 'constituting a threat of harm to the lives and health of citizens,' also established during the inspection, that made it possible to qualify the violation of the administrative code. Even though the violation is related to the presence of the halal label, the connection is not made explicit in the administrative documents.

The judgment in the civil court was also based on legislation concerning food safety and food labeling. The judge considered that Auchan was responsible for the products sold in its stores, referring to specific laws:

- Federal Law of January 2, 2000 On the Quality and Safety of Food Products, which requires the seller to ensure production controls of the quality and safety of food products;
- Federal Law of March 30, 1999 On the Sanitary and Epidemiological Welfare of the Population, which stipulates that business owners and legal entities must provide controls, including laboratory analyses and testing, in order to guarantee safety and harmlessness for humans and for the environment where products are used (Judgment).

Concerning relations between the plaintiff and Auchan, the judge deemed they are governed by Russian Federation Law No. 2300–1 of February 7, 1992 On

Consumer Rights Protection, which defines the obligations of the seller toward the consumer concerning quality and the sharing of information.

Finally, the judge awarded damages to the parties by referring to the explanations provided in the Resolution of the Plenum of the Supreme Court dated June 28, 2012 On the Examination by the Civil Courts of Disputes Relating to the Protection of Consumer Rights, according to which the establishment of a violation of consumer laws is sufficient for the judge to award compensation for moral damages (Minutes).

All of these arguments seek to present the traces of pork in products with a halal label as a violation, but without referring to a textual definition of the halal standard. As with the administrative court ruling, product quality and safety measures actually focused on labelling were therefore applied to a situation that had nothing to do with quality or safety.

Bringing the Halal Case Beyond the Religious Field

The court used euphemisms and did not define the halal norm in order to retain its jurisdiction as a secular authority. The court case maintained a separation of religion and state, and did not bring state law to infringe upon religious territory; it made no comment on what Islam stipulates, authorizes, or forbids with reference to the term 'halal.' The lawyer for Tsaritsyno and Dinar Sadykov himself were aware of the importance of the social space in which halal-related questions could be discussed. During the trial, they sought to limit any such discussion to the religious sphere, arguing that 'the Quran is not a source of law [according to the Constitution of the Russian Federation], so it could not be used as a reference' (Minutes).

The scandal developed because their attempts to limit discussion of halal to the sphere of virtuous Muslims failed. As the third party, Dinar Sadykov claimed before the judge that there was an 'absence of proof that the plaintiff had suffered physical or mental harm justifying that damages should be awarded.' He also challenged the conditions under which the expert analysis had been performed (Judgment). In the months following the trial, he stressed that 'after the media hype targeting him, numerous consumers had sent him the results of various expert analyses showing that the composition of certain products did not match the product label' (RBK 12–2018). His line of defense actually supported the judge's ruling that consumers had been misled. It was therefore unlikely to convince people that the products he had certified were licit.

At the same time, Dinar Sadykov developed another argument, based on religious grounds. He claimed that there was no fatwa about the presence of swine DNA in halal products (tatar-inform.ru 2018). Although debatable, this

argument was valid among his peers who were familiar with the technical challenges of halal manufacturing. In particular, if a production facility did not have separate production lines for products containing pork and for those that contained no pork, trace amounts of pork could be expected to appear in halal products.

Given the difficulty of all the technical and logistic information necessary to guarantee zero contamination (during slaughter but also during transport), someone who is determined to find pork DNA, will, after several expert analyses, eventually succeed. While this might suggest that halal certification would become less meaningful to consumers, the opposite occurred. Since the accused certification center was unsuccessful in transforming the scandal into an 'affair' (Claverie 1994) by throwing the accusations of scandal back at the accuser (and since no other Islamic certifying bodies rose to its defense), the scandal was 'confirmed.' Not only did calls for punishment appear legitimate, but by the time it was over, halal as a certified standard (based not only on religious but also technical and commercial grounds) was made stronger.

Consolidating the Halal Standards and Reframing Collective Identities

The court's ruling had an impact on the religious field because of the question it was asked to answer, but also because the parties decided to go to court and to attract the attention of the media to the case.

The very fact that the civil court did not declare itself to be incompetent removed the affair from the religious sphere and made it a cause of concern for all citizens. It is significant that the lawsuit was filed by a non-Muslim, although third parties attempted to use this argument to suggest that damages should not be awarded, as recorded in the Minutes: 'Moreover, there is no evidence that the complainant is a Muslim.' It was nevertheless the religious powers that were behind the lawsuit, aware that that court's ruling had the power to establish social order.

In a strategy of scandalization, the court ruling was given as much publicity as possible, including internationally, hence contributing to the extension of its focus beyond the religious field. Along with the judiciary, the media played an important role in this process of de-sectorization. When the arguments used in the court case were echoed in the media, their meanings changed. What had been implicit in the court's decision became, in the media, the very reason for the scandal – with numerous articles in the press focusing on 'fake' halal products (RBK 10–2018; Food Newstime).

Those who were condemned publicly in the media were not the same as the alleged offenders in the court case. Auchan was required to pay a small fine and

suffered little damage to its image. Tsaritsyno was in a more serious situation: not only did it have to pay a hefty fine, but it was involved in other scandals, and began to lose the trust of Muslim customers in its halal products. Although it was not condemned in the court ruling, the certification center suffered the greatest blow to its image. Dinar Sadykov considered that his adversaries had ‘discredited him, damaged his honor, his dignity and his commercial reputation,’ and had attempted to ‘vilify him and harm his international authority’ (RBK 12–2018). The press did not make a distinction between pork DNA and pork meat in the sausages. The scandal gave precedence to industrial purity over religious purity (Bergeaud-Blackler 2017). For halal non-specialists, trace amounts of pork were likened to fraud and generally attributed to money grabbing and profit seeking, even to ‘profanation.’ (EurAsia Daily). Indirectly, the government (through its judiciary branch) strengthened its capacity to designate the best certification center by directing public trust.

By moving the debate about halal products into the public arena, the scandal helped reshape the halal standard and made it more legitimate in a broader social space. At this point, little is known about halal consumers and their attitudes toward certification in the Russian Federation (Kapustina 2016). Available information suggests that, whereas most devout Muslims continue to rely on products from outside the certification circuit, inexperienced and inexpert believers in multi-faith contexts – such as big cities – turn to halal-labelled products that are clearly intended for Muslims. Hence the development of the market in Muslim goods is part of a process of re-Islamization.

Scandals like the one examined here actually help spread the message that one should ‘consume halal.’ As a result of the scandal, certification appeared necessary to individual believers because it allows them to make the right choice – to consume products compliant with the tenets of ‘their’ religion. State institutions – namely the Justice System– played a central role in reframing halal as the marker of a collective identity. Although the courts avoided using this term, a ruling about ‘fake halal’ *de facto* introduced a supposedly ‘true halal’ as legitimately recognized by an emanation of the state. Certification was validated by the state in its capacity to determine whether food products comply with the standard, therefore to classify them and to identify which ones are intended for Muslims. Paradoxically, the strategy of de-Islamization of halal through the court and media discourses stimulates process of re-Islamization with collective identities constructed by the state.⁵

5 I thank an anonymous referee for this observation.

Conclusion

With the rapid development of a competitive halal certification market in the Russian Federation, the spread of a commercial rationale in the religious sphere extends beyond what market metaphors applied to religion might suggest. First, this rapid rise has transformed the nature of the norm. Halal standardization has taken place against a backdrop of a general rise in standards of compliance for products put on sale. Increasing standards are part of a transformation from a technical rationale to a market rationale, which is consumer-oriented and emphasizes quality and traceability (Cochoy 2000). Moreover, since the norms promoted by different actors follow a commercial rationale, their resources have been impacted profoundly. Certification has changed the rules of the game among competing actors, and recognition by the market has objectified differences in the credibility of religious institutions. In addition, it accentuates the process by which Russian Islam is becoming increasingly bureaucratic. Lastly, even though halal certification opens up a potential path to financial autonomy for religious organizations, the market rationale at the heart of halal legitimacy does not eliminate the role of the state. Instead, the demands and opportunities created by the growing halal market are such that all those involved must reposition themselves in relation to the state, and redefine the role they expect it to play. The economic mindset impacts what people want from public authorities: not so much to assert and apply the principles of secularism laid out in the law, but rather to ensure that individual consumers and believers will have access to a certain category of products – Muslim products in this case. Halal market changes the relations between the Muslim religion and the state and secular arrangements because the state itself is impacted by commercial imaginary.

Acknowledgments

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