

## HARMONIZING THE ROLE OF MAJELIS ULAMA INDONESIA (MUI) AND THE FATWA COMMITTEE ON HALAL PRODUCTS IN INCREASING THE HALAL ECOSYSTEM IN INDONESIA

Erry Fitrya Primadhany<sup>1</sup>

Maimunah<sup>2</sup>

Meyrara Widya Putri<sup>3</sup>

<sup>1,2,3</sup> IAIN Palangka Raya

[erry.fitrya@iain-palangkaraya.ac.id](mailto:erry.fitrya@iain-palangkaraya.ac.id)

### Abstract

The increasing demand for halal products in Indonesia is due to the presence of a Muslim majority population and is also governed by Law Number 33 of 2014, which stipulates that products circulating in Indonesia must be halal-certified. In order to enhance the halal ecosystem in Indonesia, reinforcement is necessary not only from a regulatory standpoint but also through the active involvement of relevant institutions. This presents a challenge for the Indonesian Ulama Council (Majelis Ulama Indonesia or MUI) and the Halal Product Fatwa Committee as institutions responsible for determining halal status. The alignment of these fatwa institutions is crucial for establishing Indonesia as a global halal industry hub. This research examines the harmonization of roles between the MUI and the Halal Product Fatwa Committee in enhancing the halal ecosystem in Indonesia. The study adopts a literature research approach. The methodology used in this research is qualitative, collecting data in the form of words rather than numerical figures. The theoretical frameworks employed in this paper are the theory of legal certainty and the theory of benefits. The research findings indicate that harmonizing the roles of the MUI and the Halal Product Fatwa Committee is considered crucial for the development of the halal ecosystem in Indonesia. Despite their distinct roles, synergy between these entities is necessary to ensure the effective and efficient certification and determination processes for halal products. The MUI is responsible for halal auditor certification, determining product halal status through fatwas, and accrediting Halal Certification Bodies (LPH). Meanwhile, the Halal Product Fatwa Committee focuses on micro and small businesses. This synergy accelerates the halal certification process by 2024, strengthens public understanding, and enhances the trust of both producers and consumers in halal products.

**Keywords :** *Majelis Ulama Indonesia, Fatwa Committee, Halal Products, Halal Ecosystem*

### INTRODUCTION

In Indonesia, the demand for halal products has increased significantly. (Dwi et al., 2020) This rapid development is related to several things including being supported by the majority of the Muslim population and there is increased awareness among the Muslim community to use halal products. (Hakim et al., 2023) People are now more



concerned about and understand the importance of consuming food, drinks and other products that are in accordance with the halal principles described in Islamic teachings. Not only that, greater attention to product health and safety also influences the demand for halal products where people are becoming increasingly aware of the importance of consuming food that is clean, safe and free from questionable ingredients. (Sri Wahyuni Hasibuan et al., 2020) In the Islamic view, the concept of halal includes aspects of cleanliness and safety, so that halal products are considered more trustworthy in terms of quality and cleanliness.

Regulatory norms regarding halal products in Law Number 33 of 2014 concerning Guarantees for Halal Products (UUJPH) are regulated in Article 4, that Products that enter, circulate, and trade in the territory of Indonesia must be halal certified. The definition of a product based on Article 1 point 1 UUJPH which was amended by the provisions of Government Regulation in Lieu of Law (Perpu) Number 2 of 2022 concerning Job Creation (Perppu Ciptaker) article 48 states, "Products are goods and/or services related to food, beverages, drugs, cosmetics, chemical products, biological products, genetically engineered products, as well as goods used, used, or exploited by the public." So based on these provisions then products traded in Indonesia must be halal certified except to business actors who do produce products from materials that are prohibited as stated in Article 26 paragraph (1) of Law Number 33 of 2014 concerning Guarantees for Halal Products. With these provisions, the government aims to protect the rights of Muslim consumers and ensure that there is trust in halal products, both in food and other products. The existence of this regulation also encourages business actors to comply with established halal standards, thereby supporting the halal ecosystem in Indonesia.

In the framework of the existence of a strong halal ecosystem in Indonesia, not only in terms of regulations, but also the active role of various parties and good cooperation between the government, industry and other related parties. The role of institutions in the halal ecosystem is very important to ensure sustainability and trust in halal products. These institutions can be responsible, for example, in issuing halal certification ensuring compliance with strict halal standards, and carrying out effective oversight of the production, distribution and sale of halal products. So as to maintain consumer confidence in halal food and products, protect the rights of Muslim consumers, and increase awareness and understanding of the importance of choosing halal food and products. Then, with a good halal ecosystem, people can confidently choose products that suit their needs and beliefs, while the industry can produce and market halal products effectively.

Institutions that play an active role in terms of product halalness in Indonesia include the Indonesian Ulema Council (MUI) and the Halal Product Fatwa Committee. It is as which is found on Government Regulation in Lieu of Law (Perpu) Number 2 of 2022 concerning Job Creation provides legitimacy to three institutions authorized to issue fatwas, namely the Indonesian Ulema Council (MUI), the Aceh Ulema Consultative Council (MPU), and the Halal Product Fatwa Committee. MPU as the name implies, only operates and reaches out to Aceh.

MUI as an institution involved in implementing halal product guarantees as specified in the JPH Law. As in Article 1 number 7 of Law Number 33 of 2014 concerning



Guarantees for Halal Products, MUI is a forum for deliberation for Muslim scholars, scholars and scholars. MUI has the authority to determine the halalness of products through a halal fatwa meeting.

Besides MUI, The Fatwa Committee also has an important role in the halal ecosystem. The Halal Product Fatwa Committee was formed by the Ministry of Religion, according to article 33 of the Ciptaker Perppu its task is to determine the halalness of products based on the provisions of the Halal Fatwa, especially on applications for halal certification carried out by micro and small business actors.

Even though from a regulatory standpoint, each institution has assigned duties and authorities, there are still challenges in developing a harmonious halal ecosystem in Indonesia. Some of the challenges faced include the role of fatwa institutions in order to achieve harmonization. Meningat MUI is an institution that was first established and previously played a full role as institutions involved in administering halal product guarantees. DAnd then with regard to the fatwa on halal products, there are changes in the structure and regulations related to the issuance of fatwas in Indonesia. In 2017, BPJPH (Halal Product Guarantee Organizing Agency) was formed through Law Number 33 of 2014 concerning Halal Product Guarantees. And then a Fatwa Committee was formed to provide views and considerations in granting fatwa on halal products.

Another challenge is also in the understanding of the community, both business actors in the halal industry and consumers. The existence of a fatwa institution other than the MUI is considered by some to be dualism. (Argawati, n.d.) The legitimacy of the BPJPH Halal Committee Institution which is under the Ministry of Religion makes it an institution that is also authorized to issue halal certification. It is considered that this will affect the guarantee of legal certainty for people who apply for halal certificates because a fatwa on halal products issued by the Ministry of Religion can still be canceled by the State Administrative Court. Legal uncertainty that arises will certainly be a problem from the consumer side because it can also impact consumer confidence in using halal products.

The halal ecosystem involves many parties including stakeholder elements in the halal field. In order to achieve the common goal, namely to make Indonesia the center of the world halal industry, all components of the halal ecosystem must work together and move in a coordinated manner to achieve this goal. The harmonization of fatwa institutions is important given their role which is essential in terms of the continuity of the halal ecosystem in the territory of Indonesia. So needed guarantee of legal certainty, expediency. increasing public trust, as well as the competitiveness of halal products in the global market. Therefore this research is important to do in order to study "Harmonizing the Role of the Indonesian Ulema Council (MUI) and the Halal Product Fatwa Committee in Improving the Halal Ecosystem in Indonesia"

## **RESEARCH METHOD**

This study uses a type of library research (library research). Library research is an activity in research that intends to collect library data, which is followed by reading and writing and also processing research materials. In this paper the author uses the library



method because the data source is obtained from the results of documentation in the form of books, articles and regulations related to halal product guarantees. In other words, field data collection was not carried out, but rather looking for sources in the form of scientific journals, laws and regulations, books and the internet. The approach in this study uses a qualitative approach, namely the data collected is in the form of words, not numbers. These data were then analyzed using several theories. The theory used in this paper is the theory of legal certainty and the theory of benefits

## **RESULTS AND DISCUSSION**

### **Review of Halal Product Assurance in Indonesia**

Halal in Arabic means permissible, it can also be read as hallal or halal which refers to what is permissible or lawful in Islamic law. (Amie & TjibtoSubroto, 2019, p. 14) which means that whatever is permitted by sharia. (Adinugraha & Sartika, 2019) Halal products and products are regulated in Law Number 33 of 2014 concerning Guarantees for Halal Products (UUJPH) and Perppu Number 2 of 2022 concerning Job Creation (Perppu Ciptaker). Products in a broad sense are products or services that are produced or used by the general public and according to halal products are products that have been declared halal in accordance with Islamic law.

The Halal Assurance System (SJPH) is an integrated management system, which is designed and implemented by a company that has a halal certificate, with the aim of ensuring the continuity of the halal production process in accordance with the stipulated requirements. There are 11 criteria for the Halal Product Assurance System (SJPH), which are as follows:

- a. Halal Policy
- b. Halal Management Team
- c. Training and Education
- d. Material
- e. Produk
- f. Production Facility
- g. Written Procedures for Critical Activities
- h. Halal Industry Ecosystem Traceability
- i. Handling of Products that Do Not Meet the Criteria
- j. Audit Internal
- k. Management Review (Sukoso et al., 2020, p. 143)

The government has intensified the development of the halal ecosystem which covers various aspects in order to increase the potential of halal in Indonesia. Among them are in industry, trade, tourism, financial services, fashion, to food, beverage, pharmaceutical and cosmetic products. (Redaksi Jurnal Halal LPPOM MUI, 2022) To achieve the



common goal of the halal ecosystem, many parties need to be involved to make concerted efforts and synergize in order to make Indonesia the center of the world's halal industry (global hub of halal industry).

The four pillars in the development of the halal industry ecosystem in Indonesia include:

- a. In order to achieve effective implementation in the halal ecosystem, it is important for the government to provide adequate support in the form of adopting policies that comply with sharia and halal principles. This policy needs to be taken both at the macro and micro levels. The government has drafted related regulations and laws, involving the Ministry of Manpower in establishing the Indonesian National Work Competency Standards (SKKNI). In addition, the government can also facilitate the components of halal financing and guarantees properly. An example is providing subsidies and financial support to Micro, Small and Medium Enterprises (MSMEs) in order to obtain halal certification.
- b. The infrastructure needed in each different sector in the halal industry ecosystem must be properly prepared, including logistics and halal infrastructure that are in accordance with different logistics characteristics and needs. In the context of infrastructure as one of the pillars in the halal industrial ecosystem, this infrastructure plays an important role in the preparation of raw material logistics and the supply chain sector which will support the development of various food industries that meet halal standards.
- c. Human resources must also be strengthened through training and awareness raising regarding the importance of halal assurance. To improve and strengthen the HR aspect, it is necessary to raise awareness regarding halal policies and the importance of halal guarantees in Indonesia. Preparation for halal industry players must also be improved through training that strengthens competency in jobs that are directly related to halal, such as supervisors and auditors. Apart from that, it is also necessary to improve HR competencies in testing materials and products, as well as all related competencies both primary and secondary as part of the halal industry ecosystem in Indonesia.
- d. Services that include financial and funding services are an important part of Islamic finance. One of the main problems in Islamic finance is the problem of channeling funds, where it is necessary to consider legal procedures for channeling funds according to sharia. In addition, it is also necessary to provide assistance to business actors related to halal, especially small and medium scale business actors (MSMEs). The priority sector in halal in Indonesia is still related to food and beverage production. In the future, the management of other sectors that have the potential to increase the economic welfare of the Indonesian people through the global halal industry are the tourism, cosmetics and pharmaceutical sectors. The potential of these sectors is very interesting and promising. (Sukoso et al., 2020, p. 75)

### **MUI and the Halal Product Fatwa Committee in the Halal Product Guarantee System in Indonesia**



The Indonesian Ulema Council as a forum for deliberation of Muslim scholars, zu'ama and scholars seeks to:

1. Provide guidance and guidance to Indonesian Muslims in realizing religious and social life that is blessed by Allah Subhanahu wa Ta'ala;
2. Providing advice and fatwas on religious and social problems to the Government and the community, increasing activities for the realization of Islamic brotherhood and inter-religious harmony in strengthening the unity and unity of the nation as well as;
3. Become a liaison between the ulama and umaro (government) and reciprocal translators between the people and the government in order to succeed in national development;
4. Improving relations and cooperation between organizations, Islamic institutions and Muslim scholars in providing guidance and guidance to the community, especially Muslims by holding consultations and information on a reciprocal basis. (*Sejarah MUI – Majelis Ulama Indonesia*, n.d.)

The responsibility for managing halal certification (JPH) is carried out by the Government by establishing the Halal Product Assurance Organizing Agency (BPJPH) in collaboration with the Indonesian Ulema Council (MUI) and the Halal Inspection Agency (LPH). MUI's position and institution has a central and strategic position in determining halal products in the JPH system. (Zulham, 2020) MUI in Article 1 number 7 of Law Number 33 of 2014 concerning Guarantees for Halal Products is a forum for deliberation for Muslim scholars, zuama and intellectuals.

MUI in implementing halal product guarantees based on Law Number 33 of 2014 concerning Halal Product Assurance, plays a role in several fields, namely: certifying Auditors, determining product halalness based on written halal fatwas, accrediting LPH and issuing haram fatwas on material sources food product)

1. certify the Halal Auditor

The Halal Auditor Certification carried out by LSP MUI uses the reference of the Indonesian National Work Competency Standard (SKKNI) for Halal Auditors No 266 of 2019. Based on the SKKNI LSP MUI made a Competency Test Implementation Scheme (assessment) for Halal Auditors and has been verified by BNSP listed in the Attachment to the Certificate the above license. The formation of the MUI LSP is based on the provisions of Article 14 of the JPH Law No. 33 of 2014, one of the requirements for a halal auditor is to have a certificate from the MUI. This certification is important to ensure the competence of the Halal Auditor who is the spearhead in the halal certification process. (LSP MUI, n.d.)

2. Determining the halal of products based on written halal fatwas.

Product Halalness is issued by MUI in the form of a Decision on Product Halal Determination. (Article 48 Perppu Ciptaker) MUI's role in determining product halalness includes holding a Halal Fatwa Session to determine product halalness. Decision on product halalness at the latest 3 (three) working days to receive results of



product inspection and/or testing from LPH. Determination of product halalness to BPJPH as the basis for issuing Halal Certificates.

3. Conduct accreditation of LPH

Examination and/or testing of Product halalness is carried out by LPH. The LPH must obtain accreditation from the BPJH in collaboration with the MUI. The MUI is also involved specifically in the field verification process to then provide a recommendation that the applicant fulfills the requirements as an LPH. ALPH accreditation, a conformity assessment from the MUI is absolutely essential for an LPH to be able to obtain an LPH certificate.

4. Issuing illegal fatwas against the source of product materials (food)

There are stipulations regarding the halal of products that cannot be derived from prohibited substances. Article 18 specifies that materials derived from prohibited animals include: a. carcass; b. blood; c. pigs; and/or d. animals that are slaughtered do not conform to Sharia. (2) Materials derived from prohibited animals are determined by the Minister based on MUI fatwas.

The Halal Product Fatwa Committee is part of the halal assurance system in Indonesia. The basic halal product guarantee system has been regulated in Law Number 33 of 2014 concerning Guarantees for Halal Products (UU JPH) and Government Regulation in Lieu of Law (Perpu) Number 2 of 2022 concerning Job Creation. There is the authority of the Ministry of Religion to form a Halal Product Fatwa Committee filled with scholars and academics. (Siradj, n.d.)

After the DPR approved the Perpu Ciptaker, the Minister of Religion followed this up by issuing Decree of the Minister of Religion (KMA) Number 297 of 2023 which ratified the Task Force for the Halal Product Fatwa Committee. The Fatwa Committee consists of 25 people consisting of elements of scholars and academics from various universities. (Siradj, n.d.)

Based on KMA Number 297 of 2023 concerning the Task Executor Team Fatwa Committee, Product Halal The Fatwa Committee Task Force Team is tasked with determining product halalness:

1. In the event that the Indonesian Ulema Council, provincial Indonesian Ulema Council, district/city Indonesian Ulema Council, or Aceh Ulema Consultative Council exceeds the time limit for determining product halalness in accordance with statutory provisions; And
2. What is requested by micro and small business actors through a halal statement

Based on the wording of the article, the duties of the fatwa committee include determining product halalness if the MUI has exceeded the time limit and secondly, determining product halalness specifically for micro and small business actors.

Based on Article 33B, the Halal Products Fatwa Committee is formed and is responsible to the Minister. The Halal Product Fatwa Committee consists of elements of scholars and academics. The Task Force follows the guidelines that have been set in carrying out the responsibility for determining product halalness. Namely referring to the Halal Fatwa, the criteria set by the Halal Product Assurance Organizing Agency for



the Halal Product Assurance System, as well as laws and regulations relating to the implementation of halal product guarantees. By following these guidelines, the Task Force carries out their duties accurately and in accordance with applicable standards in the halal industry.

### **Harmonization of the Role of the MUI and the Fatwa Committee in Developing the Halal Ecosystem in Indonesia**

Synchronization and coordination between elements involved in the halal ecosystem is very important in order to work together to achieve the same goals and vision. Every element in the halal ecosystem has roles and functions that must be carried out in accordance with the competencies and responsibilities given with full commitment. Obstacles can be in the form of a lack of coordination and sectoral ego, where each component in the halal system feels more important than the others or prioritizes the interests of their respective institutions. (Redaksi Jurnal Halal LPPOM MUI, 2022) To overcome this, of course, efforts are needed in terms of increasing coordination, strengthening a shared vision, collaborative awareness, to establishing clear roles and responsibilities for each component. Thus, each component will have a clear understanding of their duties and responsibilities, reducing the potential for ego-sectoral conflicts.

After the enactment of Law No. 33 of 2014 concerning Halal Product Guarantees, which later also amended several provisions with the existence of Government Regulation in lieu of Law (Perpu) Number 2 of 2022 concerning Job Creation (Perppu Ciptaker), the responsibility for managing halal certification (JPH) is carried out by the Government by establishing The Halal Product Assurance Organizing Body (BPJPH) in collaboration with related ministries and/or institutions, the Indonesian Ulema Council (MUI) and the Halal Inspection Agency (LPH). Perppu Ciptaker also stipulates that the Halal Product Fatwa Committee can play a role in recognizing the halalness of a product. (Article 48 Perppu Ciptaker) Cooperation Relations between each of these institutions forms a system for administering Halal Product Assurance as stipulated in the Law.

MUI and the Fatwa Committee as part of the recognition of halal products in Indonesia have an important and strategic position in determining halal products in Indonesia. MUI in implementing halal product guarantees plays a role in several fields, namely: (1) certifying Halal Auditors; (2) determine the halal product based on a written halal fatwa; (3) conduct accreditation of LPH. And the Halal Product Fatwa Committee based on the provisions of Perppu 2 of 2022 determines product halalness if the MUI has exceeded the deadline and also determines product halalness for applying for halal certification with the business actor's statement mechanism or self-declaring. The fatwa committee focuses on development **MSMEs** because it has strategic potential in halal industrial activities, which include the food and beverage sector, *fashion*, cosmetics, pharmaceuticals, tourism, media, and financial services. (Risalah, n.d.)

The synergy between MUI and the Fatwa Committee aims to accelerate the process of halal certification for business actors who market products in Indonesia. This will lead to an increase in the halal ecosystem where Indonesia is planned to become the center of the world halal industry in 2024. (Sandi, n.d.) The division of authority between the MUI and the Fatwa Committee in terms of halal product certification is expected to be





a supporting factor in the implementation of the halal product guarantee system in Indonesia. Article 67 UUPH stipulates that the obligation to obtain halal certificates for products circulating and traded in the territory of Indonesia will take effect 5 (five) years from the promulgation of Law No. 33/2014, meaning that if on October 17 2024 you do not carry out halal certification, you will be subject to sanctions in accordance with article 27 UUPH which was amended into article 48 Perppu Ciptaker.

So that harmonization between fatwa institutions in accelerating halal certification is an important aspect in ensuring an efficient and consistent process in determining product halalness. Things that need attention are effective coordination and communication between fatwa institutions. including in the context of exchanging information and mutual understanding, the fatwa institution, in this case the MUI and the Halal Product Fatwa Committee, need to coordinate by holding meetings in order to ensure conformity between the fatwa and the requirements for halal certification. In addition, they can also work together in education and training related to the halal certification process. This will strengthen public understanding of the requirements, procedures and regulations related to halal certification. MUI and the Fatwa Committee can also support each other in efforts to promote halal awareness in the community and provide education regarding the importance of halal certification. Outreach to the public regarding halal products will strengthen the message conveyed and create better understanding among consumers

Another thing that needs to be considered in supporting the halal ecosystem besides accelerating halal is halal accuracy.(Mengenal Metodologi Fatwa MUI, Dari Landasan, Konsepsi, Hingga Produk Fatwa, n.d.) The form of synergy needed in this case is an agreement regarding the interpretation of fatwas. It is necessary to seek an agreement in determining product halal standards by involving relevant experts and scholars in the decision-making process. MUI and the Fatwa Committee can work together in preparing guidelines or guidelines that integrate religious and technical perspectives in halal certification. This guide will be a reference for halal certification bodies in the process of testing and determining product halalness. Then evaluation and internal audit can be carried out on the process of determining product halalness.

In UUPH there is a provision that the concept of self-declare (independent recognition) is given to small and medium enterprises (SMEs). The validity of this process certainly requires the accuracy of the fatwa as a halal guarantee for a product. Therefore it is necessary to strengthen assistance in the process of halal products that can be carried out by BPJPH.

The role of the MUI Institute and the Halal Product Fatwa Committee is very important in ensuring that products declared halal meet certain standards and requirements, thus increasing protection, a sense of security, and public trust in consuming halal products. In addition, this role also opens up new opportunities in the trade and growth of the halal industry, which has the potential to provide economic benefits and employment opportunities for the community, as well as improve overall economic welfare. Through harmonization between the MUI and the Halal Product Fatwa Committee, certainty is created for businesses and consumers regarding the requirements and process of halal certification. Consumers become more confident and



comfortable in choosing and using halal products, which has the potential to increase market demand for halal products and make it easier for manufacturers to market their products to the global market or expand market reach. This also has an impact on increasing employment, income, and encouraging innovation in the halal economic sector. Through collaboration and synergy between the MUI and the Halal Product Fatwa Committee, it can increase the sustainability of the halal ecosystem as a whole.

## CONCLUSION

The concept of halal products and the halal guarantee system is regulated in Law Number 33 of 2014 concerning Halal Product Guarantees and Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation. The Halal Guarantee System (SJPH) is important in ensuring the continuity of the halal production process according to the specified requirements. Then, it emphasized the importance of developing a halal ecosystem in Indonesia through joint efforts and synergy between various parties. The pillars of halal ecosystem development include halal policies that comply with sharia principles, infrastructure that supports halal logistics, improving human resources through training and awareness, as well as financial and funding services that comply with sharia principles. The priority sectors in the halal ecosystem are food, beverages, tourism, cosmetics and pharmaceuticals.

The Indonesian Ulema Council (MUI) and the Halal Product Fatwa Committee have an important role in the halal product guarantee system in Indonesia. The MUI is tasked with certifying halal auditors, determining halal products based on written fatwas, accrediting Halal Inspection Institutions (LPH), and issuing haram fatwas on product ingredient sources. The Halal Product Fatwa Committee, which is staffed by ulama and academics, is responsible for determining the halalness of products if the MUI exceeds the deadline for determining them, especially for micro and small businesses. These two institutions play a crucial role in implementing the halal product guarantee system in Indonesia in accordance with applicable laws and regulations.

Harmonizing the roles of the Indonesian Ulema Council (MUI) and the Halal Product Fatwa Committee has an important role in developing the halal ecosystem in Indonesia. In order to achieve common goals, coordination and synergy between these two institutions is very necessary. MUI plays a role in certifying halal auditors, determining halal products based on written fatwas, and accrediting Halal Inspection Institutions (LPH). Meanwhile, the Halal Product Fatwa Committee focuses on determining halal products for micro and small businesses. With harmonization between the MUI and the Fatwa Committee, Indonesia will experience an accelerated process towards mandatory halal certification in 2024 and the halal ecosystem in Indonesia can develop in accordance with the vision of becoming the center of the world's halal industry. This synergy can also strengthen public understanding of halal certification



requirements, increase halal awareness, and create certainty and trust for producers and consumers regarding halal products.

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