**APPLICATION OF HALAL CERTIFICATION BY INDONESIAN ULEMA COUNCIL (MUI) ON ELECTRONIC PRODUCTS AND NON CONSUMPTION OF MASLAHAH PERSPECTIVE**

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**ABSTRACT**

*The background of this research is there are indications from those who criticize the granting of halal certification on electronic and non-consumption products, while the critics say that the granting of halal certification is only as a religious capitalization, the mode of following the trend of the MUI, getting fees and there are those who say that this is wrong kaprah.*

*This study aims to analyze how MUI halal certification is in electronic and non-consumption products and how the application of halal certification in electronic and non-consumption products is a perspective perspective. This type of research is field research with an empirical approach, descriptive qualitative research. Data collection techniques used were literature, interviews and documentation based on secondary sources obtained from dictionaries, brochures, expert opinions, and religious leaders.*

*Based on the results of the study concluded that the application of MUI halal certification in electronic products is still voluntary, so there is no mandatory (obligation) from business actors to register their products in order to obtain halal certification. The application of MUI halal certification in electronic and non-consumer products first refuse mudharat must take precedence over taking little benefit. Secondly for companies or producers, applying for halal certification aims to provide a sense of security and comfort in the community and increase the added value of their products and finally the existence of halal products even though they are non-consumption, besides having benefits for people because they are more confident in the products used also benefit the company, as well as meet the provisions in the Act.*

**Keywords**: MUI, Halal Label, Certification.

**INTRODUCTION.**

Consuming halal products is the right of every individual as a citizen guaranteed by the 1945 Constitution. It is not surprising that Indonesia with the largest Muslim population in the world, the government through the Ministry of Religion encourages industry players to provide halal products which are the basic needs of Muslims which results the flood of these products from within and outside the country.[[1]](#footnote-2) If a product does not clearly include a halal label, it may have a fatal impact on the individual and the company producing it. The requirement to include halal products in a product is stipulated in Law Number 33 of 2014 concerning Halal Product Guarantee (JPH).[[2]](#footnote-3)

Guaranteed halal of a product is important to note given the rapid development of science and technology that has given birth to a variety of ready-to-eat products which certainly affects the way of processing and utilization of production materials. So it does not rule out the possibility that something that is halal will be mixed with haram and becomes difficult to distinguish when it has become a legitimate product.[[3]](#footnote-4)

The halalness of a product is issued by the Halal Product Guarantee Agency (BPJPH) based on a written halal fatwa issued by the Indonesian Ulema Council (MUI).[[4]](#footnote-5) If previously halal certification was done through one door, namely LPPOM MUI, now the certification process is managed through BPJPH under the Ministry of Religion. The product content process can later be carried out by bodies outside the MUI, such as universities and foundations that have received MUI accreditation. Even so, the product must still get halal fatwa from MUI. The determination of this fatwa was carried out in a meeting attended by members of the MUI Fatwa Commission.[[5]](#footnote-6)

The MUI fatwa that is conceptually determined always comes from the aim of the Shari'a (maqāsid syarī'ah), which is to provide continuous maslahah (goodness) and eliminate kemudharatan. In other words, the consideration of the issue in the MUI fatwa is the initial purpose of the introduction and development of the Islamic economy itself, especially for products whose status is not halal certified.[[6]](#footnote-7)

Halal law issued by MUI is usually spread across several industries including food ingredients, cosmetics, fashion, and health care. As time goes by, what the MUI body checks turns out to be not just food and drink, but also other non-consumption products such as clothes, detergents, cooking utensils, even this past year the MUI issued a halal fatwa on electronic products in the form of a refrigerator from PT Sharp Electronic Indonesia. Whereas Law Number 33 Year 2014 concerning Halal Product Guarantee only regulates goods or services related to food, drinks, medicines, cosmetics, chemical products, biological products, genetic engineering products, as well as used goods that are used, used, or utilized by the community. So that various responses and public opinion related to this fatwa. Some are very supportive and some are actually the opposite.

For example in this issue, moderate Islamic observer Neng Dara Affiah criticized halal certification for non-food and beverage products by calling it religious capitalization and this was the mode of following the trends of the MUI. Because, in the case of halal labeling for example, MUI will get a fee. Then the matter of Islamic banking, MUI people also get a position. This has encouraged the suspicion of many parties when the MUI issued its fatwa on the basis of sharia and its halal label.[[7]](#footnote-8)

Not only that, criticism was also conveyed by the Special Staff of the Vice President for Economic and Financial Affairs, Wijayanto Samirin, that a refrigerator that is certified halal is actually misguided. He referred to Article 1 paragraph (1) of Law Number 33 Year 2014 concerning Guarantees of Halal Products related to "used goods" which included clothes, shoes, bags containing animal elements such as fur, leather, and bones. Even the head of the Ministry of Religious Affairs BPJPH, Sukoso, said similar things.[[8]](#footnote-9)

Furthermore, the results of M. Atho Mudzhar's study before this become relevant, namely that the MUI fatwas seem to be too eager to confirm almost every conventional economic instrument by increasing the use of hīlah (the law). Even though this method can carry the risk of developing economics which prioritizes formal legality considerations rather than morality, whereas of course morality considerations are the initial objective of the introduction and development of the Sharia economy itself, both in terms of banking and in products whose status is not halal certified.[[9]](#footnote-10)

Based on the examples that have been presented, it seems that fatwas often invite pros and cons, and almost always. Is it true that the perception that the issuance of halal labels by MUI only follows trends, the use of elite groups for projects, or their orientation due to financial factors? Then what about the consideration of the issues in the MUI fatwas which form the basis for developing products whose status is not halal to become halal certified? At this level, the authors are interested in researching and reviewing it with the title Application of halal certification in electronic products and non-consumption perspective maslahah. Focus of the Problem :What is the MUI halal certification system for electronic and non-consumption products?. How is the application of halal certification in electronic products and non-consumption of Maslahah perspective ?

**RESEARCH METHODS**

The approach taken in this study is an empirical sociological approach. According to Ronny Hanitijo Soemitro, an empirical sociological approach is a literature approach that is based on regulations, books or legal literature and materials that have relationship problems and discussions in this writing and direct data collection on research objects related to halal certification. on refrigerator electronic products. Types of Researchers used in qualitative research. Qualitative research is an approach or search to explore and understand a central phenomenon.[[10]](#footnote-11)

In qualitative research, the data collected is related to the research focus. The data obtained is composed of two types of research, namely: data sourced from humans and data sourced from non-humans. Data sourced from humans comes from informants, in this case people who are directly the subject of research. While data derived from non-humans is derived from documents in the form of notes, recordings, images or photographs and observations that are directly related to the focus of this research, the writer collects all data which is then presented in the thesis as a combined effort of what is seen and what is heard, which is then recorded in detail without anything being left at all, also so that the existing data can be accounted for.[[11]](#footnote-12)

The data from this study were obtained from secondary data or second hand data is data obtained from dictionaries, brochures, expert opinions, and religious leaders. This data is usually in the form of documentation data or report data that is already available. Secondary data is research data obtained indirectly by researchers (through intermediary media or obtained and recorded by other parties). Secondary data are generally in the form of historical records or reports which have been arranged in archived and unpublished archives.[[12]](#footnote-13)

**DISCUSSION**

**A. Halal Certification**

1. Definition of Halal Certification

Halal certificate is a certificate issued by the Central or Provincial MUI regarding the halal of a food, beverage, medicines and cosmetics products produced by a company after being examined and declared halal by LPPOM-MUI. The authority issuing halal product certification is the Indonesian Ulema Council (MUI) which is technically handled by the Food, Drug and Cosmetics Assessment Institute (LPPOM).[[13]](#footnote-14)

Whereas the position of halal certification in the National legal system in Indonesia has a central position, because halal certification is stipulated in Law Number 33 of 2014 concerning Halal Product Assurance which in legal system is part of the legal system, namely the legal substance which has legal force and certainty law. And this is an effort to protect consumers in Islamic law.[[14]](#footnote-15) This is precisely what requires food products to have a label, to determine whether the product is halal or haram for Muslims to consume, because actually halal and haram must be clear. Food products must also have legal certainty whether the food product is halal or haram for Muslims to consume . Business actors who submit applications for halal examinations to halal examining institutions must provide copies to the Ministry of Religion, and are required to make several statements and prepare a halal guarantee system, namely:[[15]](#footnote-16)

1. Make a statement that the inspection of the halal guarantee system can be carried out in accordance with the scope of the proposed product.
2. Making a statement will not abuse a halal certificate.
3. Making a statement will not provide misleading or invalid information relating to halal certificates.
4. The halal guarantee system must be documented clearly and in detail and form part of the company's management policy.
5. In its implementation, this halal guarantee system is described in the form of a halal alloy, which serves as a permanent reference in implementing and maintaining a halal guarantee system regarding the halal product.
6. f. Manufacturers describe technical halal guidelines in the form of standard operating procedures to oversee every critical process so that the halalness of their products is guaranteed.
7. Both halal guidelines and standard operating procedures prepared must be socialized and tested in the company.
8. The halal guarantee system and its implementation are monitored and evaluated according to an internal halal audit system (internal audits are carried out by internal halal appointed by the leadership of the company).
9. Coordination of the implementation of the halal guarantee system is carried out by a team of internal halal auditors who represent all sections related to halal production determined by the company.

To support the halal certification process, LPPOM MUI establishes requirements as a series of halal certification processes. Before conducting an audit of companies that registered halal certification with LPPOM MUI, the requirement was a Halal Assurance System (SJH). The company is free to choose the method and approach needed in determining the SJH, as long as it can meet the 11 criteria of SJH as follows, namely:[[16]](#footnote-17)

1. Halal Policy: Top Management must establish Halal Policy and socialize halal policy to all company stakeholders.
2. Halal Management Team: Top Management must establish a Halal Management Policy that covers all parts involved in critical activities and has clear duties, responsibilities and authority.
3. Training and Education. Companies must have written procedures for conducting training. Training must be held at least once a year or more often if needed and must include graduation criteria to ensure competency of personnel.
4. Material. Material must not come from pigs and their derivatives, khamar (alcoholic drinks), khamar derivatives obtained only by physical separation, blood, carcasses, and human body parts.
5. Product. Brand / product names may not use names that refer to something that is forbidden, retail products with the same that circulate in Indonesia must be registered entirely for certification.
6. Production Facilities. Production lines and supporting equipment may not be used interchangeably to produce halal products and products containing pigs or their derivatives.
7. Written Procedure for Critical Activity. The company must have written procedures regarding the implementation of critical activities (selection of new materials, purchase of materials, inspection of incoming materials, production, etc.), adjusted to the company's business processes that guarantee all materials, products, and production facilities used meet the criteria.
8. Search capabilities. The company must have written procedures to guarantee the ability to trace certified products from approved materials made at production facilities that meet the criteria for production facilities.
9. Handling of Products that Do not Meet the Criteria. The company must have written procedures for handling products that are already made of materials and at facilities that do not meet the criteria.
10. Internal Audit. The company must have a written procedure for internal audit of the SJH implementation which is carried out on a scheduled basis at least every six months. The results of the internal audit are delivered to the party responsible for each activity audited and the LP POM MUI in the form of periodic reports every 6 (six) months.
11. Management Review. Top management must review the effectiveness of the SJH implementation once a year or more often if needed. Evaluation results must be submitted to those responsible for each activity.

The process of granting halal certificates is based on Law Number 33 of 2014 concerning Halal Product Guarantee, based on article 29 that the application for halal certificates is submitted by business actors in writing to the Halal Product Guarantee Agency (BPJPH).[[17]](#footnote-18)

2. The concept of maslahah in Islamic Legal Theory

1. Definition of Maslahah

According to the language, the word maslahah comes from Arabic and has been standardized into Indonesian to be the word maslahah, which means to bring good or bring benefit and resist damage.[[18]](#footnote-19) According to the original language the word maslahah comes from the word salahu, yasluhu, salahan, صالحا, يصلح, صلح means something good, proper, and useful.[[19]](#footnote-20)

Maslahah, etymologically is a single word from al-masalih, which means the word wrong, which is "bring goodness sometimes also used another term that is al-islislah which means" looking for good "not infrequently the word maslahah or istislah is accompanied by the word al-mu fate which means "things which are suitable, appropriate and appropriate for their use.[[20]](#footnote-21) From some of these meanings can be taken an understanding that everything, anything, which contains benefits in it both to obtain benefits, goodness, and to reject harm, then all of that is called maslahah. In terminology, maslahah can be interpreted as taking benefits and rejecting mudharat (danger) in order to maintain the aim of syara (Islamic law).[[21]](#footnote-22)

In the context of the study of the science of usul al-fiqh, the word becomes a technical term, meaning various benefits intended by Syar'i in establishing the law for His servants, which include the aim of preserving religion, life, reason, descent, and property wealth, and prevent things that can result in a person's escape from these five interests.

1. Maslahah According to Ulama

Maslahah according to the expert Usul ulama described by Imam al-Ghazali, maslahah in the initial sense is to draw benefit or reject madharat (something that causes harm), but that is not what we want, because the cause of achieving usefulness and denying harm, is a goal or purpose of creatures, as for the goodness or benefit of creatures lies in the achievement of their goals, but what we mean by maslahah is to maintain or preserve the purpose of shara ', as for the purpose of shara' associated with the creatures there are five, namely: the preservation of them (the creatures) of religion they, their souls, their intellect, nasab or their descendants, and their possessions, then everything that contains or includes the maintenance of the five basic points is maslahah, and every thing that denies the five basic points is mafsadah, whereas if it rejects it (something that deny five basic points) is maslahah.[[22]](#footnote-23)

Maslahah is every thing that gives rise to an action, in the form of good things. While in the terminology of Shari'a, there are various definitions. Mustafa Syalbi concludes in two senses. maslahah is a result itself arising from an action, which is in the form of goodness or usefulness. Imam Ghazali defines maslahah as something that can bring benefits and overcome damage.[[23]](#footnote-24)

According to Abu Nur Zuhair, maslahah is a characteristic that is in accordance with the law, but it is not certain whether or not it is recognized by syara '. According to Abu Zahrah, maslahah is in accordance with the purposes of God's lawmakers in general, but there is no basis on which to specifically prove whether or not it is recognized.

According to Asy-Syatibi, maslahah is any principle of sharia 'which is not accompanied by specific narrative evidence, but in accordance with the act of shariah' and its meaning is taken from the arguments of sharia '. According to Imam Malik, maslahah is any benefit that is not based on a special text that shows whether muktabar (recognized) or not the benefits of it.[[24]](#footnote-25)

So, maslahah is a benefit which has no basis as the proposition and there is no basis as the proposition that justifies it. Therefore, if a case is found that the legal provisions do not exist and there is no illicit law which can be excluded from the syariah 'which determines the legal certainty of the case, then something is found in accordance with the Islamic law', in the sense of a legal provision based on maintenance kemadharatan or states that something is beneficial, then a case like this is known as maslahah.[[25]](#footnote-26)

1. Attention Al-Quran and Sunnah Against Maslahah

Maslahah is the main goal of a law (maqāsid syarī'ah)[[26]](#footnote-27) or in other words, the substance of the maqāsid syarī'ah is benefit.[[27]](#footnote-28) Islamic law is always faced with the challenges of change and development of society as well as M. Atho Mudzhar said Islamic law must not be immune to change. Because the purpose of the law is to protect human interests on a universal scale, and scholars agree that Islamic law is suitable at all times and the place. Thus, the Koran has laid down the basic foundations and general principles of the subject of Islamic law, which are among the principles of the maslahah. Furthermore, theorists of Islamic law conclude that maslahah is the core objective / principle of establishing Islamic law.[[28]](#footnote-29)

When we open the pages of the holy book of the Quran, there are many verses in which the message is always accompanied by the expression of the principle of maslahah which is the main purpose of the messages. Following this is a small portion of the verses of the Koran which indicate that how great is the understanding of the Koran on the principle of maslahah which is at the core of Islamic legal requirements.

1. The First Proposal

Translation: *Remember when your Lord said to the Angels: "Verily I want to make a caliph on earth".* (Q.S Al-Baqarah: 2/30) "[[29]](#footnote-30)

This verse in addition to affirming Allah's plan ﷻ to create mankind on the face of the earth which he disguised to the angels, also signifies the purpose of that, namely as the caliph. So, the caliph is a problem that wants to achieve the secret of the creation of mankind.

1. Second Theorem

Translation: *And I did not create jinn and men but that they might serve me*. (Q.S Al-Dzariyyat: 51/56).

This verse confirms that the purpose of the creation of humans and jinn is to worship, serve and worship God. Thus, devotion and worship of Allah ﷻ is the problem desired by Allah ﷻ behind the secret why humans and jinns were created.

1. . Third Theorem

Translation: *On this day I have perfected for you your religion, and I have supplied you with my favors, and I have accepted that Islam is a religion for you* (QS Al-Māidah: 5/3). "

As the proof / source of Islamic law that functions as a bayan (tabyin) against the Koran, the messages conveyed by the Sunnah / Hadith are always in line and relevant to the Koran. If the messages of the Koran about law are loaded with the principle of the maslahah, so is the case with the Sunnah / Hadith where the messages about the law are often accompanied by the principle of the maslahah. This can be seen from the following hadith:

Translation: *Abu Hurairah radhiyallahu ‘anhu said the Prophet sallallaahuallalaihiwasallam said," Among the signs of the goodness of one's Islam: if he leaves things that are not beneficial to him.* " (at-Tirmidhi no. 2318).[[30]](#footnote-31)

From this hadith, Rasulullah ﷺ explained that something that is not beneficial to a Muslim, can be in the form of words or deeds. So every word and deed that is of no use whether it is in the interests of ukhrawi of a Muslim or for his worldly interests, he should leave it so that his Islam becomes good. That is the side of the problem shown in the hadith.

1. Maslahah Categorization

Maslahah can be categorized based on the quality and importance of the benefit, the content of the benefit, the change or not of the benefit, and the existence of the maslahah. The more detailed explanation is as follows:

1. Maslahah based on the terms of changing maslahat

According to Mustafa asy-Syalabi (professor of fiqh at al-Azhar University, Cairo), there are two forms of benefit based on the terms of benefit change. First, al-maslahah as-sabitah, that is, permanent benefit, does not change until the end of time. For example, various religious obligations such as prayer, fasting, almsgiving and pilgrimage. Second, al-maslahah al-mutagayyirah, which is the benefit that changes according to changes in place, time, and subject of this kind of benefit law related to issues of muamalah and customs, as in the problem of food which varies between regions and regions the necessity of this division, according to Mustafa ash-Shalabi, is intended to provide limits on the benefits that can change and which do not change.[[31]](#footnote-32)

1. Maslahah based on the existence of maslahah according to syara '.

Benefits like this according to Mustafa ash-Shalabi divide it into three types, namely:

1. Maslahah mu'tabarah

Maslahah mu'tabarah is a maslahah that is expressly recognized by the Shari'ah and has stipulated legal provisions to realize it.[[32]](#footnote-33) As said by Muhammad al-Said Abi Abd Rabuh, that maslahah mu'tabarah is the benefit recognized by shari'a and there is a clear proposition to preserve and protect it.

1. Maslahah Mulgah

Maslahah mulghah is also a maslahah that is not recognized by the Shariah 'through direct texts. In other words, the benefit is rejected because there is an argument that shows that it is contrary to the provisions of a clear argument. For example the equal distribution between men and women in the distribution of heirlooms.[[33]](#footnote-34) Even though at the beginning it was apparent that he gave the two parties the same division of inheritance, but he was not interpreted by the Shariah 'based on the word of God':

Translation: *"Allah has commanded you concerning the division of heirlooms for your children, that is the portion of a boy equaling that of two daughters.*" (Q.S an-Nisa ': 4/11).

1. Maslahah Mursalah.

The problem of the problem is the problem of the problem referred to in this discussion, the meaning of which is like the definition mentioned above. This problem exists in the problems of muamalah in the Koran and as-Sunnah to be able to do an analogy, for example: traffic rules with all signs -this ambulance, such a regulation does not exist in a special proposition that governs it, either in the Quran.

1. Maslahah based on quality and benefit aspects.

The Jurisprudence experts suggest several divisions of benefits Based on the quality and importance of benefit, they divide them into three forms as follows:[[34]](#footnote-35)

1. Al-Maslahah al-Dharuriyyah

Benefit related to the basic needs of mankind in the world and in the hereafter in other words Al-Maslahah al-Dharuriyyah (primary needs) is a basic need that involves realizing and protecting the existence of the five points, namely: preserving religion, preserving souls, protecting mind, preserving offspring , and preserve property according to the experts on fiqh, these five benefits are called al-masalih al-khamsah. If this benefit is lost, then human life will be destroyed because of it, and will not survive both in the world and in the hereafter. According to al-Syathibiy, of the five things is religion and the world can run in balance and if maintained will be able to provide happiness for the community and individuals .

1. Al-Maslahah al-Hajiyyah

The benefit needed in perfecting the basic basic or basic benefit in the form of relief to maintain and maintain basic human needs in other words, the needs of al-Hajiyyah (secondary needs), is something that is needed for human life, but does not reach the level of dharury if these needs not fulfilled in human life, will not negate or destroy life itself, but its existence is needed to provide convenience in life.[[35]](#footnote-36)

1. Al-Maslahah al-Tahsiniyyah

Benefits that are complementary in the form of freedom that can complement the previous benefits In other words is something that is complementary to the needs of life and further enhance the welfare of human life If the benefit of Tahsiniyyah is not fulfilled, then the benefit of human life will feel less beautiful and less enjoyable, even if it does not cause welfare[[36]](#footnote-37). destitution and destruction of life. Its existence is desired for moral glory and good social order.

1. Prosperity Maslahah

A difference will end in grace. Presumably this is used by the fuqaha when looking at istihsàn as one of the propositions in establishing syariah law '. So that various opinions emerge. The groups of Shafi'i, Zahiriyah, Sy'’ah, and Mu'tazilah scholars did not accept istihsàn as hujjah, especially istihsànbi al-‘urf for Imam alGazallì. They give a variety of reasons the point is that with Istihsàn, a person (mujtahid) is feared to be trapped in setting laws based on reason and lust, and this has never been applied by the Messenger of Allah juga, nor is there a clear and accountable benchmark about it .

In contrast to al-Shatibi, he states that istihsàn is not solely based on logic and lust, but is based on a stronger proposition (in its benefit content) and through the induction of a number of texts not partially. So that al-Sahibí is classified as a scholar who receives Istihsàn can be made hujjah. In line with al-Shafi'i are Hanafiyah scholars, Màlikiyyah as well as some Hanàbilah scholars. Of the various opinions that exist have a valid argument and quite strong. Although there are differences, basically what is used as the base of the problem is the fear of human being trapped in their lust when taking maslahat (istihsàn) as hujjah. As a result, engaging in istihsàn is permissible as long as it does not just take something that is good because of impulse for better reasons without seeing other arguments that should be used as material for comparison and consideration.[[37]](#footnote-38)

1. Criteria for Maslahah According to MUI

The criteria according to the MUI can be seen as follows:

1. Maslahat / benefit according to Islamic law is the attainment of the objectives of the shari'a (maqashid al-shari'ah) which is realized in the form of the maintenance of five primary needs (al-dhariyyat al-khams), namely religion, reason, soul, wealth, and descent.
2. Benefits that are justified by sharia are benefits that are not contrary to the text. Therefore, benefits should not conflict with the text.
3. Those who have the right to determine the benefit of something according to the Shariah 'are institutions that have competence in the field of Shari'ah and are carried out through ijtihad jama'i.[[38]](#footnote-39)

**B. MUI Halal Certification on Electronic Products and Non-Consumption**

Consumers in Indonesia have started to pay attention to halal labels. This is proven halal label affects the sale of food products. The issue of pork fat in 1988 caused a drop in sales turnover of some food products. The issue of mixing beef with wild boar meat, causing a drop in sales turnover of meat and processed sellers. The issue of rats, fish and formalin chicken meatballs and many other cases shows the awareness of Indonesian people to choose halal food that is good.[[39]](#footnote-40)

The need for halal products has increased significantly from year to year. With the largest Muslim population in the world, the government through the Ministry of Religion encourages industry players to provide halal products which are the basic needs of Muslims. The high demand for halal products does not only come from the domestic market. Incessant exports to countries with a majority Muslim population helped encourage industry players to carry out international standard halal certification. Legally, the need for halal products is mandated in Law Number 33 of 2014. This law is implemented by the government through the Ministry of Religion's Halal Product Guarantee Agency (BPJPH).[[40]](#footnote-41)

Basically, government regulations related to product standards, especially halal food in Indonesia are not quite new. Indonesia already has halal certification guidelines issued by the Indonesian Ulema Council, namely Requirements of Halal Certification HAS 23000.[[41]](#footnote-42) In addition, various elements to ensure the halal value chain of food production.

Applicability of Law No. 33 of 2014 concerning Halal Product Guarantee aims to provide certainty to the public regarding halal products. Whereas non-halal products will not have an affirmation of illicit product types. Non-halal products will only include images of the contents contained therein such as the presence of animal heads while alcoholic beverages will be given the symbol of a bottle and so on.[[42]](#footnote-43)

Besides that, the enactment of Law No. 33 of 2014 concerning Halal Product Guarantee is a government follow-up to the results of ijtima ʻulama who have issued various types of fatwas including halal products, which in the end did not have binding power such as qadha '(court decision) which has the nature of remembering and forcing. Fatwa is only limited to the opinion of scholars or muftis. So if this fatwa is adopted as a court decision, even more so if it is adopted into a positive law / regulation of a particular area then it has binding legal force.[[43]](#footnote-44) So the MUI fatwa is not binding on citizens, but can be binding as long as it is absorbed into the legislation.

Halal certification by MUI is a process for obtaining halal certificates through several stages to prove that materials, production processes and SJH meet LPPOM MUI standards.[[44]](#footnote-45) Previously, halal certification was only done through one door, namely LPPOM MUI, now the certification process is managed through BPJPH under the Ministry of Religion.[[45]](#footnote-46) The product content process can later be carried out by bodies outside the MUI, such as universities and foundations that have received MUI accreditation. Even so, the product must still get halal fatwa from MUI.

This MUI halal certificate is a prerequisite for obtaining permits for the inclusion of halal labels on product packaging from authorized government agencies. However, the MUI halal certification is still voluntary, so there is no mandatory (obligation) from business actors to register their products in order to obtain halal certification. So that there are still many food products that have not been halal certified.

The determination of the fatwa on the issue of halal products is carried out by the Indonesian Ulema Council Fatwa Commission. The determination of the fatwa was carried out in a meeting attended by members of the MUI Fatwa Commission. To hold a fatwa determination meeting based on:

1. Requests or questions from the community that the MUI Leadership Council considers necessary to discuss and give its fatwa.
2. Requests or questions from the government, social institutions / organizations, or MUI itself.
3. Development and discovery of religious problems that arise due to changes in society and the progress of science and technology.

During the process of the meeting, the secretary and / or deputy secretary of the fatwa commission records the suggestions, suggestions and opinions of the commission members to make the meeting minutes and the decision materials of the fatwa commission. In certain cases, the meeting can bring experts related to the problem being discussed.

The fatwa was established after an in-depth and comprehensive discussion and attention to the opinions and views developed at the meeting. Fatwas that have been determined by the fatwa commission through a fatwa commission meeting are immediately reported to the MUI Leadership Council to be announced to the public and the parties concerned.

**C. MUI Halal Certification on Electronic Products and Non Consumption Perspective Maslahah**

The circulation of advertisements of electronic products in the form of halal refrigerators that have been certified from the MUI with the number 00170087970318 in 2018 and several other non-consumption products make people wonder about the intent and purpose. A moderate Islamic observer, Neng Dara Affiah, criticized halal certification for non-food and beverage products, considering that these items should not be eaten, even labeling as such could create community separation, especially between Muslims and non-Muslims.[[46]](#footnote-47)

Sumunar Jati (Deputy Director of LPPOM MUI) said there were no provisions requiring electronic goods to obtain halal certification. However, LPPOM MUI also cannot refuse if there is a request for certification, in accordance with the fatwa determination procedure. For companies or manufacturers, applying for halal certification aims to provide a sense of security and comfort in the community and increase the added value of their products. In other words, the existence of halal products, even though they are non-consumption, besides having benefits for the community because they are more confident in the products used, will also benefit the company, and fulfill the provisions in the Act.[[47]](#footnote-48)

Confidence in doing an action is in line with the rules;

Translation: *"Faith cannot be dispelled with doubt*"[[48]](#footnote-49)

In the writer's opinion, this rule is very rational for the reason that halal certification is given to a product both consumption and non-consumption, that is, confident about the product used. This rule leads us to the concept of ease in removing the difficulties that sometimes afflict us, by building legal certainty by rejecting doubts. As we know, the result of doubt is burden and difficulty. Then we are instructed to know the law correctly and surely so that it feels easy and light in carrying out Allah commands ﷻ, including that it is a matter of something that is used or eaten. The concept is halālan tayyiban (halal again good), a healthy and safe product certainly brings problems to all.

Developing the halal industry is indeed a good thing, but do not burden the entrepreneurs and become an obstacle for them to invest. It would be nice if each company only provided information related to what was contained in the product and the expiry date. Because labeling like this is sometimes used by groups of people, especially elites for certain projects. Where the cost of halal certification can reach Rp. 5 million for one product and must be renewed every two years.[[49]](#footnote-50) This impressed the MUI's mode of giving halal labels but with financial orientation and MUI people also got functional positions, and seemed to find a way and force themselves to confirm what was haram to be halal. It should be noted here, that basically, MUI will not issue a fatwa if there are no requests or questions from the public. Whether it's from individuals, companies, legal entities or financial institutions that are not yet operational.

When there are questions or legal requests from the public about the halal nature of a product, a secretariat led by a secretary no later than one working day will submit the question to the chairman. MUI will conduct an in-depth study based on the nass-nass, the events of the time of the Prophet, friends, or opinions of the previous scholars. After an in-depth study and it was found that this was not contrary to Islamic law and in line with the maqāsid al-Syarīah (maslahat), the MUI fatwa was issued.

The Indonesian Ulema Council is a gathering place for ulemas who have the authority to perform jama'ī (collective) jijtihad (collective), and provide answers in responding to contemporary problems without prejudice to the nass-nass and opinions of existing scholars. Because if the ulama let the ordinary people look for their own answers is very dangerous to the religious life of the people, then the scholars are obliged to do ijtihad or istinbāt law to encourage people to the right understanding. Refusing mudharat should take precedence over taking a small benefit. As the following jurisprudence

Translation: "*Refusing mudharat (danger) takes precedence over taking advantage"*[[50]](#footnote-51)

Therefore, allowing ordinary people to search for answers and just guessing the halalness of a product is very dangerous to the religious life of the people.

The halt of a product is influenced by many factors. Among them are in terms of the types of animals slaughtered, the procedures for slaughtering, as well as contacting meat with other objects that are forbidden. So, in terms of the halalness of a product is not limited to the aspect of consumption, but includes a very broad aspect, which is to use or use. Likewise, electronic products such as refrigerators are in direct contact with food products. Then the refrigerator as a place to store food to be consumed it must be believed to its holiness. These ingredients should not be mixed with unclean materials, which will affect the halal nature of food products stored in them. So it becomes a logical reason if MUI does not only provide halal certification on consumer products but also non-consumption.[[51]](#footnote-52)

From the assessment and audit process carried out by LPPOM MUI on the refrigerator product, there are indeed some components made from a mixture of materials that use elements from fatty acid derivatives. While research conducted by LPPOM MUI, the element of fatty acids is an important ingredient from the halal side. Because fatty acids usually come from animal ingredients. If it is animal based, it must be ensured that the material is not from pig breeds, which is clearly prohibited in Islam. As a result, the product is not problematic in sharia principles. So the MUI Fatwa Commission also established it as a halal and holy product. Thus, in the category of electronic products, especially refrigerators, the product was the first to receive halal fatwa by the MUI Fatwa Commission after a request.[[52]](#footnote-53)

So, in my opinion, the fatwa issued by the Indonesian Ulema Council concerning the halal status of a product is not looking for excuses so that the illegitimate one becomes halal or force himself to confirm any conventional instruments that become sharia, nor are they ordered from certain parties so that the business runs smoothly, especially if the fatwa issued is alleged solely for commercial or popularity purposes. However, the fatwa issued by the MUI was solely to answer the challenges of the times, particularly the regulation of the Islamic economic system in Indonesia for the benefit of the people.

If only the MUI wanted it to be commercial, it would have been easy, all that was left was for the fatwa to be issued even if no party submitted a fatwa request, provided they were willing to pay the fatwa. But the reality is not like that. MUI is waiting (passive) and will only issue a fatwa if there are people or institutions that apply for a fatwa, then review it and if it is justified, a fatwa will be issued.

**CONCLUSIONS**

After a study, analysis and discussion in the previous chapter on the issue of applying halal certification to electronic and non-consumption products, the perspective of the maslahah was formulated and in accordance with the research objectives. Can be concluded as follows:

1. MUI halal certification on electronic and non-consumption products is still voluntary, so there is no mandatory requirement from business actors to register their products in order to obtain halal certification.
2. Application of halal certification on non-consumption electronic products in perspective perspective:
3. Refusing mudharat should take precedence over taking a small benefit.
4. For companies or manufacturers, applying for halal certification aims to provide a sense of security and comfort in the community and increase the added value of their products.
5. The existence of halal products although non-consumption, besides having benefits for the community because it is more confident with the products used, also provides benefits for the company, as well as meeting the provisions in the Act

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