THE ROLE OF NAHDLATUL ULAMA IN ACCELERATION HALAL CERTIFICATION IN THE ECONOMIC AND BUSINESS

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ABSTRAK

Artikel ini membahas peran organisasi Islam terbesar di Indonesia yaitu Nahdhatul Ulama dalam percepatan sertifikasi halal. Berdasarkan hasil penelitian dapat disimpulkan bahwa Lembaga sertifikasi halal yang diperankan oleh Nahdhatul Ulama' tiada lain tujuan pembentukannya yaitu adanya sebuah kemaslahatan. Maslahah mursalah merupakan konsep dasar yang tepat diambil untuk memberikan kepastian status lembaga sertifikasi halal Badan Halal NU dengan kewenangannya melakukan sertifikasi halal. Hal tersebut bisa diteguhkan dengan terletak pada kulliyatul al-khamsah, yaitu: hifz aldin, hifz al-nafs, hifz al-aql, hifz al-nashl dan hifz al-mal.

Kata Kunci: Nahdhatul Ulama, Sertifikasi Halal, Bisnis

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ABSTRACT

This article discusses the role of the most prominent Islamic organization in Indonesia, namely Nahdhatul Ulama, in accelerating halal certification. Based on the study results, it can be concluded that the halal certification agency played by Nahdhatul Ulama' has no other purpose than its establishment, namely the existence of a benefit. Maslahah mursalah is the proper basic concept taken to provide certainty of the status of the NU Halal Agency halal certification agency with authority to carry out halal certification. This can be confirmed by lying in the kulliyatul al-khamsah, namely: protection of religion, soul, reason, protection against descent and of property.

Keywords: Nahdhatul Ulama, Halal Certification, Business

INTRODUCTION

Humans will never be separated from the need to support all life activities. Human needs will never end; the longer human needs will always increase in tandem with human desires that continue to change, always following the demands of the times.² This is an opportunity for business actors to innovate and be creative in meeting the demands of society, who always need something new, adapting to the times, by spawning new products in the form of goods and services that are following consumer demand.

The development of the business world and industry also affects the food sector and public consumption. In the matter of halal food, it has been present in the community for foods that are labelled halal. Halal labelling and certification did not exist in the past. However, it is now considered urgent in building confidence, trust and certainty of the food material consumed, especially for a Muslim, because Islam also regulates food issues with halal food rules and regulations illegal.³

All food in this world is lawful to eat unless a proposition forbids it either from the Koran or hadith. Under the rules of fiqh, "The law of origin of everything is permissible until there is a

² Lu'liyatul Mutmainah, 'The Role of Religiosity, Halal Awareness, Halal Certification, and Food Ingredients on Purchase Intention of Halal Food', *Ihtifaz: Journal of Islamic Economics, Finance, and Banking*, 1.1 (2018), 33 https://doi.org/10.12928/ijiefb.v1i1.284.

³ Fathan Budiman and M Misbahul Mujib, 'Halal Certification for NU Muslim in Boyolali Regency: A Study on Purchasing Decision of Alwahida Neutralizer Herbal Product, Indonesia', *Journal of Nahdlatul Ulama Studies*, 1.2 (2020), 181–200 https://doi.org/10.35672/jnus.v1i2.181-200.

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proposition that forbids it (makruh it or forbid it)." The purpose of this rule is that the original law of everything created by Allah SWT is lawful and permissible unless there is a textual argument that indicates its prohibition. In other words, if there are no textual arguments or there is no clear indication of the prohibition, then something remains in its original law, which is permissible.⁴

The basis of these rules is QS. al-Baqarah (2): 29,

"He is Allah, Who created all that is on earth for you and He willed (created) the heavens, then He made them seven heavens. Furthermore, He knows all things." The verse explains that everything God has created on this earth is a blessing from it, and God does not forbid anything except for only a few parts, and there must be wisdom behind it which is essentially a benefit for humankind because goodness and benefits return to the himself.

RESULT AND DISCUSSION

Halal Certification and Labeling

⁴ Hatoli, 'Sertifikasi Halal Majelis Ulama Indonesia Pada Produk Elektronik Dan Non Konsumsi Perspektif Maslahah', *Journal of Islamic Law*, Vol.1.2 (2020), 237–55 https://doi.org/10.24260/jil.v1i2.45.

⁵ RI Depag, 'Alquran Pdf Terjemahan', *Al-Qur'an Terjemahan*, 2007, 1–1100.

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Halal certification and halal labelling are two different activities, but they are related to each other. Halal certification activities are issuing a halal certificate if the intended product has met the requirements as a halal product. The purpose of the certification is actually as a formal legal acknowledgement that the product issued has complied with halal provisions to reassure consumers in consuming it. Meanwhile, halal labelling includes halal writing or statements on product packaging to indicate that the product in question is halal.⁶

The Ministry of Religion signed a memorandum of understanding on implementing halal certification services at the Vice President's office, Jakarta, Wednesday, October 16 2019. This was done ahead of implementing the Halal Product Assurance Agency (BPJPH) on October 17 2019.⁷ The memorandum of understanding was carried out with the Indonesian Ulema Council, the Supervisory Agency Medicine and Food, the Ministry of Health, and several other relevant ministries/agencies. In other words, the issuance of halal certification is now under the Ministry of Religion, so that the Indonesian Ulema Council no longer issues halal certification as in previous years. The obligation for halal-certified products will be carried out in stages. For food and beverages, it

⁶ Firdaus Fanny Putera Perdana and others, 'The Role of Halal Certification on Purchase Intention Towards Food Products From Mena Countries: A Sem Study', *Journal of Islamic Monetary Economics and Finance*, 5.1 (2019), 63–88 https://doi.org/10.21098/jimf.v5i1.1048.

⁷ Asri Wahyuningrum, H. Anasom, and Thohir Yuli Kusmanto, 'Strategi Dakwah Mui (Majelis Ulama Indonesia) Jawa Tengah Melalui Sertifikasi Halal', *Jurnal Ilmu Dakwah*, 35.2 (2017), 186 https://doi.org/10.21580/jid.v35.2.1618.
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starts on October 17, 2019, until October 17, 2024. As for products outside of food and beverages, the obligation for halal certification starts on October 17, 2021, with each period according to the characteristics of the product.

The inclusion of a certified halal logo through halal testing on food and beverage products fulfils Muslim consumer protection rights. So its existence is to protect Muslim consumers against non-halal products by providing legal certainty to Muslim consumers that the food and beverage products are truly halal under Islamic law. Muslim consumers will not hesitate to buy food and beverage products because the packaging of food and beverage products is listed with a halal logo and prevents Muslim consumers from products that are not halal.⁸

This provision regarding consumer protection has been stated in the preamble to the 1945 Constitution of the Republic of Indonesia, Paragraph IV, which states that the Indonesian state protects the entire Indonesian nation and the entire homeland of Indonesia. Therefore, the Halal Product Guarantee Act represents the state's responsibility, especially Muslims, to provide a sense of

⁸ Eka Rahayuningsih and M. Lathoif Ghozali, 'Sertifikasi Produk Halal Dalam Perspektif Mashlahah Mursalah', *Jurnal Ilmiah Ekonomi Islam*, 7.1 (2021), 135 https://doi.org/10.29040/jiei.v7i1.1929.

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calm and security in consuming/using products following the Shari'a, halal and suitable.⁹

If a food and beverage product is not halal (haram), based on Law Number 33 of 2014 concerning Halal Product Guarantee, business actors are obliged to mark the food and beverage product that is not halal. Signs can be in the form of pictures, as in Bali, where food and drinks containing elements of pigs contain pictures of pigs. This means that business actors are honest because business actors are obliged to provide information about the composition of food and beverage products in the consumer protection law. Just as business actors in Indonesia who trade food and beverage products provide clear, honest information regarding the composition, halalness of traded food and beverage products to protect the rights of Muslim consumers against non-halal products.¹⁰

The halal product certification policy as stipulated in the relevant regulations, namely the Law of the Republic of Indonesia Number 33 of 2014 concerning Halal Product Guarantee and Government Regulation of the Republic of Indonesia No. 31 of 2019 concerning the Implementation of Law of the Republic of Indonesia Number 33 of 2014 concerning Guaranteed Halal Products aims to

⁹ and others, 'Determining Purchase Intention in Halal Personal Care Product: Study on Muslimah Millennial Generation', *Jurnal Aplikasi Manajemen*, 19.2 (2021), 319–34 https://doi.org/10.21776/ub.jam.2021.019.02.08.

¹⁰ Agung Nurcahyo and Herry Hudrasyah, 'The Influence of Halal Awareness, Halal Certification, and Personal Societal Purchase Intention', *Journal of Business and Management*, 6.1 (2017), 21–31.

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provide security, convenience, safety, and certainty of the availability of halal products for the Muslim community in consuming and using as well as increasing added value for business actors to produce and sell halal products. This goal is none other than in the benefit that is in line with the consumption pattern of halal and suitable according to Islamic law.

The Role of Nahdlatul Ulama and the Halal Product Business in Indonesia

Gradually, some goods manufacturers began to direct marketing, specifically targeting middle-class Muslims, and did not hesitate to provide halal assurance through halal certification. Thus, halal certification provides excellent benefits for consumers, producers, and the Government. Some of the benefits s certificate kosher , among others; it guarantees the safety of the products consumed, has a unique selling point (USP), provides inner peace for the community, provides a comparative advantage.¹¹

In addition to LPPOM MUI, known as the first institution to carry out halal certification in Indonesia, there is also the NU Halal Agency. The NU Halal Agency was formed to protect the interests of consumers and business actors in Indonesia as a form of NU's service to the nation and state. In particular, there are quite several

¹¹ Panji Adam Agus, 'Kedudukan Sertifikasi Halal Dalam Sistem Hukum Nasional Sebagai Upaya Perlindungan Konsumen Dalam Hukum Islam', *Amwaluna: Jurnal Ekonomi Dan Keuangan Syariah*, 1.1 (2017), 150–65 https://doi.org/10.29313/amwaluna.v1i1.2172.

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NU residents who specifically want halal guarantees for every product circulating in the market. The working principle of the NU Halal Agency refers to Nahdatul Ulama's view that all goods are halal unless proven to be haram. After being formed in 2012, the NU Halal Agency has carried out its function in carrying out halal certification following the authority and purpose of its formation. Many business actors come to the NU Halal Agency as the institution they choose to certify the halal of their products.

In 2014 the Government and the House of Representatives had ratified Law Number 33 of 2014 concerning Guaranteed Halal Products. UUJPH regulates the following: the implementation of halal product guarantees and halal product guarantee providers; the establishment of a Halal Product Guarantee Agency; requirements and procedures for business actors in halal product guarantee certification; supervision of halal products; and law enforcement on implementing halal product guarantees.¹²

One of the important things discussed in this UUJPH is the establishment of an institution called BPJPH. This institution is an institution established by the Government to provide guarantees for halal products. After establishing the BPJPH by the Government, what about the halal certification authority that the NU Halal Agency has owned. The NU Halal Agency whose purpose of its

¹² Faisol Lutfi, 'Sinergitas Nahdhatul Ulama Dan Muhammadiyah Dalam Pengembangan EKonomi Islam', *AL-URBAN; Jurnal Ekonomi Syari'ah Dan Filantropi Islam*, 3.2 (2019), 137–48 https://doi.org/10.22236/alurban. 35 | Volume 16, No. 1, Januari-Juni, 2021

establishment is to carry out halal certification. This is undoubtedly a question because if so, then the legal product issued by the NU Halal Agency in this case in the form of a halal certificate issued is questionable.

The unclear status of the halal certificate issued by the NU Halal Agency will affect consumer confidence in the product; this will impact sales, which will decrease and, of course, will harm producers. Suppose you look at the actual existence of the NU Halal Agency as an institution that provides halal product guarantees. In that case, it is pretty easy for the community, especially business actors, to choose the NU Halal Agency between the two existing halal certifications institutions to get halal certificates for their products. In addition, there have been so many business actors who have used the role of the NU halal body as the institution they chose to certify the halal of their products.

The halalness of a product is an essential thing for consumers and producers in Indonesia, and this is because most consumers in Indonesia are Muslim consumers. Therefore, producing halal products is part of the company's responsibility (producer) to Muslim consumers. In 2012 the NU Halal Agency was formed to protect the interests of consumers and business actors in Indonesia as a form of NU's service to the nation and state. In particular, NU

¹³ Hayyun Durrotul Faridah, 'Halal Certification in Indonesia; History, Development, and Implementation', *Journal of Halal Product and Research*, 2.2 (2019), 68 https://doi.org/10.20473/jhpr.vol.2-issue.2.68-78.

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residents who reach 80,000,000 (eighty million) people specifically want a halal guarantee for every product circulating in the market. The working principle of the NU Halal Agency refers to Nahdlatul Ulama's view that all goods are halal unless proven to be haram. The NU Halal Agency does not pretend to be a non-profit institution in its activities. On the other hand, the NU Halal Agency becomes a professional auditing agency by appointing as many auditors as possible following the community's needs. The auditors must be paid, given benefits and various living facilities that allow them to work professionally.

Product Halal Assurance can be applied to various industries such as the food industry, medicine, cosmetics both on a large and small scale and allows for service-based industries such as importers, distributors, transportation and retailers. The NU Halal Agency collaborates with many NU universities to look for superior seeds to become reliable auditors. Professors of NU universities such as the Islamic University of Malang who have expertise in fields related to halal certificates can be used as consultants for the auditors of the NU Halal Agency. Meanwhile, NU kiai who are willing to serve NU through the NU Halal Agency need to be trained to understand standard standards as the NU Fatwa Commission, which will issue halal certificates. As a halal certification agency,

¹⁴ Muhtadi Ahmad, 'Peran Lembaga Perekonomian Nahdlatul Ulama (Lpnu) Dalam Perkembangan Umkm Berbasis Syariah', *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah*, 2.1 (2010), 1–34 https://doi.org/10.15408/aiq.v2i1.2471.
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the NU Halal Agency certainly has operational standards for implementing halal certification. 15

The most exciting thing in the Halal Product Assurance Act is establishing an institution called the Halal Product Assurance Organizing Agency because it will relate to institutions that currently have the authority to carry out halal certification, such as the NU Halal Agency. The current economic development that is not limited by space and time requires an institution that can guarantee whether a product is halal or not. Especially in 2016 when the start of the free market in the Southeast Asian region called the Asean Economic Community. Implementing the MEA free-market system means that the types of products that will be circulated in Indonesia will come from within the country and many goods or products that will enter from the AEC member countries themselves and the industrial revolution 4.0.

The establishment of BPJPH is stated in Article 5 of the Law on Halal Product Assurance, in which as its embodiment, the Government establishes a particular institution authorized to carry out halal certification, namely BPJPH. With the establishment of this BPJPH, all authority for product halal certification after the promulgation of UUJPH becomes the sole responsibility and authority of BPJPH itself, of course, changes from before the

¹⁵ Fahmi Ali Hudaefi and Irwandi Jaswir, 'Halal Governance in Indonesia: Theory, Current Practices, and Related Issues', *Journal of Islamic Monetary Economics and Finance*, 5.1 (2019), 89–116 https://doi.org/10.21098/jimf.v5i1.1049.
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enactment of UUJPH, as explained previously where LPPOM MUI and the NU Halal Agency, these two institutions have the authority. As a halal certification body. 16

Article 6 above mentions several authorities possessed by BPJPH. One of its powers is to issue and revoke Halal Certification. This authority was previously the authority of LPPOM MUI and the NU Halal Agency. The authority possessed by BPJPH truly reflects the Government's desire to implement halal certification through an institution that has good capabilities. This is none other than aiming to provide convenience for the community, both business actors and consumers who have long expected the halal certification agency established by the Government to protect their interests. With the establishment of BPJPH with the stated authority, it will indirectly take over the authority that has been held by LPPOM MUI and the NU Halal Agency.

The article, although indirectly, confirms that the authority of the MUI in this case, LPPOM MUI, no longer has the authority to carry out halal certification. Thus the same thing applies to the NU Halal Agency. The article also explains the status of the halal certificate that has been issued by the halal certification agency, which was carried out before the establishment of the UUJPH that

¹⁶ Ahmad Hasan Ridwan and others, 'Authorization of Halal Certification in Indonesia, Malaysia and Singapore', *International Journal of Psychosocial Rehabilitation*, 24.8 (2020), 7992–8011.

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the halal certification is still valid until the expiration date of the halal certification has been determined.

The purpose of establishing a single institution to carry out halal certification is to prevent differences of opinion between halal certification institutions because they have different standard procedures. This is important because if there is more than one halal certification body and then have different systems and procedures when conducting halal certification, it can issue different conclusions; of course, this will cause public unrest about which halal status is proper and which is wrong. To provide space for non-governmental organizations to participate, the Government provides space for them to participate as a supporting institution for BPJPH, namely as a Halal Inspection Agency.

Seeing these provisions, after the establishment of BPJPH, the NU Halal Agency can take on the role of the Halal Inspection Agency, considering that the authority to carry out halal certification itself can no longer be carried out. By registering as an LPH, the NU Halal Agency can continue to play a role in halal certification as a partner of BPJPH. Of all the conditions contained in the provisions for the establishment or establishment of LPH, all have been fulfilled by the NU Halal Agency. The NU Halal Agency already has its own office, has a halal auditor, has a laboratory and

cooperates with institutions that have laboratories, all that needs to be done is to register with BPJPH to be accredited as an LPH.¹⁷

The change in the status of authority does not mean that the existence of the NU Halal Agency no longer provides a benefit to the community. With the role that can be taken at this time, namely as LPH, the NU Halal Agency can still contribute benefits or maslahah to the broader community. Providing benefits or benefits does not have to be a big one; at least, no matter how small, the benefits can still be felt by the community in general. This will at the same time, eliminate the people's mafsadah consuming food that is not halal.

Principles of Halal Certification in the Perspective of Nahdhatul Ulama

With the rapid flow of transactions, the development of the existing economic system, and production processes that continue to spawn new products with processing methods and compositions used, the public will find it challenging to ensure halal certification if there is no halal certification agency or not products they will consume. Therefore, eliminating the mafsadah requires the establishment of a halal certification body. Every rule of law that is intended to maintain and maintain the five basic principles of

¹⁷ Eka Dyah Setyaningsih and Sofyan Marwansyah, 'The Effect of Halal Certification and Halal Awareness through Interest in Decisions on Buying Halal Food Products', *Syi`ar Iqtishadi: Journal of Islamic Economics, Finance and Banking*, 3.1 (2019), 65 https://doi.org/10.35448/jiec.v3i1.5515.

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human life kulliyah al-khamsah as the purpose of enacting the law, namely; hifz al-din (protection of religion); hifz al-nafs (protection of the soul); hifz al-aql (protection of reason); hifz al-nasl (protection of offspring); hifz al-mal (protection of property) by avoiding things that damage and harm is called maslahah.¹⁸

Likewise, with the establishment of halal certification bodies such as the NU Halal Agency , the purpose of its formation has a goal that is in line with the law that is prescribed, namely the existence of a benefit. Maslahah mursalah is the proper basic concept taken to provide certainty of the status of the NU Halal Agency halal certification agency with authority to carry out halal certification. It could confirm to lie in kulliyatul al-khamsah , that from maintaining the obligation to run the Shari'ah hifzu din, which is aqidah halal assurance is a must for Muslims, considering this to be a liability as a form of devotion to God.

Halal certification carried out by the NU Halal Agency is not limited to halal status, but also through laboratory tests, it will be known whether the food is dangerous or not if consumed by humans. Because it fulfilled the embodiment of hifz addin wal-nafs in the administration of the certification of halal conducted by the Agency for Halal NU. Likewise with hifz al-aql , will be interrelated with hifz al-nafs itself. Good criteria, of course, also consider the

¹⁸ Mohd Imran Khan and Abid Haleem, 'Understanding " Halal " and " Halal Certification & Accreditation System " - A Brief Review', *Saudi Journal of Business and Management Studies*, 1.1 (2016), 32–42.

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effect of a product on the human mind and mind . Like these foods, it turns out that they contain elements that can make humans lose their minds. This is also a consideration in the analysis process carried out in halal certification. ¹⁹

As for Hifz al-Nasl, its embodiment in halal certification is how a halal certification agency provides knowledge to them about whether a product is halal or not. Then more than that, they will be able to apply it to their lives with that knowledge; they will choose halal and suitable products and avoid consuming or using something better.

Last, is hifz al-mal in this halal certification are closely linked to the business actors. How are business actors so that their assets obtained from the business they do are maintained following the commands and prohibitions of the Shari'ah, for example in buying and selling, it is prohibited to sell or trade anything that is not halal in the food sector, is prohibited from committing fraud and so on?

Regarding the changed authority, previously, they were able to carry out halal certification as well as issue halal certificates, after the enactment of the UUJPH, the NU halal body can now take on a role as an institution that collaborates with BPJPH in the implementation of halal certification. This is an attempt by the

¹⁹ F F P Perdana and others, 'A Research Framework of The Halal Certification Role in Purchase Intention of Muslim Consumers on The Food Products from Muslim Majority Countries in The Middle East and North Africa', *International Journal of Modern Trends in Business Research (IJMTBR)*, 1.2 (2018), 2600–8742.

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Government to eliminate mafsadah which is caused if the number of halal certification bodies is more than one with standard procedures in their certification, it has the potential to issue different halal and haram decisions, and of course that will be a problem, people will be confused by the different decisions between two halal certification institutions, that is why only one halal certification agency BPJPH was formed, meanwhile to provide space for the community to participate, the Government provided space through the BPJPH partner institution, namely LPH.²⁰

The NU Halal Agency as an institution that plays a role in halal certification is needed by the community because its existence is very much needed. With the existence of the NU Halal Agency, the community gets a benefit where they no longer hesitate in choosing a product because the existing product has a halal certification that ensures whether a product is halal or not. The benefits that the community feels for the existence of the NU Halal Agency are not only conjectural benefits, but these benefits can be enjoyed and felt in real terms by the general public. This means that the benefits caused by the existence of the NU Halal Agency are not only felt by some people or specific people.

CLOSING

Institution halal certification, played by Nahdhatul Ulama 'is nothing but the purpose of its formation is the existence of a

Nariman Shamakov, 'Comsumption of Halal Certified Product', *El-JIZYA Jurnal Ekonomi Islam | Islamic Economics Journal*, 8.1 (2020), 49–64.
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benefit. Maslahah mursalah is the proper basic concept taken to provide certainty of the status of the NU Halal Agency halal certification agency with authority to carry out halal certification. It could be confirmed to lie in *kulliyatul al-khamsah*, that from the aspect of maintaining the obligation to run the *Shari'ah hifzu din*, which is aqidah halal assurance is a must for Muslims, considering this to be a liability as a form of devotion to Allah SWT.

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