

## Non-Muslim Voices on Halal Certification: From Sectoral-Religious Tendencies to State-Mandated Regulations

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### Abstract

In recent years, halal food and products have been expanding into the global economy, and today's halal market is estimated around USD 2.4 trillion globally. This article discusses the understanding and articulation of halalness and halal certification among non-Muslim business communities in Indonesia, focusing on owners of small and medium enterprises (SMEs). Their voices need to be heard and responded to, especially by government agencies. Since the non-Muslim communities' understanding of halalness is mostly based on their life experiences, it could be treated as empirical data to inform policy-making. Meanwhile, the government has issued Halal Product Assurance (JPH) Law 33/2014, which mandated the establishment of the Halal Product Assurance Organizing Agency (BPJPH). The enforcement of JPH Law is an attempt to strengthen the BPJPH's position, but it faces challenges and conflicts of interest in politics and business. Using a qualitative approach to collect data from non-Muslim SME business players in Yogyakarta and Semarang, this study found that the articulation and understanding of halalness are narrowly sectoral, religious, and ideological. Rather than halal certification, the Indonesian Food and Drug Authority (BPOM) has become a more trusted certification. Therefore, the presence of the state is needed to regulate and optimize the fundamental aspects of halal certification, such as hygiene, cleanliness, and health.

### Keywords:

halal products; non-muslim articulation; SMEs; the presence of the state

### Introduction

The implementation of Halal Product Assurance (JPH) Law 33/2014 mandated the establishment of a new government agency under the Ministry of Religious Affairs called the Halal Product Assurance Organizing Agency (BPJPH), but the halal certification and all the relevant discourses were considered sectoral and partial (Jamil et al., 2017; Suparto et al., 2016). Therefore, the institution's legitimacy is being questioned. However, the previous halal certification system was no less problematic. This was previously managed solely by an independent institution under the Indonesian Ulema Council (MUI), the only authority issuing halal certification in

Indonesia (Iswanto & Koeswinarno, 2020). Some believe that the institution "is highly unregulated, and the MUI has been prone to corruption with no regulatory measures to hold the council accountable," (Mizuno, 2021). An underlying cause of this is the absence of alternative state agencies, which should be able to challenge and control its monopoly. MUI's power was unchallenged because its decision is considered an unofficial law (Hosen, 2012); for example, when a company applies for halal certification, MUI may decline, and it will be hard to make an appeal. For this reason, following JPH Law 33/2014, the government institutionalized its power to regulate the halal certification process and serve the public from



This article departs from the statement that “products that enter, circulate, and are traded in the territory of Indonesia must be halal-certified,” (Article 4, JPH Law 33/2014). It is clearly understood that consumer products, such as food and beverage suitable for Muslim consumers, should be halal-certified, particularly when their origins or production processes are unknown (Abdallah et al., 2021). With the enforcement of halal law, many consumer products and related services are required to be halal-certified before being distributed to the market. This certification includes an assessment of the processing and procurement of materials. The ultimate aim of the certification is not only to fulfill the local market’s demand in a Muslim-majority country but may also to convince international partner agencies to trade and distribute halal consumer products (Billah et al., 2020; Ayyub, 2015; Aziz & Chok, 2013; Jia & Chaozhi, 2021). An official government agency such as BPJPH under the Ministry of Religious Affairs has strategic role in facilitating halal certification for enterprises and individuals in Indonesia who wish to obtain halal certificates.

## Literature Review

### *The Concept of Halal*

The concept of halal or halalness stems from religious teaching, which shapes the feelings and attitudes of Muslims toward products, services, and practices, as well as guides their consumption patterns (Annabi & Ibidapo-Obe, 2017). Halalness fulfillment is obligatory before a Muslim can consume food products (Ali et al., 2017). The word ‘halal’ is derived from the verb ‘halla,’ meaning lawful, legal, or permitted (for Muslims), whereas the antonym of halal is ‘haram,’ which means forbidden, which includes anything prohibited under Islamic Law (Annabi & Ibidapo-Obe, 2017). The foundation that guides Muslims on halalness is clearly stated in the Quran, “O you who believe! Eat of the good things (*tayyib*) that We have provided you with, and give thanks

to Allah if He is that you serve,” (Al-Baqarah 2: 172), “And eat of what Allah provided for you [which is] lawful and good. And fear Allah, in whom you believe,” (Al-Maidah 5: 88). Many other verses in the Quran state the same principle.

The verses imply two conditions to be satisfied before food is considered proper for consumption: halal (permitted) and *tayyib* (good). Halalness also requires systematic processing of food ingredients along the supply chain. This means traceability needs to be applied in all stages, from production and processing to distribution, involving suppliers, producers, logistics, and end users (Ab Rashid & Bojei, 2019). Therefore, halal certification requires food processes and standards to adhere to the Islamic regulations on sanitation and slaughtering, which include 1) cleanliness, safety, hygiene, nutrition, quality, reliability, and honesty in the pre-production, production, and administration of food items, and 2) proper financing and social practices (Billah et al., 2020). Research has shown that such emphasis on cleanliness and safety may attract non-Muslim consumers and influence their intention to purchase (Aziz & Chok, 2013).

The awareness and understanding of halal products have expanded from religious aspects to safety and hygiene. In other words, the consumption of halal foods among non-Muslims can be attributed to their perception of the advantages for mental and physical health (Khalek & Ismail, 2015). Since halal food conforms to the principles of food hygiene set by Islamic teaching, the products are considered safer for consumption (Nurrachmi, 2017). For example, the method of slaughtering animals needs to be precise for the meat products to be considered lawful and halal (Billah et al., 2020). Anything in a grey area, doubtful, non-permissible, non-familiar, and unknown attributes in halalness are considered ‘Shubhah’ (i.e., conflicting, contradictory, doubtful, or questionable) (Akhtar et al., 2020).





## **Methods**

Following the regulation stated in JPH Law 33/2014, the government should provide equal opportunities for all citizens regardless of their backgrounds, ideologies, and religious beliefs. Accordingly, as a representation of the state structure with guaranteed neutrality, BPJPH can accommodate the needs and aspirations of all Indonesian people. The practice is no longer limited to the religious domain but expanded to formal state structures, i.e., a common regulation for Indonesian people.

This study focuses on the understanding of halal certification among non-Muslim SME business players. Chesbrough defined SMEs as businesses with unique categories and limitations, such as size, focus, business specialization, entrepreneurial persons, and speed (Maksum et al., 2020; Hamdani & Wirawan, 2012). This study focuses on three characteristics: business size, niche, and entrepreneurial orientation. Data were analyzed using a qualitative approach to discover the experiences of halalness and halal certification emerging from the communal and cultural lives of non-Muslim business players. The primary data were collected through observation and semi-structured in-depth interviews. In addition, documents related to the perception, articulation, and understanding of non-Muslim communities about halal products were collected to complement the primary data, including annual reports and news.

We conducted observations and semi-structured in-depth interviews between April and May 2021 in Yogyakarta and Semarang. These locations were selected because of their multicultural social, cultural, and religious backgrounds (Depari & Setiadi, 2014). Twelve informants were selected from the two locations, with their identities being kept anonymous. Seven informants were from Yogyakarta, with the initials BIS, MYAPG, A, NLP, GR, EF, and YN, and five were from Semarang, with the initials EB, S, MSN, DAU, and BC. The inclusion

criteria were non-Muslim and running small and medium-sized enterprises. The results of observations and in-depth interviews were recorded based on categories according to the interview guidelines.

Selecting key informants is important for collecting reliable information and statements to represent a group (Maxwell, 2013; Alasuutari. et al., 2008; Marshall, 1996). We also considered their gender and age to obtain more diverse perspectives and articulations. The collected data were analyzed using descriptive qualitative following Maxwell's scheme (2013), with three main stages: 1) analytic memos, 2) categorizing (coding and thematic analysis), and 3) connecting (such as narrative analysis). The memos aim to obtain a general overview through methodological reflection (such as method and theory) and experiences in the field with participants. The categorization put the data of the articulation and understanding of halal products, responses, and suggestions into groups. Finally, the connecting strategies address data more contextually and holistically, rather than fragmenting these and sorting the data into categories, i.e., the relationships between the transcripts and field notes.

For theoretical purposes, the collected data are approached using the theory of symbolic interactionism postulated by an American sociologist, George Herbert Mead, and his student Herbert Blumer, to see how non-Muslim business players understand the symbols and meanings of halal products and how they respond to it (Carter & Fuller, 2015). In addition, the concepts of asceticism and pieties by Marx Weber are also used to observe the relationship between religion and business values (commercialism) (Weber, 2001; Westergren, 2020), as this perspective can sharpen the discussion.

## **Results**

The understanding and articulation of halalness by non-Muslim business players could be classified into three categories: 1) religion and

business interests, 2) the competitive advantage of halal certification over BPOM certification, and 3) the polemic within MUI and the current trends expressed by non-Muslim communities about halal issues. A detailed explanation of each category is presented below.

### **Religious and Business Interests**

The discourse of halal has sparked debates in religion and business domains. From the religious point of view, most SME non-Muslim business players consider halalness the Muslims' sectoral aspiration. The demand for halal products comes primarily from Muslims who require halal status in their consumption. If there is no halal label, people will be hesitant to buy, especially Muslims (EB, Semarang, interviewed on 7 May 2021). Meanwhile, non-Muslims whose business is not in the food or beverage sector believe it has no significant implication because their religions do not impose halalness rules (GR, Yogyakarta, interviewed on 27 April 2021). In other words, when viewed from the sectoral-religious perspective, halal products are no different from any other issues exclusively relevant to Muslim groups.

As a non-Muslim, I don't hesitate to accept the regulation on halal certification issued by either MUI or the state. The objective is of course to ensure that our products are accepted by wider customers in the market. Anyway, selling products which are not halal means that the consumers have obviously been identified and segmented, those who are non-Muslims. In my community, it's absolutely about personal matters... to eat or not to eat [food product with pork or dog meat] is not a problem in our belief (NLP, Yogyakarta, interviewed on 27 April 2021).

Since the majority of the population in Indonesia is Muslim, business players prioritize halalness because they want to produce consumer

products that suit the needs of the Muslim majority. The Muslim majority in Indonesia emphasizes the importance of halalness in choosing a product (NLP & GR, Yogyakarta, interviewed on 27 April 2021). Hence, producers need to consider this in their business strategies. In addition, halal certification proves that a product is safe and suitable for health (A, Yogyakarta, interviewed on 15 April 2021). Understanding halalness values other than piety, such as health and hygiene, has proven that acceptance is not solely of religious interest.

Business interests are also determinants in obtaining halal certification because business players need to broaden the market and build partnerships with private and public companies. In this case, business and economic aspects become the main purposes for fulfilling the halalness conditions in line with religious values and other administrative requirements. With the rapid development of halal tourism in recent years, the demand for halalness and halal certification has also increased. This is because the conduct of halal tourism must comply with Islamic teaching to expand and be accepted by the wider community. Prior to the issuance of JPH Law 33/2014, MUI was previously the sole provider of halal certification. Their practices were claimed to be sectoral-religious, but in fact, they catered to business interests as well (GR, Yogyakarta, interviewed on 27 April 2021).

Personally, I don't care about halal certification... who issued it and for what. The important thing is that no party is bothered and constrained by it. As a business player, I have segmented buyers too, those who are not problematizing halalness. Since I sell non-halal food, the customers have already known about it and no need to explain (BC, Semarang, interviewed on 7 May 2021).

The latest controversial issue of halalness involved beverage products, the Chatime bubble

tea, whose halal logo was questioned by some customers. Shortly after the viral sensation, GR argued that it was purely the business interest of MUI (Yogyakarta, interviewed on 27 April 2021). The management must have been forced to obtain halal certification and put detailed halal information on the website ([chatime.co.id](http://chatime.co.id), accessed on 30 June 2021). The importance of halal status in Muslim society has often encouraged business players to obtain halal certification, which is often synonymous with the placement of halal logos on consumer products.

### **BPOM and Halal Certification**

When comparing the urgency of halal certification and BPOM certification, the informants did not consider halal certification as important as BPOM since the former is completed to comply with a religious order. They firmly believe BPOM certification is more important than halal certification because BPOM concerns the health aspects of food and beverage products. Therefore, a product will be considered legitimate if it passes the BPOM's procedures. The business players also believe that compliance with BPOM lessens the burden of obtaining the halal certification of their products. They did recognize the importance of halal certification, but their comments on halal status ranged from ambiguous to conditional. In other words, halal status is not mandatory to obtain and depends on whose interests are to be served.

Products which are certified halal are generally sought and consumed by Muslims, but not all products should be labeled by halalness. We, society, have different beliefs and understand what food and drink should be consumed. For me, all the products labeled by BPOM are safe to consume (MNS, Semarang, interviewed on 6 May 2021).

One informant expressed that they did not pay much attention to halalness as long as the

health aspects are fulfilled to provide common services to all citizens (YN, Yogyakarta, interviewed on 19 April 2021). Meanwhile, through their experiences selling consumer products to the Muslim society in Yogyakarta and Semarang, the informants concluded that buyers and customers did not check out a product's halal label or find information about the status of halalness from the seller. From their daily experiences, the informants ensured that the aspects controlled by the government (through BPOM) were the health aspects. However, when it comes to serving Muslim consumers, halal certification is an obligation that cannot be negotiated (EF, Yogyakarta, interviewed on 20 April 2021).

My job is only about selling products and I didn't understand much about halalness. I focus on selling fashion products, cosmetics and supplements for energy and sexual stamina. In order to consume food products safely, I agree with halal certification but for them -Muslims-only. In my experience, it is enough if the products are labeled by BPOM and consumers normally think of them as healthy and safe (DAU, Semarang, interviewed on 6 May 2021).

BPOM certification is deemed sufficient for consumer products because it already satisfies food safety and impacts human health (MNS, Semarang, interviewed on 6 May 2021). Unfortunately, the public discourse on halalness has not always been associated with health concerns. Instead of putting halalness as complementary to health concerns, the narrow understandings and sectoral-religious tendencies have reduced the definitions, which cover health aspects such as cleanliness, hygiene, and nutrition. This comprehensive coverage of the halalness concept is not well disseminated to society, so they do not understand that it also highlights health

concerns. The non-Muslim SME business players also prefer BPOM certification because it is issued by a state agency (DAU, Semarang, interviewed on 6 May 2021).

### **From MUI to the state agency**

MUI had assessed products and issued halal certification before JPH Law 33/2014 was implemented, but some non-Muslim SME business players did not even know which institution was issuing the halal certification. One informant in Semarang did not know that halal certification was issued by the MUI. Meanwhile, in Yogyakarta, three out of five informants knew that halal certification was issued by MUI, but they misunderstood that MUI was an official and public institution under the state's formal structure. The fact that halal certification was previously monopolized by an independent body, i.e., MUI, was news to them. They came to understand that the state now handles halalness through a formal agency under the Ministry of Religious Affairs.

MUI's track record of issuing controversial fatwas that triggered public debate and concerns has left a mark on most Indonesians' psyche. These experiences reside in BIS' memory, who gave harsh comments about the existence of MUI as an ideological and sectoral party. BIS unequivocally rejected MUI decisions because MUI often issued controversial fatwas that jeopardized the national integration, such as when discriminating against Basuki Tjahaja Purnama (BIS, Yogyakarta, interviewed on 15 April 2021).

For me, the state must regulate the halal certification by considering the procedures which are easy, cheap, and accessible for SMEs. It is also important to measure their capacity in paying the cost of halal certification. Besides, the health aspects must be prioritized and hygiene as well (YN, Yogyakarta, interviewed on 14 April 2021).

With these various opinions and comments expressed by SME business players, the government should enforce the application of JPH Law 33/2014. The state should carry out halal certification, not an independent institution like the MUI. The state must be present to serve all the people so that halal certification is not partial and partisan anymore (YN, Yogyakarta, interviewed on 14 April 2021). The presence of the state in regulating halalness status is considered in favor of the common needs of the people. With regard to potential halal product certification in the future, they all hope that the process will be more straightforward in terms of management and costs so that all business actors, especially SMEs, can access the services easily. This is because business players, especially micro and small enterprises, have previously complained about the complicated and expensive procedures to obtain halal certification (Akhlas, 2020).

### **Discussion**

#### **Compromising religious and business interests**

The existence of halal products proves that economic and business activities or any forms of commercialism are not only about mundane and materialistic issues but also about asceticism and religious values. Some people may still view business and religious activities as separate, with businesses pursuing profits and religion restraining materialistic interests. Referring to Weber, this perspective questions when business activities will ever be synergized with the practices of piety among religious people (Weber, 2001; Turner, 2010).

Halalness articulations can be viewed from the perspective of religion and business. Firstly, the sectoral-religious perspective reveals that piety and Muslims' interests are the main drivers of seeking halal certification (Borzooei & Asgari, 2013). The SME non-Muslim business players had this narrow



understanding because of the lack of halalness knowledge (Rezai et al., 2012). The perception is that halalness in Indonesia is a sectoral and ideological issue that facilitates the Muslim communities, so the non-Muslim communities feel that they are not bound to it. The ideological and sectoral tendencies regarding halal issues are contested by non-Muslim communities. Such experiences are formed through continuous social processes, in underlying meanings and symbols, which then influence their social actions to halal discourses and products. These sectoral-religious articulations have naturally been embedded as anthropological and phenomenological experiences internalized in social practices. In other words, the understanding and articulation of halalness among non-Muslim communities are constructed through social contexts and life experiences. With the interaction within the social milieu, the articulation of the non-Muslim SME business players towards halalness is unique (*sui generis*) and continuously created and recreated through interpreting processes to form a specific social order (Carter & Fuller, 2015; Chamberlain-Salaun et al., 2013).

Secondly, from the business perspective, halal certification has been considered an economic interest and commercialism (Haque et al., 2015). Business orientation is often synonymous with capitalism, and halalness is sought after mainly to attract Muslim customers. With this trend, halal certification could be a significant part of Indonesia's economic growth and marketing decisions. For that reason, halal certification should not be burdensome for businesses. Agencies and stakeholders involved in the process controlled by the government could cooperate to make procedures and regulations more accessible. Optimizing the use of technology could be one of the solutions. Also, with the presence of the state, halal certification could be optimized by adhering to sound procedures that do not only emphasize the religious aspects to assess food safety.

Therefore, the two perspectives should be integrated in order to increase the halalness added value in the public domain, covering both religious and business interests. This could be a way for stakeholders and state agencies to convince the public. Striving a balance between piousness and business interests seems to be the best way to move forward. As Weber put it, the interpretation of world religions produced a distinction between 'ideal' and 'material' interests (Lizardo & Stoltz, 2018), which directly govern humans' conduct in social life. Accordingly, halalness aspects contested by relevant stakeholders should be recognized as the most crucial considerations in approaching Indonesia's social and religious domains.

#### **Maximizing the roles of the state agency**

The presence of the state through a formal legal mechanism that regulates halal certification is a powerful approach grounded in righteousness and commercialism. This should be followed by reinforcement of the state's position in the public sector to ensure that halal certification is available for all citizens. The regulation has been legitimized in a formal law to immediately serve certification demands regardless of ideological background. This will benefit not only business players but also the public in consuming food and beverage products. At the same time, the legitimation using JPH can also ensure that Muslim societies in Indonesia are supported to practice their religious teachings (Koeswinarno, 2020).

It is also crucial for the state to remain neutral in implementing religion-related policies and avoid partiality, such as the MUI, whose fatwas and comments have often been questioned, particularly by non-Muslim communities. The establishment of the BPJPH under the Ministry of Religious Affairs should also be strengthened to achieve two goals. First, the state can function as a unitary actor in advocating issues related to halalness without apprehension or hesitation. Second, the public



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