
The Responsibility of the North Sumatra MUI in Ensuring Consumer Protection for Halal Fatwas Islamic Law Analysis

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Abstract

This study analyzes the responsibility of the Indonesian Ulema Council (MUI) of North Sumatra in ensuring consumer protection through halal fatwas, based on the perspective of Islamic law and national regulations, especially Law No. 33 of 2014 concerning Halal Product Assurance and Law No. 8 of 1999 concerning Consumer Protection. MUI North Sumatra has an important role in ensuring that products consumed by Muslims have met halal standards in accordance with Islamic law. Halal fatwas issued by MUI not only provide spiritual assurance to consumers, but also have broad legal implications related to the safety and comfort of Muslim consumers. This study uses a doctrinal analysis method to explore how MUI's responsibilities are implemented in the context of consumer protection, including the challenges faced in supervising halal products and educating the public. The results of the study show that although MUI North Sumatra has a very strategic role, there are still various obstacles in implementing supervision and implementing halal certification, especially related to limited resources and public understanding. Therefore, improvements are needed in the supervision system and increased cooperation with related parties to ensure compliance with halal standards and consumer protection.

Keywords: *MUI Responsibilities, Halal Certification, Consumer Protection*

INTRODUCTION

In the era of increasingly globalization, attention to halal products has increased significantly. Halal products are no longer limited to food and beverages, but have covered various sectors such as cosmetics, pharmaceuticals, and services. Indonesia, as a country with a Muslim majority population, has a great need for assurance that products circulating in the market are in accordance with Islamic law principles. Therefore, the existence of halal certification institutions, such as the Indonesian Ulema Council (MUI), is very important in ensuring that products consumed by the public have gone through a legitimate halal verification process. (Manurung 2017)

MUI North Sumatra, as part of the central MUI, has a strategic role in ensuring that halal certification in the region is carried out in accordance with Islamic law principles. However, in the context of consumer protection, MUI's responsibility is not only limited to providing halal certification alone, but also includes a broader aspect, namely consumer protection. Consumer protection in the context of halal products includes ensuring that the products consumed are not only safe but also in accordance with Islamic religious provisions. This is very relevant considering the increasing trend of halal product consumption among the people of North Sumatra and Indonesia in general. (SIMAMORA 2021)

MUI's responsibility in ensuring the halalness of products consumed by the community, including in the North Sumatra region, is based on the foundation of Islamic law which emphasizes the importance of maintaining the welfare of the community. One of the basic principles in Islamic law is *hifz al-nafs* (protecting the soul) and *hifz al-din* (protecting religion), where Muslims are

ordered to only consume goods that are halal and good (thayyib). Therefore, MUI as an institution that has the authority to issue halal fatwas, has a moral and religious responsibility to ensure that products that receive halal certification are truly in accordance with Islamic law.(Rafianti, Krisna, and Radityo 2022)

In the perspective of Islamic law, the halal fatwa issued by the MUI is not only a legal decision, but is a form of protection for Muslims from products that are haram or questionable. The fatwa must be based on the principle of caution (ihtiyat) and accuracy so as not to cause doubt or error in determining the halal status of the product. This also reflects the role of the MUI in maintaining the integrity and trust of the community towards the fatwa institution and the products they consume.(Rafianti et al. 2023)

Consumer protection is a fundamental right guaranteed by law in various countries, including Indonesia. In the context of halal certification, consumer protection becomes increasingly important considering the impact of consuming non-halal products on Muslims. Muslim consumers have the right to obtain clear and accurate information regarding the products they consume, including their halalness. The MUI of North Sumatra, as an institution authorized to issue halal certification, must ensure that the information provided to consumers is true, accurate, and in accordance with sharia provisions.

The need for consumer protection in the context of halal certification is also regulated in various legal regulations in Indonesia, one of which is Law No. 8 of 1999 concerning Consumer Protection. This law emphasizes that consumers have the right to comfort, security, and safety in consuming goods and/or services (Article 4). In this case, the MUI of North Sumatra is responsible for ensuring that the products they certify not only meet halal requirements but are also safe for consumers.

Law No. 33 of 2014 concerning Halal Product Assurance (JPH) also provides a strong legal basis for MUI's responsibility in ensuring consumer protection. According to Article 4 of the JPH Law, every product that enters, circulates, and is traded in the territory of Indonesia must be halal certified. This means that MUI has significant authority in the halal certification process, including the responsibility to ensure that the certification process is carried out with high transparency and accuracy.

Article 7 of the JPH Law further states that the implementation of halal product assurance is carried out by the Halal Product Assurance Organizing Agency (BPJPH) which collaborates with the MUI in determining the halalness of products through halal fatwas. Thus, the MUI of North Sumatra acts as an institution that issues halal fatwas, while BPJPH is responsible for implementing a comprehensive halal assurance system. The involvement of the MUI in this process shows that the halal fatwas issued have strong legal implications, especially in terms of consumer protection.(Julia 2020)

In the context of Indonesian positive law, MUI has a very significant role in the halal certification process. Although legally, the authority for halal certification is under BPJPH, MUI remains the main authority in determining halal fatwas based on Islamic law. However, MUI's responsibility is not limited to determining fatwas, but also includes aspects of legal responsibility towards consumers who rely on halal certification. In this case, if there is a violation of halal standards or if the halal fatwa issued is not in accordance with sharia provisions, MUI can be held accountable, both morally and legally.(Mukidi 2020)

Consumer protection in the context of halal can also be seen from the perspective of Law No. 8 of 1999 concerning Consumer Protection. Article 19 of the Consumer Protection Law states that business actors who produce goods and/or services are responsible for providing compensation for damage, pollution, and/or losses to consumers due to consuming the goods and/or services produced. In this case, the MUI as an institution that issues halal fatwas also has the responsibility to ensure that products labeled halal have fully met the halal requirements, and if an error occurs, the MUI has the potential to be subject to legal action.

In addition, the responsibility of the North Sumatra MUI in ensuring consumer protection is also reflected in its obligation to supervise products that have been given halal certification. This supervision is important to ensure that producers do not violate the provisions of sharia that have been set out in the halal fatwa. If the MUI fails to supervise effectively, this can have a negative impact on consumer confidence in the halal certification issued.

Although MUI North Sumatra has an important role in ensuring consumer protection through halal certification, there are various challenges that must be faced in its implementation. One of the biggest challenges is the limited resources in supervising products that have received halal certification. In many cases, supervision of halal products is carried out sporadically, so there is potential for producers to not comply with the halal provisions that have been set. (Nurhayati, Arnita, and Tanjung 2023)

In addition, another challenge is related to the lack of understanding of the community, including producers and consumers, about the importance of halal certification. Many producers do not realize that halal certification is not only about getting a halal label for their products, but also about maintaining the integrity of the production process in accordance with Islamic law. On the other hand, many consumers do not fully understand their right to obtain clear and accurate information about the halalness of a product.

In this context, education for producers and consumers is very important. MUI North Sumatra needs to strengthen educational programs aimed at increasing public awareness of the importance of halal certification. This will not only increase compliance with halal certification, but also strengthen consumer protection in the long term. The role and responsibility of MUI North Sumatra in ensuring consumer protection through halal certification is very important in the context of Islamic law and positive Indonesian law. MUI, as an institution that has the authority to issue halal fatwas, is responsible not only for determining the halalness of products, but also for ensuring that the certification process is carried out with transparency, integrity, and accountability. Consumer protection, in this case, includes the rights of Muslim consumers to obtain halal and good products, in accordance with the principles of Islamic law.

Law No. 33 of 2014 on Halal Product Assurance and Law No. 8 of 1999 on Consumer Protection provide a strong legal basis for the role of MUI in the halal certification process. However, challenges in supervision and public education are still issues that need to be addressed to ensure that consumer protection can be optimally realized.

METHOD

The research method used in this study is the legal doctrinal analysis method, which focuses on normative studies through analysis of laws and regulations, fatwas, and decisions relevant to halal certification and consumer protection. This approach will analyze the provisions in Law No. 33 of 2014 concerning Halal Product Assurance, Law No. 8 of 1999 concerning Consumer Protection, and fatwas issued by the North Sumatra MUI to understand how these rules are applied and interpreted in the context of MUI's responsibility for halal certification and consumer protection. This study will explore the concept of Islamic law related to consumer protection in halal certification, as well as evaluate the consistency between normative rules and implementation practices in the field.(Indra Utama Tanjung 2024)

RESULTS AND DISCUSSION

The Responsibility of the North Sumatra MUI in Ensuring Consumer Protection through Halal Fatwas

The Indonesian Ulema Council (MUI) of North Sumatra has an important responsibility in providing halal assurance of products circulating in the community. As an institution trusted to issue halal fatwas, MUI plays a key role in ensuring that products consumed by Muslims, be it food, beverages, cosmetics, or pharmaceutical products, have gone through a process that is in accordance with Islamic law principles. This responsibility not only covers moral and religious aspects, but is also legal, because it involves consumer protection regulated by various legal regulations in force in Indonesia.

In the context of Islamic law, MUI's responsibility for halal certification is closely related to the concept of *hifz al-din* (protecting religion) and *hifz al-nafs* (protecting the soul). Both of these concepts require Muslims to ensure that what they consume is in accordance with religious teachings, so that it does not harm either spiritually or health-wise. Therefore, MUI's responsibility is not only limited to issuing halal fatwas, but also includes the process of supervision and monitoring of certified products.(Fitrianto, Zarzani, and Simanjuntak 2021)

MUI's responsibility in ensuring the halalness of products directly intersects with the aspect of consumer protection. In Indonesia, consumer protection has been regulated in detail in Law No. 8 of 1999 concerning Consumer Protection (Consumer Protection Law). This law guarantees consumer rights, including the right to obtain correct, clear, and honest information regarding the condition and guarantee of goods and/or services consumed. In the context of halal certification, MUI North Sumatra is responsible for ensuring that information related to the halalness of the products they certify is provided correctly and accurately to consumers.

Article 4 of Law No. 8 of 1999 concerning Consumer Protection states that consumers have the right to:

"obtain comfort, security and safety in consuming goods and/or services consumed, using and utilizing said goods and/or services."

This right places MUI in a very strategic position because the halalness of a product is directly related to the safety and comfort of Muslim consumers. This safety is not only seen from the physical aspect (whether the product is safe for consumption in terms of health), but also from the spiritual aspect, namely whether the product is halal according to Islamic teachings.(Purba and Tanjung 2022)

MUI's responsibility in halal certification is also emphasized in Law No. 33 of 2014 concerning Halal Product Assurance (UU JPH). This law is the main legal basis that regulates halal product assurance in Indonesia, where every product that enters, circulates, and is traded in Indonesia must be halal certified. This is very relevant to the role of MUI as an institution that issues halal product fatwas, especially in North Sumatra, where the Muslim population is very dominant.

Article 4 of the JPH Law states:

"Products entering, circulating and traded in the territory of Indonesia must be halal certified."

This obligation puts pressure on the MUI to ensure that the certification process is carried out accurately and transparently, so as not to cause doubt for consumers. This responsibility also includes monitoring producers, to ensure that they continue to comply with halal standards after receiving certification. If there is a violation of halal provisions, the MUI must play an active role in following up and correcting the situation in order to protect consumers.

In addition, Article 7 of the JPH Law emphasizes that:

"The implementation of Halal Product Assurance is carried out by the Halal Product Assurance Organizing Agency (BPJPH) which collaborates with the MUI in determining the halalness of products through halal fatwas."

In this context, the MUI of North Sumatra has an important responsibility in determining halal fatwas, where BPJPH acts as the organizing body that regulates the entire halal certification system in Indonesia. The cooperation between BPJPH and MUI shows that the fatwas issued by MUI have strong legal implications and require a high level of responsibility.

Halal certification plays a very important role in protecting Muslim consumers in Indonesia. This protection is not only related to the certainty of halal products, but also includes a guarantee that the products consumed do not contain ingredients that are forbidden in Islam. In addition, halal certification also serves to provide certainty to consumers that the production process of the product, from raw materials to distribution, has complied with Islamic law.

MUI North Sumatra, as an institution authorized to issue halal fatwas, has an obligation to ensure that all stages in the halal certification process are carried out with high transparency and integrity. This is very important to build consumer trust in halal certification, which will ultimately affect public trust in halal products circulating in the market.

In Islamic law, fatwas issued by religious scholars or religious institutions such as the MUI have very strong moral force. Halal fatwas issued by the MUI are not only considered as a guide for consumers, but also as instructions that must be followed by producers. Therefore, the MUI has a great responsibility in ensuring that products that are given halal certification actually meet the established halal standards.

As a fatwa institution, the MUI of North Sumatra has a moral responsibility to maintain public trust in the halal labels they issue. This responsibility is not only related to the accuracy in determining halal fatwas, but also in monitoring and supervising products that have been labeled halal. In this context, the MUI must ensure that producers do not misuse the halal label to gain commercial advantage without complying with the conditions that have been set.

On the other hand, MUI also has legal responsibility towards consumers. Although MUI is not formally included in the category of business actors regulated in the Consumer Protection Law, MUI's responsibility in halal certification can be considered as part of the responsibility of business actors in providing safe products and in accordance with applicable laws. If there is a violation of halal

standards, consumers have the right to demand accountability from the producer, and indirectly, MUI can also be affected if it is proven to be negligent in issuing halal fatwas.

One of the main challenges faced by the MUI of North Sumatra in carrying out its responsibilities is limited resources, especially in terms of supervision of products that have been given halal certification. This supervision is very important to ensure that producers continue to comply with halal standards after receiving certification. However, in practice, supervision is often carried out sporadically and not comprehensively, so there is potential for producers to violate the provisions that have been set.

Another challenge is the lack of public understanding, both producers and consumers, regarding the importance of halal certification. Many producers see halal certification only as an administrative requirement to be able to sell their products to Muslim consumers, without truly understanding their responsibility in maintaining the halalness of the product. On the other hand, many consumers do not fully understand their rights to obtain halal products that are truly in accordance with Islamic law.

In facing this challenge, the MUI of North Sumatra needs to strengthen its role in educating and socializing the community. This education is not only aimed at producers, but also at consumers, so that they can be more critical in choosing products that are in accordance with halal principles. From the discussion above, it can be concluded that the MUI of North Sumatra has a very large responsibility in ensuring consumer protection through halal fatwas. This responsibility is not only moral, but also has a legal dimension, especially in the context of laws and regulations in force in Indonesia. Law No. 8 of 1999 concerning Consumer Protection and Law No. 33 of 2014 concerning Halal Product Assurance provide a clear legal basis for the role of the MUI in ensuring the halalness of products circulating in the market. However, in its implementation, the MUI faces various challenges, especially in terms of supervision and public education. For this reason, more intensive efforts are needed to increase public understanding of the importance of halal certification and the role of the MUI in protecting Muslim consumers.

MUI North Sumatra's Responsibility in Ensuring Halal Certification and Consumer Protection

The responsibility of the Indonesian Ulema Council (MUI) of North Sumatra in ensuring consumer protection through halal fatwas is not a simple task. From a legal perspective, this responsibility is not only related to the moral obligation to ensure that products consumed by Muslims are in accordance with Islamic law, but is also closely related to the legal obligation to implement and comply with regulations that have been enacted in Indonesia, such as Law No. 33 of 2014 concerning Halal Product Assurance (UU JPH) and Law No. 8 of 1999 concerning Consumer Protection. As an institution that has the authority to issue halal fatwas, the MUI of North Sumatra must carry out its duties with full integrity and accountability. Halal certification not only includes testing of materials and production processes, but also involves monitoring the compliance of producers with established halal standards. In this context, the legal role held by the MUI of North Sumatra is very important to ensure that the entire halal certification process is carried out in accordance with the standards set by Islamic law and national regulations. (Tanjung et al. 2023)

Law No. 33 of 2014 concerning Halal Product Assurance (UU JPH) is the main basis that regulates halal assurance in Indonesia. The JPH Law provides a legal framework for all products entering, circulating, and traded in the territory of Indonesia, which requires the products to be halal certified. This provision does not only apply to food and beverage products, but also includes cosmetics, medicines, and various other products used by the public.

Article 4 of the JPH Law states:

"Products entering, circulating, and traded in the territory of Indonesia must be halal certified."

This obligation is a significant step to provide assurance to Muslim consumers that the products they consume are safe and in accordance with Islamic law. In this case, the North Sumatra MUI has an important responsibility in determining the halalness of products through halal fatwas. This fatwa is the legal basis for the Halal Product Guarantee Agency (BPJPH) to issue halal certificates for these products.

The MUI's responsibility in determining halal fatwas based on Article 7 of the JPH Law is stated as follows:

"The implementation of Halal Product Assurance is carried out by the Halal Product Assurance Organizing Agency (BPJPH) which collaborates with the MUI in determining the halalness of products through halal fatwas."

This collaboration confirms that BPJPH cannot issue halal certificates without a fatwa from the MUI. This gives the MUI great authority in determining whether a product meets halal standards or not. Thus, the MUI has direct responsibility for consumer protection in the context of halal products. However, the implementation of the JPH Law in the field often encounters various obstacles. One of the most significant obstacles is the limited human resources and infrastructure owned by the MUI and BPJPH. For the North Sumatra region, the North Sumatra MUI often faces challenges in terms of supervising products that have been given halal certificates. These resource limitations can result in negligence in monitoring whether producers actually comply with the established halal standards, especially after halal certification is issued.

Consumer protection is an important aspect of Indonesian law, which is regulated in detail in Law No. 8 of 1999 concerning Consumer Protection (Consumer Protection Law). In the context of halal certification, MUI's responsibility is not only limited to the obligation to determine the halalness of a product, but also includes protecting consumers from products that do not meet halal standards or products that are illegally labeled halal.

Article 4 of the Consumer Protection Law states that consumers have the right to:

"obtain comfort, security and safety in consuming goods and/or services consumed, using and utilizing said goods and/or services."

This right places a great responsibility on the MUI of North Sumatra, because the safety and comfort of Muslim consumers are highly dependent on the assurance that the products they consume are in accordance with Islamic law. If there is a violation of halal standards, either due to the MUI's negligence in the certification process or due to violations committed by producers after obtaining certification, consumers have the right to demand accountability from the parties involved. Article 8 of the Consumer Protection Law further states that business actors are prohibited from producing and/or trading goods and/or services that do not comply with applicable standards, including those that are incorrect in providing product labels or descriptions. In this case, the MUI acts as an institution responsible for ensuring that the halal label given to a product is not misused. If misuse occurs, the MUI of North Sumatra must play an active role in conducting investigations and providing appropriate sanctions, both to producers and other related parties. (Pintabar, Rafianti, and Saragih 2024)

Non-compliance with halal standards can have serious consequences for producers and business actors who violate these provisions. The Consumer Protection Act provides consumers with the right to receive compensation if they are harmed by products that do not comply with halal standards. In

this case, the MUI of North Sumatra as the party issuing the halal fatwa has the responsibility to ensure that the certified products truly meet the requirements.

If there is a violation of halal standards, Article 62 of the Consumer Protection Law stipulates that:

"Business actors who violate the provisions as referred to in Article 8, Article 9, Article 10, Article 13, and Article 15 shall be punished with imprisonment for a maximum of 5 (five) years or a maximum fine of IDR 2,000,000,000.00 (two billion rupiah)."

In this context, although MUI North Sumatra is not categorized as a business actor, MUI's involvement in halal certification carries a great moral and legal responsibility. If it is proven that MUI North Sumatra is negligent in carrying out its duties, then this institution can be held accountable by consumers who feel disadvantaged.

Supervision of halal products that have been certified is one of the most crucial tasks for the MUI of North Sumatra. However, in practice, this supervision is often hampered by various factors, one of which is the limited human resources and technology available. In some cases, the MUI does not have enough staff to inspect all producers that have received halal certification. This can lead to misuse of the halal label by producers who do not comply with Islamic law after receiving certification.

Another challenge is the lack of public understanding, including business actors and consumers, about the importance of halal certification and the responsibilities that come with it. Many producers assume that halal certification is merely a label that can increase the selling power of a product, without truly understanding the process and responsibilities associated with the certification. On the other hand, consumers often do not have adequate knowledge about their rights in obtaining halal products, so they tend to be less critical in choosing products that comply with halal principles.

To overcome these challenges, more intensive steps are needed to improve the capacity of supervision and law enforcement of halal products. MUI North Sumatra can work together with the government and law enforcement agencies to ensure that halal certification is carried out with high transparency and integrity. In addition, education for the community, both producers and consumers, needs to be strengthened so that they better understand the importance of halal certification and the responsibilities of each party in maintaining halal standards.

In order to improve the quality of halal certification and consumer protection, the MUI of North Sumatra needs to make several improvements in its certification system. One step that can be taken is to strengthen the capacity of supervision of products that have received halal certification. More intensive supervision can be carried out by utilizing digital technology to monitor producer compliance with halal standards in real time. In addition, the MUI of North Sumatra also needs to strengthen cooperation with BPJPH and other related institutions to ensure that the halal certification process is carried out more efficiently and transparently. In this case, BPJPH as an agency that has the responsibility to organize halal product assurance, can provide support to the MUI in terms of human resources and technology needed to improve supervision of halal products. (Rafianti et al. 2023)

Public education is also a key factor in improving the quality of halal certification. MUI North Sumatra needs to be more active in conducting campaigns and socialization about the importance of halal certification, both to producers and consumers. With a better understanding of halal certification, producers will better understand their responsibilities in maintaining halal standards, while consumers will be more critical in choosing products that comply with Islamic law.

From the discussion above, it can be concluded that the MUI of North Sumatra has a very big responsibility in ensuring consumer protection through halal fatwas. This responsibility is not only moral, but also has a legal dimension regulated by various national regulations, such as Law No. 33

of 2014 concerning Halal Product Assurance and Law No. 8 of 1999 concerning Consumer Protection. In carrying out its responsibilities, the MUI of North Sumatra faces various challenges, especially in terms of supervision of halal products and education to the public. Therefore, more intensive efforts are needed to increase supervision capacity, strengthen cooperation with related institutions, and expand education programs to producers and consumers so that the halal certification system in North Sumatra can run more effectively and efficiently.

CONCLUSION

The Indonesian Ulema Council (MUI) of North Sumatra plays a very important role in ensuring the protection of Muslim consumers through halal fatwas. This responsibility includes not only religious moral aspects, but also legal responsibilities regulated by national regulations, such as Law No. 33 of 2014 concerning Halal Product Assurance and Law No. 8 of 1999 concerning Consumer Protection. However, the MUI of North Sumatra still faces various challenges, especially in terms of supervision of products that have been halal certified and education to the public. To strengthen the guarantee of halal products, it is necessary to increase the capacity of supervision, cooperation with related parties, and wider socialization to producers and consumers.

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