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Rethinking Religious Authority: Fatwa Committee, Scientific Expertise, and Politics of Halal Certification in Indonesia

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Abstract:

This article unveils how scientists, alongside ulama, have come to gain religious authority. Following the enactment of the Halal Product Assurance Law in 2014, the state has assumed a central role in structuring halal discourse, displacing civil society as its primary driver. One of the clearest manifestations of this state-driven shift is the establishment of the Fatwa Committee under the Ministry of Religious Affairs in 2023. Through a qualitative approach and a religious authority framework, this study advances three main arguments. First, the institutional arrangement of the Fatwa Committee has enabled scientists to possess an equal degree of religious authority alongside the ulama, effectively positioning scientists as academic *muftīs*. As a state-affiliated body, the Fatwa Committee transforms its members into official religious authorities, reinforcing the state-centric nature of Indonesia's halal movement despite its non-Islamic constitutional foundation. Second, halal determination has shifted away from being exclusively a domain of traditional Islamic legal reasoning, no longer requiring extensive *fiqh*-based deliberation. Third, halal certification cannot be fully understood as a conventional fatwa within classical Islamic legal doctrine; rather, it represents a novel hybrid form of religious ruling. This phenomenon challenges efforts to preserve flexibility and democracy in Islamic legal discourse.

Keywords:

Fatwa Committee; halal *fatwās*; official *muftī*; religious authority; scientific fatwas

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Introduction

On September 12, 2023, the Lembaga Bahtsul Masail (LBM) of the Nahdlatul Ulama East Java Regional Board (PWNU) ruled that Carmine E120 is considered *ḥarām* (forbidden) due to its use of Cochineal *(ḥasharāt)* that has become carrion, rendering it impermissible for consumption. This fatwa implies that food and beverage products containing Carmine as a colorant, such as candies, jelly, milk, yogurt, and ice cream, are also *ḥarām*. However, this fatwa is overlooked because the Indonesian Ulema Council (MUI) fatwa from 2011, standardized and endorsed by the government, through the Fatwa Committee, states that Carmine is halal. Consequently, products using Carmine as a colorant continue spreading with halal certification from the Halal Product Assurance Organizing Agency (BPJPH).[1]

In another context, the MUI differentiates between two types of *fiqh*: ordinary *fiqh* and judicial *fiqh (qaḍā')*. Ordinary *fiqh* refers to the jurisprudential opinions or fatwas held by various parties, including Islamic organizations such as Nahdlatul Ulama (NU) and Muhammadiyah. In other words, differences of opinion within ordinary *fiqh* are considered normal. In contrast, *qaḍā'* is characterized by its finality, binding nature, and centralization of authority within a single entity or institution. Consequently, this form of *fiqh* mandates uniformity, having become state law. However, following the establishment of the Fatwa Committee in 2023, the MUI rejected its formation and raised concerns with the Constitutional Court regarding whether Indonesia is moving towards a theocratic state.[2]

The evolution of religious authority and its intersection with state governance in Indonesia's halal discourse presents a compelling case study of societal transformation within a nation-state framework. This article delves into the pivotal shift of religious authority from traditional *'ulamā'* to scientists, exploring its profound implications for forming a halal society amidst the global halal market's burgeoning growth. Indonesia, despite being home to the world's

[1] Jawad Alzeer, Khaled Abou Hadeed, and Farhan Tufail, "Reevaluating the Halal Status of Carmine (E120): A Scientific and Islamic Legal Review," *Halalsphere* 5, no. 2 (2025): 62–68, https://doi.org/10.31436/hs.v5i2.124; M. Moslemi et al., "Investigation of Halal Status and Permitted Industrial Utilization of Carmine Dye in Iran," *Journal of Food Quality and Hazards Control*, n.d., 245–52, https://doi.org/10.18502/jfqhc.11.4.17442.

[2] Edian Fahmy and Inas Afifah Zahra, "Islamic Securities Crowdfunding Based on Indonesia's Islamic and Positive Law Perspective," *International Journal of Economics, Management, Business, and Social Science (Ijembis)* 3, no. 3 (2023): 726–38, https://doi.org/10.59889/ijembis.v3i3.154.

second-largest Muslim population, has navigated complexities in defining its religious identity within a secular governance framework, marked by debates over the implementation of Sharia law versus democratic principles since its independence era.[3]

Historically, Indonesia's trajectory towards halal regulation saw intense deliberations culminating in the establishment of halal law in 2014, marking a significant shift from civil society-driven initiatives to state-led regulation. This legislative milestone positioned the state as a primary driver of halal discourse, underscoring its role in shaping religious norms and practices in a multicultural society. Using qualitative methods and a socio-philosophical approach, this paper examines the transformative role of the Fatwa Committee, an institutional innovation under the Ministry of Religious Affairs comprising both Ulama and scientists, in supplanting the MUI's traditional authority in issuing halal fatwas. This article also examines the scientists represented by halal auditor, halal supervisor, and Halal Product Process (PPH) supervisor as the state agencies in discoursing halal.

Unlike the MUI, which traditionally issues fatwas through consensus among *'ulamā' (ijtihād jamā'i)*, the Fatwa Committee issues halal fatwas based on individual considerations, highlighting the newfound authority of scientists alongside traditional *'ulamā'*. This authority distribution positions scientists as key arbiters in the halal certification process, integrating scientific considerations into religious rulings and reflecting broader shifts towards evidence-based governance in religious affairs. Moreover, the Fatwa Committee's institutionalization within the state apparatus portrays them as official *muftīs* (the fatwa makers), further solidifying the state's influence over halal discourse. Hallaq later contends that the modern nation-state represents the primary catalyst behind the structural demise of the Sharia. Within this political formation, the state assumes the authority to reconstitute and

[3] Toni Johnson and Mohammed Aly Sergie, "Islam: Governing under Sharia," *Council on Foreign Relations* 25 (2014): 3; Ahmet T. Kuru, *Islam, Authoritarianism, and Underdevelopment (A Global and Historical Comparison)* (New York: Cambridge University Press, 2019), 231; Ahmet T. Kuru, "Muslim Politics Between Sharia and Democracy," *Muslim Politics Review* 1, no. 1 (2022): 23–39, https://doi.org/10.56529/mpr.v1i1.50; Geoffrey Robert Seale, *The Compatibility of Sharia Law with Democracy*, 2015, 75.

reformulate Sharia according to its own interests, ideological orientation, and political will.[4]

Critical to this discussion is the universal applicability of halal principles, transcending Muslim-majority demographics to impact non-Muslim communities as well. Scientific rigor in determining halal compliance underscores the evolving role of scientists in societal norms and regulatory frameworks, transforming halal fatwas from non-binding advice to binding legal directives. This evolution enhances the credibility and standardization of halal certification and shapes societal perceptions and practices across diverse religious and cultural landscapes. By exploring these dynamics, this paper contributes to scholarly discourse on the evolving intersections of religion, governance, and societal norms in contemporary Indonesia and the interconnectivity between Sharia and modernity. It sheds light on the complexities of state-led religious regulation in a pluralistic society. It offers insights into how Indonesia navigates religious diversity while asserting its position in the global halal economy.

Previous studies on fatwa in Indonesia have been conducted from various perspectives. Some scholars have examined how fatwas function as a primary indicator of religious authority, as demonstrated in Kaptein's work.[5] Other studies have gone further by arguing that fatwas not only serve as markers of authority but also operate as instruments for monopolizing religion and regulating religious behavior.[6] During the Soeharto era, MUI fatwas even functioned as a legitimizing stamp for state policies, translating governmental

[4] James R. Lewis, "How Religions Appeal to the Authority of Science," in *Handbook of Religion and the Authority of Science* (Brill, 2010), 21–40; Jim R. Lewis and Olav Hammer, *Handbook of Religion and the Authority of Science*, vol. 3 (Brill, 2010); Christopher P. Scheitle, David R. Johnson, and Elaine Howard Ecklund, "Scientists and Religious Leaders Compete for Cultural Authority of Science," *Public Understanding of Science* 27, no. 1 (January 2018): 59–75, https://doi.org/10.1177/0963662517718145; Wael B. Hallaq, "Juristic Authority vs. State Power: The Legal Crises of Modern Islam," *Journal of Law and Religion* 19, no. 2 (2004): 243–58, https://doi.org/10.2307/3649176; Wael B. Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge University Press, 2001), 219.

[5] Nico J. G. Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia," *Archives de Sciences Sociales Des Religions* 125, no. March (2004): 24–25, https://doi.org/10.4000/assr.1038.

[6] Tim Lindsey, "Monopolising Islam: The Indonesian Ulama Council and State Regulation of the 'Islamic Economy,'" *Bulletin of Indonesian Economic Studies* 48, no. 2 (2012): 253–74, https://doi.org/10.1080/00074918.2012.694157; Mun'im Sirry, "Fatwas and Their Controversy: The Case of the Council of Indonesian Ulama (MUI)," *Journal of Southeast Asian Studies* 44, no. 1 (2013): 100–117, https://doi.org/10.1017/S0022463412000641.

agendas into a religious idiom.[7] In addition, several works highlight halal fatwas as a new religious dynamic that emerged in Indonesia from the late twentieth century onward, showing that fatwas can shape new patterns of Muslim religiosity, particularly among the urban middle class.[8] This study identifies a new pattern that has not yet been thoroughly explored in the literature: the transformation of fatwa production following the establishment of the Fatwa Committee, marked by the inclusion of academic actors (scientists) within the Fatwa Board.

This paper seeks to elaborate and analyze the main research question: how and why have official *muftī*s and scientific fatwas emerged in Indonesia's contemporary halal landscape? This qualitative research employs a socio-political approach by theorizing the phenomenon through the framework of religious authority. The data were collected through in-depth interviews with three members of the Fatwa Committee Board, five halal auditors, and three PPH supervisors. Additional data were obtained through documentary research, including legal texts (the Halal Product Assurance Law/UU JPH No. 34 of 2014, Government Regulation in Lieu of Law/Perppu No. 2 of 2022, and Government Regulation No. 42 of 2024), reports on halal fatwas, and the official BPJPH website, which provides extensive data on the halal certification ecosystem in Indonesia.

Religion and the State

The relationship between the state and the Church in Europe, as well as the process of secularization, constitutes a complex historical phenomenon that has been subject to diverse interpretations. Contrary to earlier assumptions that located the origins of secularization in the Enlightenment, recent scholarship

[7] Moch Nur Ichwan, "Towards A Puritanical Moderate Islam: The Majelis Ulama Indonesia and the Politics of Religious Orthodoxy," in *Contemporary Developments in Indonesian Islam: Explaning the "Conservative Turn,"* ed. Martin van Bruinessen (Singapore: ISEAS Publishing, 2013), 60–104; Moch Nur Ichwan, "'Ulamā', State and Politics: Majelis Ulama Indonesia after Suharto," *Islamic Law and Society Brill* 12, no. 1 (2005): 45–72, https://doi.org/10.1163/1568519053123867; Arisy Abror Dzukroni et al., "State, Ulama, and Halal Issue: Majelis Ulama Indonesia at A Glance," *PETITA: Jurnal Kajian Ilmu Hukum dan Syariah* 10, no. 2 (2025): 949–67, https://doi.org/10.22373/petita.v10i2.853.

[8] Arisy Abror Dzukroni and Ahmad Fathan Aniq, "Regulating Halal Tourism: The Role of Islamic Organizational Fatwas in the Shariatization of Indonesia," *Asy-Syir'ah: Jurnal Ilmu Syari'ah dan Hukum* 57, no. 2 (2023): 333–60; Arisy Abror Dzukroni, "Debates on Halal Issues As Indonesian Contemporary Religious Social Phenomena," *Khazanah: Jurnal Studi Islam dan Humaniora* 21, no. 2 (2023): 155–72, https://doi.org/10.18592/khazanah.v20i1.9119.

suggests that its roots can be traced back to the Protestant Reformation. The Enlightenment, rather than initiating secularization, played a significant role in consolidating an already emergent separation between religious and political authority. This separation had been articulated, at least at a theoretical level, within theological and political debates among Protestant thinkers in regions such as France and Germany, and likely extended to other parts of Europe.

A further analytical clarification concerns the conceptual distinction between "kingdom" and "state" in the Western historical context. The institutional establishment of Christianity preceded the formation of centralized political kingdoms. During the so-called barbarian invasions of the fifth century, the Church functioned as the primary institutional force preserving the continuity of Latin culture and intellectual life. The emergence of a distinctly Christian political order can be more accurately associated with the Carolingian Empire, which marked a significant moment in the alignment between religious authority and political power. While general narratives often recognize the intertwining of religion and governance in Europe, such accounts risk oversimplification if they do not sufficiently differentiate between these historical phases.

The trajectory of secularization in Europe did not follow a singular or linear path but instead unfolded through multiple and often contradictory dynamics. Notably, secularization was not initially imposed by the state as a coercive mechanism to exclude religion from the public sphere. Rather, it emerged in part from within religious communities themselves, particularly as different confessional groups sought to limit state interference in matters of faith. In several European contexts, including France, the relationship between monarchy and ecclesiastical authority had already taken on characteristics of a "state church" by the late medieval period, as seen in the development of the Gallican Church. This institutional arrangement illustrates the gradual entanglement of religious and political authority prior to the formal articulation of secular principles.

Paradoxically, the form of secularization that eventually contributed to the marginalization of religion initially functioned as a strategy to preserve religious autonomy. By distinguishing the domain of faith from that of royal authority, early proponents of secularization aimed to protect religious life from political domination. This development was later accompanied by the rise of individualism, particularly in the form of freedom of thought and religious

expression. The process was driven by both top-down and bottom-up forces. On the one hand, state-led initiatives played a crucial role in resolving conflicts such as the European Wars of Religion. On the other hand, grassroots demands for religious tolerance, often framed as the desire to avoid persecution rather than to assert expansive religious rights, were equally significant in shaping the trajectory of secularization.[9]

In addition to these dynamics, the Church itself contributed to the process of secularization. As its institutional position weakened in relation to emerging centralized states, elements within the Church supported forms of separation as a means of preserving ecclesiastical authority and avoiding scenarios in which political rulers would assume direct control over religious institutions, as occurred in England. Taken together, these developments underscore the complexity and contingency of secularization in Europe, revealing it as a multifaceted and historically contingent process rather than a uniform or linear transformation.

Nationalism often draws upon religious symbolism and narratives to forge collective identities. In many cases, nations have defined themselves in terms of religious affiliation, leading to complex relationships between majority and minority religious groups within nation-states. This dynamic has influenced policies related to religious freedom, minority rights, and cultural assimilation. In the contemporary globalized world, nation-states face new challenges related to religious diversity and globalization. Increased migration, transnational religious movements, and globalized communication have facilitated the spread of diverse religious beliefs and practices across borders. This phenomenon has

[9] José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994), 11–17; José Casanova, "Rethinking Secularization: A Global Comparative Perspective," in *Religion, Globalization, and Culture* (Brill, 2007), 101–20; Kuru, *Islam, Authoritarianism, and Underdevelopment (A Global and Historical Comparison)*, 43; Josep Lecler and T. L. Westow, *Toleration and The Reformation*, Editions Montaigne, Two (New York, London: Association Press, 1960), 191–225; See: François Jullien, *On the Universal, the Uniform, the Common and Dialogue between Cultures* (Cambridge: Polity Press, 2014); David West, "Habermas and Rawls on Democracy, Reason and Faith," in *The Social Equality of Religion or Belief*, ed. Alan Carling (London: Palgrave Macmillan UK, 2016), 107–20, https://doi.org/10.1057/9781137501950_6; Kevin M. Vander Schel, "Habermas, Jürgen: Faith and Reason," in *Encyclopedia of the Philosophy of Law and Social Philosophy*, ed. Mortimer Sellers and Stephan Kirste (Dordrecht: Springer Netherlands, 2023), 1202–6, https://doi.org/10.1007/978-94-007-6519-1_116.

tested traditional notions of national identity and challenged state policies on religious accommodation and integration.[10]

Examining specific regions provides insights into the diverse ways in which religion intersects with nation-state dynamics. The Middle East is characterized by complex interactions between Islam and politics, where Islamic governance models and sectarian divisions influence state policies and regional geopolitics. In India, Hindu nationalism has shaped political discourse and policies, affecting religious minorities and challenging the secular fabric of the state. European countries navigate issues of secularism, immigration, and integration, grappling with tensions between national identity and religious pluralism.[11]

The promotion of human rights, including religious freedom, is a critical issue in the age of the nation-state. International organizations and treaties advocate for the protection of individuals' rights to practice their faith freely, challenging states to balance national interests with global human rights standards. The role of religion in the age of the nation-state is marked by historical legacies, contemporary challenges, and evolving dynamics influenced by globalization and human rights frameworks. As societies become increasingly diverse and interconnected, nation-states must navigate complex terrain to ensure religious freedom, uphold secular principles, and foster social cohesion. Understanding these dynamics is essential for shaping inclusive policies and promoting peaceful coexistence in a rapidly changing world.[12]

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[10] Talal Asad, "Religion, Nation-State, Secularism," in *Nation and Religion*, ed. Peter Van Der Veer and Hartmut Lehmann (Princeton University Press, 1999), 178–96, https://doi.org/10.1515/9780691219578-011; Talal Asad, *Formations of the Secular: Christiantiy, Islam, Modernity* (Stanford: Stanford University Press, 2003); Jonathan Fox, "World Separation of Religion and State Into the 21st Century," *Comparative Political Studies* 39, no. 5 (June 2006): 537–69, https://doi.org/10.1177/0010414005276310.

[11] Daniel Philpott, *Religious Freedom in Islam: The Fate of a Universal Human Right in the Muslim World Today* (Oxford University Press, 2019), 234; Daniel Philpott, "Religious Freedom in Islam: A Global Landscape," *Journal of Law, Religion and State* 2, no. 1 (2013): 3–21, https://doi.org/10.1163/22124810-00201001; Daniel Philpott, "Why Religious Freedom Is a Human Right," *The American Journal of Jurisprudence* 68, no. 3 (2023): 177–94, https://doi.org/10.1093/ajj/auae003; Max L. Stackhouse, ed., *God and Globalization: Volume 1: Religion and the Powers of the Common Life*, 1st edition (New York (N. Y.): T&T Clark, 2009), 26.

[12] Mark Tessler, "Islam and Democracy in the Middle East: The Impact of Religious Orientations on Attitudes toward Democracy in Four Arab Countries," *Comparative Politics*, 2002, 337–54, http://www.jstor.org/stable/4146957 .; Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah, *God's Century: Resurgent Religion and Global Politics* (WW Norton & Company, 2011), 102.

However, Hallaq does not fully accept the idea of the nation-state. He advances the thesis that the very nature of Islamic law has been transformed through its encounter with modernity and Western imperialism. It was not merely transformed. The Sharia, according to Hallaq, has undergone what he calls a "structural death." For him, the nation-state is not an indigenous Islamic concept; rather, it is a Western construct of governance that was exported to the "outside world" and imposed, often persuasively, as the most legitimate form of political organization. Hallaq argues that Islamic norms are fundamentally incompatible with the logic of the nation-state. In other words, Islamic law, in its ethical and ontological essence, can never be fully realized within the framework of a modern state. Nevertheless, unlike many traditionalist or puritan Muslim thinkers, Hallaq does not endorse the idea of restoring a caliphate system. Instead, he leaves open the question of what kind of political formation might best embody Islamic moral principles in the contemporary world.[13]

The Typologies of Fatwas

The traditional definitions of fatwas within *usūl al-fiqh* (Islamic legal theories) literature revolve around distinguishing between the roles of the *muftī* and the *qāḍi*, and consequently, between the fatwa and the *ḥukm* (verdict). Masud, Messick, and Powers, in their seminal work on fatwas, elaborate extensively on this distinction. However, a *ḥukm* can also denote a ruling issued by the *muftī*. For figures like Egypt's *Muftī,* 'Ali Jum'a, the *ḥukm* represents the core of any fatwa, a textual focal point derived and announced during the interpretive process of *iftā'*. On the other hand, some *muftī*s, alongside numerous websites, draw a distinction between *fatāwā* and *aḥkām*, regarding the latter as more legally binding. Collective bodies issuing fatwas often use the term *qarārāt* (decisions) for fatwas resulting from thorough studies, preparations, and discussions. These intra-Islamic typologies and distinctions underscore a certain ambiguity. Frequently, the public does not differentiate between these terms and uses "fatwa" broadly. For instance, Ayatollah

[13] Read: Hallaq, *Authority, Continuity and Change in Islamic Law*; Hallaq, "Juristic Authority vs. State Power"; Wael B. Hallaq, *A History of Islamic Legal Theories* (Cambridge: Cambridge University Press, 1997); Wael Hallaq, *Reforming Modernity: Ethics and the New Human in the Philosophy of Abdurrahman Taha* (Columbia University Press, 2019), https://doi.org/10.7312/hall19388; Wael B. Hallaq, *Sharī'a: Theory, Practice, Transformations* (Cambridge University Press, 2009); Wael B. Hallaq, *An Introduction to Islamic Law* (Cambridge University Press, 2009).

Khomeini's infamous fatwa calling for Salman Rushdie's assassination identified itself as a *ḥukm*. However, it was commonly referred to as a fatwa both within and beyond the Muslim world.[14]

A fatwa not only signifies the convergence of reality and Islamic doctrine but also participates in an ongoing scholarly discourse among Muslims regarding Islamic norms and their application. Baber Johansen's research demonstrates that, alongside commentary literature (*shurūh* and *ḥawāshī*), fatwas served as a medium for introducing new interpretations and rulings within the *madhhab* literature. Unlike commentaries that could enumerate various scholarly opinions, fatwas are succinct and represent the confirmation and selection of a legal opinion by the *muftī*. Consequently, fatwas remain a primary catalyst for change in Islamic legal and ethical doctrines, even in contemporary times.[15]

Jakob identifies six typologies of fatwas. First, the ephemeral fatwa: the first category consists of ordinary fatwas concerning everyday life, whether communicated orally or in writing. Typically overlooked and disregarded by scholars, these fatwas originate from personal inquiries and encounters. In this context, the authority of the *muftī* can resemble that of a spiritual guide. Due to the ephemeral and private nature of the fatwa, the *muftī*'s personal status, motivations, and personality influence its content, aiming to affirm Islamic norms and guide the questioner towards appropriate conduct.[16]

Second, school fatwas, ephemeral fatwas, which are often unseen and deemed insignificant, contrast with school fatwas that are preserved intentionally for their educational value within the *madhhab*. These school fatwas aim to enrich the teaching tradition and educate future generations of scholars. Third, court fatwa, fatwas used in legal courts may either remain ephemeral or gain renown and be recorded in school fatwa literature. Courts of significant stature typically register these fatwas in their proceedings *(sijillāt)*. Fourth, public fatwas, unlike ephemeral ones, reach a broader audience beyond the immediate interaction between the *muftī* and the questioner *(mustaftī)*.

[14] Brinkley Messick and D. S. Powers, *Islamic Legal Interpretation: Muftis and Their Fatwas* (Cambridge, Massachusetts: Harvard University Press, 1996), 20.

[15] Baber Johansen, *Contingency in a Sacred Law: Legal and Ethical Norms in the Muslim Fiqh* (Brill, 2023), 7:88.

[16] Muhammad Al-Marakeby, "Rethinking Modern Fatwa Typology: An Ethnographic Study on al-Azhar Fatwa Council," *Islamic Studies Review* 1, no. 2 (2022): 197–216, https://doi.org/10.56529/isr.v1i2.85; Jakob Skovgaard-Petersen, "A Typology of Fatwas," *Die Welt Des Islams* 55, nos. 3–4 (2015): 278–85, https://doi.org/10.1163/15700607-05534p02.

These fatwas are published, whether in print or through modern mass media, thereby extending their impact to the wider public sphere.[17]

Fifth, a state fatwa, a subset of public fatwas, is issued by officially appointed state *muftī*s. In many countries, dissatisfaction with the perceived inadequacy of state law led to a sustained interest in fatwas as a source of legitimacy outside formal legal frameworks. National media platforms have played a crucial role in disseminating state fatwas to the public. Sixth, collective fatwa, that is, involves groups of *muftīs* reaching a consensus *(ijmā')* on a particular issue. Emerging notably in the latter half of the 20th century, collective fatwas aim to provide authoritative rulings that are less likely to be disputed. While some states have established bodies for collective *iftā'*, such initiatives remain relatively uncommon.[18]

Fatwa and Religious Authority

This paper examines the halal phenomenon through the lens of religious authority. Foundational insights from prominent scholars in the study of contemporary Islamic authority, such as Khaled Abou El-Fadl, Nico Kaptein, and Ismail Fajrie Alatas, provide the theoretical framework for this analysis. Each of these scholars, however, offers a distinct conceptual orientation in understanding religious authority. Abou El-Fadl, for instance, classifies religious authority into two types: persuasive and coercive. He further reintroduces the concept of authoritarianism, which he defines as an attempt to confine the divine will, or the will of the text, within a particular interpretation and then present it as absolute and final.[19]

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[17] Skovgaard-Petersen, "A Typology of Fatwas"; Melissa Crouch and Gary F. Bell, "Negotiating Legal Pluralism in Court: Fatwa and the Crime of Blasphemy In Indonesia," *Pluralism, Transnationalism and Culture in Asian Law*, 2017, 231–56; Suria Hani A. Rahman et al., "Reporting Fatwa in The Media: Reception And Perception," *'Abqari Journal* 9, no. 1 (2016): 31–47, https://doi.org/10.33102/abqari.vol9no1.129.

[18] Skovgaard-Petersen, "A Typology of Fatwas"; Jakob Skovgaard-Petersen, *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dār al-Iftā* (Brill, 1997), 59:22; Frank Mullaney, "Defining Islam for the Egyptian State: Muftis and Fatwas of the Dār al-Iftā by Jakob Skovgaard-Petersen," *Journal of Islamic Studies* 10, no. 3 (1999): 332–35, https://www.jstor.org/stable/26198178; Emine Enise Yakar, "The Influential Role of the Practice of Ifta in Saudi Politico-Legal Arena," *J. Int'l L. Islamic L.* 16 (2020): 35, https://www.academia.edu/44080914/The_Influential_Role_of_the_Practice_of_Ift%C4%81_in_Saudi_Politico_Legal_Arena.

[19] Khaled Abou El Fadl, *Speaking in God's Name (Islamic Law, Authority, and Women)* (United Kingdom: Oneworld Publications, 2001), 22.

Unlike Abou El-Fadl, who acknowledges both types of authority, Ismail Fajrie Alatas recognizes only persuasive authority. For him, authority is not imposed but emerges organically through a long process of articulative labor. Religious authority, in this view, is the outcome of a sustained effort to connect the prophetic past with the contemporary present, resulting in communal recognition from followers.[20] Meanwhile, Nico Kaptein approaches the question of religious authority from a more technical perspective. He identifies a fatwa as the primary indicator of religious authority: by issuing a fatwa and having it followed, an individual effectively attains it.[21]

While Jakob classifies fatwas into six typologies, Kaptein categorizes them into four: religious authority, traditionalist, modernist, collective, and other forms of religious advice. First, traditionalist fatwas, a work entitled *Muhimmāt al-Nafā'is fi Bayān As'ilat al-Ḥadīth,* inspired Kaptein to make the first category *of* fatwas. The collection of fatwas in this book covers a wide range of topics, including marriage law, dietary prescriptions, inheritance law, Islamic rituals, local custom, etiquette, and relations with non-Muslims. These fatwas were requested by Malay-Indonesian Muslims. In the past, the *muftī* of Mecca was considered the highest authority by the Indonesian people, so if local *muftīs* could not reach an answer or agreement, the matter would be brought to the *muftī* of Mecca. They will issue fatwas in Arabic as well as in the local language *(*Java*)*, but written in Arabic script *(pegon).*[22]

The *muftīs* refer to classical handbooks of Islamic jurisprudence as authoritative sources. This method is called *taqlīd*, which involves accepting the authority of earlier traditional scholars from one of the four *Madhhabs*. In the Netherlands East Indies, where the majority follows the Shāfi'ī *Madhhab*, books such as *Tuḥfa* by Ibn Ḥajr al-Haytamī and *Nihāya* by al-Ramlī are the primary references used by *muftīs* and the Muslim community. For *muftīs*, *taqlīd* means a commitment to following the opinions of past scholars and not providing

[20] Ismail Fajrie Alatas, *What Is Religious Authority? Cultivating Islamics Communities in Indonesia* (Princeton, New Jersey: Princeton University Press, 2021), 35.

[21] Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia"; Nico J. G. Kaptein, ed., *The Muhimmāt al-Nafā'is: A Bilingual Meccan Fatwa Collection for Indonesian Muslims from the End of the Nineteenth Century*, Seri INIS 32 (Jakarta: INIS, 1997), 190.

[22] Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia"; Kaptein, *The Muhimmāt al-Nafā'is*, 92.

independent reasoning. For the Muslim community, *taqlīd* means accepting the opinions of previous traditional scholars through the voice of the *muftī*.[23]

Second, modernist fatwas, the fatwa issued in 1930 by Aḥmad Ḥassan (1887-1958) marked this period. Having immigrated from Singapore to Indonesia in 1920, he gained unparalleled authority within the Persatuan Islam (PERSIS). During this fatwa period, the authoritative *muftī* was based in the domestic jurisdiction rather than in Mecca. Unlike earlier periods, Aḥmad Ḥassan issued fatwas in the local Indo-Malay language using the Latin script, clearly aiming for broad accessibility. The distinctive feature of these modernist fatwas lay in their reasoning. Inspired by Muḥammad 'Abduh and Rashīd Riḍā, modernist Muslim organizations in the Netherlands East Indies influenced these fatwas to engage in independent reasoning based solely on the Quran and *ḥadīth*, a process known as *ijtihād*. They simultaneously critiqued the *taqlīd* method, which merely imitates existing interpretations. Although Ahmad Hassan did not mandate that ordinary Muslims must know Arabic as the language of the Quran and *ḥadīth*, he required them to understand the rationale behind the opinions formulated by *muftīs*. This understanding is termed *ittibā'*. Thus, Aḥmad Ḥassan recognized only two paths: *ijtihād* and *ittibā'*.[24]

Third, collective fatwas, unlike traditionalist and modernist fatwas issued individually, are issued collectively by an organization of ulama. Since the 20th century, organizations like NU, Muhammadiyah, and MUI have played significant roles as Muslim organizations in Indonesia, each issuing fatwas. NU appears inclined towards maintaining traditional Islam. These collective fatwas are deliberated in forums such as Baḥth al-Masā'il (study of religious issues). Initially, NU predominantly followed the principle of *taqlīd*. However, over time, at the National Conference in 1992 in Lampung, NU introduced the method of collective *ijtihād*. Muhammadiyah, an Islamic organization heavily influenced by Middle Eastern reformists, has the Majelis Tarjih and the Islamic Thought

[23] Christiaan Snouck Hurgronje, *Mekka in the Latter Part of the 19th Century: Daily Life, Customs and Learning of the Moslims of the East-Indian-Archipelago* (Brill, 2007), 1:72–75; Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia"; Kaptein, *The Muhimmāt al-Nafā'is*, 90; R. Strothmann and TH W. Juynboll, "Handleiding Tot de Kennis van De Mohammedaansche Wet Volgens de Leer Der Sjâfi'itische School," *Der Islam; Zeitschrift Für Geschichte Und Kultur Des Islamischen Orients* 15 (1926): 310.

[24] Ahmad Hassan, *Soal-Jawab Masalah Agama* (Bangil: Pustaka Tamaam, 1985), 1 and 2:42; Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia"; Akhmad Minhaji, *Ahmad Hassan and Islamic Legal Reform in Indonesia* (Yogyakarta: Kurnia Kalam Semesta, 2001), 142.

Development Council, which are responsible for issuing fatwas. *Tarjīḥ* involves weighing opinions among previous *'ulamā'* and selecting the most appropriate one. The "Suara Muhammadiyah" magazine serves as a platform for disseminating fatwas from the Majelis Tarjih. MUI, initially formed as a national government-sponsored organization, aimed to bridge the gap between the government and society in terms of policy. This initiative was seen as a government effort to involve religious scholars in facilitating its political agenda. MUI's primary task is to issue fatwas, both to the government and the public.[25]

Fourth, the last type of fatwa is "other forms of religious advice." In this fourth type of fatwa, Kaptein includes the advice of religious authority figures, such as decisions, appeals, instructions, admonitions, and position statements. He highlights the case of MUI's "instruction" regarding the General Election in 1999, which advised Muslims to choose leaders who were devout Muslims. Kaptein finds this case significant because an instruction (not a fatwa) from MUI garnered attention from various figures, such as the chairperson of the Partai Demokrasi Indonesia Perjuangan (PDI-P), Megawati Soekarnoputri, the chairperson of the Partai Kebangkitan Bangsa (PKB), Abdurrahman Wahid, and the chairperson of the Partai Amanat Nasional (PAN), Amien Rais.[26]

Compared to the late nineteenth century, it appears that religious authority is no longer exclusively controlled by *'ulamā'*, who traditionally monopolized religious interpretation. Mass education and increased literacy have enabled educated non-specialists to engage in religious discussions, thereby influencing the emergence of new forms of religious authority. Simultaneously, many *'ulamā'* have become more concerned with making religious discourse accessible, using less technical and vernacular language. This shift has contributed to the emergence of diverse voices shaping religious expression, not only from within 'ulamā' circles but also from external sources. The implications for the future development of religious authority remain uncertain and are beyond human prediction.[27] These conceptions of religious authority were complicated by the 'halal wave'.

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[25] Martin van Bruinessen, *NU: Tradisi, Relasi-Relasi Kuasa, Pencarian Warna Baru* (Yogyakarta: LKiS, 1994), 54; Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia"; Mohammad Atho Mudzhar, *Fatwas of The Council of Indonesian Ulama: A Study of Islamic Legal Thought in Indonesia 1975-1988* (Jakarta: INIS, 1993), 48.

[26] Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia," 20.

[27] Kaptein, "The Voice of the `Ulamā': Fatwas and Religious Authority in Indonesia."

How Do Halal Agencies Issue Scientific Fatwas

Government Regulation in Lieu of Law (Perppu) Number 2 of 2022 is the starting point and a new chapter in the fatwa discourse in Indonesia. This regulation mandates the establishment of the Fatwa Committee on Halal Products *(Komite Fatwa Produk Halal)*, an institution under the Ministry of Religion whose task is to issue halal fatwas on every product submitted to BPJPH. Under the Decree of the Minister of Religion (KMA) Number 297 of 2023, the Minister of Religion immediately established a Halal Product Fatwa Committee comprising 25 ulama and scientists. In addition, Perppu Number 2 of 2022 above only grants the MUI, the Aceh Ulama Consultative Council (MPU), and the Fatwa Committee the authority to issue fatwas on halal products.[28]

Indonesia has two halal certification schemes: the regular scheme and the self-declaration scheme. Under the regular halal certification scheme, businesses submit their product to BPJPH. After reviewing the documents, BPJPH designates a Halal Inspection Agency (LPH) to audit the submitted products. One of the Halal Auditors from the LPH conducts an audit to ensure that the materials used and the processes undertaken do not involve or are contaminated with non-halal substances. The Halal Auditor will not recommend the product for a halal fatwa by the Fatwa Commission if the business still uses non-halal materials or processes. Once the product's halal status is confirmed, MUI verifies the received data and considers it before determining the halal fatwa.[29]

[28] Mustolih Siradj, "Menakar Kedudukan dan Peran Komite Fatwa Produk Halal," *NUOnline*, July 27, 2024, https://www.nu.or.id/opini/menakar-kedudukan-dan-peran-komite-fatwa-produk-halal-A8yQC; Bambang Iswanto, "Job Creation Law and Consequences in Determining Halal Products: Analysis of the Halal Product Fatwa Committee," *Al-'Adalah* 20, no. 1 (2023): 179–210, https://doi.org/10.24042/adalah.v20i1.16379; Erry Fitrya Primadhany, Maimunah Maimunah, and Meyrara Widya Putri, "Harmonizing The Role of Majelis Ulama Indonesia (MUI) and The Fatwa Committee on Halal Products in Increasing the Halal Ecosystem in Indonesia," *Proceeding of International Annual Conference on Islamic Economy and Law* 3, no. 1 (2024): 116–26, https://conference.trunojoyo.ac.id/pub/aciel/article/view/554.

[29] Interview with Khusna Dwijayanti, Halal Auditors, July 26, 2024.

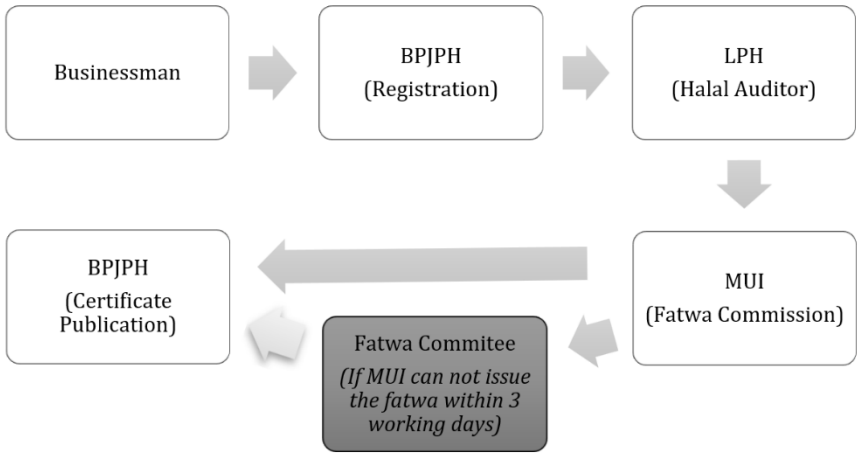

Figure 1. Regular Scheme

The Fatwa Committee issues halal certifications for micro and small product businesses submitted to BPJPH. The halal certification scheme for micro and small enterprises is known as Self Declare, where businesses acknowledge and declare that their operations are halal. Businesses are accompanied by a Halal Product Process (PPH) Supervisor in this declaration process. The PPH assists the business by providing guidance, conducting verification, and performing validation. Micro and small enterprises that have undergone feasibility testing by the PPH through verification and validation (verval) proceed to the next stage, which is the issuance of a fatwa by the Fatwa Committee. The Fatwa Commission, which is part of MUI, is responsible for issuing halal fatwas on medium-level or products under the regular scheme. However, if the Fatwa Commission delays issuing a fatwa within the specified working period, the Fatwa Committee may take over the issuance of the fatwa.[30]

[30] Interview with Imelda Fajriati, Member of Halal Product Fatwa Committee, July 20, 2024 and Interview with Junaidi, Halal Supervisor, February 21, 2025.

In addition to halal auditors and halal PPH supervisors, there is a role known as the halal supervisor *(penyelia halal)*. The halal supervisor's responsibilities include overseeing PPH activities, drafting PPH plans, implementing PPH control risks, preparing PPH supervision reports, conducting PPH supervision reviews, and accompanying halal auditors and/or PPH supervisors during inspections and verification. Essentially, the halal supervisor functions akin to an internal auditor. They play a crucial role in enhancing halal awareness and overseeing the halal product process. Similar to PPH supervisors, halal supervisors assist businesses from registration to the issuance of halal certificates. Unlike halal supervisors, who can be represented by various professionals provided they undergo specialized training organized by the LPH, halal auditors must not only complete specialized training but also hold a bachelor's degree (S1) in food science, food technology, chemistry, biochemistry, industrial engineering, pharmacy, or equivalent, referred to herein as scientists and academics. While halal supervisors are not required to have scientific backgrounds, they must undergo feasibility testing conducted by the LPH, which is primarily composed of scientists and academics. In other words, halal supervisors operate under the oversight of scientists. Additionally, PPH supervisors responsible for verification and validation also work under scientific oversight, guided by the Chief Executive Officer's (Kepkaban) Decision on the positive list formulated by scientists.[31]

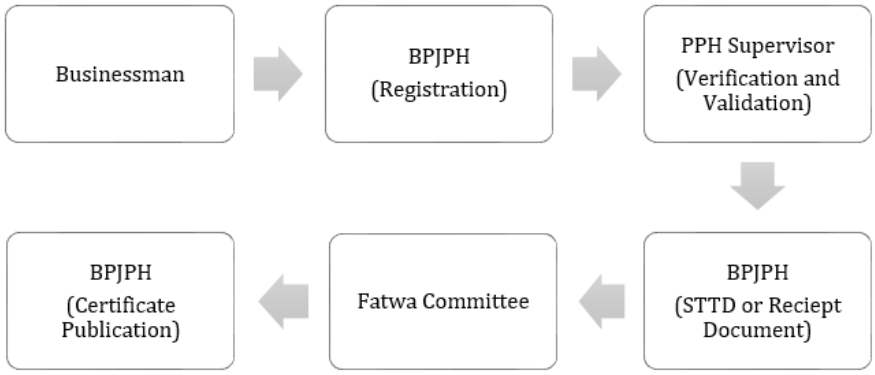

Figure 2. Self-Declare Scheme

[31] Interview with Atika Yahdiyani, Halal Auditor, July 26, 2024.

Aside from halal auditors, halal supervisors, and PPH supervisors, who represent scientists directly involved in the field, there is also a Fatwa Committee consisting of not only religious scholars but also scientists. A total of 5 scientists and 20 religious scholars are recorded as members of the Fatwa Committee. Each member of the Fatwa Committee has equal authority to issue fatwas. If a religious scholar who serves as a Fatwa Committee member can issue 100 halal fatwas in one day, similarly, a scientist who is a member of the Fatwa Committee can also issue 100 halal fatwas. Therefore, 100 halal fatwas issued by scientists are scientifically valid because scientists are involved from the start. However, it is not difficult to say that the halal fatwas issued by religious scholars are also scientific, as the final data they have received through the process and the decisions they have made are based on scientific principles.[32]

This evidence also indicates that, in addition to traditionalist fatwas, modernist fatwas, collective fatwas, and other forms of religious advice, there exists a classification known as scientific fatwas within the typology of fatwas. Scientific fatwas surpass traditionalist fatwas, which possess strong traditional characteristics. Similarly, compared with modernist fatwas, scientific fatwas have paved the way for individuals other than religious scholars to issue them. Scientific fatwas are not entirely collective; in difficult, unprecedented cases, collective discussions are held, but the majority are issued individually. Furthermore, scientific fatwas cannot be classified merely as 'advice', as they are explicitly referred to as halal fatwas. Scientific fatwas grant significant authority to scientists and scholars in matters of religious rulings. However, it is important to note that all parties involved in these halal fatwas, except MUI, are direct extensions of the government.

Official *Muftī*: Between Legal Certainty and Closed Interpretation

In *Mawsūʿa Uṣūl al-Fiqh*, ʻAlwī Ibn ʿAbd al-Qādir al-Saqqāf, drawing on earlier works such as *Maṭālib Ūlī al-Nuhā* by Muṣṭafā al-Rahībānī (d. 1827), *al-Sharḥ al-Kabīr* by Aḥmad al-Dardīr (d. 1786), and *Mawāhib al-Jalīl* by al-Ḥaṭṭāb al-Ruʿaynī (d. 1547), defines fatwa as follows:

> Terminologically, a fatwa is the clarification of a Sharia ruling to a questioner regarding a particular legal issue, and such clarification is non-

[32] Interview with Chasan Abdullah, Member of Halal Product Fatwa Committee, July 25, 2025.

> binding. Another formulation states that a fatwa is the communication of God's ruling concerning obligation or permissibility. The phrase "questioner" indicates that a legal clarification cannot be considered a fatwa unless it constitutes a response to a specific inquiry. If an *ʿālim* explains a ruling without being prompted by a question, such an explanation does not qualify as a fatwa. The term "communication" *(ikhbār)* excludes judicial decisions *(qaḍāʾ),* since the latter constitute the production of binding law. Meanwhile, the phrase "non-binding" underscores that a fatwa does not possess coercive legal force.[33]

Ibrahim Negm, Senior Advisor to the Grand *Muftī* of Dār al-Iftā' al-Miṣriyya, similarly observes that fatwas are often misunderstood and misused. He defines a fatwa as "non-binding religious advice given by a qualified scholar in response to a question asked by a member of the public." "Non-binding" signifies the absence of legal enforceability, while "qualified scholar" refers to one possessing recognized expertise in Islamic law. Dār al-Iftā' itself prioritizes scholars trained in established institutions such as Al-Azhar University.[34] Contemporary scholars, however, tend not to impose the stringent qualifications for ulama and *muftī*s found in classical Islamic tradition, particularly within collective institutional settings.[35]

When measured against the classical definition of a *muftī*, it is difficult to classify members of the Fatwa Committee—many of whom are scientists—as *muftī*s. Nevertheless, the institution is explicitly named a "Fatwa Committee," implying a body authorized to issue fatwas. The Cambridge Dictionary defines a committee as "a small group of people chosen to represent a larger organization and either make decisions or collect information for it." In this context, the appointing authority is the Minister of Religious Affairs, as stipulated in Ministerial Decree No. 297 of 2023.

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[33] 'Alwī Ibn 'Abd al-Qadīr Al-Saqqāf, "Mawsūʿa Uṣūl al-Fiqh," *dorar.net*, https://dorar.net/osolfeqh/1626/المفتي-شروط-الأول-المطلب.

[34] Jayson Casper, "Dar Al-Ifta': The House of Fatwa," *Jaysoncasper.Com*, August 18, 2012, https://jaysoncasper.com/2012/08/18/dar-al-ifta-the-house-of-fatwa/.

[35] Al-Shawkānī, in *Fath al-Qadīr*, states that a *muftī* is the same as a *mujtahid*. Therefore, the requirements for a *muftī* are more or less the same as those for a *mujtahid*, namely: a Muslim *mukallaf*, qualified in the field of *fiqh* (Islamic jurisprudence), fairness in words and deeds, mastery of the methods of *ijtihād* (Islamic jurisprudence), and understanding of the situation and conditions of society. Included in the qualifications for mastery of *fiqh* and *uṣūl al-fiqh* is mastery of the language and interpretation of the Quran. Muḥammad Ibn 'Alī Ibn Muḥammad Ibn 'Abdullāh Al-Shawkānī, *Fatḥ al-Qadīr* (Beirut: Dār Ibn Kathīr, 1993).

If the Committee is tasked with decision-making, then such decisions—by definition—take the form of halal fatwas. Consequently, those who issue them are *muftī*s, including scientists serving on the Committee. Moreover, the fatwas issued by both the Committee and the MUI are binding. This represents a departure from the earlier epistemology of fatwa, which generally regarded fatwas as non-binding and restricted the role of *muftī* to those with formal expertise in *fiqh* and *uṣūl al-fiqh*.[36]

Sholahuddin Al Aiyub, a leading figure within MUI's Fatwa Commission, states:

> The applied *fiqh* is *qaḍā'*, which is final and binding and already operates at the level of state regulation. Therefore, differences of opinion are no longer permissible. Authority cannot be distributed to anyone. Even if the references are the same, differing determinations are not acceptable.[37]

This statement underscores that halal fatwas now fall within the domain of *qaḍā'*, that is, legally enforceable jurisprudence situated within the judicial authority *(al-sulṭa al-qaḍā'iyya)*. This shift implies two consequences: first, halal certification is no longer purely a matter of ritual *('ubūdiyya)* or the hereafter *(ukhrawī)*; and second, even if it remains within the sphere of religious practice, its essence *(māhiyya)*, to borrow the terminology of Mulla Sadra,[38] has transformed from non-binding guidance into binding law, while its existence *(wujūd)* has shifted from fatwa to *qaḍā'* (judicial decision).[39]

Rethinking Halal Fatwas

A considerable number of scholars have challenged the tendency to narrowly confine the term *'ulamā'* to those possessing expertise exclusively in the religious sciences. In fact, the term *'ulamā'* may be ascribed to anyone who demonstrates profound intellectual mastery in any field of knowledge, not

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[36] Casper, "Dar Al-Iftā'"; Al-Shawkānī, *Fath al-Qadīr*; Al-Tashūlī, *Al-Bahjah fi Sharh al-Tuḥfa*.

[37] Chairunnisa Nadha, *Bagaimana Ketetapan Halal MUI Diterbitkan? | Lembaga Pemeriksa Halal (LPH) LPPOM Sertifikasi Halal*, September 9, 2020, https://halalmui.org/bagaimana-ketetapan-halal-mui-diterbitkan/.

[38] Ṣadr al-Dīn Al-Shirāzī, *Al-Ḥikma al-Muta'āliya fi al-Asfār al-'Aqliyya al-Arba'a* (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1982).

[39] Junaidi said the formation of the Fatwa Committee implied a change in fatwas from recommendations to formalization. Junaidi, "Ulama, Negara, dan Kontestasi Otoritas: Komisi Fatwa Majelis Ulama Indonesia (MUI) dan Komite Fatwa Produk Halal Kementerian Agama" (UIN Sunan Kalijaga Yogyakarta, 2024), https://digilib.uin-suka.ac.id/id/eprint/65632/.

merely in religious disciplines. Nevertheless, this article does not engage with that debate in the present subsection. Instead, it clarifies that the term *'ulamā'* , as used herein, refers specifically to those who possess deep scholarly competence in the religious sciences, thereby warranting such a designation.

As a fatwa-making institution, MUI adopts a collective method of legal reasoning known as *ijtihād jamā'ī*. One of the philosophical foundations underlying this choice is the recognition that the competence of a single contemporary *'ālim* is insufficient to address the complexity of modern problems, thus necessitating collective deliberation to explore multiple legal possibilities and to agree upon the most appropriate ruling. NU employs a similar approach through its Baḥth al-Masā'il forum and by Muhammadiyah through the Majelis Tarjih dan Tajdid.

In contrast to these established fatwa institutions, the Fatwa Committee adopts an individualistic model of legal determination. Each of its 25 members is authorized to issue rulings independently, without the need for deliberation or consensus-building on every issue addressed. Consequently, each member holds equal authority, without hierarchical distinction. Upon closer examination, this arrangement implies that scientists or academics possess the same authority to issue fatwas as *'ulamā'*.

This condition gives rise to three principal theses. First, scientists no longer function merely as partners to religious authorities, as was the case when MUI invited scientific experts, particularly halal auditors, into its collective *ijtihād*, but have instead transformed into primary authorities vested with full competence to issue fatwas, equivalent to that of *'ulamā'*. In this sense, they may be described as "academic *muftī*s". If the inclusion of academics in the Fatwa Committee is intended to incorporate scientific considerations into fatwa production, it is worth noting that MUI had already achieved this by inviting auditors and Halal Inspection Bodies (Lembaga Pemeriksa Halal/LPH) into its fatwa sessions; thus, there is no inherent necessity to incorporate scientists into the ranks of *'ulamā'* or *muftī*s, as their role could have remained that of expert partners.

Second, the determination of halal status is no longer exclusively a domain of religious authority, or, at the very least, no longer an issue requiring in-depth engagement with Islamic legal reasoning *(fiqh).* The epistemology of halal is now treated as settled, and members of the Fatwa Committee function primarily as executors, indicating a shift in authority from the legislative domain *(al-sulṭa al-tashrī'iyya)* to the executive domain *(al-sulṭa al-tanfīdhiyya).* Third, the

determination of a product's halal status cannot be fully categorized as a fatwa as classically defined; rather, it represents a novel variation of fatwa that has not previously existed within the tradition of Islamic legal doctrine.

Conclusion

This article has examined the transformation of religious authority in Indonesia from *'ulamā'* to scientists, particularly in the context of halal regulations within the nation-state framework. The shift in authority, as evidenced by the establishment of the Fatwa Committee under governmental auspices, marks a significant departure from traditional *'ulamā'*-dominated issuance of fatwas towards a more inclusive and scientifically informed approach. The journey from early debates on Sharia implementation to the enactment of the Halal Law in 2014 reflects Indonesia's nuanced approach to integrating Islamic principles into national governance while upholding democratic values. The creation of the Fatwa Committee underscores the state's increasing role in shaping halal discourse, redefining the landscape of religious authority within the nation-state.

Furthermore, this study has illuminated the evolution of halal regulations from non-binding to binding fatwas, a shift that underscores the growing influence of scientific considerations in defining halal standards. Scientists and academics now play a pivotal role alongside *'ulamā'* in issuing halal fatwas, signaling a broader societal acceptance and implementation of halal principles beyond Muslim communities. Looking ahead, the emergence of a halal society in Indonesia reflects global trends in the halal market, where non-Islamic countries also vie for market share. This dynamic intersection of religious principles, scientific expertise, and state governance underscores the complexities of contemporary halal discourse in the nation-state era. The evolution of halal regulations in Indonesia serves as a compelling case study of how religious authority adapts within the modern nation-state context. By integrating scientific expertise into fatwa issuance, Indonesia has navigated a path by reorienting the religious traditions with contemporary governance, contributing to the broader discourse on the role of religion in state affairs and the formation of halal societies worldwide. Nevertheless, the key challenge moving forward is how to preserve the flexibility of Islamic law and religious democracy following the regulation of halal discourse in Indonesia. I

recommend that further scholars immerse themselves in their study on the relation of *'ulamā'*, scientists, and the state in the digital world.[a]

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Author Contribution Statement

Arisy Abror Dzukroni: Conceptualization; Formal Analysis; Investigation; Methodology; Project Administration; Resources; Validation; Visualization; Writing Original Draft; Writing, Review & Editing.

Abu Hapsin: Data Curation; Formal Analysis; Methodology; Project Administration; Resources; Visualization; Writing, Review & Editing.

Nicolò Di Dio: Validation, Conceptualization, Review, Visualization, Data Curation.

Abdurrahman Mas'ud: Review, Methodology, Project Administration.

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