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The Controversy Surrounding the Halal Status of Kopi Luwak and Its Economic Business Development Opportunities

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ABSTRACT
This paper discusses the business potential of Kopi Luwak along with the controversies that accompany it. The focus of this study revolves around three main aspects: (a) the controversy surrounding the halal status of Kopi Luwak which could hinder its production, (b) the business opportunities for Kopi Luwak production in Indonesia, and (c) an analysis of the legal status of Kopi Luwak. The research employs descriptive and analytical methods, whereby the researcher gathers information from various literary sources, describes (illustrates through writing), and then analyzes the information to answer the research questions. The findings of this study indicate that the business prospects for Kopi Luwak are relatively promising, despite various obstacles similar to other types of businesses. The controversy over its halal status does not pose a significant barrier, as the Indonesian Ulema Council (MUI) has issued a fatwa long ago, and the legal conclusions reached by scholars regarding the halal status of Kopi Luwak are based on strong evidence supporting its permissibility.
Keywords: Controversy; Kopi Luwak; Business; Fiqh; Halal.

Introduction

The Controversy Surrounding the Halal Status of Kopi Luwak and Its Economic Business Development Opportunities. Kopi, a beverage made from coffee beans, is consumed after the beans are extracted and brewed with hot water. Traditionally, coffee is favored by men, though it has gained popularity among women as well. Kopi Luwak, in particular, is known for its distinctive taste, dark color, unique aroma, and special appeal, especially to its connoisseurs. To expand its market reach, the coffee industry has developed downstream products by packaging coffee in sachets and various other forms (Kaihatu, 2014).

Kopi Luwak has sparked controversy in Islamic jurisprudence (fiqh). Generally, Muslims are advised to consume only good and pure things, avoiding anything considered impure or filthy. However, Kopi Luwak, despite being processed to be clean, odorless, and free from impurities, cannot be completely dissociated from its origin involving civet feces. The beans pass through the digestive system of the civet, getting expelled through its anus (Hilmi, 2023).

This debate extends beyond general discourse to the Indonesian Ulema Council (MUI), which convened three times to deliberate on the halal status of Kopi Luwak. There were also requests for fatwas from state-owned enterprises like PTPN XII, which are developing Kopi Luwak production in East Java (Jambi, 2010).

One challenge comes from animal rights advocates who oppose the practice of confining civets in cages and feeding them only coffee, which they consider cruel. Another challenge arises from those who find the idea of consuming beans excreted by civets repulsive, arguing that Muslims should only consume what is pure, and deeming anything excreted by civets as najis (impure) (Huber, 2020).

Some people draw analogies (qiyas) between the prohibition of domestic donkeys and civet-produced coffee. In Islamic jurisprudence, domestic donkeys are haram (forbidden) to eat, while wild donkeys are halal (permissible), based on their differing diets. Similarly, the argument goes, the source of coffee beans (civet feces) could influence their permissibility (Asy-Syafi'i, 2017).

Furthermore, there is a debate regarding the civet itself, which is considered haram to eat according to scholars like Imam Abu Hanifah and Imam Ahmad Ibn Hanbal, based on the hadith stating that all predatory animals with fangs are forbidden (HR Ahmad, Muslim, Tirmidhi, and Nasai). Consequently, anything excreted by a haram animal is also considered najis (Hermanto & Yuhani'ah, 2024).

On the other hand, Kopi Luwak holds significant economic potential. The beans, after being consumed by civets, are believed to acquire a unique quality, prompting many to venture into Kopi Luwak production. Despite its economic promise, uncertainties regarding its halal status persist, leading to a need for a clear fiqh-based understanding of its legal status. This paper aims to examine the fiqh perspectives on the halal status of Kopi Luwak to provide clarity and certainty for its production (Syafii et al., 2016).

Previous research by Hussin et al. (2018) discusses the status of commercial caged civet coffee in terms of halal and tayyiban concepts. An interview method was employed to explore this issue. Additionally, literature related to civet coffee from Islamic and scientific perspectives was analyzed using content analysis. The findings reveal that civet coffee is considered halal after purification. However, the production process using caged methods is deemed not tayyiban due to animal cruelty issues and negative impacts on the ecosystem, which also lead to the threat of civet extinction. Therefore, the method of confining or caging civets for coffee production is categorized as haram lighayrih. Other research by Ishak et al. (2023) elaborates on the systematic and halalan tayyiban commercial production of civet coffee through a case study and participant observation of a farm in Bandung. The article also identifies three significant halal critical control points in the feeding, washing, and drying processes to ensure the halal status, safety, and hygiene of civet coffee. The controversy surrounding the halal status of civet coffee and the opportunities for its production in Indonesia have not been extensively discussed, prompting this research. Given the high business prospects of civet coffee, a more thorough study is necessary to understand both the opportunities and the halal status of civet coffee in order to enhance its development.

Methods

This study employs a literature review methodology, encompassing an extensive examination of various sources including books, scholarly journals, magazines, and online resources. The primary objective is to comprehensively review fatwas issued by scholars, focusing on the rationale and ijtihad (independent reasoning) pertaining to Kopi Luwak.

The research methodology involves two main components: description and analysis. Description entails providing a detailed depiction of the subject matter through written discourse to enhance comprehension. The researcher will systematically gather pertinent data, carefully select relevant information, and methodically organize these findings into a coherent research report. This report aims to address the controversies surrounding Kopi Luwak and explore its economic potential.

Results and Discussions

The Development of Kopi Luwak

The history of coffee is quite extensive, dating back to several centuries before Christ in Africa, and later spreading to the Arabian Peninsula. In the Arabian Peninsula, coffee became associated with Muslims and was commonly used to stay awake for night prayers. Eventually, through the Ottoman Turks, coffee was introduced to Europe in the 16th century. From Europe, it spread to the Netherlands, and it was not until the late 17th century that the Dutch introduced it to Indonesia (Winarno & Darsono, 2019). The introduction of coffee to Indonesia is marked by the grim memories of colonial oppression.

The Dutch implemented the Cultuurstelsel (Cultivation System), forcing the local population to grow products desired by the Dutch as a form of tax. One of these products was coffee (Hamdan & Sontani, 2018). At that time, Indonesian farmers did not understand why the Dutch ordered them to plant coffee beans and were unaware of its uses. The Dutch even forbade the locals from consuming coffee. The coffee was eventually sold at high prices in the European market, enabling the Dutch to dominate the coffee trade in Europe at that time. This led to significant profits for the Dutch East India Company (VOC) at the expense of exploiting Indonesian farmers to produce various products demanded by the colonizers.

It was during this period that the discovery of Kopi Luwak occurred, a unique method of coffee processing that had not been previously considered. At that time, Indonesians were prohibited from consuming coffee beans, but they were allowed to collect coffee beans that the Dutch did not want to consume. One such source was the coffee beans that had passed through the digestive system of civet cats (luwak). These beans were collected, cleaned, and found to have an exceptionally delicious aroma. Eventually, this caught the attention of the Dutch, who then marketed it as a premium coffee product in Europe (Endradewa, 2020). To this day, Kopi Luwak remains popular and continues to be produced and exported from Indonesia to Europe despite various challenges.

Recognizing the high price of Kopi Luwak, many people began to domesticate civet cats and cultivate coffee beans. As a result, wild civets became rarer, replaced by captive civets in coffee plantation areas. Captive civets behave differently compared to those in their natural habitat, similar to the differences between wild and domestic cats.

Civets are inherently wild animals and should not be caged. They are carnivorous, not only enjoying plant seeds but also hunting other animals. Consequently, the side effect of the Kopi Luwak business is increased stress and declining health among the civets, as they are predominantly fed coffee beans rather than a varied diet. Their hunting instincts also diminish. Unlike in the past, when Kopi Luwak was first discovered, civets remained wild, and only a part of their diet consisted of coffee.

Kopi Luwak and Its Product Development Opportunities

The maintenance of civet cats (luwak) requires a very high cost. To care for one civet cat, the cost can reach up to 55,000 IDR per day. This cost includes feeding the civet one bunch of bananas or 300 grams of bananas per day, along with 1.2 kg of coffee beans (Rahardjo, 2021), and various necessary vitamins. Given these high maintenance costs, it is understandable that the price of Kopi Luwak is also very expensive.

The market price of Kopi Luwak differs significantly from regular coffee. Kopi Luwak can reach up to 1 million IDR per kilogram, while regular coffee is priced at around 100,000 IDR per kilogram. Therefore, running a Kopi Luwak business requires skills and experience to minimize production costs as much as possible. If Kopi Luwak manages to penetrate the international market (export), the profit margin could be even higher. In Indonesia, Kopi Luwak is one of the most expensive coffees, with CNN reporting prices ranging from 100 to 200 US dollars per 0.45 kg (Indonesia, 2022).

Kopi Luwak has several promising business prospects. It is now recognized for its exquisite taste compared to regular coffee. Kopi Luwak also has health benefits, such as neutralizing nicotine, boosting energy, and combating drowsiness. The government is also interested in developing this product, acknowledging that Kopi Luwak is a unique product of the Indonesian archipelago and could become one of the world's important assets (similar to batik). The development of Kopi Luwak is also supported by the existence of associations like the Indonesian Kopi Luwak Association. Through such associations, there are opportunities for sharing insights on Kopi Luwak development, pricing, market trends, and providing production assistance. Additionally, with the advancement of information technology, knowledge and information dissemination have become much easier, positively impacting the business climate, including the Kopi Luwak industry.

There are several threats to the production of Kopi Luwak. One of them is the presence of competitors. As long as the demand for Kopi Luwak exceeds supply, prices will remain high, attracting more parties to produce Kopi Luwak. The commodity price will be limited by the high production costs. With increasing competition, prices may drop, resulting in a smaller margin between product price and production costs. This is a potential threat to Kopi Luwak entrepreneurs, where prices might be pushed down until the total commodity price is only slightly above the total production costs.

Another threat is the controversy over its halal status. Many are unaware that it has been declared halal according to Islamic jurisprudence. However, there is a perception among some that Kopi Luwak is haram due to its production process (Supriatna & Aminah, 2014), involving the digestion by an animal that is not halal to eat. It is important to refer to the arguments used by scholars to justify the consumption of Kopi Luwak.

A further threat is the possibility of fraud in Kopi Luwak products. It is known that Kopi Luwak can be imitated or faked. For example, artificial flavors and colors might be added to coffee, making it difficult to distinguish between genuine and fake Kopi Luwak, especially in powdered form (Kompas, 2016).

General Arguments Related to Kopi Luwak

Fiqh is the science used to understand Islamic law. To comprehend Islamic law, one must refer to the Qur'an and the Sunnah, which are the two main sources of fiqh. Similarly, in seeking clarity on the Islamic legal ruling regarding Kopi Luwak, fiqh is employed, guided by the Qur'an and the Sunnah.

According to the Qur'an, everything good and not prohibited is considered halal. As stated in Surah Al-Baqarah, verse 168:

"O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy." (Al-Baqarah 168)

In the Tafsir Fii Zhilalil Qur'an, Sayyid Qutb explains that the term "halalan thayyiban" in this verse implies that what is consumed should be both lawful and good (Qutb, 2000). Meanwhile, in the Ministry of Religious Affairs' interpretation, "Thayyiban" refers to food that is healthy, safe, and not excessive. However, these interpretations do not specifically address whether Kopi Luwak, derived from the digestion of a civet cat, is considered "thayyiban."

This verse references the asbab an-nuzul (reasons for revelation) regarding the prohibition of certain types of camels, such as Bahirah and Wasilah. These were forbidden by certain tribes (Banu Saqif, Banu Amir, Khuza'ah, and Banu Mudlaj) based on their own whims. However, Allah commands to consume all good food on earth, including good livestock, except for pigs. Thus, the verse provides a general guideline rather than a specific ruling on Kopi Luwak.

Other verses with similar wording include Al-Baqarah 172, which says, "O you who have believed, eat from the good things which We have provided for you and be grateful to Allah if it is [indeed] Him that you worship." The explanation is similar, referring to the consumption of things previously prohibited by polytheists. Sayyid Qutb interprets this verse with the principle of taking the good from the sustenance provided and avoiding all that is bad. Other verses, such as Al-Maidah 88 and Al-Baqarah 29, offer similar messages (Qutb, 2000).

In Surah Al-A'raf 157, Allah states:

"... and makes lawful for them the good things and prohibits for them the evil..."

The Ministry of Religious Affairs' interpretation clarifies that "evil" in this verse refers to carrion, blood, and pork, as these are explicitly declared haram in other verses. Additionally, hadiths mention other prohibitions, such as predatory animals with fangs, birds of prey, and amphibious animals like frogs (Widyani, 2019).

Historically, there has been debate regarding what is haram. Most Indonesian Muslims, following the Shafi'i school of thought, accept the hadiths prohibiting certain animals. However, a puritan sect, the MTA (Majlis Tafsir Al-Qur'an), argues that only the prohibitions mentioned in the Qur'an (pork, blood, carrion, and offerings to other than Allah) are valid. By this logic, Kopi Luwak, which falls outside these categories, is clearly halal.

These Qur'anic verses are general or mujmal. Therefore, they require further explanation from other sources like hadith. One relevant hadith states, "The lawful is what Allah has made lawful in His Book, and the unlawful is what He has made unlawful, and what He has left out, it is pardoned." (Narrated by Tirmidhi and Ibn Majah). A similar hadith is also narrated by Al-Hakim. Thus, if something is ambiguous and not explicitly mentioned in the Qur'an or hadith, it is considered pardoned or ma'fu. This hadith provides more specific guidance than the general Qur'anic verses, indicating that ambiguous matters are pardoned.

In the principles of usul fiqh, it is stated that "al-asl fi al-ashya' al-ibahah," meaning the default rule for all things is permissibility. Based on the aforementioned arguments, scholars tend to deem doubtful matters halal, especially in muamalah (transactions and interactions). Therefore, if an issue is left undiscussed by Islamic law or lacks clear evidence of prohibition, it should not be deemed haram.

MUI Fatwa on Kopi Luwak

The MUI (Indonesian Ulema Council) Fatwa on Kopi Luwak is numbered 17 of 2010. This fatwa was issued in response to numerous questions from the public regarding the permissibility of consuming Kopi Luwak. Thus, the MUI felt the need to issue a fatwa on Kopi Luwak to provide guidance for the community, whether in producing, selling, or consuming it.

The initial basis for MUI's consideration includes several of the arguments mentioned above, namely: Al-Maidah: 88, Al-Baqarah: 168, Al-Baqarah: 172, Al-An'am: 145, and Al-A'raf: 157. Similarly, the hadiths referenced by the MUI are the same as those previously mentioned. These include hadiths from Tirmidhi and Ibn Majah, a hadith narrated by Al-Hakim, and a hadith narrated by Daruquthni, which state that what Allah has declared haram is clear, what He has declared halal is clear, and what is not mentioned is pardoned.

However, there are additional references that MUI considered. These include fatwas from other scholars, such as from the Majmu' book (Nawawi, 1980), which states that if an animal eats grains and later expels them, and if the grains can still be planted, they remain pure, provided they are cleaned first. Similarly, the book Nihayatul Muhtaj, states that such grains are mutanajis, not najis

(Ramli, 2004). Mutanajis refers to something that has become impure through contact but is not inherently impure, while najis is inherently impure. Scholars distinguish between these two because they have different essential qualities. Najis refers to something inherently impure in its chemical composition, while mutanajis refers to something that has become impure through contact, similar to the difference between a "mixture" and a "compound" in chemistry.

In its fatwa, MUI also explains the specific ruling on Kopi Luwak. It states that the coffee beans expelled from the civet's digestive system remain unchanged. This means that the beans can still be planted and grow coffee plants. The beans only need to be cleaned of any impurities. Additionally, the processing of Kopi Luwak involves cleaning the beans of impurities before further processing and packaging. Therefore, the beans are considered clean and halal, whether for production, sale, or consumption.

Conclusion

The development of Kopi Luwak presents significant business opportunities despite inherent challenges like production costs and regulatory considerations. Its acceptance under Sharia law, clarified by the MUI fatwa, underscores its permissibility and the absence of widespread prohibitions among Islamic scholars. While some consider the civet an unclean animal, the purification process renders the coffee beans (mutanajis) clean and permissible for consumption. This consensus among scholars and adherence to jurisprudential principles support the viability of Kopi Luwak as a halal product with economic potential.

Conflicts of interest

The authors declare that there are no conflicts of interest.

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