

## Oil Palm Industry in Agricultural Jurisprudence

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### Abstract

The world's agricultural sector is now working towards sustainable use of resources and high productivity. The oil palm industry that has been developed for the past four decades is now a major contributor to the agricultural sector and the well-being of the country's people. Even palm oil plants are no exception to being developed sustainably. The popularity of palm oil production is incredible. About 10 percent of the world's agricultural and plantation activities are global oil palm plantations. The methodology of this study uses a content analysis research design, the data collected is analyzed through a descriptive approach with a combination of qualitative approaches that is analyzing text including analyzing documents such as official reports, circulars, annual reports, departmental reports, financial plans, reports agencies, and transcripts. This article discusses the use of oil palm agricultural land in Malaysia for Islamic economic development. The results of the study found that agricultural jurisprudence in Islam can increase the yield of oil palm farming holistically, increase the national income, emphasize nutritional products that are *halal taiyyiba* and clean. The Ministry of Agriculture should pay serious attention and hopefully play its role in promoting the growth of the agricultural sector in accordance with Shariah.

**Keywords:** Palm Industry, Agricultural Jurisprudence and Economics

### Introduction

Malaysia has the advantage of being one of the most competitive in the international market, in addition to being a market leader in terms of productivity and development and research (R&D) as a result of the country's experience in the palm oil industry. As stated by the Director General of the Malaysian Palm Oil Board (MPOB), namely Dr. Ahmad Parveez Ghulam Kadir, Malaysia is also the main exporter of palm oil to almost 160 countries including China, India, and the European Union which is the biggest market for Malaysia. He added that the demand for palm oil will continue to increase to accommodate the world's approximately 9 billion people by 2043.

Therefore, the importance of the contribution of oil palm and rubber plants to the economic potential of the agricultural sector cannot be denied. Because of this importance, these two crops have been made the main crops in the Federal Land Development Board

(FELDA) plan, especially to overcome the problem of poverty caused by the lack of land, unemployment and problems related to the violent rotation of the rural economic system.

### **Factors That Influence The Increase Of Palm Oil Supply**

Based on an analysis of the factors that have influenced the increase in palm oil supply in the world market, the first is the balance of the world economy. Before this, almost most developed countries experienced economic recession (recession) which resulted in those countries reducing or stopping the purchase of palm oil. According to a Sinar Harian report on October 13, 2020, Foreign Minister Datuk Seri Hishammuddin Tun Hussein said in 2017, this palm oil has experienced some recovery from the global economic crisis. Malaysia exported 2.87 million tonnes of palm oil and palm oil-based products worth RM9.42 billion to China. Exports of palm oil products to China also increased 17.8 percent in 2019 after declining for seven consecutive years. According to the Malaysian Palm Oil Council (MPOC), Malaysia's palm oil exports to China increased by 438,747 metric tons or 31.1 percent to 1,848,433 metric tons for the period from January to August 2020, resulting in an increase in the supply of palm oil in the world market.

According to a Berita Harian report on 23 May 2021, the Minister of Plantation Industry and Commodities, Datuk Dr Mohd Khairuddin Aman Razali, said the value of the country's palm oil exports increased by 26.9 percent, which is RM17.12 billion for the period from January to April 2021 compared to RM13.49 billion in the period the same in 2020. The Minister of Plantation Industry and Commodities, Datuk Dr Mohd Khairuddin Aman Razali, said the factor contributing to the increase was the increase in price and other rival fats in the world market. He said, with that performance, the Ministry of Plantation Industries and Commodities (KPPK) is confident that the oil palm export target of RM75 billion this year can be achieved with the support of the ministry's new program. The program involved is an additional initiative in the form of a matching grant of RM20 million through the Strategic Program Empowering the People and the Economy (PEMERKASA) that benefit 65 Sustainable Oil Palm Cultivation Cooperatives (KPSM) and a matching grant of RM30 million to encourage investment in mechanization and automation. Therefore, the increasingly strong Malaysia and China managed to record a positive performance on the export value of palm oil and palm-based products.

The second factor is that the increase in demand for healthy food (better food diets) from developing countries such as China and India is also seen to have had an impact on the country's demand for palm oil. Based on a Sinar Harian report on March 16, 2021, the Minister of Plantation Industries and Commodities, Datuk Dr Mohd Khairuddin Aman Razali said the price of crude palm oil (CPO) jumped to the highest level in the history of the country's palm industry to RM4,247.50 per ton compared to RM4,193 per tons, the highest since 13 years ago. As a result, the price of Fresh Bunches (BTS) in the Peninsula exceeded the level of RM900 per ton, while the price a year ago was only around RM300. Regarding the oil and fat industry, the issue of trans fatty acids is one of the important issues affecting trade in the current decade. Trans fatty acids, related health problems and the need to eliminate them from the human food chain are major issues. The elimination of trans fatty acids has become important in Europe and the United States (US) now wants to keep pace with other regions. Palm oil is the most viable alternative.

The third factor, where the government has provided a National Economic Stimulus Package of RM7 billion and also a Stimulus Package by the United States Government is seen to have helped increase the country's demand for palm oil. MPOB's projections show that MSM and BTS prices until 2020 are expected to increase in price for the next few years. Palm oil

production is also expected to continue increased from 2009 until 2020. The Malaysian Palm Oil Council (MPOC), has created a valuable network in several strategic regions and the MPOC is also in a good position to assist the industry through its regional offices to increase the export of palm oil and palm oil products.

### **Challenges and Opportunities of The Palm Coconut Industry to The Malaysian Economy**

The level of demand, production and consumption of palm oil around the world proves that palm oil is one of the world's main commodities to this day. The oil palm industry ecosystem encompasses three sectors, namely upstream, midstream and downstream. The upstream sector involves farming activities, the middle sector represents manufacturing and further processing activities, and the downstream sector involves the production of final products and value-added products. The palm oil industry is dominated by two main countries namely Malaysia and Indonesia which are the main palm oil exporting countries in the world. However, the palm oil industry is experiencing various challenges that can undermine its position in the international market.

There are several challenges for the Malaysian palm oil sector namely, the problem of labor shortage. The country's palm oil industry is estimated to suffer a loss of approximately RM10 billion a year due to the lack of foreign labor which is exacerbated by the pandemic situation. During the opening of the Technology Transfer Seminar and Exhibition (TOT) 2021 organized by the Malaysian Palm Oil Board (MPOB), Datuk Mohd. Khairuddin Aman Razali, Minister of Plantation Industry and Commodities said, there is a labor shortage in the palm oil industry of 32,000 people while the palm oil industry is highly dependent on foreign labour. Referring to the findings of a study by Khazanah Research Institute (KRI) in its latest publication entitled "Implications of the Dominant Shift to Industrial Crops in Malaysia: System Dynamic Model of Industrial Crops", The drop in global prices has less impact than the labor shortage problem, both for estates and smallholders. A reduction in labor by 30% will cause production to drop by almost half and a reduction by 80% will cause the system to collapse due to production being only one fifth of the normal level or "Business As Usual (BAU) level".

Also aggravating the situation is the country's re-movement restrictions starting January 13, 2021 and the declaration of emergency until August, further complicating the recruitment of foreign workers who are much needed by the oil palm industry. Therefore, the ministry took the initiative by focusing on the development of farm machinery such as palm fruit harvesting and transport in the fields so that labor productivity and operational efficiency can be improved and further reduce dependence on labour. Datuk Mohd Khairuddin Aman Razali explained that MPOB has introduced a total of 709 technologies and 191 services to be commercialized by the industry and a total of 221 of them have already been commercialized by small and medium enterprise entrepreneurs. Among the technologies provided are oil palm fertilizer formulation, pest and disease control techniques, farm machinery, manufacturing technology as well as the formulation of food and non-food products based on palm oil. Small transport machinery used for transporting fruit in the fields is one of the technologies introduced by TOT and is further able to reduce the issue of labor shortage.

The second challenge of the oil palm industry is the rainy season which causes flooding in some of the main planting areas. In December 2021, heavy rains and thunderstorms caused flash floods in parts of Sabah, Sarawak, Johor, Pahang and Perak, which is the largest oil palm producing state in Malaysia. Palm oil is usually water-friendly and resistant to rain, but prolonged flooding can prevent the harvesting process and cause the fruit to overripe and the quality of the oil to deteriorate, in addition to disrupting the work of transporting the fruit to the factory.

The country is able to produce 20 million tons of crude palm oil with a market value of around RM72 billion a year. Malaysia's oil palm industry remains one of the strong sectors in maintaining the country's economic sustainability. For example, in 1998 the country was hit by a financial crisis and at that time the industry's income was around RM22.5 billion and was able to overcome the economic crisis. The fall in the value of the ringgit from RM2.50 to RM3.80 per US\$1 and a slight lack of palm oil production resulted in the price of palm oil becoming higher and the country reaping huge profits from its exports so this statement supports the opportunities for the country's economy.

In addition, the introduction of the National Economic Recovery Plan (PENJANA) package by lowering the export duty on Malaysian palm oil (MSM) to zero compared to the previous 4.5 percent, will further increase the demand for palm oil. The effect of rising commodity prices and CPO demand will have a positive impact on the economic recovery program affected by the COVID-19 outbreak. This industry plays a role in reducing the poverty rate and upgrading the infrastructure and living standards of the rural population. In fact, this industry also opens up job opportunities and benefits to the community whether activities at the upstream or downstream level including farmers, smallholders, marketing, domestic and international trade. In addition, the establishment of PORIM is also able to provide new job opportunities for local children in the field of R&D to increase added value to palm products. The research results were carried out at the Malaysian Palm Oil Board (MPOB).

Today's oil palm industry is not only focused on the cultivation and processing of fresh fruit bunches into crude palm oil, but also on new industries flowing from palm oil, namely the oleochemical and biofuel industries. According to Datuk Dr. Mohd. Khairuddin Aman Razali, Minister of Plantation Industries and Commodities, the local palm oil industry recorded success when it earned better income over the past year compared to the previous year. This commodity sector is able to generate more job opportunities in an effort to help the poor in various planned land schemes. As many as 450,000 smallholders and their families depend on oil palm products for survival. This can be proven by the use of palm-based health products such as disinfectants and soaps that have opened up business opportunities for pharmaceutical entrepreneurs.

## Statistical Data

Table 1

*Palm Oil Farming Area by State 2019 to June 2021*

STATE	HECTARES						CONTRIBUTION (%)		
	2019		2020		2021		2019	2020	2021
	Small farmer	Estate	Small farmer	Estate	Small farmer	Estate			
Johor	426.7	331.8	207.9	533.0	190.9	532.2	12.9	12.6	12.5
Kedah	33.7	57.0	27.9	61.9	26.5	63.1	1.5	1.5	1.5
Kelantan	73.7	97.6	7.5	160.1	7.2	156.7	2.9	2.9	2.8
Melaka	19.5	37.8	13.2	43.1	12.8	42.7	1.0	1.0	1.0
N. Sembilan	97.5	91.4	27.4	163.1	26.7	160.1	3.2	3.2	3.2
Pahang	491.4	277.0	52.7	729.6	50.2	711.1	13.0	13.3	13.1
Perak	198.6	209.0	110.8	280.9	104.7	281.3	6.9	6.7	6.7
Perlis	891	-	149	545	163	604	0.0	0.0	0.0
P. Pinang	9.6	4.2	8.9	3.9	7.5	3.4	0.2	0.2	0.2
Selangor	54.1	76.6	38.7	87.8	34.1	85.9	2.2	2.2	2.1
Terengganu	104.8	75.9	12.9	165.8	13.0	163.1	3.1	3.0	3.0
Sabah	410.7	1,133.8	215.0	1,328.0	211.4	1,318.5	26.2	26.3	26.4
Sarawak	373.4	1,213.3	232.6	1,351.9	234.9	1,359.4	26.9	27.0	27.5
Malaysia	2,294.7	3,605.4	955.8	4,909.5	920.1	4,878.0	100.0 %		
OVERALL TOTAL	00,157 / 5,900.2		65,297 / 5,865.3		98,166 / 5,798.2				

Source: Ministry of Plantation and Commodity Industry (KPPK) pocket stats

Based on statistics from 2019 to the third quarter of 2021, which is January to June 2021 in Malaysia, palm oil farming areas have been declining to the point of affecting the local population's economy. This is caused by the instability of commodity prices for oil palm crops

which pose a challenge to the government, Felda and settlers even though the demand for oil palm crops is increasing. In the third quarter of 2021 a decrease of 5,798.2 hectares was recorded compared to 2020 which is as much as 5,865.3 hectares and in 2019 as much as 5,900.2 hectares. Furthermore, in the states of Sabah and Sarawak, the increase in contribution to the use of palm oil is increasing every year compared to other states in peninsular Malaysia.

According to estimates from the MPOB, a total of 19.14 million metric tons of cooking oil was recorded in 2020 and is expected to increase by 22 million metric tons in 2025 and will further increase by 2030 by 25 million metric tons. This will happen because of the more mature oil palm areas and the higher productivity of palm oil in Malaysia.

Table 2

*Oil Palm Land Use According to Mature and Immature Crops*

TERRITORY	USAGE LAND PLANT	HECTARES				CHANGE (%)	
		2018	2019	2020	Tribe third 2021	2018 - 2020	2020 - 2021
PENINSULA	Ripe	2,407.2	2,443.7	2,455.5	2,432.9	1.1%	2.3%
	Immature	320.4	325.5	282.1	241.1		
SABAH	Ripe	1,378.7	1,353.8	1,344.6	1,330.6	0.1%	1.9%
	Immature	170.6	190.7	198.4	199.3		
SARAWAK	Ripe	1,403.5	1,419.3	1,431.6	1,446.4	0.1%	0.5%
	Immature	169.0	167.4	153.0	147.8		
MALAYSIA	Ripe	15,637,909 / 15,637.9				0.3%	0.8%
	Immature	1,976,875 / 1,976.9					
<b>OVERALL TOTAL</b>		23,412,950 / 23,413.0				0.6%	1.5%

*Source: Ministry of Plantation and Commodity Industry (KPPK) pockets stats*

According to the statistics above, the use of oil palm land for mature and immature plants in 2018 to the third quarter of 2021 has reached 23,413.0 hectares throughout Malaysia. The use of oil palm land in 2018 to 2020 for plants that have matured reached 15,637.9 hectares compared to immature plants which was only 1,976.9 hectares. In addition, according to the

change in the percentage of oil palm land use for the two types of crops said has had a percentage of 0.6% in 2018 to 2020 and continues to record a percentage change of 1.5% which is an increase of 0.9% in 2020 until the third quarter of 2021 which is until June 2021.

### **Contribution Of Palm Coconut Land Use To Islamic Economic Development**

The use of oil palm agricultural land in Malaysia shows a great positive impact, which contributes not only to economic growth but also provides employment opportunities for the people to venture into the field of oil palm agriculture in Malaysia. With the vastness of oil palm land in Malaysia, it has become a focus for people to venture into the field and it can also be a source of sustenance and income for the people in addition to growth for the Islamic economy in Malaysia. In Islamic management, farming is a noble practice, most Islamic jurists think that the field of agriculture is more *afdal* or main in the Islamic religion than business and enterprise or manufacturing. This situation is because the benefits of agriculture are more extensive and its importance cannot be denied as the most important field because without it or if it is not sufficient then the world will be in chaos.

The Prophet, peace be upon him, explained the importance of agriculture in his words which mean: "Suppose the end of the world comes and one of you has a palm tree, then he should plant it without delay" (Hadith narrated by Imam Ahmad). This hadith illustrates to us the importance of agriculture so much that even near the end of the world, the Prophet, may God bless him and grant him peace, encouraged farming again. This shows that this field cannot be ignored at all because it is a major contributor to human life.

The importance of land use for the cultivation of palm oil in Malaysia which contributes greatly to the growth of the Malaysian economy, as we know that although this palm tree originates from Africa, it can grow well and thrive in Malaysia so that it provides sustenance and well-being to the country as well as the general public. Palm oil is the most important crop in Malaysia where it contributes significantly to the country's economy. The cultivation of palm oil is done by the plantation sector as well as smallholders which reach millions of hectares throughout the country. Among the main products of palm oil is of course palm oil where it is the largest contributor to international trade. Although some have malicious intentions by campaigning to discredit palm oil by some Western countries, this commodity continues to supply approximately one third of the world's population's fat needs.

This shows the great contribution to each party to guarantee sufficient supply despite the issues and challenges that must be met. The palm oil scientist also shared MPOB's success in commercializing the agency's research results in an effort to improve quality and production thus increasing the income of farmers especially in the uncertain situation of fluctuating palm oil prices now.

While diving to drink water, this proverb coincides with the agricultural activity that is being practiced, which is in the effort to farm for the Islamic economy in Malaysia. Company land used for palm oil farming can meet universal human needs that can contribute to the growth of the Islamic economy in Malaysia as well as in practicing farming activities, it is a practice that is organized and encouraged as already explained.

The words of the Prophet, may God bless him and grant him peace, which mean: "Seek sustenance from the treasures of the earth" (Hadith narrated by at-Tabrani). The Prophet, peace and blessings of God be upon him, emphasized that his people should engage in agriculture and animal husbandry. He was also involved in animal husbandry since he was a child where he was a goat herder. He once mentioned the moments he experienced while shepherding the goat, namely: "The Prophets sent by God are shepherds". And His Majesty said again: "Moses was sent as a goatherd, David was sent as a goatherd, I was also sent as a

goatherd for my family in Ajyad". That's how important agriculture and animal husbandry is to oneself, family and society to obtain a halal sustenance and as a way of worship that is praised by Allah SWT.

Clearly, land use in Malaysia can be seen to be concentrated in terms of the agricultural sector. In this regard, the use of agricultural land is utilized through the cultivation of palm oil since palm oil is one of the main commodities in Malaysia besides rubber. Therefore, the palm oil industry sector takes the point of view of the use of agricultural land that encourages the development of palm oil crops widely in addition to stimulating the development of the Islamic economy. Therefore, clear steps and efforts to achieve the continuity of palm oil farming widely and increase the production of palm oil products take into account the characteristics of agriculture that complies with Sharia and is based on Islamic jurisprudence. This is because Islam strongly encourages its people to cultivate agricultural lands with the purpose of goodness and benefiting religion, society and the development of the Islamic economy in particular. Therefore, among the jurisprudential methods that can be adapted and applied in this agricultural jurisprudence is "*Al-Umur bi Maqasidiha*" which is everything done based on intention. This method of *fiqh* explains the importance of intention in every matter as a solid basis and reason for an act because it determines the outcome of a matter whether it is halal or haram as well as valid or invalid. For example, the use of land in states in Malaysia is enforced with the intention of palm oil farming for the purpose of generating income and national economic resources in terms of the palm oil production sector. In fact, the method used in cultivating the oil palm agricultural land should be parallel and conform to the method outlined in Islam and should not contain elements of doubt or ambiguity. This is important so that God's blessings and mercy are bestowed on the effort and sustenance obtained. So, good intentions will yield good results and vice versa because the benefits obtained are not only for the farmers but also for the oil palm industry sector involved.

Next, the method "*Al-Aslu Baqa'a Ma Kana, Ala Ma Kana*" which means that the origin of something remains as it was before. He explained that agriculture was originally mentioned and stated in the Qur'an and hadith related to the obligation of agriculture in Islam. So, referring to the argument of the necessity of farming allows the use of land for the purpose of palm oil agriculture to be used as long as there is no argument that changes it, for example, most of the use of oil palm land is done for the purpose of developing and contributing to the palm oil yield in the country's agriculture sector. Therefore, the law must be used for agriculture on the land that has been prepared, giving an impression of the importance of the responsibility of utilizing the land in order to reap good results in the future. As, Dr. Yusuf al-Qaradhawi has explained in his book, "Al-Halal Wa Haram" that is the need to utilize the land which when a Muslim has legal paddy land, then he should use the land and utilize it by farming. Therefore, agriculture is a form of necessity for a country towards guaranteeing the continuous development of the Islamic economy in the long term.

### **Conclusion**

Palm oil (*Elaeis Guineensis*) originates from West Africa and was first cultivated in Malaya in 1917 at Ladang Tennamaran, Kuala Selangor. In the 1960s, following the fall in the price of natural rubber due to competition from artificial rubber, palm oil began to be widely planted as a measure to diversify the country's commodity crops. Many new land development areas, mainly by the Federal Land Development Authority (FELDA) and private plantation estates, have been planted with oil palm. The commodity sector is the core of the country's economy, especially in the period before independence until the 1980s. Even though our country has



become an industrialized country and now, trying to develop the service sector, the commodity sector is still an important component in the country's economic structure which is 'broadbased'. The contribution of the commodity sector such as palm oil and rubber to the national economy is clear.

Plantation commodities such as palm oil play an important role as one of the main contributors to our country's economic growth. This includes the contribution to the Gross Domestic Product (GDP), export earnings, employment and technological production of the country. However, the contribution of the plantation and commodity sector often does not get the attention it deserves. This is because the upstream activities of the plantation and commodity enterprise sectors are often considered part of the agricultural sector, while downstream activities cross the manufacturing sector. Therefore, the performance and contribution of the plantation and commodity sector is less clear and well known. The Ministry's focus at the moment is to advance and increase the contribution of the plantation and commodity sectors, especially palm oil covering both the "upstream" and "downstream" levels. In this connection, the Ministry together with the industry, will redouble efforts towards increasing competitiveness, including implementing measures to maximize productivity, optimize production efficiency, improve quality and added value on commodity-based products.

In conclusion, as Muslims who fear Allah SWT, they must be professional in every task and job undertaken by instilling a diligent, proactive, productive, active and dynamic attitude. This also includes those who make the agricultural sector their source of sustenance. Islam does not marginalize the agricultural sector in terms of finding sustenance. The agricultural sector is seen to be one of the main sources of the country's economy that is able to drive the country in a better direction.

Islam elevates agriculture as one of the sources of earning a living. This food production sector is seen as capable of becoming the main source of the country's economy. As a Muslim, it is the responsibility of someone who ventures into the field of agriculture to be professional in his work. Therefore, the time has come for this agricultural sector to be mobilized on a large scale which leads to changes in the farmers themselves and even their families so that they really become successful farmers and accordingly they get al-Falah which is victory and success.

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