

## Genealogy of Economical Halal from Before and After be Appointed The Regulation of Halal Product

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Article	Abstract
<p><b>How to cite:</b>                      Afifatul Munawirohi &amp; Mahmudah, 'Genealogy of Economical Halal from Before and After be Appointed The Regulation of Halal Product' (2022) Vol. 2 No. 3 Rechtenstudent Journal Fakultas Syariah UIN KHAS Jember.</p> <p><b>Article history:</b>                      Submit 12 April 2022;                      Accepted 5 August 2022;                      Published 31 August 2022.</p> <p><b>ISSN:</b>                      2723-0406 (printed media)  <b>E-ISSN:</b>                      2775-5304 (online media)</p>	<p>This research is a study based on library research. The grand theme of this research is Genealogy of Economical Halal from Before and After be appointed the Regulation of Halal Product. Three important questions in this research. Firstly, what is genealogy of economical halal? Secondly, how was the genealogy of economical halal before be appointed the regulation of halal product? Thirdly, how was the genealogy of economical halal after be appointed the regulation of halal product? With a content analysis approach to explaining the meaning of halal genealogy economy. Meanwhile, to explain how was the genealogy of economical halal before being appointed the regulation of halal product was explained by a historical approach. The result of the research is that halal genealogy in Indonesia has existed since Islam entered with traders through trade routes in the archipelago. This happened when Indonesia was also colonized by the Portuguese. In essence, the halal aspect of the economy from the colonial period to the reformation period didn't change in terms of its essence. However, the concept of the halal economy has changed in the aspect of a trend that is able to adapt to the pattern of development of the times.</p> <p><b>Keywords:</b> <i>Genealogy, Halal Economy, Indonesia.</i></p> <p><b>Abstrak</b>                      Penelitian ini merupakan penelitian berbasis studi kepustakaan. Tema besar penelitian ini adalah genealogi halal ekonomis dari sebelum dan setelah ditetapkannya peraturan produk halal. Tiga pertanyaan penting dalam penelitian ini. Pertama, apa itu genealogi ekonomi halal? Kedua, bagaimana genealogi ekonomi halal sebelum ditetapkan regulasi produk halal? Ketiga, bagaimana genealogi ekonomi halal setelah ditetapkan regulasi produk halal? Dengan pendekatan analisis isi untuk menjelaskan makna ekonomi silsilah halal. Sedangkan untuk menjelaskan bagaimana genealogi ekonomi halal sebelum ditetapkan regulasi produk halal dijelaskan dengan pendekatan historis. Hasil penelitian menunjukkan genealogi ekonomi halal di Indonesia sudah ada sejak Islam masuk bersama para pedagang melalui jalur perdagangan di Nusantara. Hal ini terjadi ketika Indonesia juga dijajah oleh Portugis. Pada intinya, aspek genealogi ekonomi halal dari masa kolonial hingga masa reformasi tidak mengalami perubahan dari segi esensinya. Namun, konsep ekonomi halal telah berubah dalam aspek tren yang mampu beradaptasi dengan pola perkembangan zaman.</p> <p><b>Kata kunci:</b> <i>Genealogi, Ekonomi Halal, Indonesia.</i></p>

### Introduction

Halal is an essential element that must be fulfilled by Muslims as a condition used for obedience to Allah Subhanahu Wa Ta'ala. The halal aspect is always used in the life of the Muslim community, so that the existence of a halal lifestyle (halal life style) can help the wider community to live safely and prosperously. Currently, the halal lifestyle has become a lifestyle

trend for the community. The growth of halal life style in Indonesia is very fast, this is also based on the factor of the Indonesian population, the majority of whom are Muslims.<sup>1</sup>

Indonesia itself is a country that has abundant natural and human resources. The wealth of natural resources in Indonesia has existed since the royal era to the point that several countries in the world are tempted to come and look for spices in Indonesia. News about Indonesia's natural resource wealth finally reached the governments of the western nations. The existence of that reality, the Portuguese have the determination to control the territory of Indonesia and colonize all the wealth owned. Before the Portuguese took control, Indonesia itself was already advanced in terms of trade by sea. At this time, there is one interesting thing about the trade carried out in the archipelago is that the majority of traders are Muslim.

The arrival of Muslim traders in the archipelago also stole the public's attention because all of them almost controlled the trade of the archipelago. These Muslim traders came from Gujarat, China, and India with a trade mission and spread the teachings of Islam. The spread of Islamic teachings brought by traders started the concept of a halal economy in Indonesia. The halal aspect offered in the buying and selling system is certainly very influential on faith and a sense of self-preservation from things that have been forbidden by Islamic law. The escort of Islamic sharia teachings by traders was introduced through their way of trading. The implementation of Muslim traders in trading has indirectly provided an example of Muslim life in economic business ethics.

The halal element in a product has become a basic need for every consumer, especially Muslim consumers who have expanded in Indonesia. The main basic needs needed by the community include halal food products, halal medicines and cosmetics, halal tourism, halal media, and sharia financial institutions. Along with the increase in the number of Muslim consumers who consume halal products in Indonesia, reaching 237,531,227 Muslims with a percentage of 86.9% of the population in the country reaching 272,229,372 inhabitants.<sup>2</sup> From this data, it can be seen by itself that the consumer market for halal products in Indonesia is very large. Although the production of halal products is made with the provisions of Islamic law, consumers of halal products can be from all Muslim and non-Muslim circles. Halal aspects offered in halal products are able to provide confidence to the public that halal products guarantee safety and protection for consumers. There is an indirect guarantee that regulations are needed to regulate halal products. The enactment of the Law on Halal Product Assurance in 2014 illustrates that starting from the introduction of the halal concept, it was able to be accepted by the wider community until the reform period the regulations governing it were set.

From the beginning the spread of Islamic teachings taught by traders became the beginning of the spread of the concept of halal economy. Until now, the Muslim population has become the majority in Indonesia. Consumption of halal products has increased because it is a mandatory requirement for all Muslims. The market demand that continues to increase every year for halal products makes researchers interested in researching the beginning of the halal concept entering Indonesia until now regulations regarding halal products have been

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<sup>1</sup> Nurul Zaidah, et all, "Halal Lifestyle dan Wara' Lifestyle (Studi Kasus Pusat Halal Salman ITB)", Jurnal Penelitian Ilmu Ushuluddin 3, (August, 2022), 548-549.

<sup>2</sup> Population Data, <https://dukcapil.kemendagri.go.id/berita/baca/809/distribusi-penduduk-indonesia-per-juni-2021-jabar-terbanyak-kaltara-paling-sedikit>, 15 May 2022..

made. Therefore, researchers are interested in researching the Genealogy of Halal Economics Before and After the Law on Halal Product Assurance (UU JPH) is enacted.

### **Problem Issues**

The issues raised as the main issues are as follows:

1. What is meant by halal economic genealogy?
2. How was the halal economic genealogy before the JPH law was enacted?
3. What is the halal economic genealogy after the JPH law was enacted?

### **Research Methods**

This research is a type of library research. Literature research is research with the overall data source coming from books, journals, laws, texts, and official documents related to research. James Danandjaja stated that library research is research in which the method of research is described by collecting books, magazines, and manuscripts to seek truth from literature review.<sup>3</sup>

The empirical legal approach (socio legal approach) and the historical approach (historical approach) are used to explain the purpose of the halal economic genealogy in Indonesia and also the halal genealogy before and after the Law on Halal Product Guarantee is enacted. The empirical legal approach (socio legal) is an approach that performs textual identification of the articles in the legislation, invitations and efforts to critique the meaning and implications of the implementation of legal policies by legal subjects.<sup>4</sup> Meanwhile, the historical approach is an approach that tracks a legal event from time to time. So, it has a correlation if it is used to describe the halal economic genealogy in Indonesia.<sup>5</sup>

### **Results and Discussion**

#### **Halal Economic Genealogy**

Halal genealogy is a term used to examine the history of a halal phenomenon that occurs in society. Historical exploration of the concept of halal economy is important to carry out as the basic foundation for the expansion of the halal lifestyle in Indonesia. With searches related to halal genealogy, preliminary data has been found regarding the beginning of the halal concept entering Indonesia. By finding the results of tracking the beginning of the concept of halal entering the archipelago, the influence of a lifestyle that develops along with the progress of the times.

The development of a halal life style is a reference to a person's daily way of life that has the basic principles and standards of living with the foundation of Islamic law. Halal life style is also based on daily routines to utilize, consume, and use goods or services that do not conflict with the principles of Islamic law. Islamic Shari'a is the basic principle of Islamic law that guides humans on the path of goodness and with Shari'a can find the life of the human soul. Islamic law is also defined by Islamic law which is the provisions of fiqh that regulate human life to believe in the provisions of Allah Subhanahu Wa Ta'ala.<sup>6</sup>

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<sup>3</sup> James Danandjaja, "Metode Penelitian Kepustakaan", *Jurnal Antropologi*, no. 52 (2014): 83.

<sup>4</sup> Joenadi Efendi dan Johnny Ibrahim, *Metode Penelitian Hukum Normatif dan Empiris*, (Jakarta: Prenadamedia Group, 2020), 153.

<sup>5</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Prenada Media, 2019), 167.

<sup>6</sup> Saifuddin Mujtaba, *Ilmu Fiqh*, (Jember: STAIN Jember Press, 2013), 8-9.

Islamic law in economic business is able to become the main determinant of a Muslim to earn a living in order to carry on his life.<sup>7</sup> By carrying out the principles of Islamic law, a person will automatically implement the teachings of Islamic law in transactions or buying and selling. Indirectly, the community has practiced the halal life style in their lives.

Halal genealogy tracking in Indonesia was found at the beginning of the entry of Islam in Indonesia. In this study, it is limited to the colonial period, because at that time it was also the beginning of the arrival of Muslim traders in Indonesia. In fact, halal products are able to survive until now because halal products are able to provide a sense of security and fairness to consumers.

Halal products are needed by Muslim consumers in the form of halal food products, halal medicines and cosmetics, halal tourism, halal media, and sharia financial institutions. This is also a factor in the large quantity of Muslim consumers in Indonesia, which reached 237,531,227 Muslim residents with a percentage of 86.9% of the population in the country which reached 272,229,372 people Indonesian market.<sup>8</sup> In this way, the existence of an economic halal genealogy is able to start the halal concept until now regulations have been set to regulate halal products.<sup>9</sup>

### **Genealogy of Halal Economics before the JPH Law was enacted**

The genealogy of halal economics before the JPH Law was enacted discussed the concept of halal entering Indonesia starting during the colonial period. The urgency of regulations related to halal products is the answer that halal life style is very much needed in the world of Indonesia's economic development. From the library data that has been collected, it has been found that the concept of halal entered Indonesia at the same time as the arrival of Muslim traders. In this study, the genealogy of halal economics was limited before the JPH Law was enacted during the colonial period which began in 1509 AD.

The concept of halal economy at the time before the JPH Law was enacted was divided into three periods of state power that were still changing, including the colonial period, the old order period, and the new order period. The halal concept policy in the three periods will be explained as follows:

#### **a. Colonial Period**

Indonesia is a country that has abundant natural resources. From existing historical data, Indonesia was colonized by the Portuguese, Spanish, Dutch, British and Japanese. In 1509 the Portuguese began to enter the archipelago led by Alfonso de Albuquerque. They came to the archipelago with mission to find spices for trade. At the beginning of his arrival, the Portuguese were surprised by the Nusantara area which was already bustling with very rapid cross-border trade.

The majority of traders come from the Middle East and China. The rapid trade in the archipelago was also caused by the construction of several emporiums in the archipelago's oceans. The construction of several emporiums can make it easier for

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<sup>7</sup> Hendri Hermawan Adinugraha dan Mila Sartika, "Halal Life Style di Indonesia", *An – Nisbah: Jurnal Ekonomi Syariah*, 2 (2019), 62.

<sup>8</sup> Population Data, <https://dukcapil.kemendagri.go.id/berita/baca/809/distribusi-penduduk-indonesia-per-juni-2021-jabar-terbanyak-kaltara-paling-sedikit>, 16 May 2022.

<sup>9</sup> May Lim Charity, "Jaminan Produk Halal di Indonesia (Halal Products Guarantee)", *Jurnal Legislasi Indonesia*, 1 (2017), 99.

traders and the surrounding community to interact. With the interactions that are made, it causes several impacts that make the spread of aspects of culture, language, religion, and customs. The aspect of religion in the interaction that had a rapid impact at that time was the spread of Islamic teachings in the archipelago.

The factor of trade distribution and the rapid progress of the economy in the maritime sector can make the teachings of Islam brought by traders easier to spread. This is supported by the existence of sea trade routes in the archipelago from the Middle East to China. So, it is not surprising that Islam has been embraced in the archipelago. However, the source of the arrival of Islam in the archipelago was not only directly from the Middle East. However, along with the formation of emporiums along trade routes that have existed since the 10th century. The source of the spread of Islam is also in the port of the Kalikut archipelago. Thus, a number of ports in the archipelago began to appear whose inhabitants were Muslim.

The abundance of the archipelago's natural wealth has again attracted western nations to come to Indonesia. Until in 1521, the Spaniards arrived in Indonesia with the mission of wanting to control the entire wealth of spices in the Moluccas. Colonization and fighting over the wealth of spices in the Maluku region resulted in the Portuguese colonizers and the Spanish colonizers being hostile to each other. One thing that caused the enmity between the Portuguese and the Spanish was that both of them wanted to control the wealth area in Maluku. This is also in accordance with the slogans carried by European nations, namely Gold (wealth), Glory (power), and Gospel (Christianization).

The richness of Maluku spices was sought after by the colonizers as ingredients for processed food products. Many spices from Maluku are also used as kitchen spices, herbs, herbal medicines, and perfumes. In addition, clove and nutmeg plants were used by Europeans as food preservatives. Until 1600 AD, the spread of Islam was still a minority because it was still in the process of spreading through traders from the Middle East, India, and China. There is still no understanding regarding Islamic law and the halal trading system.

However, when viewed from the aspect of commodities, goods traded indirectly already include halal aspects in buying and selling that have been implemented. This can be seen from the goods traded which are a type of spices including pepper, cloves, and nutmeg which as a whole are in accordance with the halal elements of Islamic law. However, at the time colonialism in 1600 AD there were no regulations governing halal products.

In the early modern era in 1602 AD, the Dutch came to Indonesia with a mission to control the entire territory of Indonesia. The arrival of the Dutch colonialists in Indonesia was structurally planned. The trade economy mission carried out by the Dutch colonialists was structured by the establishment of the Vereenigde Oostindische Compagnie (VOC) which focused on the Dutch economy and trade. The existence of the VOC was able to destroy the existing economic system in Indonesia and replaced it with a monopoly economic system. With the monopoly trading system, it was clear that the pure intention of the Dutch was not only to trade, but also to control the entire territory of Indonesia.

During the Dutch colonial period, indigenous people were known as adherents of customary law policies. From the existence of customary law that has been fused into the identity of the Indonesian people, here it begins to accumulate with the teachings of

Islamic law. The hallmark of the application of Islamic law is that the existence of Islamic law here cannot work if it is not accommodated by the existence of customary law. The accommodation of Islamic law in customary law is one of the characteristics of customary law itself. Where customary law grows and develops comes from the habits carried out by the community that affect the process of enactment of law in Indonesia.

Until 1850 AD there was a Priyai from Kendal (Semarang) named Ahmad Rifangi who taught the public about Islamic teachings and Islamic law. Starting from kyai Rifangi, Islamic law in Indonesia has been taught by means of science-based learning. The religious understanding taught by Haji Rifangi is a lesson in, among other things, Islamic law, the principles of belief, and mysticism. The method of learning Islamic religion is carried out in the form of writing poetry and the meaning of the Javanese book of Pegon. In addition, a collection of these writings is written in a book called the Book of Tardjumah. The resistance that was instigated by Haji Rifangi was taught to fight against the invaders who had destroyed all Islamic teachings, culture and customs in Indonesia.<sup>10</sup>

Although there were often religious polemics during the Dutch colonial period, people were still allowed to establish Islamic community organizations such as Muhammadiyah which was founded in 1912 AD. Muhammadiyah was founded by KH Achmad Dahlan. In 1926, KH Hasyim Asy'arti succeeded in establishing an Islamic organization which was named Nahdlatul Ulama (NU). The existence of these two Islamic organizations was able to provide legal certainty that the wider community would follow.<sup>11</sup> From the formation of Islamic community organizations here, the implementation of the halal concept is increasingly clear to the community Indonesia. However, during the Dutch colonial era, the spread of Islamic teachings was still closely influenced by the existence of customary law that went hand in hand. Thus, the concept of halal in the colonial era has not yet spread widely to all Indonesian people. Judging also from the stipulation of Islamic law, it is still a race against a Priyai or Kyai in the local area.

The concept of halal continued to develop until in 1942 the Japanese came to Indonesia to colonize Indonesia. On March 9, 1942, Radio NIROM broadcast about the surrender of the Commander of the Dutch East Indies Army. This indicated that the Dutch control over Indonesia had fallen into the hands of the Japanese. The early arrival of the Japanese to Indonesia used a strategy of approaching the nationalist and Islamic groups. Japan also approached the Islamic nationalist group by providing concessions for Muslims to carry out Islamic activities. Japan continues to allow the establishment of an Islamic organization that has existed since the days of the Dutch East Indies called the Indonesian Islamic Council of A'la (MIAI) which was founded in Surabaya in 1937 by KH Mas Mansur and his friends.<sup>12</sup>

The most prominent activity of MIAI is the establishment of Baitul Mall, which is growing rapidly in every region. Baitul mal is an organization that accommodates the

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<sup>10</sup> Indonesian National History Writing Team, *Sejarah Nasional Indonesia (Kemunculan Penjajahan di Indonesia) Edisi IV* (Jakarta: Balai Pustaka, 2010), 456-458.

<sup>11</sup> Fitra Mulyawan, Dora Tiara, "Karakteristik Hukum Islam pada Zaman Penjajahan Belanda dan Jepang", *Unes Law Review*, 2 (December, 2020), 116-117.

<sup>12</sup> Indonesian National History Writing Team, *Sejarah Nasional Indonesia (Zaman Jepang dan Zaman Republik) Edisi VI* (Jakarta: Balai Pustaka, 2010), 8-12.

distribution of zakat and distributes it to people who are in need. The success of Baitul Mall was also established in Jakarta because it attracts the relevant Islamic leaders implementation economic finance. The development of halal products is increasingly recognized by the wider community. During the Japanese colonial period, Islamic law and economics had been taught to some villagers.<sup>13</sup>

In fact, the pattern of Islamic economic law is also implemented during the process of distributing zakat through the Baitul Mal. In implementation, Baitulmal is able to support the economy of the local community so that the regional economy is running stable. The stability of the economy in Baitul Mal, which is under the auspices of MIAI, made the Japanese invaders worried. The existence of teaching and dissemination related to Islamic law is also due to the permitting factor of the Islamic organizations Muhammadiyah and Nahdlatul Ulama to stand up again to broadcast Islam. With the permission of Islamic organizations to exist, the teaching of Islamic religious education in Islamic boarding schools also exists. This increasingly gives a strong influence that Islamic law and teachings Islam has been applied in everyday life. Although there is no regulation regarding Islamic economic law that has been ratified, in terms of economic implementation, if it is seen from the goods being transacted, it is in accordance with Islamic law. Such as coffee plantations, tea, kiwi, and rubber. As for agricultural crops such as rice and sugar cane, there is also the problem of clothing made of cotton. All of these materials when viewed in terms of Islamic economic law have fulfilled the requirements as follows halal economic transactions.

b. Old Order Period

The old order period began when Indonesia declared independence on August 17, 1945. Initially, Indonesia's independence did not have a good government system. Therefore, during the old order several nationalist figures began to form the Indonesian government system. The development of halal products is also eyed by the establishment of the Ministry of Religion which has the authority to regulate all issues related to religion.

Finally, on January 3, 1946, during the reign of the Cabinet of Sutan Sjahrir II, the Ministry of Religion was officially formed. The first Minister of Religion entrusted with managing the affairs of the Ministry of Religion was HM Rasjidi. The initial task of establishing the Ministry of Religion was to regulate and coordinate all matters relating to religious issues in the broadest sense. However, during the new order, there were no regulations specifically regulating halal products.<sup>14</sup>

During the old order, Indonesia's government structure was not yet firmly rooted and could operate optimally. The circulating halal concept is only about the recommendation to eat halal food with the standard that it does not contain elements of khamr, pork and ingredients derived from materials that have been forbidden.<sup>14</sup> This is in line with the times in the era of globalization the old order era that did not have broad access to technology and the halal industry.

Meanwhile, the halal aspects offered still revolve around traditional foods made

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<sup>13</sup> Miftahur Rohman, "Kebijakan Pendidikan Islam Masa Penjajahan Jepang", *Al-Hikmah: Jurnal Pendidikan Agama Islam*, 01 (2018), 18-19.

<sup>14</sup> Arin Fithriana, Rendy Putra Kusuma, "Implementasi Kebijakan Pangan Halal Indonesia: Keunggulan Kompetitif dalam Tren Pangan Halal di Asia Tenggara", *Global Insight Journal*, 02 (April-September, 2018), 1-18.

with elements of safe and non-prohibited ingredients. With this, the old order era was still the same as the colonial period regarding the consumption of traditional foods. Meanwhile, the difference presented is that during the Old Order and colonial times, the Ministry of Religion has begun to formulate the Ministry of Religion to serve the problems of each religious community and religious education.<sup>15</sup>

c. New Order Period

Indonesia, when entering the new order period, has shown significant developments regarding halal products. The transition of government from Soekarno to Suharto participated in changing and continuing the system of government in Indonesia. During the leadership of President Soeharto, there were many changes and focus on the development of the Indonesian economy. This economic development of course also has an impact on the development of the halal product industry as well.

The development of halal products has begun to be implemented through an initiative from the Ministry of Health to give a sign containing pork elements to foods and drinks that contain pork.<sup>16</sup> It is based on Rules Minister of Health of the Republic of Indonesia Number: 280/Men.Kes/Per/XI/76 concerning Provisions for Circulation and Marking of Foods Containing Ingredients Derived from Pigs.



Source: [www.food.detik.com](http://www.food.detik.com)

After the sign of containing a pig runs for ten years, the Decree of the Minister of Health and the Minister of Religion of the Republic of Indonesia Number: 427/Men.Kes/SKB/VIII/1985 No. 68 of 1985 concerning the Inclusion of Halal Writings on Food Labels. Since the existence of this regulation, several food manufacturers have voluntarily registered their products to be allowed to give halal labels to food products. However, based on the decision, the permit for the inclusion of halal labels on food products is only based on a unilateral report from the producer to the Ministry of Health of the Republic of Indonesia regarding the processing process and ingredient composition. At that time, the inclusion of the halal label was not yet based on halal certification.<sup>17</sup> The following is an example of an image of a halal text:

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<sup>15</sup> Sarfika Datumula, "Peraturan Kebijakan Pendidikan di Indonesia Pada Masa Orde Lama, Orde Baru, Reformasi, dan Kabinet Kerja", *Moderasi: Jurnal Studi Ilmu Pengetahuan Sosial*, 2 (December, 2020), 67.

<sup>16</sup> Indonesian Ministry of Health, "Regulation of the Minister of Health of the Republic of Indonesia No. 280/Men.Kes/Per/XI/76", [http://perpustakaan.litbang.kemkes.go.id/pusat2/index.php?p=show\\_detail&id=1432](http://perpustakaan.litbang.kemkes.go.id/pusat2/index.php?p=show_detail&id=1432), (September, 2021).

<sup>17</sup> Tulus Abadi, "Tim Pengkajian Hukum Tentang Peran Masyarakat serta Masyarakat dalam Pemberian Informasi Produk Halal", (Jakarta: Kementerian Hukum dan HAM RI Badan Pembinaan Hukum Nasional, 2011), 36-37.





Source: [www.uh.edu.com](http://www.uh.edu.com)

With the halal label, consumers become safe and feel protected. In 1988, the world was shocked by the findings of research by Tri Susanto from Brawijaya University Malang with the content of gelatin, shortening, lecithing and lard in food and beverages circulating in the market. 18 As a result of this research, people are afraid to buy products from several producer. So that the problems of products containing pork are very disturbing to the community.

On the basis of concerns about the issue, the Indonesian Ulema Council (MUI) held a discussion to find a way out of the spread of pork content in food and beverage products. After that, the MUI gave a decision to go directly into dealing with the problem because it was feared that the proletics would make it even more complicated.<sup>18</sup> Finally, MUI established the Institute for the Study of Food, Drugs and Cosmetics (LP POM) of the Indonesian Ulema Council Number: 018/MUI/1989 on January 6, 1989 M. Meanwhile, the task of the establishment of LP PPOM MUI is as an institution that studies, analyzes, and researches related to the content, ingredients of halal food and cosmetic products on the basis of Science and Technology.<sup>19</sup>

Halal products during the new order increasingly showed significant development. Where in 1991 PT. Bank Muamalat Indonesia. The establishment of this sharia-based bank is an initial reference for the emergence of sharia products in the field of Islamic Financial Institutions. When halal products are developing quite rapidly, the public also needs proof as a guarantee of a product. With that, the new halal certification was issued by the Indonesian Ulema Council in 1994 after LP POM was formed as an institution that checks the halalness of a food product, medicine, and also cosmetics.<sup>20</sup>

#### d. Reformation Period

The reform period was marked by the resignation of President Suharto. The reformation period is also defined as a period of transition from an authoritarian government to a democratic government. 1998 was the first year of the reformation period in Indonesia. At this time, the President of Indonesia was replaced by Abdurahman Wahid or often called Gus Dur. During this initial reformation period, changes related to halal products still revolved around halal food products.<sup>21</sup>

<sup>18</sup> Gayatri Atmadi, Sri Riris Wahyudi Widati, "Strategi Pemilihan Media Komunikasi LPPOM MUI dalam Sosialisasi & Promosi Produk Halal di Indonesia", *Jurnal al-Azhar Indonesia Seri Pranata Sosial*, 2 (September, 2013), 92.

<sup>19</sup> Sheilla Chairunnisyah, "Peran Majelis Ulama dalam Menerbitkan Sertifikat Halal pada Produk Makanan dan Kosmetika", *Jurnal Edu tech*, 2 (September, 2017), 63.

<sup>20</sup> Halal MUI, "Tentang LPPOM MUI", <https://www.halalmui.org/newMUI/mobapi/aboutmui.html>, (1 September 2021).

<sup>21</sup> Henk Schulte Nordhlot dan Gerry van Klinken, *Politik Lokal di Indonesia*, (Jakarta: Yayasan Obor Indonesia, 2007), 2.

The consumption of halal products and industry in Indonesia which is increasingly widespread. Finally, the government took the initiative to establish regulations regarding consumer protection. With this initiative, in 1999 after the enactment of Law (UU) no. 8 of 1999 concerning Consumer Protection. This regulation is stipulated under the pretext of providing protection and provision for consumers, so that later consumers will be confident and believe that the goods that have been marketed are safe for consumption. So that the regulation can provide guarantees, rights and legal protection for consumers.

The reform period is the end and opening of the progress of the halal industry in Indonesia. In the early reform period, regulations governing halal products were still limited to every field of food, cosmetics and Islamic financial institutions. The government has not set one main regulation that regulates all matters relating to halal products.

However, when viewed from the beginning of the entry of teaching about the concept of halal during the colonial period with the initial reformation period. So, it is clear that the development of halal products is very significant. The concept of halal from the beginning of its introduction until now has never changed, because sharia has absolute provisions. However, Islamic law is able to be flexible in overcoming the problems that occur.

### **Halal Economic Genealogy after the JPH Law was enacted**

Halal products have a very rapid development reality. The industry regarding halal products is also widely discussed in the international arena. With the development of the halal economy, the government wants to establish the main underlying regulations regarding halal products in Indonesia. In 2014 the government has set a regulation regarding the guarantee of halal products. The regulation is in the form of Law (UU) No. 33 of 2014 concerning Halal Product Guarantee (UUJPH). The JPH Law is the main regulation that will regulate all halal products. The existence of the JPH Law is able to regulate the development of halal products from various products such as halal food products, halal medicines and cosmetics, halal tourism, halal media, and sharia financial institutions.<sup>22</sup>

The enactment of the JPH Law certainly has a purpose as a protection for the driver of the halal economy in Indonesia. Article 2 has objectives that are based on protection, legal certainty, justice, effectiveness and efficiency, professionalism, as well as accountability and transparency. This has an impact on the implementation of articles 3 and 4 which aim to provide security, safety, comfort, and certainty of the availability of halal products for the public in using and consuming these halal products. The existence of legal certainty also provides added value for business actors in producing and selling their wares.<sup>23</sup> Thus, the production of these products by business actors is required to have halal certification which before the UUJPH was only voluntary until it was finally determined that UUJPH was mandatory. The following is a picture of the halal label from MUI:

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<sup>22</sup> Mutimmul Faidah, "Sertifikasi Halal di Indonesia dari Civil Society Menuju Relasi Kuasa Antara Negara dan Agama", *ISLAMICA: Jurnal Studi Keislaman*, 2 (March, 2017), 451-460.

<sup>23</sup> Undang-Undang Jaminan Produk Halal, <https://www.dpr.go.id/dokjdi/document/uu/1615.pdf>, (20 September 2021).



Source: [www.berbagilogo.com](http://www.berbagilogo.com)

The ratification of Law (UU) No. 33 of 2014 concerning Halal Product Guarantee (UUJPH), can provide hope and strong legal provisions to consumers for the products they consume. Enactment of Law (UU) No. 33 of 2014 concerning Halal Product Guarantee (UUJPH) provides a new policy in which the halal certification process is no longer the authority of MUI. However, the halal certification process is already under the authority of BPJPH.<sup>24</sup> With the existence of BPJPH in 2022, it has been launched Halal labels in Indonesia are listed as halal labels from BPJPH. The following is a picture of the halal label from BPJPH:



Source: [www.liputan6.com](http://www.liputan6.com)

This new logo on halal products provides an extraordinary leap forward regarding the progress of the halal industry. The government provides special prospects related to the halal industry by changing some of the pathways from applying for halal certification. That way, each appointed institution has a different task.

## **Conclusion**

Halal genealogy in Indonesia began with the entry of Islam brought by traders from the Middle East, Gujarat, Arabia, India, and China. Nevertheless, the trade applied by Muslim traders taught trade in accordance with the principles of Islamic law. The concept of halal continued to spread until the colonial period, the old order period, the new order period, and the reformation period.

Before the JPH Law was enacted by the government, regulations relating to halal products were still limited to only food, medicine, and cosmetic products. Developments regarding Halal industries and products are indeed necessary for the advancement of Indonesia's halal economy in the international arena. Therefore, Law no. 33 of 2014 concerning Halal Product Guarantee to regulate more broadly regarding halal products. After the JPH Law, the development of halal products has reached the halal food sector, halal medicines and cosmetics, halal tourism, halal media, and sharia financial institutions.

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<sup>24</sup> Ralang Hartati, "Peran Negara Dalam Pelaksanaan Jaminan Produk Halal", ADIL: Jurnal Hukum, 1 (2019), 74.

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