
Prospects for the Development of *Halal, Thoyib, and Hygienic Food Production During the New Normal Covid-19 Period as Supporting Pillars of National Food Security*

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ABSTRACT

The background of this research is that the government claims that the Covid-19 pandemic has actually increased consumer awareness on the consumption of halal products, ranging from food products, beverages, traveling, to cosmetics. The government also seeks to increase awareness of the development of halal and thoyib products. This is supported by the data the authors obtained from various literatures. The legal issues raised in this study are formulated into several problem formulations, namely whether regulations and supervision regarding the development of halal products in Indonesia can meet all sharia principles regarding halal, toyib, and hygienic considering that Indonesia is a muslim majority? How is the process of developing the ability of producers and SMEs in Indonesia in developing halal products? How is the category of halal certification for products in Indonesia as one of the important categories for food products to meet the principles of halal and thoyib? Based on this formulation, this study analyzes the regulation and supervision of halal product development, halal product development process, and categories of halal, thoyib, and hygienic food products that are in accordance with LPPOM MUI halal food standards so that these products can be certified as halal products. The purpose of this research is to be able to develop halal, thoyib, and hygienic food production during the Covid-19 period as a supporting pillar of national food security. The method used is the normative juridical research method. This research is descriptive research with the source of the data used in this study was obtained from library research. The results of this study, namely the data that the authors obtained indicate that there has been an increase in public awareness on the consumption of halal products, ranging from food products, beverages, traveling, to cosmetics during the Covid-19 period. In line with this, the government also continues to strive to increase awareness of the development of halal and thoyib products.

Keywords: *Food Security; Halal and Thoyib; Halal Product Category; Legal Awareness.*

INTRODUCTION

The government claims that the Corona Virus Disease, or hereinafter referres as Covid-19, pandemic has actually increased consumer awareness on the consumption of halal products, ranging from food products, beverages, traveling, to cosmetics. The government in this case is also trying to increase awareness of the development of halal and thoyib products, because the halal industry becoming a world trend nowadays. This is evident from the prospect of the halal industry which continues to grow from year to year. According to a report from the State of The Global Islamic Report in 2019, there are around 1.8 billion muslim residents who are

consumers of the halal industry. Consumer opportunities in the halal industry are increasing by 5.2% annually with total consumer spending reaching USD 2.2 trillion. This number is expected to continue to increase every year.

The projection of the Compound Annual Growth Rate (CAGR) of the halal industry will increase to 6.2% in the period 2018 to 2024. The total funds spent by consumers of the halal industry will also increase to reach USD 3.2 trillion in 2024. From this data, can be seen that the halal industry has very bright prospects in the future. Indonesia is one of the countries that has great potential to develop the halal industry. This great potential surely is an implication of the large number of muslim population in Indonesia. Indonesia accounts for about 12.7% of the world's muslim population. If then we viewed from the number, in 2020 it is estimated that as many as 229 million muslim residents live in Indonesia. Based on World Population Review in 2020, the total population in Indonesia is estimated at 273 million people, so that the muslim population is equivalent to 87.2% of the total population in Indonesia. This large Muslim population makes the demand for halal products also large.

Indonesia is referred as the embodiment of the world halal industrial market. Based on the data by Ministry of Finance of the Republic of Indonesia in 2019, total expenditure spent on halal products by Indonesia was USD 218.8 billion in 2017. The halal industry has a strategic role in improving the economy. Thus, the halal industry should be developed sustainably in Indonesia since halal industry has contributed USD 3.8 billion to Indonesia's Gross Domestic Product (GDP) every year. In addition, the halal industry has also contributed USD 1 billion in investment from foreign investors and opened approximately 127.000 jobs per year. If this potential optimized again, based on Ministry of Finance of the Republic of Indonesia in 2019, the halal industry can increase the value of exports and the country's foreign exchange reserves. Therefore, Indonesia should start developing the halal industry in order to build the economy to the fullest. However, it is unfortunate that the potential of Indonesia's halal industry has not been managed optimally.

As the data shown based on the assessment of the State of the Global Islamic Report in 2019, there is still very minimum halal industry output in Indonesia and Indonesia is only ranked fifth place in the Top 15 Global Islamic Economy Indicator category with a score of 49. Meanwhile, if the perspective then shifted to various halal industrial sectors, Indonesia is ranked on the sixth place, ranked on the fifth place in the Top 10 Islamic Finance, ranked fourth position in the Top 10 Muslim-Friendly Travel, and ranked on third place in the Top 10 Modest Fashion. Meanwhile, for the Halal Food, Media and Recreation, and Pharma and Cosmetics sectors, Indonesia is not ranked beyond top ten. The data shown surely surprising considering that Indonesia is a country with the largest muslim population in the world.

The large number of muslim population has not been able to make Indonesia a supplier country for halal commodities in the world. This can be seen from Indonesia's inability to enter the top ten in all sectors of the halal industry. In fact, for halal food which is the basic need of an Indonesian muslim, it has not been able to fulfill it. If we look at there is a huge gap between the potential and the reality of the halal industry that is happening in the field. This inequality makes Indonesia still struggling as a consumer of the world halal industry market. It is time for Indonesia to rise up and become a role model in the world halal industry. The government has voiced the idealism that Indonesia has big potential and is very likely to be look alike such as mecca of the world's halal industry. For this reason, this inequality must be eliminated in order to realize these ideals. With all the potential that Indonesia has, the halal industry should be

optimized for the sake of building the economy and prospering people's lives, given the very strategic role of the halal industry in the economy.¹

Indonesian government has also paid more attention to increasing awareness of the development of halal and *thoyib* products as in several regulations related to halal food regulation. Halal certification regulations in Indonesia have a long history because there are several policies that regulate them. The handling of halal product certification in Indonesia can be seen from the provisions of the product legislation that was passed in the past few years. Some of them are Law of the Republic of Indonesia Number 7 of 1996 Concerning Food, Law of the Republic of Indonesia Number 8 of 1999 Concerning Consumer Protection, and Government Regulation Number 69 of 1999 Concerning Food Labels and Advertising.² Then there is also Law of the Republic of Indonesia Number 18 of 2012 which mentions several things related to food, one of which states that food administration is carried out to meet basic human needs that provide benefits in a fair, equitable and sustainable manner based on food sovereignty, food independence, and food security.³

There is also a regulation of halal certification inspection from the Ministry of Religion. The Ministry of Religion has issued Minister of Religion Decree Number 518 of 2001 Concerning Guidelines and Procedures for Inspection and Determination of Halal Food. This was followed up by the Decree of the Minister of Religion Number 519 of 2001 Concerning the Implementing Agency for the Halal Food Inspection which appoints and delegates the implementation of halal certification to the Institute for the Assessment of Food, Drugs and Cosmetics, the Indonesian Ulema Council or hereinafter referred as LPPOM MUI,⁴ as well as the most recent Law of the Republic of Indonesia Number 33 of 2014 Concerning Halal Product Guarantee.⁵

Refers to the explanation above, there are several formulations of the issues that can be taken, namely whether the regulations and supervision regarding the development of halal products in Indonesia have been able to fulfill all sharia principles regarding halal, *thoyib*, and hygienic considering Indonesia as a country with muslim majority? How is the process of developing the ability of producers and Micro, Small and Medium Enterprises, or hereinafter referred as MSME, in Indonesia in developing *halal* products? Another issue that developed is about the category of *halal* certification for products in Indonesia as one of the important categories in food products to meet the principles of *halal* and *thoyib*. This is considered important for the author to review with the hope that after reading this article, readers can develop *halal*, *thoyib*, and hygienic food production during the Covid-19 period. If this is developed by all parties in all elements, it can become a supporting pillar of national food security.

Therefore, the issue that the author raises on this study are about regulation and supervision of *halal* product development. The problems that occur are in terms of public awareness to continue to develop *halal* food production, so the issues that the author raises are about regulation and supervision of *halal* product development, *halal* product development processes, and categories of *halal*, *thoyib*, and hygienic food products in accordance with halal standards food LPPOM MUI so that the product can be certified as *halal* products.

¹ Fathoni, M. A., Syahputri, T. H. (2020). Potret Industri Halal Indonesia: Peluang dan Tantangan. *Jurnal Ilmiah Ekonomi Islam*, 6(03), 428-435. doi: <http://dx.doi.org/10.29040/jiei.v6i3.1146>

² Muh. Zumar Aminudin, "Sertifikasi Produk Halal: Studi Perbandingan Indonesia dan Thailand", dalam *Jurnal Shahih*, 1 (1): 2527-8118, p. 29. <http://ejournal.iainsurakarta.ac.id/index.php/shahih/article/download/52/44>

³ Based on Law Number 18 of 2012 Concerning Food

⁴ Susilowati Suparto, Djanurdi, Deviana Yuanitasari, dan Agus Suwandono. (2016). "Harmonisasi dan Sinkronisasi Pengaturan Kelembagaan Sertifikasi Halal Terkait Perlindungan Konsumen Muslim Indonesia", on *Mimbar Hukum*, 28(3): 427-438, p. 428. <https://media.neliti.com/media/publications/114843-ID-harmonisasi-dan-sinkronisasi-pengaturan.pdf>

⁵ Muh. Zumar Aminudin, *Loc. Cit*

METHOD

The research method used in this study is adapted to the issues raised, namely whether regulations and supervision regarding the development of *halal* products in Indonesia can meet all sharia principles regarding *halal*, *thoyib*, and hygienic considering that Indonesia is a muslim majority? How is the process of developing the ability of producers and MSMEs in Indonesia in developing *halal* products? How is the category of *halal* certification for products in Indonesia as one of the important categories for food products to meet the principles of *halal* and *thoyib*? So this research uses normative juridical law research methods.

The normative juridical in this study is in the form of a discussion of several existing regulations regarding regulation and supervision of *halal* product development.⁶ Research that aims to make a systematic, factual, and accurate description of the facts, characteristics, and relationships of the phenomena being investigated. The data in this study were collected, classified, and compiled in a narrative form and then analyzed so that it could be explained systematically about regulations and supervision of *halal* product development, *halal* product development processes, and categories of *halal*, *thoyib*, and hygienic food products in accordance with *halal* food standards of LPPOM MUI.⁷ This research is trying to figure out the answer of the question regarding the development of regulations regarding the development of *halal* and *thoyib* products in Indonesia during a pandemic as an effort to increase food security, this research will explore the suitability or synchronization of existing regulations with the principles of *halal* and *thoyib* in Islamic law and food security theory. So this research is a research that conducts a legal search.

ANALYSIS AND DISCUSSION

The Effect of Covid-19 on Farmers Food Supply as National Food Security Stabilization

Covid-19 has had a significant impact on the food sector, within this case, national food security is threatened during the virus outbreak. Following on from this, the authority to lock down based on Law of the Republic of Indonesia Number 6 of 2018 Concerning Health Quarantine is the absolute authority of the Central Government. In Article 1 Number 1, it is stated that: "*health quarantine is carried out to prevent and prevent the exit or entry of diseases and/or public health risk factors that have the potential to cause public health emergencies*". Therefore, if there is a local government who feels that their area has an emergency situation and wants to do a lockdown, of course this is unconstitutional and there needs to be a consul from the regional head with the central government before taking related policies.⁸

Taking an example, in Banten, during the Covid-19 pandemic, provincial government, district government, city government, and related stakeholders continue to strive to keep the stock of food needs available and maintained at controlled prices. As a result, food supply conditions and prices are still relatively stable and under control even when entering the month of Ramadan 1441 Hijriyah.⁹ The Regional Secretary of the Banten Provincial Government

⁶ Mukti Fajar dan Yulianto Achmad. (2010). *Dualisme Penelitian Hukum Normatif dan Empiris*, Pustaka Pelajar, Yogyakarta, p. 48.

⁷ Soerjono Soekanto. (1998). *Metodologi Research*, Andi Offset, Yogyakarta, p. 3

⁸ I Wayan Agus Purnomo, *Menyangkal Krisis Menuai Bencana*, 2020, accessed from <https://majalah.tempo.co/read/laporan-utama/salah-langkah-jokowi-hadapi-wabah-corona>, at March 20th2020

⁹ Stated by Sekretaris Daerah Pemerintah Provinsi Banten Al Muktabar when participating in a webinar via the shared Zoom platform with Deputy Bidang Koordinasi Ekonomi Makro dan Keuangan, Kementerian Koordinator Bidang Perekonomian selaku Sekretaris Tim Pengendalian Inflasi Pusat (TPIP) on Thursday, April 30th2020. This activity is in order to discuss the government's efforts to maintain price stabilization and the availability of staple food in the midst of the Covid-19 pandemic as well as during the months of Ramadan and Eid al-Fitr 2020. The activity was also attended by cross-institutional levels at the central and provincial TPID. This activity was also accompanied by the Head of OPD, members of the Banten Province TPID, namely the Head of the Industry and

continued his explanation that in general the stock of basic commodities in the market, based on the information collected, was in sufficient condition. Prices remain stable because traders have been able to deal with conditions by making continuous purchases from their suppliers to meet consumer needs during the Covid-19 response period.

While the supply of basic commodities is still under control to this day, there are some staples such as white crystal sugar whose condition has not been fully normalized. This is also in accordance with national conditions, but this condition has been anticipated with sufficient sugar entering the market this week. The meeting also discussed the efforts that have been made by the regional government regarding the handling of Covid-19 in the community's economic activities. On this case, the Regional Secretary of the Banten Provincial Government reported that following up on the Banten Governor's Decree Number 443/Kep.114-Huk/2020 Concerning the Determination of the Corona Extraordinary Event in the Banten Province, by this moment, several strategic steps had been taken. These include writing to APINDO, APRINDO, and APPBI, so that they can provide hand sanitizers in front of their outlets or business stores and provide hand sanitizers in industrial or factory environments, coordinating with the chemical industry and chemical producers in order to help provide raw materials for making hand sanitizers or disinfectants. to the Office in charge of trade in Regencies and Cities in Banten Province so that they can provide hand sanitizers and spray disinfectants at people's markets in their respective regions, carry out inspections at Rau Market with the Banten Police Food Task Force Team in order to monitor prices and availability of basic commodities in the market.

The People's Market is one of the locations that has a high risk of transmission of the COVID-19 virus, but the people's market is a place for the community, especially the lower class, to transact and obtain goods and basic materials. In addition, the People's Market is also a driving node for the people's economy, there is an ecosystem that depends on it for life. Starting from traders, kiosk or shop employees, suppliers, porters, cleaning and security services, parking attendants and others. In general, based on reports compiled from the managers of People's Markets in Regencies and Cities throughout Banten Province, there are no people's markets that are specifically closed. Related to this, several things have been done so that the sustainability of the people's market continues and the risk of transmission of the COVID-19 virus can be reduced, namely spraying disinfectants, socializing physical distancing & online services, providing hand washing facilities with soap. In addition, several people's markets in the Banten Province have provided online ordering services to their consumers, such as Pasar Anyar Tangerang, Pasar Baru Kranggot Cilegon, and Pasar Rau Serang.¹⁰

The Governor of Banten, Wahidin Halim, has strengthened the food security of the Banten Province to anticipate the economic crisis caused by the Covid-19 outbreak by trying to meet the affordable needs of the community by increasing agricultural productivity and fixing the distribution channels of trade in agricultural products. According to him, the impact of Covid-19 must be responded to and anticipated.¹¹ Referred to this case, the government imposed several regulations to address food stabilization and those related to food during the Covid-19 period. These regulations include the Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 Concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19), Government

Trade Service, Head of the Food Security Service, Head of the Agriculture Service and PLT Head of the Economic Bureau of the Banten Provincial Secretariat

¹⁰ *Ibid*

¹¹ According to the Governor of Banten in the Coordination Meeting for Food Preparedness to Support Food Security in the 2020 Covid-19 Pandemic Period at the Banten Governor's Hall, KP3B, Serang City Curug, Monday, July 6th 2020.

Regulation of the Republic of Indonesia Number 23 of 2020 Concerning the Implementation of the National Economic Recovery Program in Support State Finance Policy.

In addition, there are several other regulations that regulate similar matters. In the case of handling the Covid-19, there is an Amendment to Government Regulation Number 23 of 2020 Concerning Implementation of the National Economic Recovery Program in Order to Support State Financial Policy for Handling Covid-19 Pandemic or Facing Threats that Endanger the National Economy or Financial System Stability and Saving the National Economy. There is also Regulation of the Minister of Agriculture of the Republic of Indonesia Number 16 of 2020 Concerning Provision and Distribution of Rice in the Context of Handling the Impact of Covid-19 Through Rice Automated Teller Machines, Guidelines for Production and Distribution of Processed Food During the Covid-19.

Health Emergency Status in Indonesia issued by the Food and Drug Supervisory Agency, or hereinafter called as BPOM, of the Republic of Indonesia in April 2020. The approach to food production that emphasizes the role of global governance by promoting trade liberalization is increasingly showing a complex problem. This happened because farmers and ranchers were marginalized during the Covid-19 pandemic. In this regard, the production approach gives corporations a very big role to control the supply chain from upstream to downstream by marginalizing smallholders from being able to make structural adjustments. This vulnerability is increasingly being faced by farmers during the outbreak of the corona virus outbreak due to disruption to the supply chain from the farmer level.¹² According to the author's analysis, this supply chain will automatically be disrupted due to the influence of restrictions on access and mobility during the Covid-19 pandemic so that food production, including *halal* food production, will be hampered.

Farmers and breeders of chili, corn, broiler chicken and several other products have lost their market due to the restrictions on operating hours of traditional markets as well as the demand from hotels or restaurants and buyers declining, since they chose to stay at home. Farmers who have been depending on the sale of their agricultural products from the main market or traditional market are threatened with losing their source of livelihood from this decline in demand, as a result, almost all agricultural sub-sectors experience a decrease in the price index received by farmers, while the price index paid by farmers has increased.¹³ Restrictions on operating hours are undeniably very impactful on various sectors which in the end income is not optimal. Food production, including *halal* food and *thoyib*, is also difficult to develop and will even be hampered.

The government is trying to overcome the problem of declining farmers markets during the outbreak of the pandemic by encouraging the sale of agricultural products online. The government invites Gojek, one of Indonesian company, to facilitate trade in agricultural products during the pandemic through the TokoTani application. However, trading through the application does not necessarily make the selling price profitable for farmers due to their lack of bargaining power in front of the company. Farmers are forced to accept low selling prices, so that their crops sell well in the midst of the pandemic. Actually, the main problem is not the efficiency of the marketing chain of agricultural products, but from the beginning the policy on reference prices for agricultural products at the farmer level has been low. Ministerial of Trade Regulation Number 7 of 2020 is considered more profitable for food corporations because it can reduce production costs from a low reference price, as a result, corn farmers in Dompu

¹² Anggalih Bayu Muh. Kamim, (2020), "Wabah Virus Korona Dan Momentum Evaluasi Rezim Ketahanan Pangan Di Indonesia (Covid-19 Pandemic And Momentum Of Food Security Evaluation In Indonesia)", on Jurnal Kependudukan Indonesia, Edisi Khusus Demografi Dan COVID-19, July 2020, 87-92.

¹³ *Ibid*

Regency had time to protest on May 6th 2020 and May 18th 2020.¹⁴ Various solutions continue to be carried out by the government and the community in terms of overcome the impact of the Covid-19 by encouraging food sales and production, including encouraging an increase in *halal* and *thoyib* food production, one of which is innovation by selling online, although it turns out that it is still in conflict with government regulations, namely Ministerial of Trade Regulation Number 7 of 2020 which after being studied is actually more profitable for food corporations because it can reduce production costs from a low reference price. In this case, there needs to be a synchronization of the shared vision and mission between the government and the community and food producers to jointly promote and develop food production and put aside the interests of a few people.

Even though traditional markets that become a server of agricultural products distribution face a policy of imposing restrictions on operating hours, the reality is that supermarkets and minimarkets are still open and receive big profits during the pandemic. The government's policy through Circular Letter Number 317/M-DAG/SD/04/2020 Concerning the Fluency of Supply of Goods for the Community in the Middle of the Covid-19 regulates time slack for modern store operations. The Covid-19 has changed buying and selling activities, especially for urban communities. Consumers who stay at home change their consumption patterns by shopping at the nearest minimarket or supermarket or ordering through the application.

People's excessive shopping behavior due to concerns during the pandemic is the main cause of minimarkets and supermarkets being flooded with buyers. The DBS Group study shows an increase in sales turnover in minimarkets and supermarkets by 50% compared to normal conditions. Different things can be seen in modern retail department stores, which do not sell foodstuffs, in fact, they are facing a decline in turnover and even closing. Although the prices of food products in supermarkets and minimarkets are relatively high during the virus outbreak, in reality, local farmers and ranchers do not get the same market share.

In the midst of falling prices of agricultural products at the farmer and rancher level, farmers are forced to deal with large companies that already have business networks from upstream to downstream.¹⁵ The author's analysis of government policies through Circular Letter Number 317/M-DAG/SD/04/2020 Concerning the Fluency Supply of Goods for the Community in the Middle of the Covid-19 which regulates time allowances for modern store operations. The policy is considered good for the development of food production because there is leeway given by the government. However, it would be nice if the policy was made fairly and there was no partiality to one side in the application of the policy and its implementation.

The government in this case should take insight from the beneficial perspective. As for the anticipation and fear of modern markets that do not pay too much attention to health protocols, for example in wholesale markets and traditional markets, in order to avoid the new cluster of the Covid-19, facilities should be gradually developed accompanied by proper education to the public and sellers in the market about the importance of anticipating Covid-19 within the market area. It is felt that this can be done if there is support from all parties, both the consumer community, producers, and the government as policy makers. If this can be done, then *halal* food production can run smoothly and develop well.

In connection with the explanation, it is related to the government's role in supporting the development of *halal* food production, namely the omnibus-law related to food and food security, with the ultimate goal of the ratification of the omnibus-law being to encourage national economic growth. By using a method or concept of making regulations that combine several rules that are substantially different, into one regulation that functions as a legal umbrella. This

¹⁴ *Ibid*

¹⁵ *Ibid*

can be seen from the fatness of the omnibus law itself. Merging rules across sectors, grouped by clusters. Looking at the explanations of the articles in the omnibus-law relating to agrarian issues, there are several articles that are very closely related to the will of the articles on the Law of the Republic of Indonesia Number 5 of 1960 Concerning Basic Agrarian Regulation.

The cluster has a very strong impact on other laws and regulations. This is kind of ignorance to the constitution, specifically Article 33 of the 1945 Constitution, Paragraph (3) concerning the state's obligations over the nation's land and natural resources and Paragraph (4) concerning the principles and features of economic democracy adopted by the Nation. Land is one of the main issues in business activities. Ease of land management needs to be created to improve the investment climate and create jobs. One of them is by changing the provisions of the Spatial Planning Law regarding Regional Spatial Planning (RTRW) before a period of five years for investment activities with strict criteria and requirements for the preparation and determination of a digital Spatial Detail Plan (RDTR) within a certain period of time. Arrangements in the Basic Agrarian Law or in the Bill on Land regarding the ease and acceleration of the land acquisition process and the process of extending and renewing Land Rights (HGU, HGB, Use Rights) can be carried out in advance after business activities start operating, without waiting for the period of HGU and HGB finished.

Inequality of land tenure and conversion of small agricultural land is legitimized. Under the Job Creation Law, the government and companies have the authority to unilaterally determine the location of infrastructure development without the consent of the community. Automatically, the law will exacerbate evictions, inequality and agrarian conflicts because it accelerates and facilitates the process of land grabbing for land acquisition for infrastructure development, plantations, mining, energy, agribusiness, tourism, and forestry. The law also removes the mechanism for protecting food agricultural land by amending the Law on Protection of Sustainable Food Agricultural Land. Omnibus-law becomes a new legal tool for the government, security forces and companies to criminalize the people. Farmers, indigenous peoples. By eliminating the constitutional rights and sovereignty of farmers over local seeds. Whereas the Constitutional Court has decided that small farmers have the right to glorify their seeds through the Constitutional Court's Decision No.138/PUU-XIII/2015. This large-scale agricultural business orientation is vulnerable to discriminating against agricultural and food production centers from farmers and fishermen as the country's main food producers.¹⁶

Related to food security, when viewed from the definition side, the definition of food security has continued to develop since the Conference of Food and Agriculture, or hereinafter called as FAO, in 1943, which proclaimed the concept of secure, adequate, and suitable supply of food for everyone. The definition of food security varies widely, but generally refers to the definition from the World Bank in 1986, Maxwell, and Frankenberger in 1992, which is the access of all people at all times to sufficient food for a healthy life, secure access at all times to sufficient food for a healthy life. Meanwhile, USAID in 1992 states that food security is a condition when all people at all times have physical and economic access to obtain their consumption needs for a healthy and productive life. Five years later, FAO states that food security is a situation where all households have physical and economic access to food for all their family members, where the household is not at risk of losing both accesses.¹⁷

Meanwhile, if we look at the positive law in Indonesia, Law of the Republic of Indonesia Number 7 of 1996¹⁸ states that food security is a condition of fulfilling food needs for households which is reflected in the availability of sufficient food, both in quantity and quality, safe,

¹⁶ Hendra Sukarman dan Wildan Sany Prasetya, "Degradasi Keadilan Agraria Dalam Omnibus-Law", dalam *Jurnal Ilmiah Galuh Justisi*, Fakultas Hukum Universitas Galuh, Volume 9, Number 1, March 2021, (17-37).

¹⁷ Heri Suharyanto, Ketahanan Pangan. (2019). *Jurnal Sosial Humaniora*, 4(2), p. 186-187

¹⁸ Law Number 7 of 1996 Concerning Food

equitable and affordable. Based on the definitions above, it can be concluded that food security has five elements that must be met, namely household and individual oriented, time dimension whenever food is available and accessible, emphasizing household and individual food access, both physical, economic, and social, oriented to the fulfillment of nutrition and aimed at a healthy and productive life.¹⁹

Then furthermore, food security according to Article 1 Paragraph 17 of Law of the Republic of Indonesia Number 7 of 1996 Concerning Food states that food security is a condition of fulfilling food for households which is reflected in the availability of food that is quite good in quantity, quality, safe and equitable and affordable. Thus, the notion of food security can be said as the fulfillment of the nutritional needs of each individual in quantity and quality in order to live a healthy and quality life in order to fulfill his most humanistic aspirations throughout his lifetime. Looking at the definition of food security briefly, food security can be interpreted as a condition where all households both physically and economically have the ability to meet the food needs of all their family members.

There are three dimensions implicitly contained on it, namely availability, stability, and the ability to obtain and produce food. These main dimensions related to the accessibility of food itself. Availability of food indicates an average sufficient and available food supply. Stability can be seen as the ability to minimize the possibility of food consumption against consumption demand, especially in difficult times. Accessibility is reminiscent of the fact that despite abundant supplies, many people lack food as a result of limited resources to produce or buy the food they need. The occurrence of food insecurity, caused by not achieving the target of food availability and access to food for the community. This is a paradox, considering that Indonesia has a large and fertile land. Development of food security is to achieve food security in the condition that food is fulfilled for each individual and household from national food production, which is reflected in the availability of sufficient, quantity, quality, safe, equitable and affordable food throughout Indonesia.²⁰

There are at least four root problems in food distribution that are often faced, namely infrastructure support. The point is the lack of support for access to the construction of roads, bridges, and so on. Both of the transportations are lack of attention from the government and the community in the maintenance of transportation facilities. Three transportation systems are considered to be still less effective and efficient. In addition, the lack of coordination between each mode of transportation results in the transported food being often delayed in arriving at its destination so that the food spoils and cannot be used and cannot be consumed anymore. Then the fourth problem of security and illegal levies that have been ingrained in every region in Indonesia. The point is that illegal levies are carried out by thugs who are along transportation routes in Indonesia which still often occur in almost every transportation route, both sea and land routes.²¹

Food is a basic human need whose fulfillment is a human right and cannot be postponed and cannot be substituted with other materials. This is stated in the Universal Declaration of Human Rights in 1948: "*the right to food is an inseparable part of human rights*". In this regard, food is one of the economic, social and cultural rights. According to Law of the Republic of Indonesia Number 11 of 2015 Concerning Ratification of the International Covenant on Economic, Social, And Cultural Rights, which is meant as economic, social and cultural rights

¹⁹ Palmawati Tahir, Muhamad Muslih, dan Rani Sri Agustina. (2020). "MUI Halal Certification On Milkfish Satay As An Effort To Support National Food Security", dalam *Legal Standing Jurnal Ilmu Hukum*, 4(1): 233-246, p. 237. DOI : [10.242469/ls.v4i1.2670](https://doi.org/10.242469/ls.v4i1.2670) <http://journal.umpo.ac.id/index.php/LS/article/view/2670>

²⁰ Rita Hanafie. (2010). Penyediaan Pangan Yang Aman dan Berkelanjutan Guna Mendukung Tercapainya Ketahanan Pangan, *J-SEP*, 4(3), p. 39.

²¹ Heri Suharyanto, Ketahanan Pangan. (2011). *Jurnal Sosial Humaniora*, 4(2), p. 193

is the right to an adequate standard of living including food, clothing, and housing, and for the continuous improvement of living conditions. Food is also part of culture which is an adaptation between humans and their environment.

In phase of realize the quality of human resources, food is needed as a basic component, it is also the main pillar of national development that hold significant role in maintaining social, economic and political stability. Fulfilling food needs will help the problem of Indonesia's human resource crisis. Through eradicating this problem, the problem of the low quality of Indonesian human resources can be further improved. The low quality of human resources is a serious challenge in facing free competition in the era of globalization. In the effort of achieving global targets and the development of community nutrition, it is necessary to increase the superficial power and fighting power of health development which is the main capital of national development through continuous improvement of human resources. However, to overcome the problem of quality human resources and successful development, strong food security is needed which is characterized by food independence.

The state is obliged to realize the availability, affordability, and fulfillment of food consumption that is sufficient, safe, quality, nutritionally balanced both at the national and regional levels to individuals evenly throughout the territory of the Unitary State of the Republic of Indonesia at all times by utilizing local resources, institutions and culture. The government is obliged to respect, protect, and fulfill the food needs of the population to live a quality life.

Various ways have been taken by the government to improve food security, most of which are focused on increasing food self-sufficiency. To achieve all of this, not only natural resources are needed, but also the capable human resources within processing the wealth of these natural resources. Diversification is also important to do in addition to reducing dependence on rice, also to explore the potentials of other foods that become our wealth. Dependence on rice, has caused us to neglect other foods such as tubers (canna, sweet potato, cassava, etc), sago and various grains and beans which are rich in protein. So diversification is also important to explore the potential of local food.²²

Halal, Thoyib, and Hygienic Food During the New Normal Period of Covid-19 As Supporting Pillars of National Food Security

Halal comes from Arabic which means to liberate, break, dissolve, and allow. Meanwhile, in the encyclopedia of Islamic law, it is anything that causes a person to not be punished if he uses it, or something that can be done according to the syara.²³ Meanwhile, according to the Technical Instructions for the *Halal* Production System published by the Ministry of Religion, it states that food is goods intended to be eaten or drunk by humans, as well as materials used in the production of food and beverages. Meanwhile, *halal* is something that is permissible according to Islamic teachings.²⁴ So in essence, *halal* food or what we call *halal* food is good food and it is permissible to eat it according to Islamic teachings, which is in accordance with what is stated in the Qur'an and Al-Hadith. While the definition of good food is all food that can bring health to the body and there are no prohibitions in the Qur'an and Al-Hadith.

The first principle established by Islam in its origin is that everything created by Allah SWT is lawful and nothing is unlawful, unless there are texts or proofs that are authentic, which means no defects in narration, and sharih, or clear meanings, that forbid them. As stated in a fiqh rule which means: "*in the beginning, everything is permissible (permissible) before there*

²² Muhamad Muslih. (2020). *Ketahanan Pangan dan Halal Food dalam Hukum Islam*, Tangerang : Media Edukasi Indonesia, p. 10

²³ Abdul Azis Dahlan. (1996). *Ensiklopedi Hukum Islam*, Jakarta: Ikhtiar Baru van Hoeve,

²⁴ Bagian Proyek Sarana Dan Prasarana Produk Halal Direktorat Jenderal Bimbingan Masyarakat Islam Dan Penyelenggaraan Haji, Petunjuk Teknis Pedoman Sistem Produksi Halal, Jakarta: Departemen Agama RI, 2003

is a proof that forbids it.”²⁵Based on Law of the Republic of Indonesia Number 7 of 1996, food is everything that comes from biological and water sources, both processed and unprocessed or their derivative products intended as food or drinks for humans, including food additives, and other materials used in the process of preparing, processing, and or making food or drinks.

Currently there is a new law regarding food that is more comprehensive, namely Law of the Republic of Indonesia Number 18 of 2012. This law states that food administration is carried out to meet basic human needs that provide benefits in a fair, equitable and sustainable manner based on food sovereignty, food independence, and food security.²⁶ Food security is a widely accepted concept in many countries and has been around for a long time. The concept of food security began to be discussed in the 1970s, while the concept of food sovereignty began to be discussed since 1992 or more than 30 years after that since at that time, food security was stable instead of in the era of 1970 to 1992.

The concept of food sovereignty was first born at farmers meeting which was formed in 1992 at the congress of The National Union of Farmers and Livestock Owners (UNAG). The congress activities were led by farmers organizations in the Via Campesina group. In 2006 this organization formulated food sovereignty as the right of every nation to maintain and develop its own ability to produce basic food by respecting cultural diversity and its production system. In 2012 FAO promised to open a wider and dynamic discussion with the participation of civil society and academics on food sovereignty. A year later in 2013 The International Fund for Agriculture Development provided and mobilized empowerment activities for the poor in order to provide financial support for people-centred investment development initiatives.

Then in 2013 the International Conference of La Via Campesina was also held in Jakarta, in this conference an international agreement on food sovereignty was produced. FAO recognizes 2014 as family farming, that family farming and food sovereignty approaches are strategies to combat world hunger. Food sovereignty can be positioned as the main strategy to achieve international and national food development goals. The concept of food security has been around for almost 20 years and has begun to be developed in various countries and in international institutions.²⁷

Halal and haram are one of the sensitive issues in Islam because halal and haram can be said to be legal substances and law is a core issue in Islam.²⁸ This is ironic, because as a result Islam is often narrowed down to a problem between *halal* and *haram* only. Apart from this reduction, it is clear that *halal* and haram laws are an important issue for the Islamic community so that it is a necessity. The size of the level of need is relative, depending on the level of proximity of the thing being judged to people's lives. Normatively what is lawful and which is unlawful, as stated by the Prophet Muhammad SAW is actually quite clear, although some of the clear ones are vague.

At the time of the Prophet Muhammad SAW and in subsequent periods before science progressed, perhaps it was not too difficult to distinguish which food products were *halal* and which food products were haram, so that not many were vague. However, this is not the case with the current conditions, where science and technology have presented various food, beverage, cosmetic and medicinal products. Ordinary people can no longer easily recognize how and what materials are used. In addition to the raw materials used to make processed products, how to make them is also very difficult to detect.

²⁵ Ahmad Djazuli. (2007). *Kaidah-Kaidah Fikih*, Jakarta: Kencana Media Group, 2nd Edition,

²⁶ Based on Law Number 18 of 2012 Concerning Food

²⁷ Rachmawati Wahjoedi, *Berjuang di Jalan Sunyi Studi Etnografi Gerakan Pangan Lokal Anak Muda Di Yogyakarta*, Yogyakarta: Universitas Gadjah Mada, 2017, accessed from <http://etd.repository.ugm.ac.id>

²⁸ Christopher Melchert. (1997). *The Formation of The Sunni School of Law 9-10 Centuries*. Leiden: Brill, p. xii.

Sometimes the raw material is *halal*, but in the processing step requires assistance from haram ingredients, so that there is a mixture of *halal* and haram. Information about the process cannot be conveyed through the packaging, or perhaps there is an intention to hide it. With the various conditions above, it could be said that things that were of a vague status were becoming increasingly more and more elevated. This situation is certainly not profitable in terms of consistent implementation of religious teachings. Moreover, in a country where the majority of the population is Muslim like Indonesia, the issue of *halal* and haram should be seen as one of the rights of the people and an obligation for the state as well to fulfill it.²⁹

Positive responses to *halal* issues, especially those related to food, medicine, and cosmetics, have been carried out by the Indonesian government with the issuance of several laws and regulations. However, these regulations are made partially, inconsistently, seem to overlap, and are not systemic so that technically they cannot be used as a strong legal protection and specifically can only bind to the issue of product halalness to producers, in this case business actors, and there is no guarantee to consumers. This is why there is no guarantee of legal certainty that regulates *halal* products, even though the need for guarantees for *halal* products is a necessity and is very urgent, especially in relation to consumer protection and the global trade scene.

The enactment of Law of the Republic of Indonesia Number 33 of 2014 Concerning *Halal* Product Guarantee, or hereinafter referred as UUJPH, further emphasizes the urgency of *halal* and haram issues in the production chain from business actors to reaching consumers and being consumed by consumers, where there is also the role of intermediaries such as distributors, sub-distributors, wholesalers, as well as retailers before reaching the hands of the final consumer. The enactment of UUJPH aims to ensure that consumers or the wider community can obtain legal certainty for food products and other consumer goods. As for business actors, the presence of UUJPH provides guidance on how to process, produce, and market the products to the consumer, as well as how to provide information on *halal* products to consumers.³⁰

Actually UUJPH is not only intended to provide protection and guarantees to consumers solely by providing *halal* certification. Producers also reap the benefits of this law, namely by providing legal certainty for all goods produced, so that UUJPH will have a positive impact on the business world. The guarantee of *halal* products for each product can also provide benefits for the company, considering that products that are certified *halal* will be preferred and favored by consumers so that they can increase sales. This is not only in demand by the muslim community but also the non-muslim community, because non-muslim communities assume that *halal* products are proven to be of high quality and very good for the health of the human body.³¹

UUJPH is the most concrete and comprehensive product of legislation regarding *halal* product certification, because it is a special law regarding this issue. The issuance of this law can be said as a new era of handling *halal* certification in Indonesia. Several provisions of Law of the Republic of Indonesia Number 33 of 2014 Concerning *Halal* Product Guarantee, including Article 4 which states that products that enter, circulate, and are traded in Indonesia must be certified *halal*. Furthermore, Article 5 Paragraph 1 of the UUJPH mandates the establishment of *Halal* Product Guarantee Agency, or hereinafter called by BPJPH, which according to

²⁹ Muh. Zumar Aminudin. (2016). "Sertifikasi Produk Halal: Studi Perbandingan Indonesia dan Thailand", dalam *Jurnal Shahih*, 1(1): 2527-8118, p. 28.

³⁰ May Lim Charity. (2017). "Jaminan Produk Halal di Indonesia (Halal Products Guarantee in Indonesia)", dalam *Jurnal Legislasi Indonesia*, 14(1): 99-108, p. 101.

³¹ Ma'ruf Amin. (2010). *Fatwa Produk Halal Melindungi dan Menentramkan*, Jakarta: Pustaka Jurnal Halal, p. 79.

paragraph 5 of the provisions concerning the functions, duties, and organizational structure of BPJPH is regulated in a Presidential Regulation. The authority of BPJPH is in the form of formulating and establishing policies related to *halal* product guarantee, establishing norms, standards, procedures, and criteria for *halal* product guarantee, establishing and revoking *halal* certificates for foreign products and registering *halal* certificates for foreign products.³²

The points contained in Law of the Republic of Indonesia Number 33 of 2014 Concerning *Halal* Product Guarantees that include several phase. Firstly, to ensure the availability of *halal* products, it is stipulated that product materials are declared *halal*, both materials derived from animal, plant, microbial raw materials, as well as raw materials produced through chemical processes, biological processes, or genetic engineering processes. In addition, *halal* product process is also determined which is a series of activities to ensure the halalness of products which includes the supply of materials, processing, storage, packaging, distribution, sales, and presentation of products. Secondly, this law regulates the rights and obligations of business actors by providing exceptions for business actors who produce products from materials derived from prohibited materials with the obligation to explicitly include non-*halal* information on product packaging or on certain parts of the product that are easily seen, readable, not easily erased, and is an integral part of the product. Third, in order to provide public services, the government is responsible for organizing *halal* product guarantee whose implementation is carried out by BPJPH. Then in carrying out its authority, BPJPH cooperates with relevant ministries and institutions, namely Indonesian Council of Ulama, or hereinafter called as MUI, and *Halal* Inspection Agency, or hereinafter referred as LPH.

Fourth, the procedure for obtaining a *halal* certificate begins with the submission of an application for a *halal* certificate by a business actor to BPJPH, which then further checks the completeness of the document by BPJPH. The inspection and testing of the halalness of this product is carried out by LPH which must first obtain accreditation from BPJPH in collaboration with MUI. Furthermore, the determination of product halalness is carried out by the MUI through the MUI *halal* fatwa session in the form of a decision on the determination of *halal* products which is signed by the MUI. Then BPJPH will then issue a *Halal* Certificate based on the decision on the Determination of *Halal* Products from the MUI.

Fifth, the cost of *halal* certification is borne by business actors who apply for *halal* certification. In order to facilitate the implementation of JPH implementation, this law provides roles for other parties such as the government through the state revenue and expenditure budget, regional governments through the regional revenue and expenditure budget, companies, social institutions, religious institutions, associations, and communities to facilitate certification costs *halal* for micro and small business actors. Sixth, in order to ensure the implementation of *halal* product guarantee implementation, BPJPH supervises LPH related to the validity period of *halal* certificates, product halalness, inclusion of *halal* labels, inclusion of non-halal information, separation of locations, places, and processing equipment, storage, packaging, distribution, sales. As well as the presentation of *halal* and non-*halal* products, the presence of a *halal* supervisor, and other activities related to *halal* product guarantee. Seventh, to ensure law enforcement against violations of this law, administrative sanctions and criminal sanctions will be stipulated.³³

Continuing from the problems arose, product *halal* certification and marking in the international trade system has received great attention both in order to provide protection for muslim consumers around the world, as well as a strategy to face the challenges of globalization

³² Muh. Zumar Aminudin. (2016). "Sertifikasi Produk Halal: Studi Perbandingan Indonesia dan Thailand", dalam *Jurnal Shahih*, I(I): 2527-8118, p. 30.

³³ Taken from the explanation of Law Number 33 of 2014 Concerning Halal Product Guarantee

with the enactment of a free market system within the ASEAN-AFTA framework. NAFTA, the European Economic Community, and the World Trade Organization. The international trade system has long known *halal* provisions in CODEX which is supported by influential international organizations including WHO, FAO, and WTO. The current *halal* lifestyle has hit the world because it is not only symptomatic in countries with a majority muslim population, but also in countries with a non-muslim majority population. Global-scale companies are also currently implementing a *halal* system. Call it like Japan Airlines, Singapore Airlines, Qantas, America Airlines, which provide a *halal* menu and muslim friendly. *Halal* symptoms also penetrated America, Australia, Japan, China, India, and Latin American countries.³⁴

Then later in India, the implementation of *halal* product certification experienced a conducive development and positive reception from the local community.³⁵ Then a number of restaurants in New Zealand are also very concerned about the importance of the availability of *halal* products in connection with the arrival of tourists from Muslim countries. However, the majority of the 99 restaurants that studied refused to promote *halal* food products on the grounds that it was not profitable for their restaurant business. In the Netherlands as in other European countries, the market for *halal* food products is growing, in accordance with Islamic food laws. Japan also has very serious attention to the *halal* trend. One of the indications is the holding of the Japan *Halal* Expo which contains *halal* products made in Japan.³⁶

Then further related to the formulation of the problem raised in the research, namely whether the regulations and supervision regarding the development of *halal* products in Indonesia have been able to meet all sharia principles regarding *halal*, *thoyib*, and hygienic considering that in Indonesia the majority of muslims. The formulation of the problem can be seen from several government policies through Circular Letter Number 317/M-DAG/SD/04/2020 Concerning the Fluency Supply of Goods for the Community in the Middle of the Corona Virus Pandemic regulating time slack for modern store operations. Then the Minister of Trade Regulation Number 7 of 2020 is considered more profitable for food corporations because it can reduce production costs from a low reference price.

The government claims that the COVID-19 pandemic is increasing consumer awareness of *halal* products, ranging from food and beverages, traveling, to cosmetics. This condition occurs because consumers are starting to become aware of product hygiene due to Covid-19. On the other hand, *halal* products are associated with the hygiene guarantee. This understanding gave *halal* food and other products new popularity, as consumers are now equating *halal* food with healthy and hygienic food.³⁷

Government support is also a big potential for the *halal* food industry in Indonesia. This government support can be seen from the formation of the BPJPH as a mandate from Law of the Republic of Indonesia Number 33 of 2014 Concerning *Halal* Product Assurance. BPJPH was ratified on 27 October 2017 and has a position under the Ministry of Religion. The establishment of BPJPH has transformed the implementation of *halal* product guarantees in Indonesia from what was initially voluntary to become mandatory. This is done in order

³⁴ Asrorun Ni'am Sholeh, "Halal Jadi Tren Global", dalam *GATRA*, 29th Edition July 2015, p. 34-35

³⁵ Yasmin Saeed and James Ondracek, "Dakota Halal Processing: A Case Study and Halal Food Management Framework", on *Delhi Business Review*, Volume 5, Number 2, July-December 2004, (33-45).

³⁶ Wan Melissa, Wan Hassan, and Khairil Wahidin Awang. (2009). "Halal Food in New Zealand Restaurants: An Exploratory Study", on *International Journal of Economics and Management*, 3(2): 385-402.

³⁷ [Republika.co.id](https://republika.co.id), Peluang Bisnis Makanan Halal di Tengah Pandemi, Friday, 12 Rabiul Akhir 1442 / November 27th 2020, Red: Karta Raharja Ucu, <https://republika.co.id/berita/qaf51v282/peluang-bisnis-makanan-halal-di-tengah-pandemi>

to provide security and comfort to muslim consumers and to jump-start the *halal* industry in Indonesia, especially the *halal* food industry.³⁸

The government has enacted several regulations to address food stabilization as well as those related to food during the Covid-19 period. These regulations include the Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 Concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Handling of Covid-19, Government Regulation of the Republic of Indonesia Number 23 of 2020 Concerning the Implementation of the National Economic Recovery Program in Support State Financial Policy for Handling the Covid-19 Pandemic or Facing Threats That Endanger the National Economy or Financial System Stability and Rescue the National Economy, Amendment to Government Regulation Number 23 of 2020 Concerning Implementation of the National Economic Recovery Program in Support of Financial Policy State for Handling the Covid-19 Pandemic or Facing Threats That Endanger the National Economy or Financial System Stability and Rescue the National Economy, Regulation of the Minister of Agriculture of the Republic of Indonesia Number 16 of 2020 Concerning the Provision and Distribution of Rice in the Context of Handling the Impact of Covid-19 through Rice Automated Teller Machines, Guidelines for Production and Distribution of Processed Food During the Health Emergency Status of Covid-19 in Indonesia which was issued by the BPOM of the Republic of Indonesia in April 2020.

Then related to what the author reviewed in the formulation of this research problem related to the process of developing the ability of producers and MSMEs in Indonesia in developing *halal* products. The world is currently in a difficult situation due to the impact of the Covid-19 pandemic. This is not only happening in Indonesia, but in all countries in the world. The state of the Covid-19 pandemic caused some people to lose their jobs and lose their income as many companies went out of business. The economy has become difficult because of the Covid-19 pandemic which requires people to reduce mobilization, even some people whose economy has fallen and are experiencing a crisis in the food sector.

Some researchers say that the Covid-19 virus originated in the Wuhan area, China. This is due to the habits of the Chinese people who pay less attention to hygiene and health factors. They eat a variety of foods such as frogs, snakes, and bats. Even in the process of slaughtering the animal, it is not hygienic because it is not cleaned. The activities carried out in the Wuhan market when associated with the *halalanthoyiban* food category, then the food is classified as not *thoyib*, or not good. It is contained in Qur'an Surah Al-Maidah Verse 88, Allah SWT says that we as human beings should eat good food, or food that classified as *thoyib*. In order to maintain the goodness and safety of the body so that it is always healthy. If it is associated with the current condition of the Covid-19 pandemic, then many non-muslims are starting to see the teachings of Islam with *halal* and *thoyib* food.

On the other hand, *halal* products are associated with the hygiene guarantee. This understanding gave *halal* food and other products new popularity, as consumers are now equating *halal* food with healthy and hygienic food. So that the Islamic community should be able to take advantage by trying to develop *halal*, *thoyib*, and hygienic food production during the New Normal Covid-19 period as a supporting pillar of national food security. Al-Quran and Hadith have regulated *halal* and haram food. Obeying the prohibition against consuming haram food is believed to contain wisdom and goodness for muslims. Referring to the main sources of Islamic Law, namely the Al-Quran and Hadith regarding the urgency of *halal*, *haram* and doubtful laws and the purpose of making food *haram*. Based on the latest research on foods

³⁸ Fathoni, M. A., Syahputri, T. H. (2020). Potret Industri Halal Indonesia: Peluang dan Tantangan. Jurnal Ilmiah Ekonomi Islam, 6(03), 428-435.

that are forbidden, it was found that there are many reasons that are not fit for consumption and can endanger human health such as the presence of harmful bacteria in carcasses, harmful compounds in the blood, parasitic diseases in pigs, organ damage due to consumption of khamr and the dangers of eating prohibited animals by Allah SWT like eating bats, snakes, rats resulting in disease outbreaks that spread very quickly. The virus that first emerged from the Wuhan area in China has become a global problem for all corners of the world.³⁹

On the other hand, *halal* products are associated with the hygiene guarantee. This understanding gave *halal* food and other products new popularity, as consumers are now equating *halal* food with healthy and hygienic food. The rise of the Covid-19 pandemic requires people to adopt a healthy lifestyle. Not only limited to personal hygiene, but what is also important is paying attention to every intake that is consumed. What is equally important is to pay attention to the halalness of the products consumed. This can be seen by the presence of the MUI *halal* label on the packaging. *Halal* food and drink must meet several categories, so you must understand the content and *halal* as well as how to get it.

If it is obtained in a bad way, of course the blessing will be lost. How to process it must also be *halal*. Product quality must be considered, LPPOM MUI takes a very big role in this case because *halal* food is quality food. To minimize the risk of getting Covid-19, try not to leave the house, even to buy groceries. Now, there are many platforms that provide services for shopping online. This requires commitment and discipline from all sectors, both from the seller and the buyer. Seeing the huge potential of the *halal* product industry during the Covid-19 pandemic, where health and hygiene aspects are an absolute consideration for the public in choosing products, sharia economic actors are expected to take the opportunity to develop the *halal* product industry both in Indonesia and and the world. The enactment of a new order in which aspects of health and hygiene are absolute, actually provides a huge opportunity for the *halal* product industry.

Halal products must be a rational choice of society. Not only because it is *halal*, but also because it is healthy and hygienic. Thus, *halal* products will be the choice of consumers during and after the Covid-19 pandemic. *Halal* products must be a rational choice for all people and not just because they are *halal*. *Halal* products must be of good quality, delicious in taste, healthy, nutritious, hygienic and *thoyib*. Sharia economic actors can take advantage of the momentum of this pandemic, including by providing products related to health. Products related to people's health and comfort during the pandemic and after are also new opportunities. Sharia economic actors can also provide various related products and services. Meanwhile, in marketing their products, Islamic economic actors follow the current trend, namely by utilizing digital technology for online transactions. Sharia economic actors must adapt to these conditions, so that the use of digital technology and online transactions is absolutely necessary. Then it is equally important to expand cooperation and global market access through various relevant activities such as the implementation of ISEF. The implementation of ISEF can also be an acceleration momentum for all parties to expand international cooperation and make Indonesia the center of the world's *halal* value chain through strengthening global market outlets for world *halal* products.⁴⁰

The author's analysis regarding the prospect of developing *halal* food production in Indonesia is very optimistic because if maximized, it will have a major effect on the formation of national food security. The *halal* industry continues to show positive growth every year. This growth certainly makes a positive contribution to the Indonesian economy. This contribution

³⁹ Faiqoh Husna, (2020), "Virus Corona Dampak dari Makanan yang tidak Halal", on Jurnal SALAM, Jurnal Sosial dan Budaya Syar'i, 7(6)

⁴⁰ Jakarta, CNN Indonesia, <https://www.cnnindonesia.com/ekonomi/20201002162752-92-553763/pemerintah-klaim-covid-19-dongkrak-keyakinan-ke-produk-halal>

can be seen through the Gross Domestic Product, or referred as GDP. Sharia economy has been proven to contribute to GDP of USD 3.8 billion annually. This contribution to GDP is reflected in the consumption of Indonesian people as well as export and import activities for *halal* products. Indonesian people's consumption of *halal* products is very large, even the largest in the world. It was recorded that in 2017 the total consumption of *halal* products in Indonesia was USD 200 billion or more than 36% of total household consumption. This amount is also equivalent to 20% of Indonesia's GDP.⁴¹

Consumption of *halal* products will continue to grow with an average growth of 5.3%. In 2025, it is estimated that the consumption level of Indonesian *halal* products will reach USD 330.5 billion. Bappenas stated that the majority of this large total consumption came from imported products. However, if we increase production in the *halal* industrial sector, we can reduce the deficit in the trade balance. In fact, it is not impossible if we can also increase the export of *halal* products. In terms of exports, the *halal* industry is very likely to add to the value of Indonesia's exports. The export value that can be generated from the *halal* industry ranges from USD 5.1 billion to USD 11 billion annually. In 2018, the *halal* industry has generated USD 7.6 billion. Indonesia has at least 3.8% *halal* export opportunity for *halal* products globally.⁴²

This figure can be increased again by increasing the quality of exported *halal* products. In addition, competitive pricing is considered important so that our products can compete with products from other countries. If *halal* products from Indonesia can compete in the world market, then of course Indonesia could become the center of the world's *halal* industry. Discussing about increasing exports, it is certain that there will be an increase in production. To increase production, a company requires an increase in the number of workers. Then there is a positive relationship between exports and the supply of labor. The *halal* industry also has an economic influence on employment. In terms of employment, the *halal* industry is able to create 170.000-330.000 jobs.⁴³

If the *halal* industry continues to grow, this number could be even greater. Export activities are part of international trade. In international trade, financing is needed from foreign exchange reserves. Foreign exchange reserves are defined as the value of net foreign assets of the government and foreign exchange banks that must be maintained to meet the needs of international transactions. Foreign exchange reserves are an indicator to determine the extent of a country's ability to conduct international trade.⁴⁴

We can use the *halal* industry with all its potential to encourage an increase in the value of foreign exchange reserves. There are several ways we can do this. First, increasing the export value of the *halal* industry. *Halal* commodities that have the potential to be exported by Indonesia are *halal* food. As previously explained, to encourage export value, the steps that must be taken are to increase commodity production accompanied by quality improvements and competitive pricing. Second, increasing the role of the Islamic finance industry in realizing financial inclusion. The Islamic finance industry can be used to support access to capital for MSMEs engaged in the *halal* sector through financing. This capital can be used for business expansion. Just imagine, if there are many MSMEs that expand their business, production activities will increase. This increase in production can bring Indonesian *halal* commodities to international trade. In addition, the financial inclusion program also provides convenience

⁴¹ Kementerian Keuangan Republik Indonesia. (2019). "Media Keuangan." Kementerian Keuangan 14(140).

⁴² Indonesia Halal Lifestyle Center. (2019). "Indonesia Halal Economy and Strategy Roadmap 2018/19: A Preview." Indonesia Halal Lifestyle Center.

⁴³ *Ibid*

⁴⁴ Fathoni, M. A., Syahputri, T. H. (2020). Potret Industri Halal Indonesia: Peluang dan Tantangan. Jurnal Ilmiah Ekonomi Islam, 6(03), 428-435. doi: <http://dx.doi.org/10.29040/jiei.v6i3.1146>

in payment transactions for MSMEs. If more and more MSMEs transact through the Islamic finance industry, there will be an increase in the market share of the Islamic finance industry. As a result, the Islamic finance industry will strengthen so that it can have a wider impact on the welfare of the community.⁴⁵

The *halal* industry has huge potential in Indonesia. This is an implication of very large number of Indonesian muslim population. We can see the potential of Indonesia's *halal* industry from several sectors, namely the *halal* food sector, the sharia finance sector, the *halal* tourism sector, and the muslim fashion sector. However, in this study the authors only focus on the *halal* food sector and *thoyib* and Islamic finance as the supporting sector. First, *halal* food is a basic need of a muslim. These basic needs must be met so that a muslim can continue his life. If we look at the number of muslim population in Indonesia, of course Indonesia has potential in this sector. Potential that is really visible is a very promising market potential. In 2019, Indonesia spent USD 173 billion on *halal* food consumption. This makes Indonesia the largest market for *halal* food and beverages in the world.⁴⁶

Second, the Islamic finance sector. The Islamic finance sector is the gateway to the *halal* industry in Indonesia. Since the establishment of Bank Muamalat Indonesia in 1992, the Islamic finance sector has brought good development to the Islamic finance industry. Islamic financial assets continue to grow every year. In 2018, Islamic financial assets increased by 13.97% to Rp1,287.65 trillion. Based on State of Global Islamic Economy Report 2019, Indonesia ranked seventh position in the Islamic financial asset market in the world with a total asset value of USD 86 billion. Indonesia also ranks 5th in the Top 10 Islamic Finance. In 2019, the market share of the financial industry reached 8.69%. This figure represents the total market share of Islamic banking of 5.94% plus the market share of the Non-Bank Financial Industry of 2.75%. The growth of this financial sector reflects the potential of the Islamic finance sector which is quite large in Indonesia. Besides the potential in each sector, technological developments are also the potential for the *halal* industry in Indonesia in general. The existence of technology encourages increased socialization and promotion of the *halal* industry in Indonesia. In addition, technological developments also make the manufacture of *halal* industrial products more effective and efficient.⁴⁷

Then if it is related to the category of *halal* certification for products in Indonesia as one of the important categories in food products to meet the principles of *halal* and *thoyib*. In the regulation of Article 8 of Law of the Republic of Indonesia Number 33 of 2014 Concerning Product Guarantee, it does explain the division of authority between the two institutions, but it relates to several categories of *halal* food and products. In the explanation of Article 8 of Law of the Republic of Indonesia Number 33 of 2014 concerning *Halal* Product Guarantee, it is stated that first, the form of cooperation between BPJPH and the ministry that carries out government affairs in the industrial sector, for example in terms of regulation and guidance and supervision of industry related to raw materials and food additives used to produce *halal products*. Second, the form of cooperation between BPJPH and the ministry that carries out government affairs in the trade sector, for example in fostering business actors and the public, supervising *halal* products circulating in the market, and expanding market access.

Third, the form of cooperation between BPJPH and the ministry that administers government affairs in the health sector, for example in determining the production method and distribution method of drugs, including vaccines, traditional medicines, cosmetics, medical devices, household health supplies, food and beverages. Fourth, the form of cooperation

⁴⁵ *Ibid*

⁴⁶ State of Global Islamic Economy Report. (2019). State of Global Islamic Economy Report 2019/20. New York: Thomson Reuters.

⁴⁷ Faried, A.I. (2019). "Implementasi Model Pengembangan Industri Halal Fashion Di Indonesia." *Jepa* 4(2).

between BPJPH and the ministry that administers government affairs in the agricultural sector, for example in terms of determining requirements for animal or poultry slaughterhouses and animal or poultry slaughter units, guidelines for slaughtering animals or poultry and handling animal meat, guidelines for veterinary control certification in food business units, animal origin, and quality assurance system and food safety of agricultural products. Fifth, the form of cooperation between BPJPH and government institutions that carry out government affairs in the field of standardization and accreditation, for example in terms of requirements for inspection, testing, auditors, inspection bodies, and certification bodies in the JPH system in accordance with established standards.

Sixth, the form of cooperation between BPJPH and government institutions that carry out government affairs in the field of cooperatives, micro, small and medium enterprises, for example in terms of preparing micro and small business actors in the dissemination and assistance of product *halal* certification. Seventh, the form of cooperation between BPJPH and government institutions that carry out government affairs in the field of drug and food supervision, for example in terms of supervision of domestic and foreign food, drug and cosmetic products that are registered and certified *halal*. Then further cooperation between BPJPH and LPH is carried out for product inspection and testing. Then the collaboration between BPJPH and MUI is carried out in the form of *halal* auditor certification, determination of product *halalness*, and LPH accreditation.

Continuing from this, business actors who want to apply for *halal* certification must come to BPJPH because BPJPH is the party requested for the *halal* certification application. In addition, BPJPH has established LPH to carry out inspections and testing of product *halalness*. Another function of BPJPH is to determine the form of *Halal* Label that applies nationally. Then the *Halal* Product Assurance Organizing Body supervises JPH. Then BPJPH, ministries, and related institutions that have the authority to supervise JPH can carry out supervision individually or together. Then also BPJPH can give awards to people who participate in the implementation of JPH. BPJPH has now been established with Presidential Regulation Number 83 of 2015 concerning the Organization of the Ministry of Religion and this is in accordance with Article 65 of Law of the Republic of Indonesia Number 33 of 2014 concerning Guaranteed *Halal* Products which states that BPJPH is formed no later than 3 years from Law of the Republic of Indonesia Number 33 of 2014 concerning *Halal* Product Guarantee is enacted. From this description, it can be concluded that BPJPH in implementing *halal* certification must cooperate well with MUI and LPH. BPJPH in implementing *halal* product guarantees needs to synergize its authority with the duties, functions, and authorities of relevant ministries and institutions. Synergy of duties, functions, and authorities of BPJPH with relevant ministries and institutions starting from before the certification process to supervising the guarantee of *halal* products.⁴⁸

CONCLUSION

Indonesia has tremendous potential to develop the *halal* industry. These potentials include the abundant muslim population which is projected to reach 256 million people by 2050, the growth of various sectors of the *halal* industry, especially the *halal* food production sector and *thoyib* and finance, the recognition of Indonesia's achievements in the eyes of the world, Indonesia's geographical condition and its demographic bonus, technological developments, as well as the ratification of the Law of *Halal* Product Guarantee Number 33 of 2014. This

⁴⁸Susilowati Suparto, Djanurdi, Deviana Yuanitasari, dan Agus Suwandono, "Harmonisasi dan Sinkronisasi Pengaturan Kelembagaan Sertifikasi Halal Terkait Perlindungan Konsumen Muslim Indonesia", on *Mimbar Hukum*, Volume 28, Number 3, October 2016 (427-438), p. 437 accessed at 4th September 2019, at 07.40 WIB. <https://media.neliti.com/media/publications/114843-ID-harmonisasi-dan-sinkronisasi-pengaturan.pdf>

potential can encourage economic growth through increasing the value of exports and foreign exchange reserves.

In order to develop *halal*, *thoyib*, and hygienic food production during the Covid-19 period as a supporting pillar of national food security, all parties must play their own role. This can be a profitable sector because the Covid-19 pandemic has actually increased consumer awareness of *halal* products, ranging from food and beverages, traveling, to cosmetics. This condition occurs because consumers are starting to become aware of product hygiene due to Covid-19.

All parties must strive for the success of developing *halal* products. Because of everything the author has described above, we need support from all parties to develop the *halal* industry. Both government and society. Support from the government can be in the form of regulations regarding *halal* products and industries as well as *halal* certification. *Halal* regulations and certifications help business actors, especially MSMEs, so that these products penetrate the export market. Meanwhile, support from the community is in the form of efforts to increase *halal* awareness and buy *halal* products from domestic industries. With the synergy and cooperation from all parties, the development of *halal* food production as a supporter of national food security is not impossible to achieve and *halal* food/quality food is an important sector to be maximized.

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