

Study of the Halal Product Assurance Law (JPH): A Juridical and Social Review

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ABSTRACT

Keywords:

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The Halal Product Assurance Law (JPH) was established as a legal instrument to provide protection, certainty, and comfort for consumers in using halal products in Indonesia. This study aims to analyze the juridical and social aspects of the implementation of the Halal Product Assurance Law within society. The method used in this research is a normative juridical approach supported by social analysis through literature studies, legal regulations, journals, and related scientific sources. The results of the study indicate that the implementation of the Halal Product Assurance Law has provided legal certainty regarding halal-certified products, but several challenges remain, including limited public awareness, the readiness of business actors, and obstacles in the certification process. Socially, the law also influences consumer behavior and increases public awareness of the importance of halal products in daily life. Therefore, synergy between the government, business actors, and society is necessary to optimize the implementation of halal product assurance in Indonesia.

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INTRODUCTION

Indonesia is the country with the largest Muslim population in the world, making the availability and assurance of halal products an important national concern. The demand for halal-certified products has increased significantly, not only as a religious obligation but also as part of consumer protection, product quality assurance, and public trust. In response to this issue, the Indonesian government enacted Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law), which serves as the primary legal framework regulating halal certification for products circulating within Indonesia. The enactment of this law reflects the government's commitment to protecting Muslim consumers and strengthening the national halal industry (Harahap dan Alkausar Saragih, 2023).

The implementation of the JPH Law involves several institutions, including the Halal Product Assurance Organizing Agency (BPJPH) (Faika & Ilyas, 2021), the Indonesian Ulema Council (MUI), and Halal Inspection Agencies (LPH). Through these institutions, halal certification has become a mandatory legal requirement for business actors whose products are distributed in the Indonesian market. From a juridical perspective, the JPH Law provides legal certainty regarding halal products and establishes administrative as well as criminal sanctions for violations. This demonstrates that halal assurance is not merely a religious matter but also part of the national legal system that carries binding legal consequences.

However, despite the existence of legal regulations, the implementation of the JPH Law still faces various social challenges. Many Micro, Small, and Medium Enterprises (MSMEs) have limited understanding regarding halal certification procedures and requirements. Financial limitations, lack of access to information, and assumptions that the certification process is complicated often hinder business actors from obtaining halal certificates (Harahap, 2020). In addition, public awareness regarding the importance of halal-certified products remains relatively low in certain sectors of society. These conditions indicate that the effectiveness of halal regulations is strongly influenced by social readiness and legal awareness among both producers and consumers.

Several previous studies have discussed halal certification from legal, economic, and consumer protection perspectives. Nevertheless, studies that comprehensively combine juridical and social perspectives in analyzing the implementation of the JPH Law are still limited. Most studies tend to focus only on regulatory aspects or economic impacts without examining the interaction between legal implementation and social realities in society. This gap demonstrates the importance of conducting a more comprehensive study to evaluate how legal regulations concerning halal assurance are implemented within social practices and public behavior (Aliyudin et al., 2022).

The urgency of this research lies in the increasing importance of halal assurance in Indonesia's social and economic development. The effectiveness of halal regulations not only affects consumer protection but also influences the competitiveness of local products in national and global markets. Therefore, understanding the juridical and social dimensions of the JPH Law is essential to support better policy implementation and improve public participation in halal certification practices (Bima Geofani & Roza Rakhmatullah, 2024).

This study aims to analyze the implementation of the Halal Product Assurance Law from juridical and social perspectives, identify the challenges faced in its implementation, and examine its contribution to consumer protection and legal certainty for halal products in Indonesia.

LITERATURE REVIEW

2.1. Theory of Legal Protection

Legal protection is an important element in ensuring justice, order, and legal certainty within society. According to legal protection theory, the law functions to protect the rights and interests of individuals from actions that may cause harm. In the context of consumer protection, legal protection aims to guarantee that consumers obtain safety, comfort, and certainty regarding the products they consume. The existence of regulations concerning halal product assurance reflects the state's responsibility in protecting Muslim consumers in Indonesia (Menteri Hukum dan Hak Asasi Manusia, 2014).

In relation to halal product assurance, Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law) serves as a legal instrument that guarantees consumers' rights to obtain halal products. The law establishes obligations for business actors to ensure the halal status of products distributed in the market. Through this regulation, legal protection is not only preventive but also repressive through the imposition of administrative and criminal sanctions for violations of halal certification obligations.

Furthermore, legal protection in halal certification contributes to increasing consumer confidence and improving the competitiveness of domestic products. Therefore, the implementation of the JPH Law demonstrates the integration of religious values and national legal systems in protecting public interests.

2.2. Theory of Legal Awareness

Legal awareness refers to the level of understanding and obedience of society toward applicable legal regulations. Legal awareness influences the effectiveness of law implementation because regulations cannot function properly without public compliance and participation. In the implementation of halal certification, legal awareness is reflected in the willingness of business actors to register halal certification and consumers' awareness in selecting halal-certified products (Maulana, 2024).

The implementation of the JPH Law still encounters challenges related to public legal awareness. Many Micro, Small, and Medium Enterprises (MSMEs) have limited knowledge regarding halal certification procedures, benefits, and legal obligations. In addition, some business actors perceive halal certification as complicated and financially burdensome. These conditions indicate that legal awareness remains an important factor influencing the success of halal product assurance implementation.

From the consumer perspective, awareness regarding halal-certified products also varies across different social groups. Some consumers actively consider halal labels before purchasing products, while others still pay limited attention to halal certification status. Therefore, educational efforts and legal socialization are necessary to improve public understanding regarding the importance of halal assurance.

2.3. Concept of Halal Product Assurance

Halal Product Assurance refers to legal certainty regarding the halal status of products proven through halal certification processes. The concept of halal in Islam includes products that are permissible according to Islamic law, both in terms of materials, processing, storage, packaging, and distribution. Therefore, halal assurance is not limited to religious values but also involves product quality, hygiene, and consumer safety.

The implementation of halal product assurance in Indonesia is regulated under Law Number 33 of 2014 concerning Halal Product Assurance. The law established the Halal Product Assurance Organizing Agency (BPJPH) (Lef, 1968). as the institution responsible for organizing halal certification in Indonesia. In determining halal status, BPJPH cooperates with the Indonesian Ulema Council (MUI) and Halal Inspection Agencies (LPH) (President of The Republic of Indonesia, 2021).

The halal certification system aims to provide legal certainty and protection for consumers while encouraging business actors to improve product standards. In addition, halal certification also supports the development of the halal industry and increases the competitiveness of Indonesian products in global markets.

METHODOLOGY

This study uses a qualitative research design with normative juridical and socio-juridical approaches. The normative juridical approach is applied to analyze Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law), while the socio-juridical approach is used to examine the social conditions and public awareness regarding halal certification implementation in Indonesia.

The research uses secondary data obtained through library research, including laws, scientific journals, books, official government publications, and previous studies related to halal product assurance. Data collection was conducted through documentation study by reviewing and analyzing relevant legal and academic sources.

The data were analyzed using descriptive qualitative analysis to identify juridical regulations, social challenges, and the effectiveness of halal product assurance implementation in Indonesian society.

RESULT AND DISCUSSION

4.1. Legal Foundation and Social Challenges in the Implementation of the Halal Product Assurance Law

The implementation of Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law) represents the Indonesian government's effort to provide legal certainty and protection for Muslim consumers regarding halal products. The JPH system guarantees that products circulating in Indonesia have undergone examination and certification processes in accordance with Islamic principles. The law covers not only food and beverages, but also cosmetics, medicines, chemical products, biological products, and other consumer goods related to halal standards. This regulation reflects the state's responsibility in ensuring the constitutional rights of Muslim citizens to practice their religion through the consumption of halal products.

From a juridical perspective, the JPH Law has established a comprehensive legal framework regulating halal certification procedures, institutional authority, and sanctions for violations. The implementation of halal certification is carried out through the Halal Product Assurance Organizing Agency (BPJPH) under the Ministry of Religious Affairs, in collaboration with the Indonesian Ulema Council (MUI) and Halal Inspection Agencies (LPH). BPJPH functions as the main institution responsible for registration, supervision, and issuance of halal certificates, while MUI determines the halal status of products through religious fatwas. In addition, Government Regulation Number 39 of 2021 and Minister of Religious Affairs Regulation Number 20 of 2021 further strengthen the technical implementation of halal certification in Indonesia (PerMenHub, 2011).

The findings of this study indicate that the existence of the JPH Law has contributed positively to strengthening consumer protection and increasing public awareness regarding halal-certified products. Halal certification is no longer viewed solely as a religious obligation, but also as a symbol of product quality, safety, and cleanliness. This condition supports the growth of the halal industry in Indonesia and improves the competitiveness of domestic products in national and international markets.

However, despite the strong legal foundation, the implementation of the JPH Law still encounters various social challenges. One of the major obstacles is the limited understanding of Micro, Small, and Medium Enterprises (MSMEs) regarding halal certification procedures and requirements. Many business actors perceive certification as a complicated and costly administrative burden. Although the government has introduced free halal certification programs for MSMEs, access to these programs remains uneven, particularly in rural and remote areas (Saiful Asmi Hasibuan, 2022).

Another challenge lies in the limited number of Halal Inspection Agencies (LPH) and certified halal auditors, which causes delays in the certification process. The concentration of halal institutions in major cities also creates unequal access for business actors in eastern and rural regions of Indonesia. In addition, digital-based halal registration systems are still difficult to access for some small business owners who have limited technological knowledge and infrastructure (Al Mubarak et al., 2023).

From the consumer perspective, awareness regarding halal-certified products also varies among different social groups. Some consumers actively prioritize halal labels when purchasing products, while others pay more attention to price, taste, or brand popularity. This indicates that legal implementation alone is insufficient without continuous public education and socialization regarding the importance of halal assurance.

The study also finds that collaboration among institutions plays an essential role in supporting the effectiveness of halal product assurance implementation. Cooperation between BPJPH, MUI, LPH, ministries, educational institutions, Islamic organizations, and business sectors contributes significantly to strengthening the national halal ecosystem. International cooperation with foreign halal certification bodies also enhances the global competitiveness of Indonesian halal products (Rusydiana et al., 2023).

4.2. The Role of the state and Community Needs in the Implementation of the Halal Product Assurance Law

The implementation of Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law) reflects the state's responsibility in protecting Muslim consumers and ensuring the fulfillment of constitutional rights related to religious practices. In Indonesia, halal certification is not only a religious matter but also a legal and social necessity that guarantees consumer protection, legal certainty, and public trust in products circulating within society. The establishment of the Halal Product Assurance Organizing Agency (BPJPH) demonstrates the government's commitment to regulating, supervising, and facilitating halal certification processes nationally (Amita Fayzia Handayani & Ninuk Wijiningsih, 2023).

The findings of this study indicate that the state plays an important role as regulator, facilitator, and supervisor in the halal ecosystem. Through regulations such as Government Regulation Number 39 of 2021 and several technical policies, the government seeks to create standardized halal certification procedures that can protect consumers while supporting business actors. In addition, programs such as free halal certification for Micro, Small, and Medium Enterprises (MSMEs) show efforts to increase accessibility and inclusiveness in halal certification services (Gunawan et al., 2021).

However, despite the strong legal framework, there remains a gap between state responsibility and community needs. Many MSMEs still experience difficulties in understanding certification procedures, accessing digital halal systems, and fulfilling administrative requirements. Limited halal auditors, uneven distribution of Halal Inspection Agencies (LPH), and inadequate socialization programs also affect the effectiveness of halal certification implementation, especially in rural and remote areas (Yunus, 2021).

From the social perspective, Muslim consumers increasingly demand products that are halal, safe, and transparent. Halal labels are viewed not only as symbols of religious compliance but also as indicators of product quality and accountability. This growing public awareness encourages business actors to improve

production standards and strengthens the development of Indonesia's halal industry. At the same time, community participation through Islamic organizations, educational institutions, and local communities contributes significantly to expanding halal literacy and public education (Kadek Dyah Pramitha Widyarani et al., 2022).

The study also finds that collaboration between government institutions, religious organizations, universities, and business sectors is essential in strengthening the halal assurance system. Cooperation among BPJPH, MUI, LPH, ministries, and community organizations supports broader public outreach and improves the credibility of halal certification. International cooperation with foreign halal institutions also enhances Indonesia's competitiveness in the global halal market (Fitriana, 2014).

Nevertheless, several social challenges remain significant, including limited halal literacy, unequal access to certification services, and low public understanding regarding official halal certification procedures. Some business actors still perceive halal certification as an administrative burden rather than a legal obligation and business opportunity. Therefore, continuous education, institutional coordination, and inclusive policy implementation are necessary to bridge the gap between legal responsibility and public expectations.

Overall, the implementation of the JPH Law demonstrates that halal certification is not merely a legal instrument but also a social mechanism that supports consumer protection, religious rights, and economic development. The effectiveness of the halal assurance system depends on the synergy between state responsibility, institutional readiness, and active public participation (Sayekti, 2014).

4.3. The Urgency of Halal Certification in Legal Certainty and Social Demands

The findings of this study show that halal certification has become an urgent necessity within legal, social, and economic contexts in Indonesia. The enactment of the JPH Law establishes halal certification as a mandatory legal obligation for products distributed in Indonesia. This regulation provides legal certainty for consumers and strengthens state responsibility in guaranteeing the rights of Muslim communities to consume halal products in accordance with Islamic principles (Fitriana, 2014).

From the juridical perspective, halal certification functions as a form of legal protection for consumers. The JPH Law regulates obligations for business actors, halal supervision mechanisms, and sanctions for violations related to halal products. These provisions reinforce the position of halal certification as part of the national legal system and consumer protection framework. The implementation of halal certification also reflects constitutional protection under Article 29 paragraph (2) of the 1945 Constitution, which guarantees religious freedom for all citizens (Menteri Hukum dan Hak Asasi Manusia, 2014).

From the social perspective, public awareness regarding halal products continues to increase significantly. Muslim consumers are becoming more selective and critical in choosing products, especially food, beverages, cosmetics, and pharmaceutical products. Halal labels are increasingly associated with product quality, hygiene, safety, and transparency. Social movements promoting halal lifestyles and the rapid spread of information through digital media have strengthened public demand for halal-certified products.

The study further reveals that halal certification contributes positively to business competitiveness and the growth of the halal industry. Products with halal certification tend to gain greater consumer trust and have stronger opportunities to compete in domestic and international markets. Halal certification also supports MSMEs by increasing product credibility and expanding market access. Government programs such as SEHATI and digital halal services through SIHALAL provide important support for improving halal certification accessibility among small business actors (Faika & Ilyas, 2021).

However, the implementation of halal certification still faces several social and technical challenges. Limited public understanding, unequal digital access, high perceived certification costs, and insufficient educational programs remain major obstacles. In addition, some business actors continue to view halal certification as a bureaucratic burden rather than a strategic investment for business sustainability and consumer trust (Rusydiana et al., 2023).

The findings also indicate that halal certification has become a new social norm within Indonesian Muslim society. Products without halal certification may experience declining public trust, while certified products are perceived as more reliable and accountable. Consequently, halal certification now functions not only as a religious requirement but also as a social and economic standard within modern consumer culture (Aliyudin et al., 2022).

Overall, the urgency of halal certification lies in its ability to provide legal certainty, strengthen consumer protection, support economic development, and respond to the increasing social demands of Muslim society. Therefore, stronger collaboration among government institutions, educational sectors, religious organizations, and business actors is necessary to improve halal literacy, expand certification access, and strengthen the implementation of the halal assurance system in Indonesia (Faika & Ilyas, 2021).

CONCLUSION

Law Number 33 of 2014 concerning Halal Product Assurance represents the state's responsibility in guaranteeing Muslim consumers' rights to obtain halal and safe products. Through the establishment of institutions such as BPJPH, LPH, and MUI, the government has created a structured halal certification system supported by strong legal foundations. Nevertheless, the implementation of the Halal Product Assurance Law still faces several social challenges, including limited access to certification services, administrative obstacles, uneven socialization, and certification costs that are still considered burdensome for many Micro, Small, and Medium Enterprises (MSMEs).

The urgency of halal certification extends beyond religious obligations and also relates to legal certainty, consumer protection, and national economic development. Halal certification has become an important instrument in strengthening public trust, improving product quality, and increasing the competitiveness of Indonesian halal products within global markets. At the same time, the growing awareness of Muslim consumers regarding halal products reflects the increasing social demand for transparency, accountability, and product safety.

This study also finds that the successful implementation of the JPH Law requires strong collaboration among government institutions, religious organizations, educational institutions, business actors, and society. Public responses toward halal certification demonstrate varying levels of understanding and awareness, indicating that halal literacy and public education remain important challenges. Therefore, improving socialization programs, expanding certification accessibility, strengthening institutional coordination, and increasing community participation are necessary to optimize the implementation of halal product assurance in Indonesia. Overall, the Halal Product Assurance Law not only functions as a legal framework for consumer protection but also serves as a strategic instrument for strengthening the halal industry, supporting social welfare, and integrating Islamic values within the national legal and economic system.

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