

**REGULATION AND IMPLEMENTATION OF HALAL
CERTIFICATION
IN INDONESIAN FASHION PRODUCTS
(An Analytical Study of Law No. 33 of 2014 on Halal Product Assurance)**

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Abstract

The halal industry is a growing sector globally, but the implementation of halal certification for fashion products lags behind other products. This study focuses on formulating halal certification for fashion in Indonesia, analyzing obstacles and solutions, and reformulating halal criteria to ensure future compliance with Islamic law. The research, which is normative-empirical, uses legislative, analytical, and case study approaches. Findings indicate that the mandatory halal certification in Indonesia, introduced by Law No. 33 of 2014, is being implemented gradually, with food and beverage products by October 18, 2024, and fashion products by October 18, 2026, as per Government Regulation No. 39 of 2021. The certification authority has shifted from LPPOM MUI to the Ministry of Religious Affairs via BPJPH, which certified over 3 million products by 2023. However, the implementation for fashion products is minimal, mainly covering woven fabrics with animal-derived materials as a critical point. Future halal fashion certification can be enhanced by adding criteria to meet Islamic law requirements. Reformulation of the certification can be achieved by amending PP No. 39 of 2021 or issuing a BPJPH decision on halal indicators for fashion. Challenges include the halal supply chain, lack of globally recognized certification, absence of international halal criteria for fashion, and technological advances causing material distortions. Solutions involve a traceability system to maintain supply chain integrity and global cooperation.

I. Introduction

Indonesia has become the largest market and consumer base for the global halal economy. In 2017, the global halal economic market was valued at approximately USD 2.1 trillion, with Indonesia ranking first as the largest consumer of halal products, accounting for around 10%. Indonesia is a prime target for the halal industry, including food, cosmetics, and tourism markets. Countries such as Japan, Australia, Thailand, New Zealand, China, Korea, Singapore, and many European nations are eager to capture the Muslim tourism market, which is estimated to reach USD 320 billion by 2024.

A significant achievement can be seen in the development of Islamic finance in Indonesia, marked by the growth of Sharia-based financial industries and the proliferation of Sharia financial institutions. This should be accompanied by the enhancement of Sharia industries such as halal food, halal fashion, halal travel, halal cosmetics and pharmaceuticals, halal media and recreation, and Islamic finance. As Adiwarman Karim has stated, boosting the market share of Sharia banking requires creating a stable and sustainable Sharia economic and financial ecosystem. One approach is to tap into markets beyond finance, such as the halal lifestyle sector. According to him, "We have been too focused on the Sharia financial sector. It is now realized that it is not enough to focus solely on finance; we also need to strengthen those who require financing (the halal industry) so that the halal lifestyle can be developed."¹

Di negara-negara Asia Industri halal sudah berkembang lebih pesat dibandingkan Indonesia. Like Thailand, which has established itself as a country with a halal kitchen despite having only 5% of its population being Muslim. Australia has been producing and exporting halal beef. In the fashion category, South Korea is renowned for its beauty industry, which dominates the global halal cosmetics market. Not to be left behind, the People's Republic of China also dominates the global halal textile industry. The global Muslim population reached 1.5 billion in 2010 and continues to grow each year.²

In Indonesia, the potential for the halal industry, especially in fashion, is significant. Considering that the majority of the Indonesian population is Muslim, having clarity on the halal status of items used daily is essential. This is the expectation with the implementation of Law No. 33 of 2014 concerning Halal Product Assurance.

According to the Global Economic Indicator's release on the top 15 countries in the halal industry, Indonesia ranks fourth overall. However, in the category of Halal Fashion, Indonesia ranks eighth, lagging behind China and Singapore, which occupy the third and fourth positions, respectively. This is despite the fact that the Muslim population in Indonesia, which requires halal fashion, is much larger compared to China and Singapore.

Given Indonesia's large Muslim population, this reality does not align with the country's potential. Fashion in Indonesia (regardless of whether it is halal or not) continues to develop, as evidenced by the positive growth trend in domestic fashion exports, which increased by 10.48 percent from USD 11.28 billion in 2016 to USD 16.24 billion by the end of 2020. Additionally, during January-June 2021, fashion export transactions reached USD 7.9 billion, equivalent to IDR 102.7 trillion (exchange rate IDR 13,000). The main export

¹ Annisa Ilmi Faried, *Jurnal Kajian Ekonomi dan Kebijakan Publik*, Vol. 4 No. 2 Juli 2019

⁵ *Ibid*

destinations for Indonesian fashion products include the United States, Switzerland, Japan, Singapore, and Germany.

This significant development indicates that the halal fashion industry is also experiencing growth. However, as of now, the indicators for the halal fashion industry do not have a defined framework. Therefore, there is a need for regulations or indicators to ensure that the halal fashion industry remains on its halal path. Specific indicators for the halal fashion industry have not yet been regulated in the legislation.

The urgency of halal certification for fashion products is also mandated by Islamic law. The principles of Islamic law concerning fashion or dress code are clear and must be adhered to by Muslims, as stated in the Qur'an. (QS. Al-A'raf / 7: 26:



لَا تِبَاهُ نَوْرَكَذِي مِهْلَمِل

The meaning is: "O children of Adam, We have bestowed upon you clothing to conceal your private parts and as adornment. But the clothing of righteousness—that is best. That is from the signs of Allah, so that they may remember."". (QS. Al-A'raf / 7: 26)

Ibn Kathir explains that in Surah Al-A'raf, verse 26, Allah SWT mentions the blessings He has bestowed upon His servants, including providing them with clothing and adornment. The clothing is to cover their private parts, while the adornment enhances their outward appearance.³

Fashion rules and guidelines for clothing are explicitly mentioned in the sacred texts and cannot be separated from Sharia law. Almost all of the Sharia regulations based on sacred texts encompass a legal identity mission, aiming to form a cohesive legal framework with a strong identity. The concept of fashion in Islam holds significant value in shaping the legal ethics of dressing, not merely in covering the body but in embedding profound philosophical values within the fashion concept. Fashion has become an identity for Muslims worldwide, often unconsciously serving as a bargaining position for the Muslim community. Many directives in the sacred texts to Muslims can be interpreted as identity politics in law, aiming to emphasize a distinct Muslim identity while also promoting moral benefits.

The command for women to cover their aurat (modesty) is one of many identity affirmations found in the sacred texts. Islam, as a global teaching, does not overlook the local identities of various groups within the Muslim community. Nonetheless, Islam strives to build a unique identity for Muslims, akin to a brand with strong emotional ties, influencing public opinion and encouraging societal influence towards it.⁴

Clothing, hijabs, and even branded t-shirts have become an integral part of lifestyle politics, identity politics, ideological battles, and spaces of resistance. Islamic streetwear, which promotes themes of enthusiasm and love for Islam, originated when Melih Kesmen created a t-shirt with the slogan 'I LOVE MY PROPHET' in response to the Danish cartoons

³ Ibnu Katsir, *Tafsir Ibnu Katsir*, Jilid 7 (Beirut: Muassat al-Risalah, t.th), h. 83

⁴ Muhammad Habibi, *Otoritarisme Hukum Islam Kritik atas Hierarki Teks Al-Kutub As-Sittah* (Cet. I; Yogyakarta: LkiS, 2014), h. 228-230

that insulted the Prophet Muhammad (PBUH).⁵ These t-shirts are growing rapidly and are worn by the Muslim community/Muslim women aged 17-35 years, including wearing the hijab for women, which is also becoming more widespread in Europe.⁶ In line with that, world sports brand Nike launched sportswear for female athletes who wear the hijab in the spring of 2018.⁷ In response to strong global criticism of FIFA's stance which prohibits clothing regulations that cover the head, show religious or political identity on the playing field, or endanger oneself or opposing players. The defeat of an Iranian female footballer who was disqualified for the 2012 London Olympics because she refused to remove her hijab as a condition of the competition is an example of FIFA's policy which is considered discriminatory and has received criticism from world-class human rights institutions.⁸ Previously, Asmahan Mansour (11 years old) was prohibited by referees from playing in a children's tournament in Quebec, Canada, in 2007 as a result of this regulation.⁹

Further developments, not only sportswear for Muslim athletes, now, the trend of clothing with wide designs and covering almost all parts of the body except the face and palms is also increasingly widespread in Indonesia. In fact, the halal lifestyle trend is growing rapidly. Moreover, the world's Muslim population currently numbers 1.6 billion people spread across various countries. Of this number, 56 countries with a majority Muslim population and Indonesia, one of these countries, has the world's largest Muslim/Muslim woman population which has the potential for the growth and development of Muslim/Muslim woman identities.¹⁰

Examining the Islamic conception of the private parts, we found a number of Sharia texts that emphasize and order humanity, especially Muslims, to cover the private parts. Among these verses are in Q.S. An-Nur (24) verse 31. This verse very firmly prohibits showing your private parts to people who do not have the right to see them. The verse above uses the word *فتنيز* which the Indonesian translation means jewelry. According to Ibnu Faris, the roots of the words *za*, *ya* and *nun* contain the meaning of everything that is beautiful and considered beautiful to look at.¹¹ Based on this meaning, what is meant by *فتنيز* in this case when it is related to women is something that is beautiful to the eye. Meanwhile, in human nature, men always have attraction and find certain parts of women beautiful.

Thus, any part of a woman's body that contains attractiveness other than those excluded by the hadith is categorized as not to be shown to other people, except for the group of people permitted in the verse above.

Logically, if showing sensitive parts to other people is prohibited, then it is of course

⁵ Yulianti Muthmainnah, *Kapitalisasi Politik Identitas dalam Produk Halal; Industri Fashion dan Kosmetika*, Jurnal Palastren: Jurnal Studi gender, Volume 14, Issu 1 tahun 2021. H. 3

⁶ *Ibid.*,

⁷ *Ibid.*,

⁸ Putri, Aditya Widya. Hijab Nike, Sebuah Pengakuan untuk Atlet Muslimah, [13 Maret 2017], diakses 10 September 2023.

⁹ Tempo, Majalah. 2011. 'Dua Wajah Aturan Syari'ah', [29 Agustus 2011], <https://majalah.tempo.co/read/laporan-utama/137629/dua-wajah-aturan-syariah>, diakses 10 September 2023.

¹⁰ Yulianti Muthmainnah, Palasteren, Jurnal Studi Gender vol 1, no 14 tahun 2021, Diakses pada 13 Agustus 2023

¹¹ Abu Husain Ahmad ibn Faris bin Zakariya al-Razi, Mu'jam Maqayis al-Lughah, Jilid I (Cet. I; Beirut: Dar al-Kutub al-Ilmiyah, 1999), h. 541

the same law to open them and be seen and demonstrated in front of the general public. This is where the urgency of halal certification for fashion products lies. Fashion that has been certified halal will fulfill the demands of Islamic law and can keep Muslims away from things that are prohibited by religion.

The above is a glimpse of the importance of clothing that has the function of covering the body, maintaining personal health and then becoming a lifestyle that functions to provide identity to the wearer. Various kinds of fashion have become a commodity and business area for economic development, which must be accompanied by rules for using good and halal raw materials in each manufacturing process as well as the fashion of the clothing itself.

Halal certification of fashion products has actually become a concern of the Indonesian Government, in the provisions of Law No. 33 of 2014 it is expressly stated that products that must be certified halal are goods and/or services related to food, drinks, medicines, cosmetics, chemical products, biological products, genetically engineered products, as well as consumer goods that are worn, used or exploited by the public.¹²

In its development, the provisions that apply in the Halal Product Guarantee Law No. 33 of 2014 still seem to be very general in nature and still tend to apply to food, drink and medicine products, whereas even though fashion products have received attention, up to now implementation is still ongoing. very limited.

Based on the results of previous research that the author has conducted, fashion products that have halal certification are fashion products in the form of ihram cloth from PT. Ikattek Citra Persada. In fact, there are many fashion products circulating and used by Muslim communities in Indonesia, both domestic and foreign products, most of which are used by Muslim communities in Indonesia.

Halal certification for fashion products in Indonesia is very lagging behind when compared to halal certification of fashion products in other countries, such as Malaysia for example, if you want to buy shoes then in shoe shops in Malaysia there are halal shoes available on display in the stalls marked with the words "Shous Halal" which does not use unclean animal skins such as pig skin and ani.

Halal certification for fashion products in Indonesia is still very lagging behind halal product certification for food, beverage, medicine and cosmetic products. Based on data obtained from the official BPJP Republic of Indonesia website, the total achievement of halal certified products until July 2023 has reached 2,115,936.¹³ consisting of food products, drinks, cosmetics and medicines.

Based on the description above, it is known that the provisions of Law No. 33 of 2014 concerning halal product guarantees have been implemented properly in food, beverage, medicine and cosmetic products, while for fashion products they have not been implemented and to date the government has not published halal criteria. and technical guidelines for halal certification for fashion products. Thus, there is a legal vacuum regarding the criteria for halal certification of fashion products.

For this reason, conducting a study on halal certification for fashion products is important considering that on October 17 2024, all products must be certified halal while

¹²Ketentuan Pasal 1 Undang-undang No. 33 Tahun 2014 tentang Jaminan Produk Halal.

¹³<https://www.kemenag-bpjp.com/hikmah/khazanah/d-6847039/kepala-bpjp-juli-2023-produk-bersertifikasi-halal-capai-angka-2-jutaan>. Diakses 14 September 2023.

currently there are no technical guidelines for halal certification for fashion products.

The study of halal certification criteria for fashion products is not only carried out on the halal certification aspect of fashion products which is related to clothing materials such as threads, dyes and chemicals that make up clothing materials but extends to aspects of the model, thickness of the material so that it is not see-through, and the size of a product. fashion products. So that fashion products that have been certified halal will not show their private parts because of their model and thickness and will not also show their body shape because of the tightness of the clothes. So a fashion product that has been certified halal must comply with sharia values, not only in the aspect of sacred and halal clothing materials, but in the model and size it must also be able to cover the private parts and cover the shape of the body.

2. Research Method

The approaches used in this research are the statutory approach, analytical approach and case approach. This research is based on library research so that the type of data that will be studied is secondary data, but this does not rule out the possibility of conducting field research by examining primary data. In this research, the type of secondary data that researchers use consists of Law No. 33 of 2014 concerning halal product guarantees which is a primary legal source, in the research there is also data sourced from interviews with related parties such as the BPJPH Task Force, Halal Product Registration Companion (PPPH), LPOM MUI members and fashion producers as secondary materials.

Data collection techniques for secondary data in this research were carried out using documentation studies.¹⁴ Meanwhile, the research tool used in this research is literature study or document study of library materials. Data searches were carried out by searching for legal materials, either by library searches or through internet searches. The data collection technique for primary data in this research is by interviews while the tool is a question guide.¹⁵ The interview model carried out was free-guided. The interviewer is free to ask anything, but also remembers what data must be collected using a tool in the form of a list of questions. The function of the questionnaire is to avoid missing important points of research data and to make recording faster. Then the data obtained in this research was analyzed qualitatively, namely by collecting data, qualifying it and then connecting theories related to the problem and drawing conclusions to determine the results.

3. Results and Discussion

Implementation of Halal Certification for Fashion Products.

1. Halal Supply Chain Performance.

Currently, supply chain management is a hot and interesting topic to discuss and even attracts extraordinary interest from both academics and practitioners. Supply

¹⁴Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Universitas Indonesia (UI-Press), Jakarta, 2007), h. 24

¹⁵*Ibid.*,

chain can be defined as a set of activities. In the supply chain there are several main players in the company who have the same interests, namely:¹⁶ 1) *Supplies*, 2) *Manufactures*, 3) *Distribution*, 4) *Retail Outlet*, 5) *Customers*.

1. *Chain 1: Supplier*

The network starts from here, which is the source that provides the first material, where the new distribution chain will start. This first material can be in the form of raw materials, raw materials, auxiliary materials, merchandise, spare parts and so on.

2. *Chain 1 – 2 – 3: Supplier-Manufactures-Distribution*

Goods that have been produced by manufacturers have started to be distributed to customers. Although there are many ways to distribute goods to customers, the most common is through distributors and this is usually used by most supply chains.

3. *Chain 1 – 2 – 3 – 4: Supplier-Manufactures-Distribution-Retail Outlet*

Wholesalers usually have their own warehouse facilities or can also rent from other parties. This warehouse is used to store goods before being distributed again to retailers. Here there is an opportunity to obtain savings in the form of inventory and warehouse costs by redesigning the delivery pattern of goods both from manufacturing warehouses and to retail stores.

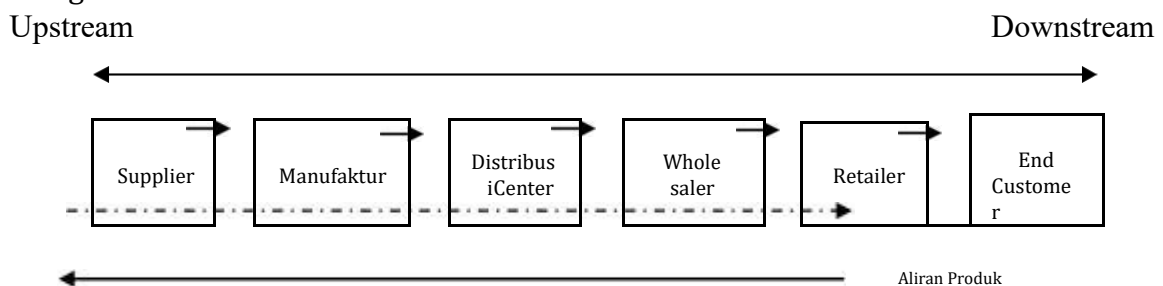
4. *Chain 1 – 2 – 3 – 4 – 5 : Supplier-Manufactures-Distribution-Retail Outlet-Costumer.*

Retailers or retailers offer goods directly to customers or buyers or users of goods directly. Retail outlets include grocery stores, supermarkets, food stalls, etc.¹⁷

There are 3 types of things that must be managed in the supply chain, namely:

1. First, the flow of goods from upstream to downstream, for example raw materials sent from suppliers to factories, after production is complete they are sent to distributors, retailers, then to end users.¹⁸
2. Second, the flow of money and the like which flows from downstream to upstream and,¹⁹
3. Third is the flow of information which can occur from upstream to downstream or vice versa.²⁰

In simple terms, a Supply Chain structure model can be simplified as shown in the figure below:



¹⁶Ibid., 2.

¹⁷Ibid.

¹⁸Ibid.

¹⁹Sariyun Naja Anwar, "Manajemen Rantai Pasokan...", 2.

²⁰Ibid.



Gambar 2.2 Model *Struktur Supply Chain*

Aliran Biaya

Aliran Informasi

In measuring halal supply chain performance, there is breadth and depth of halal logistics. The term breadth includes warehousing, transportation and final operations, while the term depth refers to halal logistics, which includes: provisions, required processes, procedures, cleanliness, packaging and labeling, organization and certification..²¹

2. Sistem Jaminan Produk Halal Fashion

The Halal Product Guarantee System (SJPH) is an integrated system prepared, implemented and maintained to regulate materials, production processes, products, resources and procedures in order to maintain the continuity of PPH. This is stipulated in Article 65 PP 39/2021 concerning the Implementation of Midwives Halal Products. The components of the System, Halal Guarantee are: Halal Policy, Halal Guide, Halal Management Organization, Standard Operating Procedures (SOP), Technical Reference, Administration System, Documentation System, Socialization, Training, Internal and External Communication, Internal Audit, and Corrective Action

To determine critical points in the product certification process, you must refer to existing regulatory requirements. Article 135 PP paragraph (1) No. 39 of 2021 stipulates that products that must be certified halal consist of goods; and/or services. Furthermore, in paragraph (2) letter h, it is explained that the goods as intended in paragraph (1) are useful goods that are used, applied or utilized. Fashion/clothing is an item in the form of clothing that is always worn and used by humans. Thus, based on the provisions of this article, fashion is a product that must be certified.

Furthermore, it is stated in the provisions of article 138 PP no. 39 of 2021, goods used in the form of clothing that must be certified are those that contain animal elements. In the halal certification system, the critical point for a product in the certification process refers to existing regulations and MUI fatwas.

Based on the Joint Decree of the Minister of Health and the Minister of Religion Number: 42/Menkes/SKB/VIII/1985 and Number: 68 of 1985 concerning the Inclusion of Halal Writing on Food Labels, through the Decree of the Minister of Health Number: 82Menkes/SK/I/1996 concerning the Inclusion of the Writing "Halal" When food labels stipulate that food is haram, it can be seen that the critical point for halal fashion certification is based on legislation and the entire series of regulations that accompany it only focuses on animal elements. In other words, if a fabric/textile product is clean from prohibited animal elements, it can obtain halal certification.

Until now, the products used by SJPH, such as clothing/fashion, were still at the fabric level, not yet at the fashion/fashion level. Halal fabric certification is an obligation to implement Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Guarantees. Fabric is a product category that must be certified halal. In the context of used goods, the most critical point is that the material must be sacred. In contrast to halal food, what is of particular concern in halal fabric audits is the purity of the material. So, if it is used during worship, the worship will be valid.

²¹ Marco Tieman dkk, "Principle In Halal Supply Chain Management", *Jurnal of Islamic Marketing*, Vol. 3, No. 3 (June, 2012), 228.

The halal certification system does not only focus on products, but also on the management system. Of the 11 Halal Guarantee System (SJH) criteria, not all are material. Meanwhile, facilities and other criteria are also things that must not be missed to ensure the halalness of the fabric throughout the validity period of the halal certificate.

3. Implementasi Sertifikasi Fashion Halal

In Indonesia, halal certification for fashion products is regulated by the Halal Product Guarantee Organizing Agency (BPJPH) which was formed based on Law Number 33 of 2014 concerning Halal Product Guarantee. BPJPH is tasked with coordinating the implementation of halal certification, including for fashion products, and collaborating with the Halal Inspection Institute (LPH) which has the authority to conduct audits and issue halal certificates. The halal certification process in Indonesia includes audits of raw materials, production processes, and distribution of fashion products to ensure compliance with halal principles. Meanwhile, in Malaysia, halal certification for fashion products is regulated by Jabatan Progress Islam Malaysia (JAKIM) through a process that similar to Indonesia. JAKIM is the body responsible for issuing halal certification and overseeing the certification process. The halal certification process in Malaysia also involves auditing raw materials, production processes and distribution of fashion products to ensure compliance with halal principles. In Singapore, halal certification for fashion products is regulated by the Singapore Islamic Religious Council (MUIS) through the Halal Certification Scheme which is managed by the Halal Food Management Institute (HDC). The halal certification process in Singapore is similar to that in Indonesia and Malaysia, involving audits of raw materials, production processes and distribution of fashion products to ensure compliance with halal principles.

The halal fashion sector is still dominated by countries including the United Arab Emirates, Turkey, Singapore, Malaysia, China, Italy, Morocco and India. In Indonesia, which is predominantly Muslim, fashion is also experiencing developments which can be seen from the export value of domestic fashion products which continues to increase. The countries that are export destinations include Switzerland, Japan, Singapore, Germany and the United States. In this case, Indonesia has a great opportunity to become a halal Muslim fashion producer that can be globally competitive. Indonesia has this opportunity because it was born from the spending potential of Muslims in the world which could reach USD 295 billion, and was also strengthened in the third quarter of 2022 related to the performance of the national textile and textile products (TPT) industry which grew 13.44% (Ministry of Industry of the Republic of Indonesia, 2022).

Of course, in this case, to optimize the potential that Indonesia has, serious efforts are needed by working together to build a halal fashion industry ecosystem so that it can run optimally and according to expectations. The large number of hijabers in Indonesia has indirectly made Indonesia a trendsetter for Muslim fashion in the world and made many people interested in wearing the hijab. Indonesia also has many young designers who are smart and have potential in the fashion sector. So that their various design collections can become world famous or famous in the global market, such as the Ayysee Collection which is involved in or operates in the halal fashion

industry.

The government has declared Indonesia the Mecca of World Muslim Fashion. Now, it is time for fashion products to be included in the five sectors of the Global Halal Industry. As far as the author is concerned, there are several fabrics in Indonesia that have received Halal certification. Here the author explains.

The first quick step was taken by PT MilangKori Persada. The owner of this new Halal Fabric brand has succeeded in obtaining LPPOM MUI Halal Decree No. 00170142790322 in the Used Goods Category for Clothing Products since March 9 2022. Halal Fabrics is the pioneer and driver of halal woven fabrics in Indonesia. With the creation of halal woven fabric in Indonesia, the discourse of Indonesia as a fashion center can be realized. The two billion Muslim population is a market that Indonesia can exploit to make this happen.²²

Menurut Direktur Utama PT MilangKori Persada, Fitiriani Kuroda, untuk To make the development of this Halal certified fabric product a success, PT. MilangKori Persada collaborates with Bemberg yarn company; Asahi Kasei Corp. — is the only factory in the world that produces Cupro yarn or regenerated cellulose fiber derived from "Cotton Linter", which is a short and very soft fiber that sticks to cotton seeds. This effort to certify Halal labeled fabrics is strengthened by the position of the Asahi Kasei Corp. Yarn Factory. because it only has one production line in the city of Nobeoka, so all yarn processing is centralized in just one factory. This makes it easier to track and trace, which is a strict MUI requirement.

The process of making the main raw materials in the form of Warp yarn and Weft yarn for KainHalal products has been guaranteed by the Asahi Kasei Corp. yarn factory. with a certificate declaration that it is free from animal and unclean elements and does not contain elements on the MUI's list of critical ingredients. Meanwhile, in the weaving process into halal cloth, PT. Milangkori Persada was assisted by the IKATSI team (Indonesian Association of Textile Experts) to convince the public that in the process of making yarn into cloth, they do not use materials containing animal elements at all and prepare factory conditions in accordance with the 11 HAS criteria.²³

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Based on the results of the author's search on the official BPJPH website regarding halal fashion certification, it was found that by 2024 in Indonesia there will already be several fabrics that have been certified halal. The new certified fabrics are woven fabrics in the form of shroud woven cloth, sarong woven cloth, gamis magician cloth, hijab woven cloth, mukena woven cloth and ihram cloth.

For more details regarding the following certified fabrics, it is described in the table below:

²²<https://halalmui.org/kini-sudah-ada-kain-tenun-yang-kantongi-sertifikat-halal/>

²³ *Ibid.*,

No	Product name	Businessmen	Halal Certificate Number	Year
1	Shalky Kafan	MILANG KORI PERSADA	ID00210000219250521	2022-03-10
2	(Shalky Sarung	MILANG KORI PERSADA	ID00210000219250521	2022-03-10
3	Shalky Mukena	MILANG KORI PERSADA	ID00210000219250521	2022-03-10
4	Shalky Gamis	MILANG KORI PERSADA	ID00210000219250521	2022-03-10
5	Karawo Hijab & Karawo Mukena	Sumber Usaha Karawo	ID75110000013321020	2020-11-12
6	Mukena Set Warna Off White Gendis	CV. CEKAS MAMAJA	ID00110001345330922	2023-02-08
7	KANAGI IHRAM CLOTH	PT. IKATEKS CITRA PERSADA	ID36110007965370623	2023-09-06

Sumber: situs resmi BPJPH

Construction of Halal Indicators in the development of the Halal Fashion Industry

1. Halal Indicator Construction

Islam itself has laid down the correct way of dressing with its basic principle, namely covering the private parts. Covering the private parts has a very clear purpose, namely apart from carrying out Allah's commands, it is also to maintain one's honor and purity, as a sign of recognition of Muslims and believers, and to protect the eyes from seeing anything that is haram to look at. And the best clothes are clothes of piety. Therefore, from this verse it can be understood that clothing is a covering for parts of the body that are considered bad when seen, and as decoration that adds to the beauty of the wearer, so that in its development clothing initially only functioned as a cover for the body, protecting oneself from the weather, sun, wind and others. With this need, we can understand that the clothes worn are also simple in accordance with their function. But humans as creatures of Allah subhanahu wata'ala who are given reason, logic and aesthetics continue to innovate clothing so that in its development clothing is no longer just a wrap for the body, but also fashion or a lifestyle.

Clothing also reflects the personality of the wearer. By dressing, people cover their private parts, parts of the male and female body that cannot be seen by anyone except their mahram. The limit of men's genitalia is between the navel and knees, while for women it is all parts of the body except the face and palms, as in the hadith of the Prophet as narrated by Abu Daud:

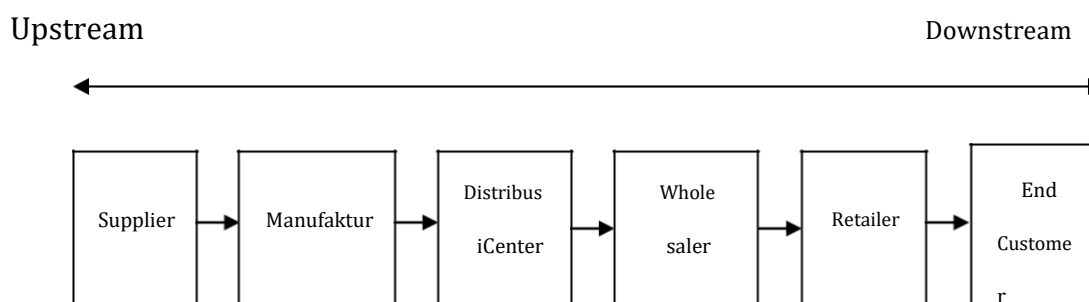
Meaning: Rasulullah sallallahu 'alaihi wasallam has said: O Asma', indeed a woman, when she has reached puberty (having menstruation), is not worthy of her body being

visible except this and this (pointing to her face and palms) (HR. Abu Daud)²⁴

The rules of fashion or clothing are contained in the text which cannot be separated from the rules of the Shari'a. Almost all of the Shari'a built in the text contain a legal political mission of Identity so that it leads to a goal of forming an integrated legal building, also having a strong identity, the concept of fashion has high value in forming legal ethics in dressing, not just using and covering body parts but Islam has instilled very high philosophical values reflected in the concept of fashion. In fact, fashion has become an identity for every Muslim in the world without realizing it, it has become a bargaining position for Muslims. Many of the text's commands to Muslims can be interpreted as legal identity politics, because apart from being morally beneficial, they also want to emphasize a firm identity as a Muslim.

Because the results produced in an industry will be consumed by humans. The existence of the halal fashion industry will also have an impact on religious broadcasts. From the results of research conducted on several sources, researchers found that supply chain management in every industry has been a term for a long time, because supply chain management is a common thing found in Industry is a collection of activities in the supply chain from upstream which is marked by the selection of raw materials, to downstream which is marked by product distribution to the end customer.

There are several chains in supply chain management, namely:



In the halal industry, the most important thing is to ensure that the process starting from suppliers, manufacturers, distribution centers, wholesalers, retailers, final buyers, is a halal process, not mixed with non-halal goods processes. So in the halal industry there is a halal supply chain performance which includes halal treatment procedures (halal control) starting from the supplier to the final buyer, so that in the halal fashion industry process it is guaranteed to be halal.

In this case, production means making a product that has added value to be utilized by consumers. Mechanistically, in production theory, it is the process of transforming input into output that is used for the purpose of life, namely achieving fahlah or happiness in this world and the hereafter. In this case, it must be ensured that the materials for making halal fashion are halal through verification of the halal status of the material delivery documents, labels and presence marks on delivery, and inspection of shipping and packaging. Furthermore, halal logistics must be

²⁴ *Abu Dawud* Sulaiman bin Al-Asy'ats As-Sijistani, *Sunan Abu Daud*, Jilid III (Beirut: dar al-Kutub al-Ilmiyah, t.th), 126

present in the product manufacturing process, where the process and procedures for making a product have been written and documented as the umbrella that underlies the halal logistics system. Besides that, halal logistics must be able to prevent pollution from occurring. In the MUI Halal Guarantee System it is explained that in every industry there must be a halal auditor, this is where the halal auditor will help the production division supervise the production process to distribution.

2. Rekontruksi Indikator Halal dalam produk Fashion

Based on the release of the Global Economy Indicator regarding the top 15 countries in the halal industry, Indonesia is in fourth position, while for Halal Fashion Indonesia is in 8th position, still behind China and Singapore which are in 3rd and 4th positions, even though the number of Muslim residents who need halal fashion much bigger in Indonesia when compared with China and Singapore.

In the halal fashion sector, the countries in the United Arab Emirates are in first place, followed by Turkey, Italy, Singapore, France, China, Malaysia, India, Sri Lanka and Morocco. These countries have minority Muslim populations, but can dominate the halal fashion sector.

If you look at the population of the Indonesian Muslim community, this reality is not directly proportional to the population of the Indonesian community, which has the largest Muslim majority. Fashion in Indonesia (apart from halal fashion), continues to grow, as proven by the export value of domestic fashion products showing a positive growth trend of 10.48 percent, namely from US\$ 11.28 billion in 2016, to US\$ 16.24 billion by the end of 2020. Meanwhile, during January-June 2021, recorded fashion export transactions amounted to US\$ 7.9 billion or the equivalent of Rp. 102.7 trillion (exchange rate Rp. 13 thousand). The export destination countries for Indonesian fashion products include the United States, Switzerland, Japan, Singapore and Germany.

This significant development shows that the halal fashion industry is also experiencing development. Until now, the indicators for the halal fashion industry are still limited to fashion materials such as woven fabrics, sarong woven fabrics, gamis woven fabrics and mukena woven fabrics as well as shrouds and ihram fabrics with critical points for materials that are derived from and/or contain animal elements.

Meanwhile, for fashion/fashion, until now there is no indicator of halalness. So in this case there is a legal vacuum in halal fashion certification relating to halal criteria/indicators in fashion fashion, so it is very natural that until now there has been no fashion (clothes, robes, shirts, skirts, trousers, etc.) that has received halal certification. . In fact, PP No. 39 of 2021 has stipulated the stages of halal certification obligations for goods worn in the form of clothing starting from 17 October 2021 to 17 October 2026.

Article 141 PP no. 39 of 2021 paragraph (1) letter e stipulates that items used in the categories of clothing, head coverings and accessories start from 17 October

2021 until 17 October 2026.²⁵

The question that arises regarding halal fashion is whether fabric that has received a halal certificate when processed into finished clothing makes the clothing halal? So at a glance the answer can be yes, because the critical point for halal fashion products in the form of new fabrics is in the materials from which the fabric is made. However, if we ask again, woven fabric that has received a halal certificate is processed, sewn and processed into ready-made clothing but still reveals the private parts and shows the wearer's body shape, can it be said to be halal fashion? So to answer questions like this requires serious and in-depth study.

According to Indriyani Syahputri²⁶ owner of Fafa Fashion and Muslim fashion designer and has been involved in the world of fashion shows for 12 years. Muslim fashion has criteria so that these criteria reflect Islamic values, so that when a garment meets the criteria it can be said to be Muslim fashion, on the other hand, even if the shape is long and wide, clothing However, if it violates the criteria, it cannot be recognized as Muslim clothing.

Indriyani further explained that Muslim clothing can be differentiated according to clothing themes, including casual Muslim clothing, Sharia Muslim clothing and glamorous Muslim clothing which is usually worn at special events such as fashion shows and other events. The differences between these three types of clothing can clearly be distinguished. Casual Muslim clothing is clothing that is worn every day, while Shar'I Muslim clothing is Muslim clothing that covers the wearer's body to the feet, is loose and usually has a long and wide hijab. Meanwhile, glamorous Muslim clothing is Muslim clothing that shows the beauty and luxury of clothing, usually added with striking accessories such as bling, pearl accessories and so on, so that the clothing looks luxurious and glamorous.²⁷

According to Indriyani, Muslim clothing can be recognized as Muslim clothing if it meets several criteria. According to Indriyani, several criteria for Muslim clothing include first covering the private parts. So clothing that cannot cover the private parts cannot be said to be Muslim clothing, secondly it is loose. Muslim clothing should not be tight so that it reveals the body shape of the person wearing it, thirdly it should not be flashy and attract attention and cause *sahwat*. A Muslim fashion designer must not deliberately design clothing with the aim of attracting attention and causing *sahwat* by making accessories that contain pornographic elements..²⁸

Returning to halal fashion indicators, the author has interviewed halal business actors and stakeholders in North Sumatra such as the North Sumatra Halal Product Guarantee Services Task Force and LPPPH. Samrida said that currently the government (BPJPH) and related parties are focused on making efforts towards mandatory halal by October 2024 (WHO 2024) on food and beverage products. So

²⁵Peraturan Pemerintah Nomor 39 Tahun 2021 Tentang Penyelenggaraan Bidang Jaminan Produk Halal.

²⁶Indriyani Syahputri, Owner Fafa Fashion/ desainer busana muslim dan telah terjun ke dunia fashion show selama 12 tahun, wawancara, Tower Graha Harmoni, Gaharu Medan, Februari 2024.

²⁷*Ibid.*,

²⁸*Ibid.*,

that halal certification for food and beverage products, which was previously voluntary, will become mandatory on October 18 2024.²⁹ Regarding halal criteria for fashion products, Samrida said that halal fashion will be mandatory on October 18 2026. Meanwhile, regarding halal fashion, according to Samrida, currently there are several fabric products that have received halal certification, although the number is still very small, such as ihram cloth, shrouds, woven sarongs and others. Regarding fashion, Samrida believes that the government will not remain silent, the government will definitely be preparing regulations related to fashion. The issue of fashion is an important issue, because conceptually, dressing is not enough just for the material of the clothes, but also for the fashion of the clothes themselves so that later the clothes are certified halal in accordance with the provisions of the Shari'a.³⁰

According to Yusriati, clothing models and sizes are not yet halal criteria for fashion products. Currently, based on statutory regulations, halal criteria for fashion products include supply, production process, presentation process and distribution process. A halal fashion must be guaranteed and proven to have passed all stages of certification by being halal as proven by documents as contained in the Halal Product Guarantee System (SJPH). As for fashion models, currently it is not yet a criterion for halal fashion, but according to Yusriati, material and model are an inseparable part of fashion. Don't let clothing made from halal certified fabric be produced into clothing models that violate sharia values.³¹ This is where the importance of business ethics that must be adhered to by entrepreneurs. Islam business ethics have stipulated that whatever type of business and product is produced, the entire process and results must be in accordance with the provisions of the Shari'a, so that if there are producers, especially producers who produce clothing from halal fabric, it becomes a production of clothing that violates Shari'a values. 'at can then be said to have violated business ethics in Islam and this is a clear violation of the Shari'ah.³²

A similar statement was also conveyed by Zulpahmi that the current halal criteria for fashion products are not enough to guarantee the halalness of a clothing product, because in Islam there are many texts/dalil relating to the way and model of clothing, so that dressing in Islam is not enough just to wear clothes that are appropriate. clean/pure but also the clothes must be able to fulfill other provisions of the Shari'ah such as clothes must cover the private parts, not like someone who wears clothes but looks naked because of the tightness of the clothes and so on. All sharia provisions regarding dress code and clothing styles must be accommodated in halal fashion. Even though currently there are no legal provisions regarding models of clothing/fashion products, in the future provisions regarding halal fashion criteria need to be added and stipulated in statutory regulations so that they

²⁹ Samrida, Anggota Satuan Tugas layanan Jaminan Produk Halal Sumatera Utara, Wawancara, Medan, Februari 2024.

³⁰ Iyong Sahrial, Anggota Satuan Tugas layanan Jaminan Produk Halal Sumatera Utara, Wawancara, Medan, Februari 2024.

³¹ Yusriati, Pengurus Lembaga Pendamping proses Produk Halal (LPPPH) Universitas Muhammadiyah Sumatera Utara, Wawancara, Medan, Februari 2024.

³² *Ibid.*,

become guidelines for clothing manufacturers..³³

Indriyani also expressed a similar view that regulations regarding fashion are an important part in the development of the fashion industry, so that in the future business actors will have legal certainty and clarity to obtain halal certification for fashion products..³⁴

In Islamic teachings, clothing is not solely a matter of culture and fashion. Islam sets certain boundaries for both men and women. Especially for Muslim women, they wear special clothes that show their identity as a Muslim woman. If traditional clothing is generally local, Muslim clothing is universal. In the sense that it can be used by Muslim women wherever they are. There are important things that women must pay attention to, several criteria that can be used as standards for women's fashion..³⁵ Related to how to dress according to Islam

The concept of halal fashion has high values in forming legal ethics in dressing, not just using and covering body parts, but Islam has instilled very high philosophical values which are reflected in the concept of fashion. In fact, fashion has become an identity for every Muslim in the world without realizing it, it has become a bargaining position for Muslims..³⁶

Many of the text's commands to Muslims can be interpreted as legal identity politics, because apart from being morally beneficial, they also want to emphasize a firm identity as a Muslim. The command to cover women's private parts is one of the many affirmations of identity contained in the text. Islam is a global teaching that does not forget the local identity of each group in Islamic society. However, Islam wants to build a unique identity for Muslims into a kind of brand that has strong emotional ties, in influencing public opinion so that it is influenced by it..³⁷

4. Conclusion

Based on the previous discussion, two conclusions can be drawn as follows:

- a. a. The obligation regarding halal certification in Indonesia after the birth of Law No. 33 of 2014 concerning Halal Product Guarantees was implemented in stages. The stages of halal certification obligations are regulated in PP No. 39 of 2021 concerning the Implementation of the Halal Product Guarantee Sector which stipulates that on 18 October 2024 for food and beverage products, while for fashion on 18 October 2026. In its implementation there is a delegation of authority to implement halal certification from LPPOM MUI to the authority of the Ministry of Religion through BPJPH. Meanwhile, the implementation of halal certification in terms of achieving BPJPH performance shows satisfactory

³³Zulpahmi Lubis, Anggota Satuan Tugas layanan Jaminan Produk Halal Sumatera Utara, Wawancara, Medan, Februari 2024.

³⁴Indriyani Syahputri, Owner Fafa Fashion/ desainer busana muslim dan telah terjun ke dunia fashion show selama 12 tahun, wawancara, Tower Graha Harmoni, Gaharu Medan, Februari 2024.

³⁵Farid L. Ibrahim, *Perempuan dan Jilbab*, (Jakarta: Mitra Aksara Panaitan, 2011), h. 26

³⁶Muhammad Habibi, Otoritarisme Hukum Islam Kritik atas Hierarki Teks Al-Kutub As-Sittah (Cet. I; Yogyakarta: LkiS, 2014), h. 228-230.

³⁷Pancarini, Ans Shinta, Fashion in Islamic Perspective, Jurnal International, MPRA Paper No. 95084, posted 13 Jul 2019, 3

results in 2023, reaching more than 3 million certified products..

- b. b. The implementation of halal certification for fashion products in Indonesia is still very minimal and is inversely proportional to halal certification for food and beverage products. The implementation of halal fashion certification has only reached woven fabric products with critical points for materials containing animal elements. The implementation of halal fashion in Indonesia for the future can be done by adding halal criteria/indicators so that certified halal fashion can meet the demands and values of Islamic law. Meanwhile, reformulation of halal certification in Indonesia can be carried out by amending PP No. 39 of 2021 or at least issue a Decree of the Head of BPJPH regarding halal indicators on fashion/fashion products.

References

- Abu Husain Ahmad ibn Faris bin Zakariya al-Raziy, 1999, *Mu'jam Maqayis al-Lughah*, Jilid I (Cet. I; Beirut: Dar al-Kutub al-Ilmiyah,)
- Abu Dawud Sulaiman bin Al-Asy'ats As-Sijistani, Sunan Abu Daud, Jilid III (Beirut: dar al-Kutub al-Ilmiyah, t.th), 126
- Annisa Ilmi Faried, *Jurnal Kajian Ekonomi dan Kebijakan Publik*, Vol. 4 No. 2
- Habibi, Muhammad, *Otoritarisme Hukum Islam Kritik atas Hierarki Teks Al-Kutub As-Sittah* (Cet. I; Yogyakarta: LkiS, 2014)
- Ibnu Katsir, *Tafsir Ibnu Katsir*, Jilid 7 (Beirut: Muassat al-Risalah, t.th)
- Ibrahim. Farid L, *Perempuan dan Jilbab*, (Jakarta: Mitra Aksara Panaitan, 2011), h. 26
- Ketentuan Pasal 1 Undang-undang No. 33 Tahun 2014 tentang Jaminan Produk Halal. <https://www.kemenag-bpjph.com/hikmah/khazanah/d-6847039/kepala-bpjph-juli-2023-produk-bersertifikasi-halal-capai-angka-2-jutaan>. Diakses 14 September 2023.
- Marco Tieman dkk, "Principle In Halal Supply Chain Management", *Jurnal of Islamic Marketing*, Vol. 3, No. 3
- Muthmainnah, Yulianti, 2021, *Kapitalisasi Politik Identitas dalam Produk Halal; Industri Fashion dan Kosmetika*, *Jurnal Palastren: Jurnal Studi gender*, Volume 14, Issu 1
- Muthmainnah, Yulianti Palasteren, *Jurnal Studi Gender* vol 1, no 14 tahun 2021
- Peraturan Pemerintah Nomor 39 Tahun 2021 Tentang Penyelenggaraan Bidang Jaminan Produk Halal.
- Pancarini, Ans Shinta, 2019, *Fashion in Islamic Perspective*, *Jurnal International*, MPRA Paper No. 95084
- Putri, Aditya Widya. *Hijab Nike, Sebuah Pengakuan untuk Atlet Muslimah*
Tempo, Majalah. 2011. 'Dua Wahah Aturan Syari'ah', <https://majalah.tempo.co/read/laporan-utama/137629/dua-wajah-aturan-syariah>
- Soekanto, Soerjono, 2007, *Pengantar Penelitian Hukum*, (Universitas Indonesia (UI-Press), Jakarta
- Zikra, 2023, *Global Economyc Ranked: TOP 15 Countryes Rangked*, kepala Pusat Pengawasan dan pendampingan halal BPJPH RI, Makalah disampaikan pada kegiatan pelatihan Penyelia Halal, Hotel Niagara, Prapat: Tidak diterbitkan
- Zikra, 2023 *Global Economyc Ranked: TOP 15 Countryes Rangked*, kepala Pusat Pengawasan dan pendampingan halal BPJPH RI, Makalah disampaikan pada kegiatan pelatihan Penyelia Halal, Hotel Niagara, Prapat: Tidak diterbitkan