

Fatwa and Sociological Awareness: The Role of Halal Fatwa and Its Influence on Consumer's Purchasing Decisions of Korean Food Products

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ABSTRACT

The increasing popularity of Korean food in Indonesia, driven by global trends and Muslim consumer interest, significantly impacts the non-oil and gas sector's GDP, particularly the food and beverage industry. Halal certification plays a vital role in ensuring that food production complies with Islamic law, enhancing product competitiveness and consumer trust in Indonesia's predominantly Muslim market. This study examines the influence of halal fatwas on purchasing decisions for Korean food, employing a normative legal method and a sociology of law approach through interviews with 20 respondents aged 20-30. The findings reveal that 86% of respondents prioritize halal labels, 63% feel more comfortable consuming halal-certified products, and most are hesitant to try uncertified products. Halal certification emerges as both a legal necessity and a marketing strategy to secure market share. Applying Hans Kelsen's legal certainty theory, the study highlights how clear, consistent halal norms build consumer trust, influencing purchasing behavior and boosting market competitiveness for Korean food products in Indonesia.

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1. INTRODUCTION

One of the sectors experiencing significant growth in Indonesia is the food and beverage industry, including Korean snack foods that are imported to meet consumer demand for foreign products. Demand for Korean snacks such as tteokbokki, corn dogs, and ramyeon has driven economic activity in this sector (Rafdinal et al., 2023), where the imported food market is expected to grow by an average of 5% per year. By September 2024, the total value of processed food imports in Indonesia reached around IDR150 trillion, with Korean products accounting for 25% of this figure (Handayani, 2024). Along with the increasing demand for imported products, the halal aspect is an important concern for consumers in Indonesia, the majority of whom are Muslim. The halal industry has now gained an established place in domestic and global society. With the largest Muslim population in the world reaching 87.2% of the total population of 276.6 million, the demand for halal food products is very high (Kemenag, 2020). Therefore, halal-certified Korean snack food companies can expand market access and contribute more to the halal sector in Indonesia.

The increase in demand for halal products is also influenced by the enactment of Law No. 33/2014 on Halal Product Guarantee (JPH Law), which changes the status of halal certification from voluntary to mandatory (Sarifah, 2021). This regulation makes halal certification an obligation that must be fulfilled by all producers, including imported snack food producers. This provision requires all food products, including imported snacks, to have halal certification issued by the Halal Product Guarantee Agency (BPJPH) (Law No. 33/2014, 2014). For food products to be categorized as halal, manufacturers must apply for halal certification in order to obtain permission to put halal labels on products (“Indonesia to Check Grocery Shelves as Deadline for Halal Labels Nears,” 2024). While this certification is often viewed as an administrative process, its essence is much more profound as it demonstrates compliance with halal standards regulated under positive law.

Although halal certification regulations have been regulated in accordance with applicable laws and regulations, the implementation of halal regulations is often faced with challenges, including in the context of imported Korean snack foods. Manufacturers not only have to understand and comply with Indonesian halal regulations, but also face administrative and technical complexities associated with the halal certification process, including the management of raw materials, production methods. For some consumers, the presence of a halal label provides a sense of security about the raw materials and production processes used, thus increasing trust in the product. However, not all consumers have the same level of understanding of the halal label. Some may only see it as a formality without really understanding its essence, while others view it as an important element in making choices. Therefore, it is necessary to conduct further studies on how the existence of halal labels affects consumer perceptions, beliefs and preferences, especially in relation to producers' compliance with halal regulations and their impact on the dynamics of the halal product market in Indonesia.

2. METHODS

This research uses normative legal methods with a legal sociology approach to analyze the role of halal fatwas in influencing consumer purchasing decisions for Korean food products. The normative method was chosen to examine the legal aspects underlying the issuance of the halal fatwa, including its relevance to legislation and Islamic economic principles. The legal sociological approach was applied through interviews with 20 Korean food consumers aged 20-30 years, who were selected using purposive sampling technique. The interviews were conducted during October 2024, to explore respondents' perceptions of halal labeling, their level of trust in halal-certified products, and the influence of halal fatwas on purchasing decisions. The interview procedure was conducted in person and online. In addition, Hans Kelsen's theory of legal certainty was used as an analytical framework to evaluate the extent to which the halal fatwa is able to provide clarity, consistency, and a sense of security to consumers. With this combination of analysis, this study not only reveals the role of halal fatwa in building consumer trust in Korean food products, but also evaluates its effectiveness in providing legal certainty in halal consumption practices.

3. RESULTS AND DISCUSSION

3.1. Development of Korean Food Industry in Indonesia

Globalization, which has opened the door for cultural exchange between countries, has brought culinary culture into the country. In the Indonesian context, culinary culture has undergone significant changes in the past few decades. Globalization and global culinary trends have introduced new types of foods and cooking styles to Indonesian society. This open access to information has accelerated the transfer of global culinary trends, creating demand for foreign food products, especially those from countries with global pop culture. One of the biggest phenomena in the spread of this foreign culinary culture is the Hallyu or Korean Wave, which brought the influence of Korean culture massively to various countries, including Indonesia (Sari et al., 2023).

Hallyu, which means Korean Wave in English, is the spread of various Korean popular cultures such as fashion, beauty, food, entertainment, and traditional culture, and is able to influence other countries. Korean Wave or Hallyu has a great influence in various countries and has become a trend among the people. The influence of the Korean Wave, especially Korean dramas, has had a significant impact on people's interest in trying Korean food (Putri et al., 2024). Korean food is introduced through the popularity of drama, which is very attractive to any group. The increasing number of Korean foods circulating in Indonesia is inseparable from the success of Korean content such as dramas and mukbang content, which makes many people interested in trying these foods.

Spicy flavors have become an integral part of Indonesian cuisine, reflecting people's preference for dishes that are rich in flavor and strong in character. The popularity of spicy food, originally rooted in traditional cuisine, has now spread to international cuisines, including Korean food, which is increasingly gaining ground in the Indonesian market (Tamara and Suyanto, 2019). Korean cuisine offers a unique blend of spicy, tangy flavors and distinctive seasonings that create a distinct culinary experience. Dishes such as tteokbokki (spicy rice cakes), jjigae (spicy soup) and jjajangmyeon (black noodles with a spicy twist) have captured the attention of Indonesians

with their appetizing spicy sensations, helping to cement Korean food's place in Indonesia's growing culinary industry.

The popularity of Korean food in Indonesia is not only supported by its wide variety, from street food to fine dining restaurants, but also by the high level of interest in Korean culture in general. This phenomenon reflects the influence of Korean popular culture, such as drama and music, which encourages people to try new culinary experiences (Sari et al., 2023). Many local entrepreneurs have responded to this trend by offering authentic Korean dishes, often using imported ingredients to preserve the flavor. Demand for Korean specialties such as kimchi, gochujang and tteokbokki has increased significantly, creating promising business opportunities. Moreover, easy access to Korean food, both through restaurants and e-commerce platforms, is also supporting the spread of this trend across various walks of life. In addition, this trend reflects the consumption patterns of people who are increasingly open to global influences. Korean food is not just about food, it is also a symbol of a modern lifestyle in line with global trends. The combination of popularity, accessibility and economic impact makes Korean food more than just a passing trend. The high consumer demand also encourages increased import activity from South Korea to Indonesia, especially for food raw materials (Dong-hwan, 2024). Based on the following statistical data, the value of South Korean imports to Indonesia is increasing every year.

Table 1. *South Korea's Import Development 2017-2021*

Year	Net Value (US \$)
2017	8,122,336,144,00
2018	9,088,875,907,31
2019	8,421,259,397,00
2020	6,849,367,950,00
2021	9,427,194,106,00

3.2 The Role of MUI and Halal Fatwa in Positive Law in Indonesia

Institutionally, the Indonesian Ulama Council (MUI) occupies a position in the political infrastructure, which is part of the social structure in society. Political infrastructure includes institutions that function as drivers of the socio-cultural life of society, with a focus on community empowerment through an active role in the community. The position of MUI in this context shows that this institution is rooted in the community, has the task of empowering Muslims, and acts as a forum for religious scholars to express religious aspirations. This confirms that the MUI is not a state institution or an official representation of the government, but an independent organization operating in the realm of society. From a normative point of view, the existence of the MUI is not included in the category of state agencies, institutions or commissions established by law (Aditya and Al-Fatih, 2019). As stipulated in Law No. 13 of 2022 amending Law No. 12 of 2011 on the Establishment of Laws and Regulations, MUI does not have a position that allows it to issue positive legal products in the Indonesian legal system. Thus, decisions or fatwas issued by MUI only serve as moral and religious guidance for Muslims without having formal legal force in the constitutional system. This position reflects the unique nature of the MUI as an institution that combines religious and social aspects but remains outside the formal government structure.

The fatwas issued by the Indonesian Ulama Council (MUI) cannot normatively be considered positive law in Indonesia. This means that MUI's fatwa is not a state law that has sovereignty or the power to force all Indonesians to obey it. MUI's fatwa is also not accompanied by legal sanctions and only applies to the Muslim community that feels religiously bound to the institution (Munawaroh, 2023). In fact, the MUI's fatwa does not have universal coercive power within the Muslim community itself, let alone for all Indonesian citizens. Legally, MUI's fatwa can only be adopted into positive law if the content of the fatwa is determined by the authorized state organ through the legislative mechanism stipulated in Law No. 13 of 2022 on Amendments to Law No. 12 of 2011 on the Formation of Legislation (*UU No. 13 Tahun 2022*, 2022). In this context, the MUI's fatwa has the nature of a religious opinion or recommendation, which only becomes formal law when it is formulated into legislation by the government. Therefore, until the fatwa is elevated to positive law, the MUI's fatwa is only aspirational and functions as a moral guideline in the context of national law. Although it does not have binding legal force, MUI's fatwa is often used as a reference by both the community and the government in everyday life. This shows that the fatwa of the MUI has a strong normative influence among the people, even though it is not mandatory to follow it (Hamzah, 2017). Moreover, the existence of MUI fatwas does not contradict the basic principles of the Indonesian state, namely Pancasila, especially the first principle, which emphasizes the value of God Almighty. Thus, MUI's fatwa acts as a moral and social guide that can enrich the understanding of national law, even though it has no formal legal status.

3.3 The role of halal certification in the foodservice industry

As a country with a majority Muslim population, Indonesia has a normative responsibility to ensure that every individual can practice their religious beliefs without hindrance, including the consumption of halal products. This right is guaranteed by the 1945 Constitution of the Republic of Indonesia, specifically Article 29(2), which states that the State guarantees the freedom of the people to embrace religion and worship in accordance with their teachings and beliefs. As an implication of this constitutional guarantee, the state is obliged to protect the rights of consumers, especially Muslims, to obtain transparent information about the products they consume or use, especially to ensure their halalness. This protection is not only a moral responsibility, but also a regulation implemented through a halal certification system. The aim of this regulation is to provide Muslim consumers with a guarantee of legal certainty and security, so that they can carry out their worship and religious teachings with peace of mind. In this way, the state acts not only as a supervisor, but also as a mediator, bridging the public's need for halal products with clear and measurable legal standards.

3.4 The Role of Halal Certification in Increasing Muslim Consumer Trust in Korean Food Products

With the increasing demand for halal food in Indonesia, especially imported snacks such as Korean food, halal certification plays a crucial role in attracting Muslim consumers. Based on a field survey conducted in October 2024 among 30 Muslim consumers in the Bekasi area, 78% of respondents stated that the presence of a halal label on Korean food products greatly influences their decision to purchase the product. The majority of consumers, especially those between the ages of 18 and 35, are more confident to consume products with halal labels because they believe

the products are in accordance with Islamic law and safe to consume. These data show that halal certification is not only an administrative aspect, but also one of the important strategies in marketing products to Muslim consumers in Indonesia.

The following table shows the results of a survey of consumers who prioritize halal labels on Korean food products:

Table 2. *Survey of consumers who prioritize halal labels on Korean food products*

Criteria	Number of Respondents	Percentage (%)
Very important	19 people	63%
Important	7 people	23%
Not important	2 people	7%
Don't know	2 people	7%

The table above shows that 86% of consumers consider the presence of halal labels on Korean food products to be an important factor in their purchasing decisions. Consumers who consider the halal label very important are also more likely to consume products from brands that they trust to be halal, such as products from manufacturers that have received official certification from the Indonesian Ulama Council (MUI). In addition, the survey shows that 63% of Muslim consumers feel more comfortable consuming halal-certified Korean food products compared to similar products that do not have certification. Consumers feel that the existence of halal certification provides quality assurance and trust that the raw materials and product processing are in accordance with halal standards. Based on the interviews conducted, some consumers stated that the halal label not only helps them choose suitable products, but also gives them a sense of security. This is because the biggest concern is the possibility of non-halal ingredients, such as pork (Bingham, 2024) or other derived ingredients, being used in the food, as some Korean dishes traditionally use ingredients that do not comply with Islamic law. According to the same field survey, 63% of respondents expressed concern about the ingredients of imported food, especially from non-Muslim countries. This concern has led many consumers to look for halal labels or certificates from official agencies before deciding to buy Korean food in the market.

Muslim consumers' response to the importance of halal labeling is reinforced by the fact that many Korean food products lack clear halal information. Respondents said that they are reluctant to try new products that do not have a halal label, even if they are interested in the product. This concern also leads consumers to avoid restaurants or outlets that do not display halal certification information on their products. The higher Muslims' understanding of the halal concept, they will tend to be more selective in choosing food products to be consumed (Cahyati and Fikriyah, 2024). This indicates the risk of losing potential markets for Korean food manufacturers that have not accommodated the need for halal certification, especially in a market that is increasingly sensitive to halal issues. The impact of this turmoil is also evident in the behavior of consumers who are more cautious and critical of the ingredients and processing of Korean food products in the market.

3.5 Theory of Legal Certainty in the Halal Certification Process

One aspect of law that cannot be separated from codified legislation is legal certainty. Certainty is defined as the clarity of norms that serve as a guide for people who must comply with these rules (Wijayanta, 2014). Without the value of legal certainty, the law loses its moral authority and becomes useless to society as a whole. Law has the duty to maintain legal certainty with the aim of maintaining order in society. Legal certainty includes the clarity of general behavioral scenarios that bind all members of society, including their legal consequences. In addition, legal certainty also refers to what is regulated in a particular law. Legal certainty serves as a guarantee against arbitrariness and ensures that a person will receive what is expected of him under certain circumstances (Prayogo, 2018). Therefore, in applying legal certainty, it must also be ensured that the norms contained therein, so as to prevent abuse of power and provide equal protection for the entire community.

According to Hans Kelsen, law is a set of norms. The “should” or “must” aspect is emphasized on the standard itself, and this is followed by a set of rules detailing what should be done (Marzuki, 2008). From the perspective of Hans Kelsen's theory, the general norms contained in the law provide guidance on how people should behave in society, because the law is understood as a hierarchical norm that aims to create clarity and certainty in social life. The basic norm (*grundnorm*) underlying legal certainty in halal certification in Indonesia is the principle of protecting consumer rights (Mustaqim, 2023), especially Muslim consumers to obtain products that are in accordance with their religious values. This norm is then elaborated in technical regulations, which require imported products, including Korean food, to meet applicable halal requirements. Thus, the existence of this halal certification is a concrete form of binding legal norms.

In the halal certification process, legal norms contain rules that explicitly regulate the responsibilities of producers, from the registration stage to post-production supervision (Triasih et al., 2017). At the registration stage, legal norms require producers to provide transparent information regarding raw materials, production processes, and product origins to ensure that the product meets halal criteria. According to Article 24 of Law Number 33 of 2014 concerning Halal Product Guarantee, business actors who apply for halal certification must attach documents containing information regarding the name and type of product, business actor data, ingredient list, and production process. The Halal Product Guarantee Agency (BPJPH) will check the completeness of these documents before proceeding to the next stage (*UU No. 33 Tahun 2014*, 2014). So, in this case the legal norms also encourage transparency and accountability in the halal certification process. Furthermore, in the post-production supervision mechanism, legal norms also aim to ensure that products that have been certified continue to comply with established halal standards. This mechanism creates certainty for producers, because they know that non-compliance with the rules will bring legal consequences, such as revocation of certification or other sanctions, while from the consumer side, this provides a sense of security because they are sure that the products they consume still meet halal standards, even after the certification process is complete.

In practice, legal certainty in regular halal certification in Indonesia is achieved through applicable laws and the role of institutions such as the Indonesian Ulema Council (MUI) and the Halal Product Guarantee Agency (BPJPH). Because with an officially recognized halal label, it strengthens consumers' emotional trust (Audina et al., 2022). Muslim consumers tend to associate

halal certainty with psychological and spiritual comfort, where halal-certified products provide a sense of security, not only from the physical aspect but also from the aspect of belief and morality (Wiyono et al., 2022). This psychological and spiritual comfort is the main factor that encourages Muslim consumer loyalty to halal-certified products. In the context of globalization, where imported food products are increasingly accessible, Muslim consumers, especially in Indonesia, rely heavily on the existence of the halal label as a credible verification instrument. The halal label provides certainty that the risk of haram ingredients or production processes that are not in accordance with sharia provisions has been identified and eliminated through a strict supervision mechanism. Thus, through the legal certainty realized in halal certification, it has wider implications for consumption behavior. Halal-certified Korean food products tend to be the first choice for Muslim consumers, even if they have a higher price than non-halal Korean food products. This shows that legal certainty through halal certification has succeeded in creating a mechanism that regulates consumption behavior, in line with Kelsen's function of law as a tool to maintain order in social life.

From Hans Kelsen's theory, it can be understood that legal certainty requires clear, hierarchical, and consistent norms in its implementation. But then the question arises whether legal norms related to halal are able to be applied consistently in countries of origin of imported products such as South Korea. This dynamic opens up opportunities to test the extent to which the theory of legal certainty can be applied to the halal certification system in the country. Differences in standards, authority of authorized institutions, and supervision of the production process in South Korea need to be further analyzed, whether halal certification in Korea can also be in line with the principles expected by Muslim consumers in destination countries, such as Indonesia. Furthermore, this dynamic requires a comparative study between the regulation of halal certification in South Korea and Indonesia, and the extent to which the two systems can be harmonized. Harmonization of international halal standards, if achieved, will strengthen legal certainty and increase the credibility of imported food products, including Korean products.

3.6 Legal Benefit

Halal certification of Korean food has a significant impact on Muslim consumers, especially in terms of trust and security. In this context, the officially recognized halal label serves not only as a guarantee of quality, but also as a symbol of adherence to Islamic religious principles that are highly valued by Muslim consumers (Setiawan and Mauluddi, 2019). With such certification, consumers can be assured that the ingredients used in the food product are in full compliance with Islamic law. This is especially important given that some traditional Korean dishes use ingredients that may conflict with Islamic law, such as pork or alcohol. Without clarity on this, Muslim consumers may feel hesitant and struggle to make purchasing decisions. Therefore, halal certification acts as a determinant that erases doubts and strengthens consumers' confidence in choosing Korean food products.

In addition, halal certification has a broader impact on the relationship between consumers and producers, especially in terms of strengthening trust in Korean food brands. This trust is formed not only because consumers feel that the food meets halal standards, but also because producers demonstrate a commitment to complying with strict regulations related to the halalness of their products (Alnamira et al., 2024). This strengthens the reputation of producers and makes them more trustworthy in the eyes of consumers. The trust built through halal certification also

has the potential to create long-term loyalty. Halal-certified products have the potential to change consumer consumption behavior. When consumers feel valued and cared for in terms of their religious needs, they are more likely to continue buying products they trust and even recommend and share their positive experience of the product among family, friends, or others. Thus, halal certification also helps to create a stronger and more sustainable relationship between consumers and producers. Therefore, the existence of halal certificates can be said to serve as an important element in building consumer trust, security and loyalty. It becomes a very powerful form of marketing, as word-of-mouth recommendations, especially those based on religious beliefs and convictions, often have a greater impact than conventional advertising.

3.7 Legal Justice

The implementation of halal fatwa in the Korean food industry plays an important role in creating a sense of legal justice, especially for Muslim consumers. Consumers feel that their religious aspirations are protected through the presence of products that have met halal standards in accordance with the fatwa issued by the relevant authorities. Clear information about the halalness of products, from raw materials to the production process, is the main basis for consumers in making purchasing decisions. In addition, the existence of a halal fatwa provides a sense of respect for consumers as individuals who have the right to religious beliefs and preferences. Respect for consumers' religious values through the implementation of halal fatwas reflects justice in favor of diversity. In this context, Korean food manufacturers demonstrate their commitment to not only comply with legal regulations, but also make room for consumers' spiritual needs. This approach contributes to increased consumer trust and loyalty towards halal-certified Korean food products.

Halal fatwas play a strategic role as an effective link between legal regulations and consumer preferences, especially in the context of an increasingly competitive global market. In the case of Korean food, the existence of a halal fatwa is not just a legal instrument to ensure product halalness, but also a crucial element that influences consumer behavior, especially in the purchasing decision-making process. For Muslim consumers, the halal fatwa serves as the main parameter in assessing whether a product is in accordance with their religious principles. Halal fatwas have a strategic role as an effective link between legal regulations and consumer preferences, especially in the context of an increasingly competitive global market. In the case of Korean food, the existence of a halal fatwa is not just a legal instrument to ensure product halalness, but also a crucial element that influences consumer behavior, especially in the purchasing decision-making process. For Muslim consumers, the halal fatwa serves as the main parameter in assessing whether a product is in accordance with their religious principles. Normatively, the legitimacy provided by the halal fatwa goes beyond mere administrative or certification functions; it symbolizes the integration between positive law and the spiritual needs of society (Awass, 2014). In addition to answering the demands of legal regulation, fatwas are also a form of articulation and contextualization of Islamic law (Whyte, 2022), such as respect for diversity and protection of individual rights to their religious beliefs.

Halal fatwa, in this context, proves its ability to be the main pillar that bridges various interests, both on the part of businesses and consumers. It provides a strong legal basis while ensuring the psychological comfort of consumers in consuming certain products. The existence of halal fatwa is a concrete manifestation of how regulations can be adapted to accommodate

religious diversity in the global market, thus creating an inclusive and equitable business environment. Therefore, the halal fatwa is not just an administrative document, but an integral part of a business ecosystem that takes into account the religious values of consumers as one of the significant market elements.

CONCLUSION

Halal certification goes beyond administrative formalities; it is a key tool to ensure that culinary products, including those of imported origin such as Korean food, meet religious standards recognized by Muslims. The popularity of Korean food in Indonesia poses new challenges for producers to meet the expectations of consumers who prioritize halal products. Halal assurance not only gives Muslim consumers a sense of security in consuming such products, but also increases the appeal of products in Muslim-majority markets. Halal certification makes consumers feel respected, which in turn builds trust and long-term loyalty to the product. This strategy not only strengthens the relationship between industry players and consumers, but also becomes a competitive advantage that allows imported products to survive in local markets with a religious consumer base.

In the legal and institutional context, MUI plays a central role in legitimizing the halalness of products through fatwas, which are determined after an audit process by LP-POM MUI. While MUI's fatwa does not have the same positive legal force as a law, it serves as a moral and spiritual reference that is widely recognized in Indonesian society. MUI's oversight ensures that every stage of production, from raw materials to distribution, meets Shariah requirements. This is important because the halal status of products is not only a symbolic issue, but also reflects compliance with the religious values that guide the majority of people. Although this fatwa is not legally binding, its existence builds public confidence in MUI's ability to protect consumers' religious rights.

Halal certification has a multi-dimensional impact on both consumers and industry players. For Muslim consumers, the existence of this certification guarantees their right to consume products in accordance with Islamic law, creating a sense of security and comfort in their daily lives. For industry, halal certification encourages innovation and improves product quality, as any production process must be transparent and compliant. In an economic context, halal certification also promotes the growth of the Islamic economy by creating a higher demand for halal products, both domestically and internationally. In addition, the recognition of MUI's fatwa as a trusted religious authority demonstrates the synergy between religion and the legal system in protecting consumer interests. With the presence of halal certification, the industry not only fulfills moral obligations, but also opens up opportunities to compete in the global market, where halal products have a growing market share. This proves that Halal certification is not just a regulation, but also part of an inclusive and sustainable economic development strategy.

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