# OMNIBUS LAW SENTIMENT AND ITS IMPACT ON THE HALAL CERTIFICATION PROGRAM IN INDONESIA

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**Abstract:** This study aims to determine the sentiments of scholars in Indonesia regarding research and studies that address the topic of Omnibus Law. The data analyzed was in the form of research publications related to the Omnibus Law, with as many as 60 articles spanning 2017 to 2020. Based on the analysis results, the assessment of texts related to Omnibus Law in Indonesia shows a positive sentiment of 40%, a neutral sentiment of 32%, and a negative sentiment of 28%. The optimistic view discusses the importance of the Omnibus Law, which summarizes the bureaucracy and solves the many overlapping regulations. Negative sentiment has given much criticism about the passage of the Omnibus Law, which is inappropriate, not transparent, and controversial, such as the Job Creation Bill. Meanwhile, neutral sentiment is in an intermediary position, namely discussing the positive sides of the Omnibus Law but also criticizing things that are not quite right and providing solutions and suggestions. Intellectual sentiment shows the highest positive and contrasts public sentiment in demonstrations due to disappointment with implementing the Omnibus Law. As an effort to cut bureaucracy, the Omnibus Law also discusses and regulates halal certification. The Omnibus Law's existence has positively influenced accelerating the halal certification process in Indonesia, especially targeting the micro and small business sectors. This aligns with Indonesia's optimistic mission to become the center of the world's halal industry in 2024.

Keywords: Analisis Sentimen; Omnibus Law; Sertifikasi Halal

Abstrak: Penelitian ini bertujuan untuk mengetahui sentimen para cendekiawan di Indonesia terkait riset dan studi yang membahas topik Omnibus Law. Metode dalam penelitian ini menggunakan analisis sentimen. Data yang dianalisis berupa publikasi penelitian terkait Omnibus Law sebanyak 60 artikel dengan rentang waktu tahun 2017 hingga 2020. Berdasarkan hasil analisis, dapat disimpulkan bahwa penilaian teks terkait topik Omnibus Law di Indonesia menunjukkan sentimen positif sebesar 40%, sentimen netral sebesar 32% dan sentimen negatif sebesar 28%. Sentimen positif membahas tentang pentingnya Omnibus Law yang berfungsi meringkas birokrasi dan sebagai solusi atas banyaknya peraturan yang masih tumpang tindih. Sentimen negatif memberikan banyak kritikan tentang pengesahan Omnibus Law yang tidak sesuai, tidak transparan dan kontroversial seperti RUU Cipta Kerja. Sedangkan sentimen netral berada di posisi penengah yaitu membahas tentang sisi positif Omnibus Law namun juga memberikan kritik terhadap hal yang kurang tepat dan memberikan solusi beserta saran. Menariknya, sentimen cendekiawan menunjukkan positif tertinggi dan justru bertolak belakang dengan sentimen masyarakat dalam peristiwa demonstrasi karena kekecewaan pada penerapan Omnibus Law. Omnibus Law sebagai upaya memangkas birokrasi juga membahas dan mengatur terkait sertifikasi halal. Adanya Omnibus Law memberikan pengaruh positif pada percepatan proses sertifikasi halal di Indonesia, terkhusus menyasar pada sektor pelaku usaha mikro dan kecil. Hal tersebut sejalan dengan misi Indonesia yang optimis menjadi pusat industri halal dunia pada tahun 2024.

Kata Kunci: Analisis Sentimen; Omnibus Law; Sertifikasi Halal



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#### INTRODUCTION

Investment is a form of effort and strategic aspect in national economic development. Robert Solow states that capital formation and population growth influence the economic growth of a country. Economic growth and investment can also increase job opportunities with the assumption that if there is much investment in an area, it will absorb labor so that productivity increase affects economic growth. This is evidence that investment acts as an "Engine of Growth." The Investment Coordinating Board revealed that the slowdown in investment in Indonesia was caused by several obstacles, namely complicated regulations, difficulty in land

Robert M. Solow, 'A Contribution to the Theory of Economic Growth', *The Quarterly Journal of Economics* 70, no. 1 (1 February 1956): 65–94, https://doi.org/10.2307/1884513.

<sup>&</sup>lt;sup>2</sup> Adam Szirmai, 'Industrialisation as an Engine of Growth in Developing Countries, 1950–2005', *Structural Change and Economic Dynamics*, SI: Firm Dynamics and SI: Globelics Conference, 23, no. 4 (1 December 2012): 406–20, https://doi.org/10.1016/j.strueco.2011.01.005.

acquisition, infrastructure inequality, taxes and local incentives that have not been maximized for investment, and limited skilled labor.<sup>3</sup> This is the background for issuing the Omnibus Law as a form of summarizing regulations deemed too complicated and overlapping through merging several rules with different regulatory substances into one code under the same legal umbrella.

The term Omnibus Law is better known as the Omnibus Bill in the Common Law legal system. The word 'omnibus' comes from the Latin Omnis, which means for all or many. So, the Omnibus Law is a law for all. The practice of Omnibus Law in America is contained in the Transportation Equity Act for the 21st Century (TEA-21) regulation which is a substitute for the International Surface Transportation Efficiency Act (ISTEA).<sup>4</sup> In addition, the Omnibus Trade and Competitiveness Act of 1988 (OCTA) was motivated to improve the United States trade balance deficit.

Meanwhile, Australia has the Civil Law and Justice (Omnibus Amendments) Act 2015, which affects the justice system's efficiency and operation by the Attorney General.<sup>5</sup> Some people in Indonesia understand it better as a sweeping law.<sup>6</sup> Black's Law Dictionary defines an Omnibus bill as a single all-encompassing bill. Krutz argues that Omnibus legislation combines various actions from different policy areas in a massive bill.<sup>7</sup>

There are five characteristics of the Omnibus Law in Indonesia. *First*, multi-sectoral with a lot of content material such as the number of sectors that must be linked, including the regional government sector, government administration, investment, halal, environment, and others. *Second*, up to 1,203 articles are swelling due to the many sectors associated with 79 laws. *Third*, the collection of new laws as a consequence of new regulations. *Fourth*, it is independent and not bound by other regulations. *Fifth*, reformulating and repealing some other regulations to minimize overlapping and being out of sync between one regulation and another. This is in line with the objective of the Omnibus Law, which is to amend and update the many

<sup>4</sup> Dennis C. Gardner, 'Transportation Reauthorization: A Summary of the Transportation Equity Act (TEA-21) for the Twenty-First Century', *Urban Lawyer* 30 (1998): 1097, https://heinonline.org/HOL/Page?handle=hein.journals/urban30&id=1111&div=&collection=.

Peter Gammeltoft and Lepi T. Tarmidi, 'Chinese Foreign Direct Investment in Indonesia: Trends, Drivers and Impacts', *International Journal of Technological Learning, Innovation and Development* 6, no. 1–2 (January 2013): 136–60, https://doi.org/10.1504/IJTLID.2013.051701.

Luke Nottage and James Morrison, 'Accessing and Assessing Australia's International Arbitration Act', *Journal of International Arbitration* 34, no. 6 (1 December 2017), https://kluwerlawonline.com/api/Product/CitationPDFURL?file=Journals\JOIA\JOIA2017046.pdf.

<sup>&</sup>lt;sup>6</sup> Sulasi Rongiyati, 'Menata Regulasi Pemberdayaan UMKM Melalui Omnibus Law', Vol. XI 23 (2019).

Glen S. Krutz, 'Getting around Gridlock: The Effect of Omnibus Utilization on Legislative Productivity', Legislative Studies Quarterly 25, no. 4 (2000): 533–549, https://doi.org/10.2307/440433.

overlapping formulations of laws effectively. This method is considered adequate because it looks at the characteristics of the law in Indonesia, which is already obese and disharmony in several sectors.<sup>8</sup>

Angraeni and Rachman gave positive sentiment that the Omnibus Law is a solution to overcoming conflicts over statutory regulations, standardizing government policies, making integrated one-stop management, streamlining bureaucracy, increasing coordinative administrative relations, and guaranteeing legal certainty and protection for policymakers. This is also included in the transfer of authority for halal product process certification from the Indonesian Ulema Council (MUI) to the Halal Product Assurance Organizing Body (BPJPH). Even though there are several challenges in preparing the Omnibus Law, such as complex to draft, limited opportunities for debate and testing, complex consultations, and difficulty to apply and cannot eliminate, it adds complexity. Patrick Keyzer delivered a guest lecture at the University of Brawijaya Malang on January 29, 2020. Keyzer has thoughts that align with John Walsh, where one of the problems faced when wanting to push the omnibus law is skepticism towards the ratification of the omnibus bill. This was proven when there was rejection through widespread negative sentiment in society.

In 2020, the Omnibus Law became widely discussed by the general public and in various television and online media. On October 5, 2020, the bill's ratification highlighted this topic on national news sites such as Kompas, Seconds, Tribunes, CNN-Indonesia, and many others. During the post-approval period, there were also many pros and cons from various levels of society. Some think that the company has benefited from the law. On the other hand, people from labor organizations feel disappointed with applying the Omnibus Law concept, especially in Job Creation Law. Even the culmination of the community's disappointment was the occurrence

<sup>8</sup> Ahmad Redi and Ibnu Sina Chandranegara, 'Omnibus Law Diskursus Pengadopsiannya ke Dalam Sistem Perundang-Undangan Nasional', 2020.

Ricca Anggraeni and Cipta Indra Lestari Rachman, 'Omnibus Law in Indonesia: Is That the Right Strategy?', in International Conference on Law, Economics and Health (ICLEH 2020) (Atlantis Press, 2020), 180–182.

Muchamad Ali Safa'at, 'The Domination Of Indonesian Ulama Council Withhold Law Of Halal Product Guarantee', *Arena Hukum* 15, no. 2 (31 August 2022): 257–84, https://doi.org/10.21776/ub.arenahukum.2022.01502.3.

Muhamad Rosyid Jazuli, Maimanah Mohammed Idris, and Penlope Yaguma, 'The Importance of Institutional Quality: Reviewing the Relevance of Indonesia's Omnibus Law on National Competitiveness', Humanities & Social Sciences Communications 9, no. 1 (1 September 2022): 1–13, https://doi.org/10.1057/s41599-022-01343-w.

<sup>&</sup>lt;sup>12</sup> John Walsh, 'Congress: Decision To Break Up Comprehensive Education Bill, Act on Parts, Taken in House', *Science*, 10 May 1963, https://doi.org/10.1126/science.140.3567.620.a.

of large-scale demonstrations in various cities and provinces throughout Indonesia. Analysts say that the Omnibus Law has positive sentiments for the business world.<sup>13</sup> It is proven by the stock market, which has increased since ratification.<sup>14</sup> Meanwhile, this is a negative sentiment for workers' organizations and laborers because they feel that the new rules are castrating their rights.

Interestingly, Omnibus Law in Job Creation Law discusses the Halal Certification theme. Halal certification is an acknowledgment of the halalness of a product issued by the Halal Product Assurance Organizing Body (BPJPH) based on a written halal fatwa issued by the Indonesian Ulema Council (MUI).<sup>15</sup> The condition of development of halal certification in Indonesia is considered relatively slow compared to surrounding countries.<sup>16</sup> Other analysts explain that there are internal obstacles.<sup>17</sup> Streamlining the bureaucracy through the Omnibus Law is considered more efficient in boosting the acceleration of halal certification in Indonesia, which will be maximized until 2024 through the self-declared program. The Job Creation Law that was passed had good intentions for bureaucratic efficiency. However, in several other sectors, some felt disadvantaged.<sup>18</sup>

This phenomenon created chaotic sentiments and responses from the Indonesian people. If intellectual sentiment positively influences the birth of the omnibus law, then there will be a legal policy that will become legal certainty. Besides that, negative sentiment from the community will, of course, still carry over to the realm of realization. This is a big challenge for the Government in socializing that this legal policy is a common interest that can be carried out by deliberation and without a rush.

Based on this background, this article is interested in discussing Omnibus Law's sentiments based on other objects' points of view. This research aims to search

Dewi Rina Cahyani, 'Analis Sebut Omnibus Law Sentimen Positif Bagi Dunia Usaha', Tempo, 12 October 2020, https://bisnis.tempo.co/read/1395061/analis-sebut-omnibus-law-sentimen-positif-bagi-dunia-usaha

<sup>&</sup>lt;sup>14</sup> Conventus Law, 'Indonesia's Omnibus Law: A Magic Wand Amidst A Global Pandemic?', Conventus Law, 31 December 2020, https://conventuslaw.com/report/indonesias-omnibus-law-a-magic-wand-amidst-a/.

<sup>&</sup>lt;sup>15</sup> Aminudin Yakub and Fitriyani Zein, 'Halal Certification in Government and Non-Governmental Organizations: A Comparative Analysis of Indonesia, Malaysia, and Thailand', *Jurnal Cita Hukum* 10, no. 1 (30 April 2022): 153–76, https://doi.org/10.15408/jch.v10i1.25747.

Ratna Sofiana, Satria Utama, and Abdur Rohim, 'The Problems of Halal Certification Regarding Consumer Protection in Malaysia and Indonesia', *Journal of Human Rights, Culture and Legal System* 1, no. 3 (20 November 2021), https://doi.org/10.53955/jhcls.v1i3.16.

<sup>&</sup>lt;sup>17</sup> Safa'at, 'The Domination Of Indonesian Ulama Council Withhold Law Of Halal Product Guarantee'.

Satria Unggul Wicaksana Prakasa, 'Ecocide Crimes & Omnibus Law: Review Of International Law And Its Implications On Indonesia Law':, *Dinamika Hak Asasi Manusia* 12, no. 2 (29 January 2021): 14–20, https://doi.org/10.24123/jdh.v12i2.2898.

indexed scholarly articles on the Google Scholar site. The limitations of this study are the publication of scholarly articles from 2017 to 2020. These limits are based on the hectic negative sentiments of the people who oppose and demonstrate related to the ratification of the Omnibus Law in 2020. This study aims to find out how many publications are on the theme of the Omnibus Law, how sentiments articles are by Indonesian scholars through their scientific works, and their influence on the halal certification program as a result of the publication of the Omnibus Law. The author wants to know the subject matter of each sentiment cluster and analyze its influence on the subject matter of Halal Certification in Amendments to the Law on Halal Product Guarantee through the Omnibus Law.

This study uses secondary data from journals or previous research that discusses the Omnibus Law. The secondary data used in this study are abstracts for each article, comprising 60 samples with a publication range from 2017 to 2020. Secondary data is taken through the search feature on Google Scholar with the keyword "Omnibus Law." The methodology used in this study is Sentiment Analysis. Sentiment Analysis is a branch of research in the Text Minning domain used to measure public sentiment on a particular theme. Sentiment analysis has a three-step process. First, the Subjectivity Classification compares emotionally happy, neutral, or angry clusters. Second, Detection Orientation is how a system can detect the emotional content of the article. Third, Opinion Holders & Target Detection, namely the final results that show the tendency of articles to be in the positive, neutral, or negative cluster. Second contents of a strict that show the tendency of articles to be in the positive, neutral, or negative cluster.

# INDONESIAN SCHOLARS' SENTIMENT OF THE OMNIBUS LAW

This study reviews several 60 studies related to omnibus law with publications starting from 2017 to 2020. The following is a diagram of the Classification of Publishing by Year:

Walaa Medhat, Ahmed Hassan, and Hoda Korashy, 'Sentiment Analysis Algorithms and Applications: A Survey', Ain Shams Engineering Journal 5, no. 4 (1 December 2014): 1093–1113, https://doi.org/10.1016/j.asej.2014.04.011.

Doaa Mohey El-Din Mohamed Hussein, 'A Survey on Sentiment Analysis Challenges', Journal of King Saud University - Engineering Sciences 30, no. 4 (1 October 2018): 330–338, https://doi.org/10.1016/j.jksues.2016.04.002; Lei Zhang, Shuai Wang, and Bing Liu, 'Deep Learning for Sentiment Analysis: A Survey', WIREs Data Mining and Knowledge Discovery 8, no. 4 (2018): e1253, https://doi.org/10.1002/widm.1253.

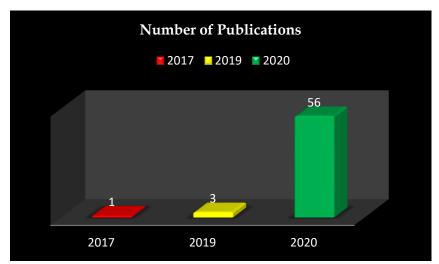


Figure 1. Publishing Classification by Year Source: Data processed by the author

Figure 1 explains that the most publications occurred in 2020, with 56 publications, while in the previous year, there were only a few publications, namely one publication in 2017 and 3 publications in 2019. Next, the author tries to calculate the sentiment of the Omnibus Law topic. It is well known that sentiment analysis is research commonly used to determine public sentiment towards a particular theme or topic. The following are the results of sentiment analysis related to the Omnibus Law theme:

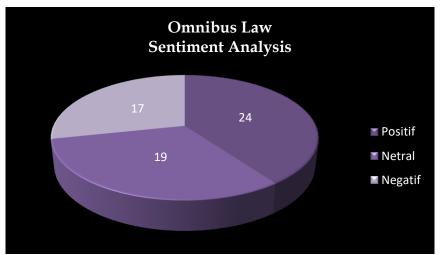


Figure 2. Omnibus Law Sentiment Analysis (in nominal) Source: Data processed by the author

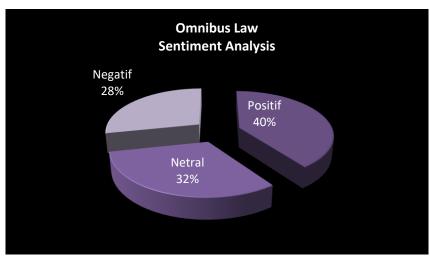


Figure 3. Omnibus Law Sentiment Analysis (in %) Source: Data processed by the author

Figures 2 and 3 explain that the discussion on Omnibus Law has positive (good) sentiments of 24 or 40%, neutral sentiments of 19 or 32%, and negative (bad) sentiments of 17 or 28%. This means Indonesia's literature discussing the Omnibus Law has the highest positive sentiment. Meanwhile, negative sentiment is in the lowest position, while neutral sentiment is in the middle or second position.

Positive sentiment discussed the importance of implementing Omnibus Law in Indonesia to overcome regulatory problems and solutions to overlapping regulations. Ulil wrote that applying the Omnibus Law is essential and can be carried out through a progressive approach accompanied by adjustments between the Omnibus Law legal transplantation process and national law.<sup>21</sup> It is necessary to simplify regulations by using the Omnibus Law approach. This drafting model is a regulatory model commonly used in countries with a tradition of the standard law system.<sup>22</sup> The thoughts of Kristiyanto reinforce that the Omnibus Law is very applicable in Indonesia because it does not conflict with the law and is to the community's needs.<sup>23</sup>

Another positive sentiment is discussing the settlement of regulations in the investment sector. Simplifying overlapping regulations requires accelerating the Investment Bill through the Omnibus Law to create a friendly, effective, and efficient

Wicipto Setiadi, 'Simplifikasi Regulasi dengan Menggunakan Metode Pendekatan Omnibus Law', Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional 9, no. 1 (27 April 2020): 39, https://doi.org/10.33331/rechtsvinding.v9i1.408.

<sup>&</sup>lt;sup>21</sup> Ahmad Ulil, Sakti Lazuardi, and Ditta Chandra Putri, 'Arsitektur Penerapan Omnibus Law melalui Transplantasi Hukum Nasional Pembentukan Undang-Undang', *Jurnal Ilmiah Kebijakan Hukum* 14, no. 1 (27 March 2020): 1–18, https://doi.org/10.30641/kebijakan.2020.V14.1-18.

<sup>&</sup>lt;sup>23</sup> Eko Noer Kristiyanto, 'Urgensi Omnibus Law dalam Percepatan Reformasi Regulasi dalam Perspektif Hukum Progresif', *Jurnal Penelitian Hukum De Jure* 20, no. 2 (12 June 2020): 233–244, https://doi.org/10.30641/dejure.2020.V20.233-244.

investment climate.<sup>24</sup> Omnibus Law provides legal certainty from a regulatory perspective, although it does not necessarily provide legal certainty from a law enforcement perspective.<sup>25</sup> In addition, structuring investment regulations can provide legal certainty from a regulatory perspective.<sup>26</sup> The urgency of establishing the Omnibus Law in the investment aspect regarding the theory of state welfare in promoting general welfare as the prosperity of the Indonesian people.<sup>27</sup> A comparison of the application of the Omnibus Law in several countries, such as the Philippines, Australia, Turkey, and the United States, can be used to seek the possibility of implementing the Omnibus Law in Indonesia without leaving its legal culture.<sup>28</sup>

Meanwhile, the lowest sentiment occurred in negative sentiment. This sentiment is more critical of applying the omnibus law concept, which is considered less precise and transparent and causes much controversy. For example, amid concerns in dealing with the Corona Virus Disease 2019 (COVID-19) pandemic, at the meeting, it was proven that two of the nine Party factions refused the ratification, namely the Partai Keadilan Sosial (PKS) Faction and the Partai Demokrat (PD) Faction.<sup>29</sup> Then the rules of the Omnibus Bill on Job Creation have implications for the position inequality between companies and workers and do not provide legal certainty for the protection of workers.<sup>30</sup> In addition, the provisions on severance pay in Article 156 of Law number 13 of 2003 concerning the Labor Bill in Article 89 have not solved the problem. Despite these changes, it has narrowed rights and exploited labor for the company's benefit.<sup>31</sup> The existence of the Omnibus Law

Galuh Kartiko, Ludfi Djanjanto, and Rosy Aprieza Puspita Zandra, 'Penerapan Omnibus Law di Bidang Investasi sebagai Upaya Penyelesaian Regulasi Perizinan dan Harmonisasi Peraturan Perundang-Undangan di Indonesia', Seminar Nasional Multi Disiplin Ilmu Universitas Asahan, no. 0 (16 October 2020), http://jurnal.una.ac.id/index.php/semnasmudi/article/view/1594.

<sup>&</sup>lt;sup>25</sup> Hernawati Ras and Joko Trio Suroso, 'Kepastian Hukum Dalam Hukum Investasi di Indonesia Melalui Omnibus Law', *Jurnal Ilmiah MEA (Manajemen, Ekonomi, & Akuntansi)* 4, no. 1 (24 April 2020): 392–408, https://doi.org/10.31955/mea.v4i1.557.

Muhammad Insa Ansari, 'Omnibus Law Untuk Menata Regulasi Penanaman Modal', Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional 9, no. 1 (27 April 2020): 71, https://doi.org/10.33331/rechtsvinding.v9i1.378.

Muhammad Amiril A'la and Aditya Prastian Supriyadi, 'Omnibus Law Sebagai Reformasi Hukum Investasi Di Indonesia Berdasarkan Asas Hirarki Peraturan Perundang-Undangan', *Al-Huquq: Journal of Indonesian Islamic Economic Law* 2, no. 2 (2020): 133–159.

<sup>&</sup>lt;sup>28</sup> Vincent Suriadinata, 'Penyusunan Undang-Undang Di Bidang Investasi: Kajian Pembentukan Omnibus Law Di Indonesia', *Refleksi Hukum: Jurnal Ilmu Hukum* 4, no. 1 (2019): 115–132.

<sup>&</sup>lt;sup>29</sup> Munadhil Muqsith, 'UU Omnibus Law Yang Kontroversial', ADALAH 4 (4 November 2020): 095–115, https://doi.org/10.15408/adalah.v4i3.17926.

Kukuh Tejomurti and Sukarmi Sukarmi, 'The Critical Study of the Omnibus Bill on Job Creation Based on John Rawls View on Justice', Unnes Law Journal: Jurnal Hukum Universitas Negeri Semarang 6, no. 2 (2020): 187–204.

<sup>&</sup>lt;sup>31</sup> Fajar Kurniawan, 'Problematika Pembentukan RUU Cipta Kerja Dengan Konsep Omnibus Law', *Jurnal Panorama Hukum* 5, no. 1 (2020): 63–76.

harms the workforce, especially workers or female workers, even though this rule should protect, not even castrate, their rights.<sup>32</sup>

Another discussion of negative sentiment is discussing the impact on indigenous peoples, where this regulation poses a threat because communal ownership rights have been lost.<sup>33</sup> If applied to the Sea, applying the Omnibus Law concept in law enforcement is inappropriate. This is due to the UNCLOS 1982 regulation regarding maritime zones, which recognizes the rights of other countries in the sea area, both the sea area, which is the sovereignty of the coastal state, and the jurisdictional area of the coastal state.<sup>34</sup> However, this contrasts with Dirhamsyah et al. that the Omnibus Law is Indonesia's solution to fighting illegal fishing.<sup>35</sup>

The Omnibus Law, drafted without adequate public consultation, left trade unions, civil society, and academics in the dark, forcing them to second-guess many controversial provisions. The pros and cons that are still rolling assess the eyes of the public that the omnibus law has not been able to solve the country's economic problems because it is not a solution.<sup>36</sup> In addition to an error in naming the draft Omnibus Law, there is also a discrepancy in Article 170 of the Bill with the principle of lex superior derogate legi inferior coupled with the existence of ignorant which has consequences for the lives of workers related to the granting of full discretionary authority in the hands of workers. Entrepreneurs.<sup>37</sup> Therefore, academic research (Assessment Report) is needed so that the rules in the draft have a scientific basis that can be accounted for. Unfortunately, the draft needed an assessment report to determine whether the community needed the law and was urgent.<sup>38</sup> The formulation and implementation of the Omnibus Law must be balanced at the level

Rizky P. P. Karo Karo and Amanda Fitri Yana, 'Konsepsi Omnibus Law terhadap Perlindungan Tenaga Kerja Wanita di Indonesia', Warta Dharmawangsa 14, no. 4 (16 October 2020): 723–729, https://doi.org/10.46576/wdw.v14i4.901.

<sup>&</sup>lt;sup>33</sup> Dimas Asto Aji An'Amta, Ismar Hamid, and Muhammad Luthfi Fahrizan, 'Masyarakat Adat Balai Kiyu: Menghadapi Ancaman Eksistensi Di Tanah Sendiri', *RESIPROKAL: Jurnal Riset Sosiologi Progresif Aktual* 2, no. 1 (14 September 2020): 39–53, https://doi.org/10.29303/resiprokal.v2i1.25.

<sup>&</sup>lt;sup>34</sup> Dhiana Puspitawati, 'Penerapan Konsep Omnibus Law Pada Pengaturan Kewenangan Penegakan Hukum di Laut', *Masalah-Masalah Hukum* 49, no. 4 (2020): 393–408.

Dirham Dirhamsyah, Saiful Umam, and Zainal Arifin, 'Maritime Law Enforcement: Indonesia's Experience against Illegal Fishing', Ocean & Coastal Management 229 (1 October 2022): 106304, https://doi.org/10.1016/j.ocecoaman.2022.106304.

Mohammad Orinaldi, 'Relasi Antara Omnibus Law Di Era Pandemi Covid-19 Dan Perekonomian Di Indonesia', *J-MAS* (*Jurnal Manajemen Dan Sains*) 5, no. 2 (27 October 2020): 269–275, https://doi.org/10.33087/jmas.v5i2.194.

<sup>&</sup>lt;sup>37</sup> Andri Fransiskus Gultom and Marsianus Reresi, 'Kritik Warga Pada Ruu Omnibus Law Dalam Paradigma Critical Legal Studies', *Jurnal Pendidikan Kewarganegaraan* 10, no. 1 (31 May 2020): 38–47, https://doi.org/10.20527/kewarganegaraan.v10i1.8497.

Indra Rahmatullah, 'Urgensi Assesment Report Dalam Omnibus Law RUU Cipta Kerja', *ADALAH* 4, no. 3 (9 July 2020): 84–89, https://journal.uinjkt.ac.id/index.php/adalah/article/view/16419.

of effectiveness and accountability by considering the juridical, political, sociological, and economic aspects.<sup>39</sup>

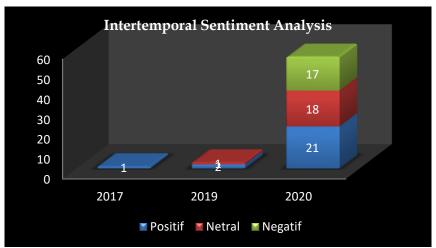


Figure 4. Intertemporal Sentiment Analysis Source: Data processed by the author

Based on Figure 4, the author can see that in 2017 and 2019, there were only four articles in total. The author can see a surge in discussion on the theme of the omnibus law in 2020. Of course, think about it rationally. In that case, this aligns with large-scale public demonstrations in various cities against the disappointment of implementing the Omnibus Law on the Job Creation Bill. This significant moment will likely stimulate scholars to want to discuss these hot themes or topics. In 2020, some negative sentiments emerged even though the portion was the least between neutral and positive. This is interesting because if you look at the negative public sentiment, it is much more significant if you look at large-scale demonstrations in various points in Indonesia. However, the sentiment of scholars in writing scientific papers is the opposite, which shows the lowest level of negative sentiment. This shows that the Omnibus Law is essential. Of course, it is balanced with correct and transparent implementation and involves all parties.

<sup>&</sup>lt;sup>39</sup> Agus Darmawan, 'Politik Hukum Omnibus Law Dalam Konteks Pembangunan Ekonomi Indonesia', *Indonesian Journal of Law and Policy Studies* 1, no. 1 (31 May 2020): 13–24, https://doi.org/10.31000/ijlp.v1i1.2655.

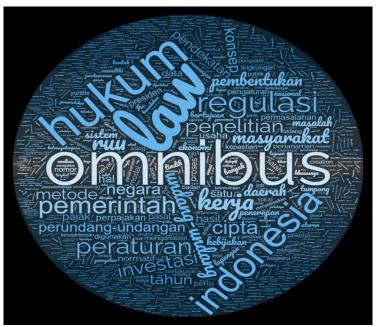


Figure 5. Word clouds articles related to Omnibus Law Source: Data processed by the author

Figure 5 is a word cloud of 60 abstracts of articles published from 2017 to 2020. The word clouds in Figure 5 represent the visuals of the words often used in the 60 abstracts. The bigger and thicker a word, the more often the word is used repeatedly in each article's abstract. The collection of these words explains that each research abstract has a high potential to discuss the definition of the omnibus law, a legal regulation in Indonesia related to the concept of legislation. The work copyright bill includes government regulations and policies, including investment.

Discussion of the Omnibus Law in academia was already intense before the Omnibus Law was published. This means that this discussion impacts the government's decisions regarding the law. Not only discussing one theme, but the omnibus law is comprehensive, especially in the statutory bureaucracy, which is felt to overlap. One interesting discussion is the change in bureaucracy related to the issuance of halal certification in Indonesia. If previously it was carried out by the MUI, it is easy to issue halal certification using the self-declare program method under the Ministry of Religion.

# OMNIBUS LAW AND ACCELERATION OF THE HALAL PRODUCT CERTIFICATION PROCESS

The Omnibus Law has many subjects from all government sectors. In this case, discussions related to Islamic economic law, such as modifications and adding new articles to the Halal Product Guarantee Law.

Table 1. Changes to Article 1 and new Rules Article 4A

Halal Product Guarantee Act	Omnibus Law
BPJPH can issue halal certificates based on	BPJPH can issue halal certificates based on
a written halal fatwa from the MUI (Article	a halal fatwa which can involve Islamic
1 No. 10 UU JPH)	organizations other than the MUI in
	determining the halalness of a product.
Micro and Small Enterprises (UMK) do not	There is a new rule that Micro and Small
require a halal certificate.	Enterprises (UMK) must be halal certified
	through a Micro and Small business
	statement (Article 4A paragraph 1)

Table 1 explains that the Halal Product Guarantee Law states that halal certificates are only issued based on the MUI's halal fatwa. The Omnibus Law changes these provisions into halal certificates issued by the Halal Product Assurance Organizing Agency (BPJPH), where BPJPH can involve mass Islamic organizations other than the Indonesian Ulema Council (MUI), such as universities, Islamic organizations, and so on. Currently, many Islamic Religious State Universities (PTKIN), State Universities (PTN), and Private Universities have Halal Centers as an implementation of BPJPH's cooperation with Islamic organizations other than the Indonesian Ulema Council (MUI). This aligns with Safa'at research, which assesses that the Indonesian Ulema Council (MUI) dominates in holding back the formation and implementation of the Halal Law, thereby hampering the process of establishing rules and laws related to halal certification.<sup>40</sup>

Through Omnibus Law, BPJPH is transforming the halal certification acceleration program involving Islamic organizations and universities. It is evidenced by the recruitment of Halal Product Process Assistants on a large scale in the archipelago as an implementation of the halal certification acceleration program in Indonesia. This is reinforced by the addition of article 4A which states that all Micro and Small Enterprises (UMK) must be halal certified. Through the halal certification program using the self-declared method, BPJPH is recruiting thousands of PPH assistants to assist business actors in registering and issuing business certifications for business actors in the Micro and Small Enterprises (UMK) category.

The self-declared program is promoted as a method of halal certification for Micro and Small Enterprises (UMK) actors funded by the government (free). This is done to provide convenience and encourage business actors to immediately register for halal certification for all their products. This halal certification is intended to provide legal certainty for consumers that the products in circulation are truly halal, safe for

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Muchamad Ali Safa'at, 'The Domination of Indonesian Ulama Council Withhold Law Of Halal Product Guarantee', *Arena Hukum* 15, no. 2 (31 August 2022): 257–284, https://doi.org/10.21776/ub.arenahukum.2022.01502.3.

consumption, and do not harm others.<sup>41</sup> This program aims to make Indonesia the world's halal center so that by 2024 all Micro and Small Enterprises will be certified as halal with a more straightforward scheme, namely through self-declaration. Not only Muslim businesses and consumers but a study in Taiwan concluded that non-Muslim consumers would also try to buy and continue to buy food products labeled as halal.<sup>42</sup>

Table 2. Changes to Article 7 and Article 10

Halal Product Guarantee Act	Omnibus Law
BPJPH has the authority to cooperate with	BPJPH can cooperate with Islamic
the Halal Inspection Agency (LPH) and	Organizations that are legal entities (Article
the Indonesian Ulema Council (MUI)	7, paragraph 2).
(Article 7).	
BPJPH and MUI cooperate in the form of	BPJPH can cooperate with the MUI and
Halal Auditor certification,	Islamic organizations in the Bill on Job
Determination of product halalness, and	Creation on determining product halalness
accreditation of the Halal Guarantee	and issuing decisions on determining
Agency (LPH) (Article 10).	product halal. (Article 10, paragraphs 1 and
	2)

Meanwhile, table 2 explains the changes to Article 7, where previously BPJPH only collaborated with the Halal Inspection Agency (LPH) and the Indonesian Ulema Council (MUI), so in the Omnibus Law, BPJPH can cooperate with Islamic organizations that are legal entities. This is an emphasis on the previous article that apart from being able to issue halal certificates by Islamic organizations, here it is an affirmation that BPJPH can also cooperate with Islamic organizations. Subsequent confirmation is also stated in Article 10 with the cooperation of Islamic organizations as new subjects that can determine product halalness and issue decisions on product halal determination.

Table 3. Changes to Articles 13, 14, 22 and 28

Law on Halal Product Guarantee	Omnibus Law	
The requirements for establishing an LPH	The accreditation requirements from	
are having an office and its equipment, a	BPJPH, as stated in Article 13 of the JPH	
minimum of 3 auditors, and a laboratory or	Law, are removed.	
cooperation with an institution with a		
laboratory (Article 13, paragraph 1).		
Appointment of halal auditors, Halal	Article 14 is omitted, while government	
auditor requirements (Article 14).	regulations regulate further provisions	

<sup>&</sup>lt;sup>41</sup> Siti Nur Azizah, 'Self Declaration Halal Inside Omnibus Law on Job Creation', *International Journal of Social Science Research and Review* 5, no. 4 (2 April 2022): 138–147, https://doi.org/10.47814/ijssrr.v5i4.215.

Widya Satya Nugraha, Dennis Chen, and Shang-Ho Yang, 'The Effect of a Halal Label and Label Size on Purchasing Intent for Non-Muslim Consumers', *Journal of Retailing and Consumer Services* 65 (1 March 2022): 102873, https://doi.org/10.1016/j.jretconser.2021.102873.

	regarding halal auditors (article 15 paragraph 2)
*	Government Regulations regulate further provisions relating to administrative
The supervisor in the JPH Law must be Muslim and have extensive knowledge about halal (Article 28, paragraph 1).	The requirement that supervisors must be Muslim is removed, and Government Regulation regulates further provisions regarding Halal Supervisors.

Table 3 discusses the ease of requirements for the Halal Inspection Agency (LPH) regarding the removal of accreditation in Article 13, the removal of the appointment and requirements for halal auditors in Article 14, and the transfer in Article 15 by stating further provisions regulated by government regulations. Furthermore, there is a change in Article 22, where government regulations will regulate sanctions for violations. Similarly, in 28, regarding the provisions for supervisors who must be Muslim, they are replaced with further provisions regulated by government regulations. Based on the explanation in Table 3, there are many sentences that "government regulations regulate further provisions." This is the government's anticipation that this regulation will not overlap with other regulations in the future so that they can synchronize and synergize with one another.

Table 4. Changes to Articles 29, 30, 31, 32, 35 and Additions to Articles 34A, 35A

Halal Product Guarantee Act	Omnibus Law
There is no period for verifying the	Application for halal certification within a
application for halal certification (Article	maximum of one working day.
29).	
Determination of the LPH no later than five	LPH setting is 1 working day
working days after applying for documents	
(Article 30).	
There is no provision for the number of	Halal auditors carry out halal product
working days related to the inspection	inspections within 15 working days.
from the halal auditor (Article 31).	
BPJPH conveys the results of examining or	MUI and Islamic organizations are also
testing product halalness to MUI to	involved in issuing fatwas from the
determine product halalness (Article 32,	inspection and testing of halal products.
paragraph 2).	
-	There is article 34A related to the ease of
	issuing halal certification for products

	whose ingredients have been confirmed to be halal.
Halal certificate from BPJPH no later than seven working days after receiving the halal product decision (Article 35).	Halal certificate from BPJPH in one working day.
-	There is article 35A regarding the authority of BPJPH in taking over the halal certification process.

Table 4 explains that there is time efficiency in processing all documents. Halal certification institutions must work with shorter timeframes to make the process more efficient, as in Article 29, Article 30, Article 31, and Article 35. Meanwhile, another confirmation in article 32 states that the MUI and Islamic organizations are involved in issuing fatwas due to the inspection and testing of halal products. Several additional articles, including article 34A, provide convenience for issuing halal certification for products with confirmed ingredients. This article has been implemented with a halal certification issuance program using the self-declared method through assistance from Halal Product Process (PPH) assistant officers. Meanwhile, in addition to Article 35A, it emphasizes that BPJPH has the authority to take over the halal certification process.

Table 5. Changes to Articles 41, 43, 44, 48, 58

Table 5. Changes to 11	111000
Law on Halal Product Guarantee	Omnibus Law
Business Actors who include halal labels	It only mentions administrative sanctions
but do not comply with the provisions will	but does not explain what the sanctions are.
be subject to administrative sanctions	
through verbal warnings, written	
warnings, or revocation of halal	
certification (Article 41).	
It does not mention that BPJPH can issue an	BPJPH can immediately issue an extension
extension of halal certification (Article 43).	of halal certification in terms of conditions
	that are by the requirements (Article 43,
	paragraph 3)
The cost of halal certification for Micro and	Applications for halal certification
Small Enterprises can be facilitated by other	submitted by Micro and Small Enterprises
parties (article 44, paragraph 2)	are free.
Products that are not certified halal may be	Sanctions for withdrawing goods from
subject to administrative sanctions and	circulation are abolished.
withdrawal of goods from circulation	
(Article 48)	
Criminal Provisions for Business Actors	Same as before
who do not comply with imprisonment for	
a maximum of 5 years and or a fine of a	
maximum of 2,000,000,000 IDR (Article 58)	

Table 5 discusses the regulation of several administrative sanctions in Article 41, article 48, and Article 58. In article 43, there is a change in the affirmation, which states that BPJPH can immediately issue an extension of halal certification in terms of conditions that are by the requirements. Furthermore, in Article 44, it is noted that the application for halal certification submitted by Micro and Small Business Actors is free of charge. This is done by implementing BPJPH with a free halal certification issuance program funded by the government through a self-declare program.

Scholars' sentiment towards the birth of the omnibus law, which leads to halal certification regulations, will become legal certainty resulting in legal policy. This certainly has an extraordinary effect because of the lack of socialization and deliberation at all levels of Indonesian society. Negative sentiment from the public is undoubtedly a sign of danger for this policy, so it disrupts the field realization process in the future. From the point of view of the people who will use the law, they will eventually experience legal uncertainty because law enforcers and public law policymakers in their services will be biased from one place to another, or the law is not the same or the law is not firm because the interpretation of sentiment is still included in the implementation or realization of the policy so that it ultimately has implications to what is accepted by society becomes uncertain, legal certainty will be a matter of question.

Sentiment towards the omnibus law that continues to halal certification will continue to the mood of the law, namely a feeling of uncertainty in carrying out halal certification because the community and law enforcement have doubts in realizing halal certification due to legal sentiments in the omnibus law. MUI's halal logo in Indonesia is still a matter of difference because of misperceptions. For those who have positive sentiments towards the omnibus law, this could impact legal and policy domination because they feel that what is expected has been achieved, so achieving this legal expectation directs those in the field to dominate legal policies which are still felt. There is still negative sentiment from the public towards the omnibus law.

The most significant influence is, of course, on the stretching of economic law related to halal certification, which also becomes weak or less intense with negative sentiment, even though the economy demanded is the economic value that contributes to the broader community. This did not trigger the government's efforts to partner with BPJPH, the Ministry of Religion, in issuing halal certification using the self-declare method. A total of 25,930 halal certificates for SMEs have been successfully issued. This is an extraordinary achievement, with the target of publishing to reach one million halal certifications. This is to support business actors in Indonesia to have superior competitiveness with other countries so that there is a need for a change in the thinking

of business actors by increasing public literacy regarding the importance of guaranteeing halal products.

A social approach with legal dissemination from time to time must be carried out, even though it takes quite a long time to obtain sound legal, social conditions because legal formal law has been realized. After establishing the omnibus law by accelerating the self-declare method of halal certification, seminars and legal studies must continue to be carried out. This is easy to realize because BPJPH collaborates with MUI, universities, and Islamic organizations as halal centers and assistance in certifying halal product processes.

#### CONCLUSION

Based on the discussion above, the writer can conclude that the Omnibus Law is a good idea. This idea is necessary for streamlining the bureaucracy and regulatory issues to improve Indonesia. The Omnibus Law needs to be appreciated. However, the government should be more transparent regarding design and implementation. There needs to be deliberation by all parties to suit the common good, especially for the welfare of the people and the state of Indonesia. A good thing done in a hurry, especially in a non-transparent manner, will only cause public dissatisfaction with the government, especially if the design of the Omnibus Law seems to be more influenced or beneficial to other parties. Scholars' sentiment tends to show the highest positive view, and the next is neutral. The assumption is that this contrasts public sentiment in demonstrations with high negative sentiment due to disappointment with implementing the Omnibus Law. The Omnibus Law has positively influenced accelerating the halal certification process in Indonesia, specifically targeting the micro and small business sectors. Evidenced by the existence of a halal certification program through the self-declared method, it can provide convenience for business people by assisting in the halal product process (PPH) financed free of charge by the government. This aligns with Indonesia's optimistic mission to become the center of the world's halal industry in 2024.

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