

Towards a Holistic *Halal* Certification Self-Declare System: An Analysis of *Maqāsid al-Sharī'ah*-Based Approaches in Indonesia and Malaysia

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Abstract

Despite the transparent and legal-compliant implementation of the *Halal* certification system in Indonesia and Malaysia, there are obstacles in practice, such as quality control and supervision for *Halal*-certified products. Therefore, it is necessary to implement a comprehensive *Halal* certification system founded on *Maqāsid al-Sharī'ah*. This study employs normative-doctrinal legal research to provide recommendations for resolving issues associated with implementing the *Halal* certification system in Indonesia and Malaysia. It reveals that both Indonesia and Malaysia have institutions tasked with administering the *Halal* certification system; in Indonesia, it is administered by Badan Penyelenggara Jaminan Produk *Halal* (*Halal* Product Guarantee Organizing Agency or BPJPH), and in Malaysia, *Jabatan Kemajuan Islam* Malaysia (Department of Islamic Development Malaysia or JAKIM). Quality control and supervision are obstacles to implementing *Halal* certification in Indonesia and Malaysia, particularly self-declaration. Due to the misuse of *Halal* labels and the incorporation of non-submitted materials and products, rigorous oversight is necessary for the products that acquired *Halal* certificates using this scheme. Business actors lack knowledge and comprehension of the *Halal* guarantee system, which prompts them to implement the objectives of *Halal* certification. Adopting *Maqāsid al-Sharī'ah* is necessary to put in place a *Halal* certification system that prioritizes business actors' awareness of the goals of *Halal* certification, which include the preservation of religion, life, the mind, ancestry, and property. Moreover, this preservation aligns with the goal of *Halal* certification's contribution to spiritual and worship strength.

Keywords: *Halal* Certification, *Maqāsid al-Sharī'ah*, Indonesia, Malaysia, Self Declare.

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Introduction

Halal lifestyles have swept the globe, not only in countries with a majority Muslim population but also in countries with a majority non-Muslim population.¹ A Muslim must uphold the obligation to ingest *Halal* and nutritious food.² The actual trend of the *Halal* lifestyle is not merely a modern way of life; it is also closely tied to religious life, which alludes to the foundation of religion. Indonesia and Malaysia are predominantly Muslim nations. Consumption of *Halal* food is one of the essential requirements that must be met; therefore, guaranteeing *Halal* products can ensure Muslim consumers' satisfaction when consuming *Halal* products.³ *Halal* lifestyle is related to food and drink, fashion, *Halal* tourism,⁴ *sharī'ah* banking, *sharī'ah* hotels, and other life necessities.

Within the Muslim community, Islam is a significant component. Islamic religious practices are defined as the whole range of thinking, saying, doing, and setting principles, as well as making decisions and acting on them based on religious understanding and knowledge. It has the power to shape and elevate the value of people on an intellectual, physical, emotional, and spiritual level. The lack of implementation of religious practices, particularly in the workplace, reflects the Islamic faith during the time

¹ M. Astuti, "Pengembangan Produk *Halal* Dalam Memenuhi Gaya Hidup *Halal* (*Halal* Lifestyle)," *Iuris Studia: Jurnal Kajian Hukum*, Vol. 1, no. 1 (June 30, 2020), <https://doi.org/10.55357/is.v1i1.16>.

² Maisyarah Rahmi Hasan., *Maqasid al-Syariah Sertifikasi Halal* (Bening Media Publishing, n.d.).

³ Isti Nuzulul Atiah and Ahmad Fatoni, "Sistem Jaminan *Halal*: Studi Komparatif Indonesia dan Malaysia," *Syi'ar Iqtishadi: Journal of Islamic Economics, Finance and Banking*, Vol. 3, No. 2 (November 11, 2019): 37–50, <https://doi.org/10.35448/jiec.v3i2.6585>.

⁴ Lukman Santoso and Soleh Hasan Wahid, "Utilitarianism in *Halal* Tourism Development in Indonesia," *Mazahib*, Vol. 22, no. 2 (December 7, 2023): 243–82, <https://doi.org/10.21093/mj.v22i2.5418>.

of Prophet Muhammad. The rise of civilization empires throughout human history has demonstrated the usefulness of this religion.⁵ Islam should be internalized in the soul, and practicality should be expressed through religious practices, which ultimately provide momentum for inner strength development holistically through a combination of knowledge, skill, and spirituality.⁶

Halal certification's fundamental principles are *Halal* (permissible) and *Thayyibban* (wholesome). Chapter al-Baqarah, verse 168 of the Quran: “O humanity! Eat from what is lawful and good on earth, and do not follow Satan’s footsteps. He is truly your sworn enemy.” This verse emphasizes the importance of consuming lawful and good food. Allah commands humankind to eat *Halal* (permissible) and *thayyib* (wholesome), which includes all types of food and drinks permissible in Islam.⁷

Halal is an Arabic word that implies permitted or authorized under *shari‘ah* (Islamic law). On the other hand, *Thayyibban* signifies quality, safety, hygiene, nutrition, and genuineness. In terms of hygiene, safety, and quality, *Halal* and *Thayyibban* are symbols of *Halal*-guaranteed products. The *Halal* certification is granted based on the principles and procedures stipulating that the products must be fit for human consumption.⁸

⁵ Mohamad Zaid Mohd Zin et al., “Relationship between Muslim Accountability Enhancement and Religious Practices Appreciation,” *Journal of Multidisciplinary Islamic Studies eISSN 2785-9223*, Vol. 1, no. 2 (October 19, 2021): 7–14.

⁶ Renita Nur Rahma et al., “Penerapan Konsep Dasar Pemikiran Al-Ghazali Dalam Pendidikan Agama Islam,” *Journal of Education and Instruction (JOEAI)*, Vol. 4, No. 1 (May 18, 2021): 65–77, <https://doi.org/10.31539/joeai.v4i1.1439>.

⁷ Muhammad Thahir ibnu 'Asyur, *Tafsir Al-Tahrir Wa al-Tanwir* (Kairo: Maktabah Misr, 2005). p.89.

⁸ Nurulhuda Noordin et al., “Value Chain of *Halal* Certification System: A Case of The Malaysia *Halal* Industry”, *European and Mediterranean Conference on Information System*, Izmir, , n.p. 2009.

Every Muslim has the fundamental right to consume *Halal* food and other products, such as cosmetics, medicines, and fashion. The products and services include *Halal* tourism, Islamic banking, and Islamic business. This obligation is a religious order and government regulation relating to the guarantee of *Halal* products.⁹ In addition to religious beliefs, there are also health, economic, and security considerations. Consequently, business actors (producers) should protect consumers. To this end, a more active role for the state in regulating the economic system is required, as outlined in the government's or state's strategy for implementing trade or business instruments, which may include regulation of the *Halal* certification system.¹⁰

According to the 2018–2019 Global Islamic Economic Report, more than 87.18 percent of the world's 232.5 million people are Muslims. In light of the high percentage of Muslims in Indonesia, which exceeds 87 percent and is considered a significant majority, the state must enact and guarantee various regulations for the rights of the existing Muslim community. The state is obligated by the law to provide guarantees and protection to society and all religious adherents so they can continue to practice their religious beliefs and perform worship safely and comfortably.¹¹

⁹ Maisyarah Rahmi Hasan, Bambang Iswanto, and Nadhifa Aulia, "The Development of *Halal* Cosmetics Industry in East Kalimantan: *Halal* Awareness Perspectives," *Journal of Multidisciplinary Islamic Studies eISSN 2785-9223*, Vol. 1, No. 1 (June 23, 2021): 1–10.

¹⁰ R Tanzil Fawaiq Sayyaf and Ashfa Afkarina, "Peningkatan Kesadaran Makanan *Halal* Melalui Pendampingan Fikih *Halal* Dan Sosialisasi Self Declare Muhammadiyah," *Jurnal Aplikasi dan Inovasi IPTEKS "SOLIDITAS" (J-SOLID)*, Vol. 5, No. 1 (March 12, 2022): 92, <https://doi.org/10.31328/js.v5i1.3502>.

¹¹ Ratna Sofiana, Satria Utama, and Abdur Rohim, "The Problems of *Halal* Certification Regarding Consumer Protection in Malaysia and

In the era of globalization, particularly for Southeast Asians, the issue of what is *Halal* and what is *haram* in a country is of interest not only to the country's concerned citizens but also to Muslim foreigners. This issue is caused by the obligation to consume *Halal* food in the country and abroad when visiting a tour or other travel destinations. The availability of *Halal* food in Muslim minority countries is now not a difficult thing anymore; that way, it will be easier for Muslim foreigners to get *Halal* food.¹² This information shows that the trend toward *Halal* food is now growing globally.

In Indonesia, the issue of *Halal* products has become contentious. Until now, the *Halal* certification has been determined by *Badan Penyelenggara Jaminan Produk Halal* (BPJPH), and after getting the *Halal* fatwa, which the MUI issues, audited by the *Halal* Inspection Agency/*Lembaga Pemeriksa Halal* (LPH) in order to be recommended to the *Halal* Product Guarantee Organizing Agency or BPJPH.¹³ Meanwhile, the *Jabatan Kemajuan Islam Malaysia* (Department of Islamic Development Malaysia or JAKIM) implements *Halal* certification in Malaysia.¹⁴ Muslim consumers urgently need a reliable and trustworthy *Halal* certification system. A strong and effective *Halal* Product Assurance System is supposed to maintain the Halalness and quality of the products produced while also providing

Indonesia," *Journal of Human Rights, Culture and Legal System*, Vol. 1, No. 3 (November 20, 2021), <https://doi.org/10.53955/jhcls.v1i3.16>.

¹² Muhtadi, "Perbandingan Mekanisme Sertifikasi Produk *Halal* Antara Indonesia dengan Malaysia", *Jurnal Pelita*, Vol.20, No.1, 2020.

¹³ Tubagus Yudi Muhtadi, "Perbandingan Mekanisme Sertifikasi Produk *Halal* Antara Indonesia dengan Malaysia", *Pelita: Jurnal Penelitian Dan Karya Ilmiah*, February 11, 2020, 32–43, <https://doi.org/10.33592/pelita.Vol10.Iss1.500>.

¹⁴ Noordin et al., "Value Chain of *Halal* Certification System: A Case of The Malaysia *Halal* Industry."

Muslim consumers with certainty and faith when purchasing *Halal* items. It is acknowledged that a *Halal* mark is a type of protection for Muslim consumers.¹⁵

The application for *Halal* certification became mandatory in Indonesia after *Halal* Product Guarantee Law Number 33 was implemented in 2014, which began to be realized in 2019.¹⁶ Different from Malaysia, which is still voluntary in the management of *Halal* certification. However, Malaysia has more *Halal* product certifications than Indonesia.¹⁷ The system applied to the certification of *Halal* products in both countries has almost the same characteristics and mechanisms; only institutionally, *Halal* products in Indonesia are now managed by the government through a legal guarantee body for *Halal* products. According to this information, the researcher analyzed Indonesia and Malaysia because these two countries have the greatest majority populations in ASEAN and are the world's largest consumers and producers of *Halal* products.

Previous studies on *Halal* certification have only focused on the procedures and the *Halal* system in Malaysia and Indonesia. For example, Atiah and Fatoni explain that Indonesia and Malaysia apply almost the same principles, authorities, and *Halal* certification

¹⁵ Maisyarah Rahmi Hasan, "The Importance of *Halal* Certified Products in Samarinda City: In the Light of Maqasid Al-Syari'ah," *Borneo International Journal of Islamic Studies (BIJIS)*, Vol.2, No.1, November 29, 2019, 41–69, <https://doi.org/10.21093/bijis.v2i1.1832>.

¹⁶ "Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk *Halal*," n.d.

¹⁷ Sitti Nur Faika and Musyfika Ilyas, "Kewajiban Pendaftaran Sertifikasi *Halal* Pada Badan Penyelenggara Jaminan Produk *Halal*; Perspektif Maqāsid al-Syari'ah," *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum*, Vol.9, No.1, June 9, 2021, <https://doi.org/10.24252/shautuna.v2i2.18842>.

mechanisms. One of them is that every producer who proposes *Halal* certification must go through a series of tests, the test results of which will be submitted to the Fatwa Commission, which is authorized to decide whether or not a product is *Halal*.¹⁸ However, Muhtadi compares the certification mechanisms for *Halal* products in Malaysia and Indonesia.¹⁹ Kho di Dza further examines *Halal* certification systems in Indonesia and Malaysia and designs *Halal* certification system models for Vietnam.²⁰ Rokhsana looks at an overview of the developments of *Halal* certification laws in Malaysia, Singapore, Brunei, and Indonesia.

Meanwhile, Ratna, Satria, and Abdur Rahim note the problems of *Halal* certification regarding consumer protection in Malaysia and Indonesia.²¹ In addition, Arsil studies personal values underlying *Halal* food consumption, as evidenced by Indonesia and Malaysia.²² Therefore, the development of a *Maqāṣid al-Sharī‘ah*-based *Halal* product guarantee system has not been explained in previous research, particularly concerning the self-declare *Halal* certification, which was only inaugurated in 2022 following the implementation of the work copyright law and the decision of the head of the *Halal* product assurance

¹⁸ Atiah and Fatoni, “Sistem Jaminan *Halal*.”

¹⁹ Muhtadi, “Perbandingan Mekanisme Sertifikasi Produk *Halal* Antara Indonesia dengan Malaysia.”

²⁰ Kho Di Dza, “Mempelajari Sistem Sertifikasi *Halal* di Indonesia dan Malaysia, serta Pengembangan Model Sistem Sertifikasi *Halal* di Vietnam.” 2014, <http://repository.ipb.ac.id/handle/123456789/70003>.

²¹ Sofiana, Utama, and Rohim, “The Problems of *Halal* Certification Regarding Consumer Protection in Malaysia and Indonesia.”

²² Poppy Arsil et al., “Personal Values Underlying *Halal* Food Consumption: Evidence from Indonesia and Malaysia,” *British Food Journal* 120, no. 11 (January 1, 2018): 2524–38, <https://doi.org/10.1108/BFJ-09-2017-0519>.

agency regarding the mechanism of self-declaring *Halal* certification for small micro business actors.

This paper will explain the theory of *Maqāṣid al-Sharī'ah*, the *Halal* certification system in Indonesia and Malaysia, and the problems in implementing *Halal* certification self-declaration in Indonesia and Malaysia, as well as propose a holistic theory founded on *Maqāṣid al-Sharī'ah* on the *Halal* product certification system. This is due to the obstacles in practice, such as quality control and supervision for *halal*-certified products. Therefore, it is necessary to implement a comprehensive *halal* certification system founded on *Maqāṣid al-Shariah*.

Maqāṣid al-Sharī'ah: the Guiding Principle in Developing the Halal Certification System

In Islamic law, the term *maqashid* refers to the purposes or meanings of *Sharī'ah*. This concept refers to the notion that the objectives of Islamic law are not limited to the observance of religious commands and prohibitions but also to the fulfillment of man's needs and pursuits. The Qur'an reaffirms *Sharī'ah's* purpose is to nurture humanity's well-being and promote individual and collective happiness. In contemporary contexts, *Maqāṣid al-Sharī'ah* is frequently used to formulate *Sharī'ah* policies and practices pertinent to the prevailing circumstances.²³ The *Maqāṣid al-Sharī'ah* approach is a holistic approach to *fiqh* theory (*kulliyun*) and does not limit it to texts or partial laws. However, it refers more to the principles of universal goals.²⁴

²³ Hasan, Maisyarah Rahmi, *Maqasid al-Syariah Sertifikasi Halal*. p.35.

²⁴ Teguh Anshori, "Menuju Fiqih Progresif (Fiqih Modern Berdasarkan Maqashid Al Syariah Perspektif Jaser Auda)," *Al-Syakhsyiyah: Journal of Law & Family Studies* 2, no. 1 (June 27, 2020): 168–81, <https://doi.org/10.21154/syakhsyiyah.v2i1.2166>.

The formulation of *fiqh* that was constructed hundreds of years ago is inadequate to answer all the problems that occur at this time. Social, political, and cultural life are very different. The law (*ijtihad*) itself continues to run dynamically following space and time, as per the *fiqh* rules of *tagayyur al-ahkam bi tagayyur al-azminah wa al-amkinah* (a change in time and place causes a change in the law). Thus, the implications require the legal *istinbath* method and one of the *istinbath* methods that deserves serious consideration and attention to achieve that goal is *Maqāṣid al-Sharī'ah*.²⁵

Maqashid is the plural form of *Maqṣad*, derived from the words *qashada*, *yaqshidu*, and *qashdan*, all of which indicate intent, purpose, or intent.²⁶ The term "al-syari'ah" refers to the path leading to a water source or the primary source of existence. One of the many meanings of *al-Sharī'ah* is the provisions revealed by Allah to His servants through the Prophet Muhammad, which include faith, *muamalah*, and morals. While the definition of *Maqāṣid al-Sharī'ah* is comprehensive and widely stated by contemporary scholars such as Ibn 'Asyur, it is not the most common definition.

According to Ibn 'Asyur, *Maqāṣid al-Sharī'ah* refers to "the meanings and wisdom that Syari' considers in all or the majority of his interpretations, which are not limited to a single type." Therefore, the *Maqāṣid* comprises the *Shari'ah*'s characteristics, general purposes, and meanings that cannot be ignored under Islamic *Shari'a* law.²⁷ Ibn 'Asyur also divides *Maqāṣid* into two parts: *Maqāṣid al-*

²⁵ Anshori, "Menuju Fiqih Progresif (Fiqih Modern Berdasarkan Maqashid Al Syariah Perspektif Jaser Auda).", p.78.

²⁶ Ahmad Warson Munawwir, *Kamus Al-Munawwir Arab-Indonesia Terlengkap* (Surabaya: Pustaka Progressif, 1997), p.390.

²⁷ Muhammad Thahir ibn 'Asyur, *Maqāṣid Al-Syari'ah al-Islāmiyyah*, (Amman: Dar al-Nafais, 2001), p.90.

Sharī'ah al-'Ammah and *Maqāṣid al-Sharī'ah al-Khashah*. *Maqāṣid al-Sharī'ah al-'Ammah* is the goal and objective of the *Sharī'ah*, which includes the interests and human benefit in general, such as preserving a beneficial system, maintaining benefit, avoiding damage, realizing equality of human rights, and implementing the *Sharī'ah* following God's rules. In the meantime, *Maqāṣid al-Sharī'ah al-Khashah* is the *Shari'ah's* specific objective about *Muamalat*, which examines various *Maqāṣid al-Sharī'ah* issues, such as *Maqāṣid al-Sharī'ah* family law.²⁸

On the other hand, according to Jasser Auda, *Maqāṣid al-Sharī'ah* (objectives of Islamic law) are the ultimate purposes or principles that promote the welfare of humankind in this world and the hereafter. They are five in number: preserving religion, life, intellect, progeny, and wealth. Auda emphasizes that *Maqāṣid al-Sharī'ah* can serve as a foundation for policymaking and decision-making in situations without clear guidance from Islamic law. He also stresses that *Maqāṣid al-Sharī'ah* is universal, flexible, and can be adapted to changing times and human needs.²⁹

The theory of *Maqāṣid al-Sharī'ah* is divided into five categories, which are: 1) Preservation of Religion (*Hifzh al-Din*): This category includes all aspects related to the preservation and protection of the Islamic faith, such as belief, worship, morality, and spirituality. 2) Preservation of Life (*Hifzh al-Nafs*): This category includes all aspects related to the protection and preservation of human life, such as physical health, safety, and security. 3) Preservation of Intellect (*Hifzh al-Aql*): This category

²⁸ Irham Sya'roni, "Maqasid al-Syari'ah dalam Nalar Ilmiah Thahir Ibnu 'Asyur," n.d.

²⁹ Jaser Auda, *Membumikan Hukum Islam Melalui Maqasid Syariah* (Bandung: PT Mizan Pustaka, 2008), p.39.

includes all aspects related to the preservation and promotion of human intellect, such as education, science, and rational thinking. 4) Preservation of Progeny (*Hifzh al-Nas*): This category includes all aspects related to the preservation and promotion of the family unit and human reproduction, such as marriage, parenthood, and child-rearing. 5) Preservation of Wealth (*Hifzh al-Mal*): This category includes all aspects related to the preservation and protection of property and wealth, such as economic justice, fair trade, and the prevention of exploitation and fraud.

Maqāṣid al-Sharī'ah and *Halal* certification have a close relationship because *Halal* certification seeks to maintain health, safety, justice, and the benefit of humanity. The primary objective of Islamic law is *Maqāṣid al-Sharī'ah*, which entails the protection of religion, spirit, mind, progeny, and property. In *Halal* certification, *Maqāṣid al-Sharī'ah* ensures that produced and marketed products adhere to Islamic teachings and do not injure consumers. In order to maintain consumer health and safety, *Maqāṣid al-Sharī'ah*, for instance, ensures that *Halal* products are made with secure ingredients and do not contain non-*Halal* substances such as pork or alcohol. Furthermore, *Maqāṣid al-Sharī'ah* stresses the significance of justice in business and commerce. In this instance, *Halal* certification must ensure that produced and marketed products adhere to defined standards and not mislead consumers. In practice, *Halal* certification is implemented based on the principles of *Maqāṣid al-Sharī'ah*. This objective can be accomplished by developing a certification system that ensures *Halal* products and considers food safety, environmental sustainability, and social benefits. In this context, *Maqāṣid al-Sharī'ah* can contribute to developing an inclusive *Halal* certification

system that considers the welfare of humanity as a whole and provides assurance that products produced and marketed following Islamic principles do not harm consumers. This is because the self-declared *Halal* certification system is intended to make it simpler for business actors to obtain *Halal* certificates, even though many still do not comprehend the standard of the *Halal* product guarantee.

Maqāṣid al-Sharī'ah plays an essential role in implementing the *Halal* certification system, as it provides a holistic framework that considers the technical aspects of *Halal* certification and the overall objectives and purposes of Islamic law. By incorporating the principles of *Maqāṣid al-Sharī'ah*, the *Halal* certification system can become more comprehensive, just, and beneficial for all stakeholders. *Maqāṣid al-Sharī'ah* can also help address some challenges in implementing the *Halal* certification system, such as harmonization, standardization, and transparency. Ultimately, integrating *Maqāṣid al-Sharī'ah* into the *Halal* certification system can help ensure that the *Halal* products in the market comply with the technical requirements of *Halal* certification and fulfill Islam's ethical and moral values. Talking about morals in Islam cannot be separated from matters related to worship, known as "*at-Ta'abbud*." This term refers to obedience to the rules and principles of the Islamic Law.

In the context of the *Halal* Law, *at-Ta'abbud* demands that producers and consumers adhere to the regulations and procedures outlined in the law. This obedience includes following the guidelines and standards established by *Halal* authorities to ensure that products produced and consumed comply with *Halal* principles in Islam. Law Number 33 of 2014 concerning the *Halal* Product Guarantee aims to ensure that the products

consumed by Indonesians comply with the principles of Islamic law. This law does not explicitly discuss implementing Islamic law nationally, but it regulates the guarantee of *Halal* products. *At-Ta'abbud* is an essential concept in Islamic law. *At-Ta'abbud* refers to the devotion to and worship of Allah SWT.³⁰ Based on this concept, *Maqāṣid al-Sharī'ah* brings the value of worship to implementing the *Halal* certification system, a fundamental rule in Islamic law.

Maqāṣid al-Sharī'ah must be directed to new things without intending to abandon *fiqh* proposals that are considered established and permanent.³¹ It provides an understanding that everything that is ordered has wisdom and purpose. Likewise, in implementing product *Halal* certification, the aim is that the products sold and consumed by Muslim consumers are guaranteed to be *Halal* and can apply *Maqāṣid al-Sharī'ah* to protect their religion. While in the field, there are still many business actors, especially those who self-declare *Halal* certification, have never attended training on the *Halal* product guarantee system, and are accompanied by a *Halal* product process assistant in submitting their *Halal* certificates.³² However, unfortunately, not all business actors are adequately educated, so there is an indication of the

³⁰ Zarul Arifin and Maisyarah Rahmi Hasan, "At-Ta'abbud and at-Ta'aqqul in Islamic Law and Their Relevance to the Implementation of Law Number 33 of 2014 Concerning Guarantee of *Halal* Products," *ADDIN*, Vol. 17, No. 1 (June 1, 2023): 79, <https://doi.org/10.21043/addin.v17i1.19683>.

³¹ Nispul Khoiri, Ikhwanuddin Harahap, and Mohd Syahiran Abdul Latif, "Maqashid Al-Syari'ah al-Syatibi: In The Paradigm Muslim Society as Methodology of Zakat Law," *FITRAH: Jurnal Kajian Ilmu-Ilmu Keislaman*, Vol. 8, No. 1 (June 30, 2022): 175–88.

³² Maisyarah Rahmi Hasan, "Problematika Penerapan Sertifikasi *Halal* Self Declare Bagi Pelaku Usaha Mikro Kecil Kalimantan Timur" (Lembaga Penelitian dan Pengabdian Masyarakat UINSI Samarinda, 2023).

possibility of misuse of materials that are not following the list of materials submitted during *Halal* certification and the use of labels on products that have not been *Halal* certified. This is why *Maqāṣid al-Sharī‘ah* must be applied to implementing *Halal* certification in general and self-declare *Halal* certification in particular.

Halal Certification System in Indonesia and Malaysia ***Self-Declare Halal Certification Mechanism in Indonesia***

Self-declaration is an independent statement of the *Halal* status of *Usaha Mikro Kecil* (UMK) (Micro and Small Enterprises or MSE) products. Business actors can self-declare if they meet certain conditions, namely that there must be assistance from a registered by *Pendamping Proses Produk Halal* (*Halal* Product Process Assistant or PPPH).³³

Halal self-declaration was previously regulated in 1996 with the publication of Minister of Health Decree No. 82/Menkes/SK-I/1996, which specifies that *Halal* labeling can be given unilaterally by business actors by providing information on the ingredients' composition. The company may legally use the label if a company states that its product does not contain non-*Halal* ingredients.³⁴

The *Halal* certification system in Indonesia refers to verifying and ensuring that a product or service complies with Islamic dietary laws and regulations.³⁵ The system is

³³ Fitri Rafianti, Robi Krisna, and Erwin Radityo, “Dinamika Pendampingan Manajemen *Halal* Bagi Usaha Mikro dan Kecil Melalui Program Self Declare”, *Jurnal Akses Pengabdian Indonesia (JAPI)*, Vol. 6, No.1, (2022): 8.

³⁴ Gemala Dewi, “Analisis Masalah pada Konsep *Halal* Self-Declare Sebelum dan Pasca enactment Undang-Undang Cipta Kerja” *Al'Adl Jurnal Hukum* , Vol.14, No.1 (2022): 26.

³⁵ Maisyarah Rahmi Hasan, “Regulasi Hukum Jaminan Produk *Halal* di Indonesia,” *DE JURE Critical Laws Journal*, Vol. 3, No. 1 (May 5, 2022): 88–99, <https://doi.org/10.48171/jwh.v3i1.48>.

managed by *Badan Penyelenggara Jaminan Produk Halal* (Halal Product Guarantee Organizing Agency or BPJPH), assisted by the *Halal Product Process Assistance Agency*, and the *Halal Committee of the Ministry of Religion* determines the *Halal Fatwa (Komite Fatwa)*.³⁶

The implementation of self-declaration has been around since 1996, but the method at that time was considered less effective, so all products had to go through *Lembaga Pengkajian Pangan, Obat-obatan, dan Kosmetika Majelis Ulama Inonesia* (Institute of the Study of Food, Drugs, and Cosmetics, Indonesian Ulama Council or LPPOM MUI) inspection to obtain a *Halal* certificate. The transformation of the development of *Halal* certification in Indonesia continues to increase from year to year, and the *Halal* industrial ecosystem is being implemented to develop *Halal* products. So that after the issuance of the Job Creation Law, *Halal* certification through self-declaration will be implemented again in 2022. This is in line with what was conveyed by BPJPH: "The latest regulations provide the option for MSEs to declare *Halal*, but business actors do not necessarily automatically have to be *Halal* but must go through a mechanism with terms and criteria that have been regulated in statutory regulations."³⁷

The mechanism that applies to self-declaration is assistance with the *Halal Product Process (Proses Produk Halal or PPH)* carried out by a *Halal Product Process Assistant (Pendamping Proses Produk Halal or PPPH)* from a *Halal Product Process (PPH)* assistance agency that has been officially registered with BPJPH. A *Halal Product*

³⁶ Dewi, "Analisis Masalah pada Konsep *Halal* Self-Declare Sebelum dan Pasca enactment Undang-Undang Cipta Kerja."

³⁷ Kementerian Agama, "Bertemu KADIN, BPJPH Jelaskan Standar *Halal Self declare* ," accessed September 18, 2022, <https://kemenag.go.id/read/bertemu-kadin-bpjph-jelaskan-standar-Halal-self-declare-p4gpp>.

Process Assistant (*Pendamping Proses Produk Halal* or PPPH) is a person who accompanies micro and small business actors in the process of verifying and validating the *Halal* product process.

The obligation to provide *Halal* certification for micro and small businesses through self-declaration is considered less effective and could potentially violate consumer rights. This was conveyed by the Indonesian Consumers Foundation: "Self-declaration of *Halal* products has the potential to violate consumer rights because supervision is tough to carry out, even though this self-declaration is based on *Halal* standards set by BPJPH.³⁸

Self-declared *Halal* certification is intended for Micro and Small Enterprises (MSE). This can be seen from the composition of business units in Indonesia, dominated by the micro, small, and medium business sectors at 64.2 million or 99.9%. The Micro, Small and Medium Enterprises (MSME) sector contributes significantly to Indonesia's Gross Domestic Product (GDP), amounting to 61.07% or around IDR 8,573.89 trillion. According to the Ministry of Finance report (2021), of the 65 million MSMEs in Indonesia, only 1% or around 650,000 MSMEs have *Halal* certification. In fact, according to Law No. 33 of 2014 concerning *Halal* Product Guarantee (*Jaminan Produk Halal* or JPH), article 4 states that products entering,

³⁸ Musataklima Musataklima, "Self-Declare *Halal* Products for Small and Micro Enterprises: Between Ease of Doing Business and Assurance of Consumer Spiritual Rights/*Self declare* Produk *Halal* Usaha Kecil Mikro: Antara Kemudahan Berusaha dan Jaminan Hak Spiritual Konsumen," *De Jure: Jurnal Hukum dan Syariah*, Vol. 13, no. 1 (July 28, 2021), <https://doi.org/10.18860/j-fsh.v13i1.11308>.

circulating, and traded in Indonesian territory must be certified *Halal*.³⁹

Self-declaration is a statement made by the business actor regarding the *Halal* status of MSE items. Applications for *Halal* certification under the Self-Declare method can be found at the Si*Halal* website URL: <http://ptsp.Halal.go.id/>. Self-declaration is a statement of the *Halal* status of micro and small business products made by business actors. In the Self-Declare program, business actors are not required to declare their products as *Halal*, but there is a framework in place to regulate this. Self-declaration applications must meet certain conditions, such as support from a recognized *Halal* Product procedure companion and a *Halal* decision procedure conducted by the Ministry of Religion's Fatwa Committee.⁴⁰

Self-Declare *Halal* Certification is a government program that helps micro and small businesses obtain *Halal* certificates for free. This program started in 2022, and until 2024, a total of 2.285.000 quotas will be given to all micro and small business actors in Indonesia.⁴¹ This program is undoubtedly an excellent opportunity for business actors to obtain *Halal* certificates for their products. The application for *Halal* self-declaration certification is accompanied by a *Halal* product process assistant under the auspices of a *Halal* product process

³⁹ Elif Pardiansyah, Muhammad Abduh, and Najmudin, "Sosialisasi dan Pendampingan Sertifikasi *Halal* Gratis (Sehati) Dengan Skema Self-Declare Bagi Pelaku Usaha Mikro di Desa Domas," *Jurnal Pengabdian dan Pengembangan Masyarakat Indonesia* 1, no. 2 (November 9, 2022): 101–10, <https://doi.org/10.56303/jppmi.v1i2.39>.

⁴⁰ Nurma Khusus Khanifa et al., "Pendampingan Sertifikasi *Halal* Kategori *Self declare* Pada UMK Carica di Desa Purbo Batang Jawa Tengah" 1 (2022).

⁴¹ Hasan, "Problematika Penerapan Sertifikasi *Halal* Self Declare Bagi Pelaku Usaha Mikro Kecil Kalimantan Timur."

assistance agency as a partner of the *Halal* product guarantee organizing body.⁴² Indonesia, the country with the most significant number of *Halal* products worldwide, is expected to benefit from this free *Halal* certification program via the self-declare scheme. This prediction is demonstrated by the steady rise in *Halal* products certified by BPJPH Indonesia.

Halal Certification System in Malaysia

Halal certification in Malaysia refers to verifying that a product or service complies with Islamic dietary laws and regulations. The certification is managed by the *Jabatan Kemajuan Islam Malaysia* (Department of Islamic Development Malaysia or JAKIM), the country's primary regulatory body responsible for *Halal* certification. The *Halal* certification process in Malaysia involves several steps, including the application, review, and assessment of the product or service by JAKIM officials. The assessment includes evaluating the entire production process, including sourcing raw materials, manufacturing, packaging, storage, and distribution, to ensure that it meets the *Halal* standards. Once the assessment is complete, JAKIM issues a *Halal* certificate for the product or service. The *Halal* certification process in Malaysia is considered one of the most comprehensive and stringent in the world, with high standards of quality and accuracy. The certification is essential for businesses in Malaysia as it assures consumers that the products and services they consume are compliant with Islamic dietary laws.⁴³

⁴² Maisyarah Rahmi Hasan, *Efektivitas Hukum Sertifikasi Halal Gratis (SEHATI)*, 1st ed. (Palembang: Bening Media Publishing, 2023). p.35.

⁴³ Arsil et al., "Personal Values Underlying *Halal* Food Consumption."

Malaysia has a relatively advanced and well-organized *Halal* product assurance system. However, there are still implementation issues, including Consumer confidence issues: Despite Malaysia having a reputable *Halal* certification body, consumers still question the *Halal* status of certain manufacturers' products. A lack of public awareness and comprehension of *Halal* principles may be to blame. Lack of professionals: A lack of experts in the *Halal* field, particularly in less developed regions, can slow the certification procedure and increase producers' certification expenses. There are disparities in the interpretation of materials and basic materials. Different interpretations of the use of materials and basic materials exist among *Halal* certification bodies, producers, and the general public, resulting in uncertainty in *Halal* certification. Supervision of certified *Halal* products is still ineffective, so some producers do not adhere to the *Halal* principles. Infrastructure constraints: limited infrastructure, such as laboratories and testing facilities, makes conducting experiments on materials used in production challenging. Malaysian authorities have made several efforts to address the aforementioned issues, including increasing public awareness and understanding of *Halal* principles, increasing the number of experts in the *Halal* field, increasing coordination between agencies, enhancing infrastructure, increasing supervision of the production of certified *Halal* products, and increasing cooperation and consistency in the interpretation of the use of materials and raw materials.⁴⁴

⁴⁴ Yusaini H Mohamed et al., “*Halal* Traceability in Enhancing *Halal* Integrity for Food Industry in Malaysia – A Review”, *International Research Journal of Engeneering and Technology (IRJET)*, Vol. 3, No. 03 (n.d.).

Efforts are required to address the issues mentioned above, such as increasing the number of experts in the field of *Halal*, improving the coordination between agencies, increasing producer awareness of the importance of *Halal* certification, enhancing infrastructure, enhancing information systems, enhancing cooperation and consistency in interpretation in the use of materials and raw materials, and providing cost assistance to small and medium-sized producers in obtaining *Halal* certification.

The Implementation of the *Halal* Certification System in Indonesia and Malaysia

Problems of Implementing the Self-Declare-Halal Certification Mechanism

Halal certification of products through the self-declare method is associated with implementing the Job Creation Law, which makes it easy for micro and small business actors to manage Business Identification Numbers and apply for *Halal* certification.⁴⁵ In applying for *Halal* certification, business actors must complete and fulfill the requirements for a *Halal* product guarantee system, which includes *Halal* policies, materials, processes, products, monitoring, and evaluation. In the practice of self-declaring *Halal* certification, the five elements of the *Halal* product guarantee system must be fulfilled so that business actors will get *Halal* certificates for their products.⁴⁶ However, in reality, many small micro-

⁴⁵ Aslikhah and Moh. Mukhsinin Syu'aibi, "Fenomenologi Self Declare Sertifikasi *Halal* Bagi Pelaku UMKM Produk Makanan dan Minuman Untuk Peningkatan Awareness Sertifikasi *Halal* Di Kabupaten Pasuruan," *Jurnal Mu'allim*, Vol. 5, No. 1 (January 11, 2023): 68–83, <https://doi.org/10.35891/muallim.v5i1.3424>.

⁴⁶ Nur Kasanah and Muhammad Husain As Sajjad, "Potensi, Regulasi, Dan Problematika Sertifikasi *Halal* Gratis," *Journal of Economics, Law, and Humanities*, Vol. 1, No. 2 (October 9, 2022): 28–41, <https://doi.org/10.21154/jelhum.v1i2.1196>.

business actors do not understand the system of implementing *Halal* certification through the self-declaration route.

In implementing a *Halal* product guarantee system, quality control is essential because product guarantees issued *Halal* certifications that employ materials, processes, and products are highly influential. Where understanding, knowledge, and legal standards must be met for business actors' awareness to increase and be applied to the operation of their businesses. Quality control is crucial because it relates to quality control, which is understood to ensure the implementation of predetermined plans and consumer satisfaction.

The control referred to in *Halal* certification is the control of the behavior of business actors regarding the ease or difficulty of applying for *Halal* certification. Meanwhile, what is meant by quality control is the ability of BPJPH and its *Halal* product process assistants to ensure that the quality of *Halal* product guarantee standards are met on all products declared *Halal* by BPJPH.⁴⁷ Quality control is vital because ensuring a *Halal* product is closely related to the preparation of the materials that have been prepared and the production process that has been determined until the product is ready to be marketed. So, if all of these lines are written and appropriately documented, it will significantly affect the quality assurance of the products produced by business actors.

⁴⁷ Amaliatus Sholihah and Firman Setiawan, "Pendekatan Theory Of Planned Behavior dalam Melakukan Sertifikasi *Halal* Bagi Pelaku UMKM sektor *Halal* Food di Kabupaten Bangkalan", *JURNAL MANEKSI* 11, no. 2 (December 1, 2022): 427-39, <https://doi.org/10.31959/jm.v11i2.1231>.

However, what has occurred in the field, particularly with the submission of self-declared *Halal* certification, is that there are still a large number of business actors who do not comprehend the standards of the *Halal* product guarantee system, do not have the manual document for the *Halal* product assurance system (Sistem Jaminan Produk *Halal*/SJPH) required by BPJPH, or have not prepared document flowcharts. *Halal* product process (Proses Produk *Halal*/PPH) and products that are not yet available; for instance, there is insufficient packaging, business brand stickers, and others. In addition, many production kitchens are not separate from the kitchen used for daily cooking, so this problem becomes dangerous when *Halal*-certified products are combined with products that have not received a legal *Halal* certification.

Plans formulated by business actors should be implemented. However, some business actors do not conform to these regulations. Business actors still do not realize that the materials specified for submitting a *Halal* certificate must match those used in the product's production.

As previously explained, quality control is a problem that needs to be fully fixed before this self-declared *Halal* certification can be implemented in order to meet the requirements of the *Halal* product guarantee system and ensure that the product is *Halal*.

In addition, the *Halal* product guarantee system (SJPH) principle that has not been met is that in the monitoring and evaluation section, according to research findings, there are still business actors who have never conducted monitoring and evaluation, even though according to the applicable Standard Operating Procedures (SOP), periodic monitoring must be conducted by the company's internal auditors, but this is not implemented

in self-declared *Halal* certification. Researchers observe that the application procedure for *Halal* certification provides numerous conveniences, such as the ability to appoint a *Halal* supervisor who is not a certified supervisor but is permitted by the business actor. This solution is ineffective since the person in control is also the business owner. If the business owner is unaware of the requirements for the *Halal* product guarantee system, then the implementation of self-declare *Halal* certification does not satisfy the requirements.

This monitoring needs to be carried out to evaluate the problems faced by the business actor, or if there are events that lead to the insecurity of the *Halal* product process, such as a production process that is contaminated with uncleanness, for example, it will have an impact on the results of the *Halal* product. Therefore, the understanding and knowledge of business actors regarding the *Halal* product guarantee system should be prioritized before implementing this self-declared *Halal* certification.

Problems in Implementing the Halal Certification System in Malaysia

Jabatan Kemajuan Islam Malaysia (Department of Islamic Development Malaysia or JAKIM) regulates and enforces *Halal* regulations in Malaysia, as mandated by law on *Halal* certification. JAKIM also administers *Halal* certification in Malaysia. The widespread instances of misappropriation of the *Halal* logo and the questionable *Halal* status of food have prompted Muslim consumers to express numerous concerns about the status of *Halal* food in Malaysia. Multiple reports on the issue of fraud in *Halal* food indicate that the procedure for determining *Halal* food has flaws. To obtain consumer trust and confidence in the JAKIM logo, it is necessary to evaluate the standard

procedures and references used by *Jabatan Kemajuan Islam Malaysia* (Department of Islamic Development Malaysia or JAKIM) to determine *Halal* food in Malaysia. The standard reference utilized by JAKIM has not yet been shown to be consistent with the concept of *Halal* and *thayyib*. JAKIM uses the Malaysian Standard MS 1500, MS 1480, MS 1514, *Halal Food Manual Procedures*, Food Acts 1983, and Food Regulations 1985 as its primary standard references.⁴⁸

The procedures that apply in implementing *Halal* certification in Malaysia are similar to the Indonesian regular line *Halal* product guarantee system, namely the existence of a *Halal* decree issued by JAKIM after obtaining a decision of the National Fatwa Council for Islamic Affairs, or fatwa stipulated by the state, and laws, regulations, standards, and other related guidelines. Management responsibility for the multinational category applicant must establish an Internal *Halal* Committee concerning the Malaysian Guidelines for *Halal* Assurance Management System 2011, appoint a *Halal* Executive, appoint a minimum of two Muslim workers, be a permanent post, be a citizen of Malaysia, be competent in the *Halal* management system, and be working full time in the pharmaceutical handling and processing department. The applicant must also determine the *Halal* Assurance System (HAS) regarding the Malaysian *Halal* Assurance System Guidelines. For *Halal* certification for pharmaceutical products, the applicant or manufacturer must ensure that the product has been registered and has received an approval letter or registered product from the National

⁴⁸ Sazelin Arif and Safiah Sidek, "Application of *Halalan* Tayyiban in the Standard Reference for Determining Malaysian *Halal* Food," *Asian Social Science*", Vol. 11, No. 17 (2015).

Regulatory Pharmaceutical Agency (NPRA) of the Ministry of Health Malaysia.⁴⁹

In the practice of the *Halal* certification system, quality control carried out by JAKIM follows the provisions of the *Halalan thayyiban* concept. This practice can be seen from various research data sources that show that the government manages the implementation of *Halal* certification in Malaysia to oversee the circulation of *Halal* certificates, which is easy to supervise because it comes from one door. However, what has happened is that there are still business actors who misuse the *Halal* label, which, of course, have not received a quality audit regarding the materials used, the production processes carried out, and the products produced. Business actors who have obtained *Halal* certifications must conduct quality control to assure and guarantee *Halal* products for Muslim consumers.

Likewise, *Halal* certificates in Malaysia are supervised by JAKIM, an authoritarian body related to *Halal* products. Misuse of the *Halal* label on products that have not applied for *Halal* certification can affect Muslim consumer confidence regarding the quality of *Halal* certificates in Malaysia, so it is necessary to have provisions related to intense supervision carried out by JAKIM on business actors in Malaysia.

From the preceding explanation, Indonesia faces numerous obstacles to implementing *Halal* certification. The *Halal* product guarantee system during *Lembaga Pengkajian Pangan, Obat-obatan, dan Kosmetika Majelis Ulama Inonesia* (Institute of the Study of Food, Drugs, and Cosmetics, Indonesian Ulama Council or LPPOM MUI) era

⁴⁹ Johari Ab Latiff, "Halal Certification Prosedure in Malaysia and Indonesia," *PETITA: Jurnal Kajian Ilmu Hukum dan Syariah*, Vol. 5, No. 2 (November 1, 2020), <https://doi.org/10.22373/petita.v5i2.102>.

was modified slightly during *Badan Penyelenggara Jaminan Produk Halal* (Halal Product Guarantee Organizing Agency or BPJPH) era; this procedure and system are identical to implementing the *Halal* product guarantee system in Malaysia. However, the practice of self-declaring *Halal* certification is a distinct system in Malaysia than in Indonesia, where micro and small businesses can declare the *Halalness* of their products with a pledge issued by a *Halal* product process assistant with witness verification.

The problem of quality control and supervision becomes a big problem if left unchecked, considering that the quality of the public's understanding regarding the *Halal* label should meet the standards that have been set. If there is a discrepancy, the responsible institution should take appropriate action to resolve the problem.

From the results of the analysis of the problems found in the implementation of self-declare *Halal* certification in Indonesia and problems related to the misuse of the *Halal* logo, which, of course, are related to quality control and supervision, the researchers found one solution that can overcome these problems, namely the application of *Maqāṣid*-based holistic *Halal* certification *sharī'ah*.

Toward the Holistic *Halal* Certification System: A *Maqāṣid al-Sharī'ah*-Theoretical Scheme

Holistic means exhaustive, comprising "holy" and "healthy." A holistic perspective entails the development of a whole, healthy, and well-balanced individual with all aspects of learning, including the spiritual, moral, imaginative, intellectual, cultural, aesthetic, and emotional. The term holistic has diverse meanings for various individuals. The Cambridge Dictionary defines

holistic as involving or treating the entirety of something or someone instead of only a portion. In holistic medicine, for instance, the body and mind comprise the whole; therefore, holistic medicine seeks illness's mental and physical causes rather than treating its symptoms.⁵⁰

As a philosophy of Islamic law, *Maqāṣid al-Sharī'ah* has made a significant contribution to the modern development of Islamic law. The development of *Halal* products is closely related to *Maqāṣid al-Sharī'ah*, so its application can realize *thayyiban Halal* standards described in the Qur'anic texts.

The *Maqāṣid al-Sharī'ah* initiated by Jasser differs from that initiated by earlier scholars. In the discipline of *usul fiqh*, *Maqāṣid* is categorized as a subdiscussion of the concepts of *maṣlahah*, *mursalah*, and *qiyas*. Jasser desires to make *Maqāṣid* a foundational technique for analyzing *fiqh* proposals. Ideal *Maqāṣid*, according to Jasser, is not only individual and fragmentary but also social and comprehensive. Jasser's *Maqāṣid* concept represents a shift from preservation (*hifzh*) and protection (*iṣmah*) to development (*tanmiyah*) and rights (*al-huqūq*). Human development (*at-tanmiyah al-basyariyah*) is also a component of *mabda'* from *Maqāṣid al-Sharī'ahh*. This point is where Jasser's contribution to the development of *Maqāṣid al-Sharī'ah* studies from a contemporary perspective.

The system approach presented by Jasser as an analytical system in the *iṣṭinbat* of Islamic law also alters the *Maqāṣid* structure. In the traditional perspective, *Maqāṣid* is frequently understood hierarchically and dichotomously. *Maqāṣid* is divided into three levels:

⁵⁰ Said Shahtahmasebi, "Editorial: The Meaning of Holistic," *Dynamics of Human Behaviour (DHH)* 5 (January 1, 2018): http://journalofhealth.co.nz/?page_id=1508.

daruriyah, *hajiyah*, and *tahsiniyah*. In contrast, Jasser understands *Maqāṣid* in an integrative and multi-valued manner and is divided into three categories: *Maqāṣid al-Ammah*, *Maqāṣid al-Khassah*, and *Maqāṣid al-juziyah*.

Jurisprudence as a derivation of *shari'ah* cannot be separated from the purpose of *shari'ah* itself. Only with purposeful *fiqh* will Islamic values be applicable, and the vision of Islam as a religion of *rahmatan lil 'alamin* will be achieved. Therefore, considering *Maqāṣid* as a legal system approach is necessary in this contemporary era. The challenge of Islamic law is related to the internal Muslims themselves and to the extent to which Islamic teachings can contribute to modern civilization. With this systemic approach, Islam can solve modern Islamic law's problems. Thus, ideally, *fiqh* results from a dialectic between text and context or between text and reality. First, texts and reality are read using an eclectic-dialectical approach between classical and contemporary approaches, oriented towards *Maqāṣid al-Shari'ah*. Second, the integration of texts and reality into the frame of thinking of every Islamic scientific discipline (*fiqh*, interpretation, *tasawuf*, and theology). Third, *Maqāṣid*-based philosophical clarification is carried out to produce new ideas or knowledge products with humanist-ecological characteristics that are responsive, adaptive, inclusive, and progressive according to the demands of the times. The above ideals will be realized in contemporary *fiqh* when the mujtahid reads and understands the text (*nash*) comprehensively, starting from *mantuq an-nash* (the meaning indicated by an explicit legal statement), *mafhum an-nash* (understanding which is designated by an implicit legal statement), *ma'qul an-nash* (expansion of the implicit meaning by the causation method), and *ruh an-nash* (the substance of the meaning of

the text obtained through the teleological-philosophical conformity method or the *maqashid* method).

The current *Halal* certification system contains elements of government-issued regulations and rules rather than direct references to Islamic texts or law, such as BPJPH and JAKIM's determination of *Halal* assurance providers in Indonesia and Malaysia. There are still a significant number of individuals, particularly business actors, who do not fully comprehend the *Halal* assurance system standard. Therefore, a system that regulates the fulfillment of these standards is required.

Understanding *Halal* certification should take precedence over the requirements for submitting *Halal* certificates so that the spiritual and *at- ta'abbud* elements in the process of implementing *Halal* certification are realized and so that the objectives of Islamic *Shari'ah* oblige consumption and production of *Halal* for Muslim producers and consumers.

In addition to being the foundation for applying Islamic law, *Maqāṣid al-Sharī'ah* is one of today's most pertinent methods. The implementation of the *Halal* certification system is included. The application of a holistic system involves the actions of business actors at multiple phases: first, pre-*Halal* application, which entails attending training and receiving adequate education about *Halal* standards in Islam and state regulations; second, planning; and third, implementation. After understanding the theory, *Halal* and *Haram* principles, and *Halal* product guarantee system standards, business actors will prepare to fulfill administrative obligations. Even though the text does not specify the applicable regulations, legal documentation must support *Halal* certification. In order to ensure that the products are *Halal*, the business actor must designate a *Halal* administrator or person in charge

of *Halal* products, who must have the necessary skills and knowledge to apply for *Halal* certification on his behalf. After completing all the requirements and ensuring the completeness of the documents, the fourth step is the auditing process, in which the business actor is visited and reviewed directly by the *Halal* auditor or assistance with the *Halal* product process. A *Halal* certificate is issued upon determining a *Halal* fatwa by the fatwa committee or council. The six supervisions must be carried out by all parties, not just members of authorized institutions but also the general public, by providing public complaint services related to the exploitation and incompatibility of *Halal* products with their *Halal* certificates.

The existing system, particularly self-declare, has implemented procedural provisions, but it is suboptimal in the pre-submission and post-submission phases, so it is necessary to enhance supervision once more. Similarly, the improper use of the *Halal* label in Malaysia occurred before submitting the *Halal* certificate or for business actors whose certificates have expired. This comprehensive system is referred to as holistic so that the goal of maintaining religion, soul, mind, lineage, and property can be achieved by preparing everything before and after submission or by enhancing inputs and outputs following the standards of the *Halal* assurance system.

The holistic application of *Maqāṣid al-Sharī'ah* theory in the *Halal* certification system will make applying for business legality with *Halal* product processes closely related to the Islamic mind and religion. When you are aware of the purpose of implementing a law because it is for the benefit that Allah has commanded, then whatever process you go through will become worship, where all fraud, lies, and lack of clarity in the process of *Halal* products will never happen. Business actors believe the

Halal certification process is part of their obligations as Muslims to ensure that what is sold is guaranteed, safe, and follows Islamic law.

Conclusion

This paper shows that issues related to *Halal* certification are developing rapidly. Indonesia and Malaysia, as the most prominent Muslim consumer countries, now have a functioning *Halal* product assurance system, but problems related to applying for *Halal* certification are still found, such as the difficulty of quality control. *Halal* products, as well as supervision, so that a holistic certification system is needed by strengthening the pre-submission system, the submission process, and post-submission, where for the self-declare path, there is still very little control in the pre-submission and post-submission sections, so that the impression of accelerating *Halal* certification as a goal for quantity, not quality, It is slightly different from Malaysia, which does not implement a self-declare *Halal* certification system. However, in practice, it also experiences the same problems regarding quality control and supervision, so cooperation from all parties is required to become supervisors of *Halal* products. However, suppose the spirituality of business actors has been strengthened in the pre-submission, processing, and post-issuance of *Halal* certificates. In that case, this is expected to run well and follow the targets and standards in force in Indonesia and Malaysia, as well as implementing a comprehensive, holistic system in the *Halal* certification process in the two countries.

Therefore, the holistic theory of *Halal* certification using *Maqāṣid al-Sharī'ah* will bring legal awareness to the importance of *Halal* certification so that basically, when someone has a high spiritual sense, namely believing that

the obligation of *Halal* certification is a command that Allah has outlined in the Islamic religion, so carrying it out is worship known as *at-Ta'abbud* so that quality control will automatically run, where business actors together with their *Halal* management team ensure that all their products have implemented *Halal* product guarantee standards.

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