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### IMPLICATIONS OF SHARIA ECONOMIC LAW FOR HALAL CERTIFICATION ON IMPORTED PRODUCTS IN INDONESIA

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**Abstract:** The rapid flow of globalization certainly impacts aspects of life, including the increasingly accessible economic aspect. The magnitude of free trade results in various products entering a country without strict supervision in terms of quality. Indonesia is a country with high export-import activities; this can be seen based on data from the Badan Pusat Statistik (BPS) on Imports of Beef from 2017 to 2021, which shows an increase every year. The size of imported products entering Indonesia is necessary to monitor and check the halalness of these products, considering that the majority of the population in Indonesia is Muslim. This study aims to analyze the position of halal certification of imported goods or products based on the perspective of Sharia economic law. This research uses qualitative methods with data collection techniques and literature study. The results show that the position of halal certification of imported products based on the perspective of sharia economic law has a central position as stated in the Qur'an, some hadiths of the prophet, and other sources of Islamic law for which none of these sources of law reject the existence of halalness to what Muslims need. In addition, the position of halal certification of imported goods in terms of Sharia economic law is also seen as an effort to be in harmony with Islamic teachings, which aim to bring *maslahah*, not *mafsadah*, to the people who consume.

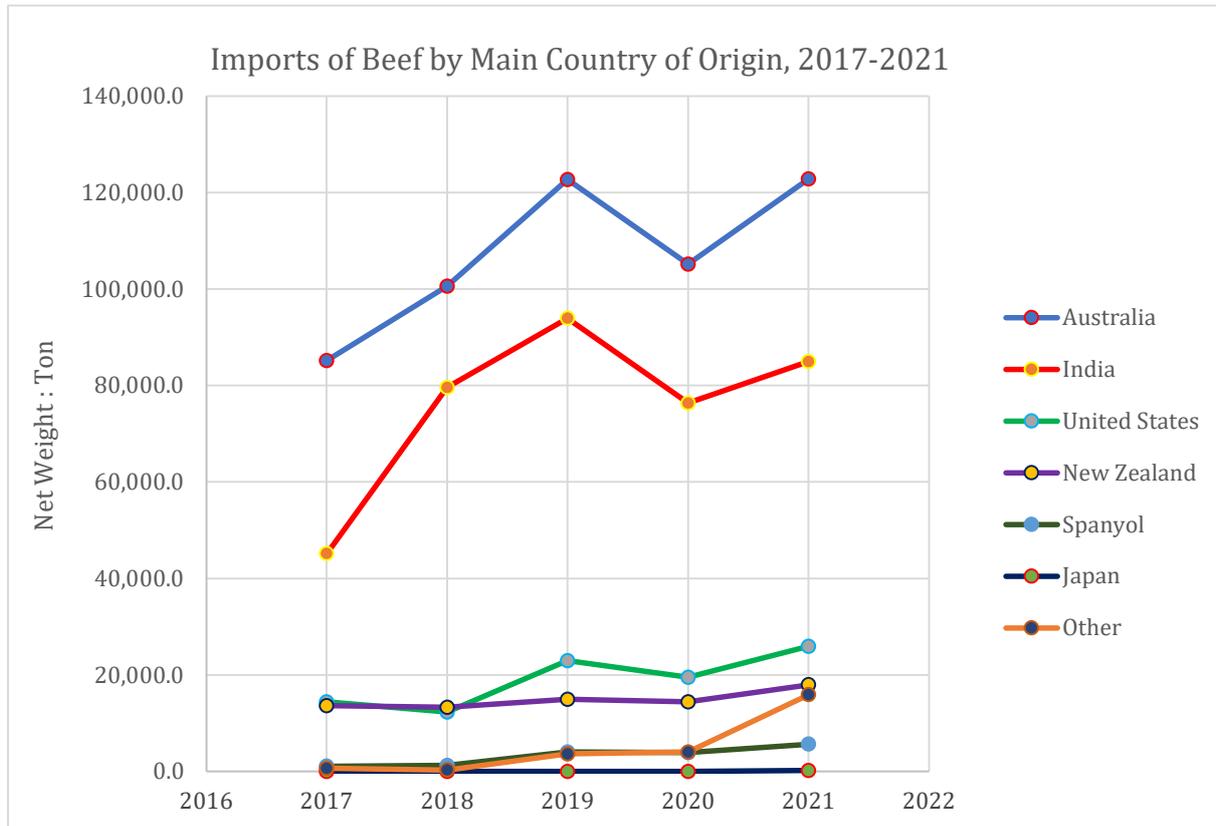
**Keywords:** *halal certification position, imported products, sharia economic law*

#### A. Introduction

The world's progress today brings several changes to several sectors of human life. It is coupled with globalization that seems to 'eliminate' borders between countries. The rapid flow of globalization today brings various changes to the order of human life. In addition, the flow of globalization has also targeted various aspects of human life, such as trade. Trade is a human economic transaction linking product owners (producers) and product users (consumers) in a market mechanism. Trade of this nature can also be associated with export and import trade activities between a country.



Imported products traded in Indonesia due to globalization can be varied, ranging from foodstuffs, beverage products, and cosmetics to medicines. According to (Badan Pusat Statistik) BPS data through the [www.bps.go.id](http://www.bps.go.id) website, it is recorded that food import activities to Indonesia have increased every year; this can be seen in the following graph: (bps.go.id, 2021)



**Figure 1.** Data on beef imports in Indonesia

The data indicates that many imported products are circulating and ready to be traded in Indonesia. However, the quality of the circulation of imported products still requires monitoring so that they can be accepted by all Indonesian consumers, especially most Muslim consumers.

Product quality is essential in the series of production processes, both for products sold domestically and products sold for export purposes. (Kamaludin & Sulistiono, 2013). In determining the quality of a product, reference standards are not only based on raw materials used during the production process, mainly if the product is marketed in Indonesia, where the majority of the population is Muslim. In Islam, to provide a sense of security, the term "halal" is known, which must be considered by Muslims when using or consuming a product. Halal products are mandatory for Muslims in the form of medicines and other consumer goods. This is also in line with the large Muslim population in Indonesia, which amounts to 86.7% of the total Indonesian population of 273 million people. Hence, the guarantee of halal products is essential to getting the attention of the state. (Hasan, 2014) The obligation to use or consume halal goods is also stated in the Qur'an surah al-Baqarah (2) verse 168: (Qs. *Al-Baqarah*: 168, n.d.)

أَيُّهَا النَّاسُ كُلُّوا مِمَّا فِي الْأَرْضِ حَلَّالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ

*"O men, eat what is lawful again good from that which is on earth, and do not follow the steps of Satan; for verily the devil is a real enemy to you."*

In order to eat (in this case also use) halal products, there is an obligation that products to be marketed in Indonesia must be halal certified based on Law (Law) No. 33 of 2014 concerning Halal Product Guarantee (Undang-Undang Republik Indonesia, 2014). The urgency of the need for halal product assurance for Indonesian consumers is also contained in the Preamble to the 1945 Constitution paragraph 4 that the state (Indonesia) must protect the entire Indonesian nation and all Indonesian bloodshed and promote general welfare so that the position of halal certification for Indonesian consumers is considered as the primary point so that in carrying out religious laws there is no unrest and deviation.

## B. Method

This type of research is qualitative research. Qualitative research is a form of research conducted by collecting data motivated by a problem to interpret a phenomenon or event that occurs. It produces findings that cannot be achieved using statistical procedures or other quantitative means. (Rifka Agustianti, 2022)

According to Arikunto in Prabowo and Heriyanto, descriptive research is the collection of information based on supporting factors of the research subject, then analyzing these factors and looking for their roles. In addition, according to Bogdan and Taylor, qualitative research is a procedure that can produce descriptive data in the form of speech, writing, and behavior of the people observed.

The data collection technique used in this study is literature studies. According to Nazir, a literature study is a data collection technique using books, literature, notes, and reports related to the problem to be solved. This literature study can be interpreted as a practical and theoretical activity aiming to collect, study, and understand data in authoritative texts, books, literature, journals, articles, or other things.

In obtaining the data needed in this study, literature studies will be used to explore various secondary data by studying rules and regulations regarding halal certification, which will be linked based on the views of sharia economic law on imported products marketed in Indonesia. The data that has been obtained is then analyzed to support and answer the main research problems.

## C. Result and Discussion

### 1. Definition of Halal Certification

In the Indonesian Dictionary, certification is defined as a "certificate." Certification is a process of providing formal evidence (certification) to recognize something an authorized institution gives. Certification can also be a determination an association or authorized institution gives through an empirical test of something that has reached the terms and conditions.

The word "halal" or "*halal*" comes from the Arabic "*halla*," which means permissible and without prohibition. Halal can also be interpreted as something that is legally allowed to be used without any prohibitive provisions in Islamic law. In Islam, obtaining or using halal goods is highly recommended and even an obligation in order to meet the needs of Muslim life, such as worship.

Halal certification is a series of testing processes on any goods or products by the Indonesian Ulema Council, known as MUI, through its fatwa decision in written form to declare the feasibility of a product for consumption. Halal certification is a certificate issued by the Indonesian Ulema Council, either at the central or provincial level, about the halalness of a product produced by a company (can be in the form of factory products or home products) with a halal statement by LPPOM MUI. According to Law Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector, halal certification is an acknowledgment of the halalness of a product issued by the Halal Product Assurance Organizing Agency (BPJPH) based on a written halal fatwa issued by the Indonesian Ulema Council. (Undang-Undang Republik Indonesia, 2021)

The Indonesian Ulema Council (MUI) is an institution that plays an important role and is responsible for a series of halal certification implementations. This institution was established on July 26, 1975, and is a non-governmental organization that accommodates ulama, zu'ama, and Islamic scholars in Indonesia to guide, foster, and protect Muslims in Indonesia. The important role of MUI in protecting Muslims is reflected in the halal certification program. Halal certification is a policy that has its history and arises as a form of resolving significant issues in religious and economic matters.

MUI Chairman Hasan Basri said halal certification in Indonesia was motivated by research by Tri Sutrisno, a lecturer at Brawijaya University who collaborated with students by taking the object of food sold in supermarkets. The results of his research found components of pork elements in the food ingredients, so the results of this research became a conversation and made people worried. The impact of the research was quite extensive, with news that was unclear about its source, which dragged several other food lists and led to the cessation of money circulation in East Java. As a non-governmental organization, MUI responded by holding a press conference and forming LPPOM MUI—the idea of issuing MUI halal certification in 1989 generated controversy within the government. In the beginning, no one questioned the authority of MUI. However, since Food Law No. 7 of 1996 appeared, several departments and other officials have questioned the validity of halal certification. Although other officials questioned the validity of the halal certification, MUI, with the presence of Food Law No. 7 of 1996, is precisely in one of its articles that implicitly states that food produced or introduced into Indonesia must have a halal label or at least indicate that the product is halal. This is the initial basis of MUI's defense. (Syafrida, 2020)

## **2. Principles of Implementing Halal Certification**

The principle of implementing halal certification is based on the principles of Islam, which regulate food and beverages that are halal (permissible) and haram (forbidden). Here are some principles of implementing halal certification:

- a) The product does not use a name that contains or leads to liquor. The head of the Auditing Institute for the Assessment of Food, Drugs, and Cosmetics Assembly Indonesian Ulama (LPPOM MUI), Dr. Ir. Mulyorini R. Hilwan, M.Si, explained that eleven criteria of the Assurance System Halal, written in the book HAS23000, state that a brand/product name must not use a name that leads to something forbidden or worship that Sharia Islam does not permit.

- b) The product does not use names containing the name of the pig or dogs and the like. As is known, Muslims are not allowed to eat pork, as explained in the Qur'an Surah al-An'am verse 145, because it can bring greater mudharat than maslahah. Therefore, naming food products, such as pork fried rice, meatballs, pork, dog meat, steak, and so on, is also prohibited in the manufacture of halal certification.
- c) The product does not use satanic names. The use of demonic names on food or drinks such as ayam penyet enduro, parcel demons, jinn fried rice, and the like is forbidden in Islamic teachings because they give a good name to something good, and giving a bad name to something wrong is part of following God's instructions. Instead, give a name that is bad for something Allah justifies, which may include insulting the riches that Allah has given.
- d) Products or goods do not tend to have an odor or taste that is more suggestive of illicit products or goods. This is in line with the concept of halal certification, which states that all kinds of food or drinks are not allowed to contain forbidden elements.
- e) Using ingredients that are safe for consumption to maintain the quality of food for Muslim consumers and non-Muslims.

The provisions in a series of halal certificate processes are necessary to ensure that the product complies with the principles of halalness in Islam. This involves meeting specific standards, halal raw materials, and production processes that comply with religious rules. These provisions help maintain the halal quality of the product and provide confidence to consumers or the public that religious teachings can consume the product.

### **3. Halal Certification Regulation in the National Legal Order**

Indonesian law consists of a legal system, legal rules, and several other legal elements that are very broad and influence each other. Therefore, talking about one field, element, or subsystem of law that applies in Indonesia cannot be separated from the others, as is the case with the human body; legal elements are like one organ whose existence cannot be separated from other organs. The term system comes from Latin, which means a whole consisting of several parts. Generally, a system can be defined as a series of two or more interconnected components interacting to achieve a goal. Some systems consist of smaller subsystems that support the more extensive system. (S., 2022)

In addition to this definition, a statesman figure such as Friendman defines the legal system as a unity of three elements: structure, substance, culture, or legal culture. Thus, when talking about the "legal system," these three elements are also discussed. The structure consists of all law enforcement institutions, which include the police with all its police, the prosecutor's office with all its prosecutors, and the court with its judges and lawyers. The substance is the entirety of legal principles, legal norms, and rules, written and unwritten, including court decisions. Meanwhile, legal culture is the habits, ways of thinking, opinions, and actions of law enforcement and society.

In connection with halal certification, the Indonesian House of Representatives passed Law Number 33 of 2014 concerning Halal Product Guarantee right on September 25, 2014, which is expected to provide solutions for the community and the business world in providing efforts to protect

consumers and at the same time can provide legal guidelines for various types of products. In the implementation of this law, three forces accompany the enactment of this Halal Product Guarantee Law, namely:

First is the juridical power of enacting the Halal Product Guarantee Act. A legal rule has the power to apply if its determination is based on a rule that has a higher level so that the legal rules are arranged in a hierarchical system. Second, the sociological power of enacting the Halal Product Guarantee Act. This relates to the acceptance of law in society in a natural context or emphasized in the reality of society. In a society where the majority of the population is Muslim, religious norms and values play an essential role in shaping views on halal and haram. Acceptance of the Halal Product Guarantee Law can be strong because it reflects a commitment to religious principles held by the community. Third, the philosophical strength of enacting the Halal Product Guarantee Act. The law has philosophical validity if the rule of law is based on the ideals of law (*Rechtsidee*) as the highest positive value (in this case, it must be by the goals of Pancasila). (Lewerissa, Hukum, & Pattimura, 2023)

The position of halal certification in the national legal order, in this case, has a central role because it is included in the legal system, which is part of the legal system itself, namely in Law Number 33 of 2014 concerning Halal Product Guarantee, which has binding legal force and has imperative legal certainty as an effort to protect the public (consumers). In addition, as a religious country within the framework of Pancasila, the position of halal certification is based on religious teachings contained in the Al-Qur'an and Sunnah. National law refers to Law Number 36 of 2009 concerning health, Law Number 8 of 1999 concerning consumer protection, and Law Number 18 of 2012 concerning food.

#### **4. Overview of Halal Products**

Based on Law Number 33 of 2014 concerning Halal Product Guarantee, article 1 point (1) explains that "Products are goods and/or services related to food, drinks, medicines, cosmetics, chemical products, biological products, genetic engineering products, as well as goods used, used, or utilized by the public." Furthermore, in article 1 point (2), what is meant by halal products is "products that have been declared halal according to Islamic law." Halal products are produced, processed, or prepared according to the principles of food and other ingredients allowed in Islam, which include meeting specific standards, including the source of ingredients, production processes, and hygiene.

Indonesia is a country with the largest Muslim majority population. This causes awareness of imported food and beverage products to follow Islamic law. The word halal comes from Arabic, namely "halla-yuhallu-hallan," which means decomposed or released. Halal means things that can be done because they are free and not bound by provisions that prohibit it. Regarding food and beverages, the halal in question is halalanthayyiban, which must meet three criteria: substance, halal in the way it is obtained, and halal in the way it is processed.

Halal products are the first shield in terms of product safety because they can prevent the possibility of biological, chemical, and other contaminants that can disturb, harm, and endanger human health. Halal products are also an effort to support the government in regulating food safety issues so that disputes do not occur again, such as the case of importing chicken meat from Brazil to Indonesia,

which occurred in 2009 and became a reason for other countries to want to carry out import activities to Indonesia.

The urgency of the existence of halal products that the government is intensively carrying out is in line with Islamic teachings. Islamic teachings emphasize goodness and cleanliness in all aspects, such as food and drink and their use. Allah, in His word, commands His people to eat using good, clean, and pure food and ingredients, as stated in several verses as follows:

- a. They ask you 'O, Prophet' about menstruation. Say, "Beware of its harm! So keep away, and do not have intercourse with your wives during their monthly cycles until they are purified. When they purify themselves, then you may approach them in the manner specified by Allah. Surely Allah loves those who always turn to Him in repentance and those who purify themselves." (Q.S Al-Baqarah: 222)
- b. "O men, eat what is lawful again good from that which is on earth, and do not follow the steps of Satan; for verily the devil is a real enemy to you." (Q.S. Al-Baqarah: 168)
- c. "And eat lawful and wholesome food from that which Allah has provided for you, and fear Allah, in whom you believe." (Q.S Al-Maidah: 88)
- d. "So eat that which is lawful and good from the sustenance which Allah has given you; and thank Allah for His favors if you worship Him alone." (Q.S An-Nahl: 114)
- e. O messengers, eat of the good food and do righteous deeds. Verily, I know best what you do." (Q.S Al-Mukminun: 51)

People must eat halal products and are expected to remain vigilant to avoid products that are haram or doubtful of their halal status. The message of the prophet Muhammad saw: "Whoever is careful of doubtful things, he has preserved his religion and honor, and whoever gets along with doubtful things, he will submit to prohibited things" (HR. Al-Bukhari and Muslim). Imam Ghazali explained that Islam provides a line called *wara'*, which is a cautious attitude for fear of doing haram. *Wara'* can also be defined as abandoning what is doubtful, opposing what makes you blameworthy, taking what is more trustworthy, and directing yourself to what is more cautious. (Susanti, 2021)

##### **5. Dimensions of Halal Certification as Business Responsibility in the Concept of Islamic Ethics**

Islamic ethics is basically flowing, not stagnant, and tends to respond dynamically to the times but is still guided by Islamic law (Al-Qur'an and As-Sunnah). Islamic ethics is a set of values, principles, and moral guidelines derived from Islamic teachings to regulate the behavior and actions of individuals and society. This concept comes from the Qur'an th, the holy book of Muslims, and Hadith th, the teaching tradition of the Prophet Muhammad SAW. Islamic ethics covers various aspects of life, including relationships between individuals, businesses, finance, society, and the environment. Ethics refers to a theory of how we should think and act about what is good or bad and what is right or wrong. Ethics is not just a normative prohibition but rather an accumulation of the operationalization ability of human intelligence (Hasna, 2022). Islamic ethics can be concluded as a behavior of each individual created in the mind due to

community habits and associations assembled in the Islamic dimension, which will be applied in an activity that can lead to excellent or destructive characteristics.

In carrying out the concept of Islamic ethics, Allah sent humans as caliphs on earth; it is none other than the fact that humans have reason and passion that distinguish them from other creatures. One of the verses of the Qur'an mentions that humans are created with the basis of fitrah, which is the tendency towards perfection (Mualimin, 2022). Until now, the mandate has proven that world civilization is not only a factor of continuous human efforts.

Concerning business, halal certification is the foundation of consumer protection in the concept of Islamic ethics, which manifests the value of the responsibility of business actors to the broader community. In Islam, doing business does not merely expect profit; it is broader than that. Islam teaches several principles in conducting business activities, which include: (Abdul Ghofur, 2018)

- a. Tawhid (Oneness of God) that everything done by humans in the world will be accounted for before Allah SWT;
- b. 'Adl (Justice), that Allah swt has ordered humans to do justice, namely by not tyrannizing and not being tyrannized so that in terms of business, humans should not do evil to others or destroy nature for personal gain;
- c. Nubuwwah (Prophethood), that every Muslim is required to emulate the nature of the Prophet Muhammad PBUH in terms of doing business, namely the nature of trustworthiness (trustworthy), shiddiq (true, honest), fathanah (ingenuity, wisdom, intellect, and tabligh (communication, marketing openness));
- d. Khalifah (Government), that in Islam, the role of government in terms of business is needed primarily in determining regulations that prosper and protect the interests of the ummah;
- e. Ma'ad (Result): Imam Ghazali stated that business people are motivated to make a profit. However, Islam believes in the existence of profit, both in this world and in the hereafter.

All the rules revealed by Allah swt in the Islamic legal system lead to the achievement of goodness, welfare, virtue, and the elimination of evil, misery, and harm to all His creations. Similarly, in terms of business, the goal is to help humans achieve peace in this world and the hereafter. Islam is a religion that guides all aspects of life, both human relationships with God and humans with other creatures of God. It is often called the implementation of Islam in a kaffah (comprehensive) manner. The purpose of this kaffah implementation of Islam is that the teachings of Islam are implemented as a whole, covering all aspects of life, namely all aspects of life that must be framed by Islamic teachings.

## **6. The position of halal certification on imported products from a Sharia Economic Law perspective**

The legal system in Islam contains a collection of regulations governing human activities related to economic matters, which is referred to as sharia economic law (muamalah). Sharia economic law in the study of Islamic legal studies is included in the study of al-ahkam al-iqtishadiyah wa al-maliyah (economic law and property), which is part of the study of al-ahkam al-

mu'amalah or muamalah law. (Hasan, 2014) Sharia economic law, as a collection of several rules in economic practice, of course, has principles that refer to Islamic law that rahmatan lil alamin, including:

*First*, the divine principle means that every activity related to economic laws (capital, production, distribution, and consumption) must be based on divine value, believing that all human activities are under God's supervision and that all things will be held accountable. *Second* is the principle of trust, which means that all economic activities are based on mutual honesty and trust. *Third*, the principle of maslahat is intended so that all economic activities can produce benefits and be felt by the general public (bringing good or maslahat). *Fourth*, the principle of justice is not exploiting or harming others. *Fifth*, the principle of ibahah is a variety of economic activities, including the category of permissible (mubah) to be carried out. *Sixth* is the freedom to transact with unlimited objects, times, and places throughout the transaction per Islamic law (justified). *Finally*, the halal principle means that all economic activities must be carried out by halal principles to avoid forbidden things.

The last point on the above principle shows the need to fulfill the halal principle. In this case, it can be seen that the urgency of halal is the main point in the economy with a comprehensive scope, be it in the form of the food industry, clothing industry, banking industry, media industry, and several other industries. The position of the word "halal" in Islamic sharia is a principle that cannot be considered easy because it covers the fulfillment of the basic needs of the Muslim community in the demands of the maqasid ash-shari'ah line (the goal to be achieved). In this context, Islam introduces the concepts of halal, haram, and redundant as a fundamental basis for regulating human interests, both dharuriyat (primary), hajiyyat (secondary), and tahsiniyat (tertiary). (Hasan, 2019)

The urgency of halal is an essential focus for Muslims, considering that Indonesia is the country with the largest Muslim population, according to the following data:

**Table 1.** Data on religious believers in Indonesia

NO	Sub Elemens				Data Nature
		2021	2022	2023	
1	Islam	3.413.493,00	3.415.882,00	3.417.174,00 *	Annual
2	Christian	89.538,00	89.454,00	89.089,00 *	Annual
3	Catholic	165.679,00	165.191,00	164.415,00 *	Annual
4	Hindu	3.420,00	15.723,00	3.421,00 *	Annual
5	Buddhist	3.093,00	3.070,00	3.022,00 *	Annual
6	Confucianism	76,00	72,00	68,00 *	Annual
7	Followers of other religions	-	0,00	-	Annual

Data Source: Regional offices of the Ministry of Religious Affairs

Responds well by issuing regulatory provisions, namely Law Number 33 of 2014 concerning Halal Product Assurance ab, abbreviated JPH Law. Article 4 of

this law generalizes that all products entering, circulating, and trading in Indonesia must be halal certified. *"Products that enter, circulate, and are traded in the territory of Indonesia must be halal certified."*(Undang-Undang Republik Indonesia, 2014) In addition, the food law, namely Law Number 18 of 2012 Article 97, also stipulates that *"everyone who produces food domestically for trade must put a label in and/or on food packaging"* (Undang-Undang Republik Indonesia, 2012) and Article 10 paragraph 1 of Government Regulation (P.P.) Number 69 of 1999 concerning Food Labels and Advertisements also states, *"everyone who produces or enters packaged food into Indonesian territory for trade and declares that the food is halal for Muslims is responsible for the truth of the statement and must include halal information or writing on the label."*(Peraturan Pemerintah, 2019)

Based on the statement above, it is clear that all kinds of products or goods marketed and circulated freely in Indonesia must be halal certified, including various products from the domestic region or the results of import activities. Halal certification, referred to in the law above, is a halal certification issued by the Indonesian government through the fatwa of the Indonesian Ulema Council as an institution that has the authority to determine halal products in the form of decisions the determination of halal products through MUI fatwa hearings followed by various experts, scholars, and related agencies. Halal certification, referred to in the law above, is a halal certification issued by the Indonesian government through the fatwa of the Indonesian Ulema Council as an institution that has the authority to determine halal products in the form of decisions the determination of halal products through MUI fatwa hearings followed by various experts, scholars, and related agencies. (Sudjana, 2020)

Halal product certification, when reviewed further, is also related to the objectives of the Indonesian nation as stated in the Preamble to the 1945 Constitution (UUD) fourth paragraph (4) and as a form of implementation of the goals of the Indonesian state. Another thing, when viewed from the side of Sharia economic law, is that halal product certification protects Muslim consumers from consumable foodstuffs, provides satisfaction and peace to the soul of each Muslim, avoids haram goods, and provides certainty for protection rights as religious commandments. The benefits of halal certification can not only be felt by consumers, but the function of halal certification also applies to business actors or sellers themselves, such as increasing the level of trust and good image of traded products as a means to increase good competitiveness, as a tool to expand marketing networks, and as a form of responsibility for Muslim consumers.

Determining the halal status of products is a form of implementation of the Qur'an and as-sunnah regarding the prohibition of eating food that is haram. However, the Qur'an and the Sunnah are sometimes still global (general), so it is still necessary to do a detailed analysis to find out the real problem. In addition, it is also driven by differences in interpretation or understanding of Muslims that give rise to multiple interpretations. Based on this, the presence of ulama fatwas in this context is essential in bridging decision-making by Islamic law. Fatwa, in this case, is essentially the result of a joint decision by Islamic scholars and scientists to give, issue, and make legal decisions responsibly and consistently.

(Fatah, 2019) Scholars, in determining the fatwa of a problem, there are at least four stages, namely:

- a) Every fatwa decision must have a basis on kitabullah or nash of the Qur'an and *as-sunnah* and not contradict the common good (accepted by public reason, not individuals);
- b) if it is not contained in the nash of the Qur'an and *as-sunnah*, the decree should not contradict *ijma'*, *qiyas yang mu'tabar*, and other legal rules, such as *istihsan*, *maslahah mursalah*, and *sad adz-dzariah*;
- c) Before making a decision, it is better to review the opinions of the previous imams of the madhab, both those related to law and those related to other propositions or rules used by parties who have disagreements;
- d) Expert views are needed before making decisions in order to consider the field.

The scholars agreed that determining fatwas on halal food or drinks, both from domestic and foreign products, is the same as determining fatwas on other products or goods. The difference lies in the fatwa determination meeting process carried out by the fatwa commission of the Indonesian Ulema Council with the examining agency, or the Institute for the Assessment of Food, Drugs, and Cosmetics (LPPOM MUI), which is carried out first by conducting research and inspection of related companies. In summary, the mechanism for determining halal product fatwas is as follows:

- 1) In the past, halal certification was not yet the primary study or did not exist. However, its position today is seen again as something that must be fulfilled, even though the verse *ahkam* explains that the law of origin of everything (*muamalah*) is permissible until a proposition prohibits it. However, the nash of the Qur'an also commands us to eat food that is halal again (حَلَالًا طَيِّبًا), so halal certification on food, mainly imported food, is so important today. It is felt that the presence of halal certification is now significant in realizing the belief and certainty of halal food and as a form of caution that can avoid eating food that is haram and *subhat*. In addition, the relationship between the existence and urgency of the halal label in Sharia Economic Law can be viewed through the approach of *sharia maqashid*, *maslahah mursalah*, and *qawa'idul fiqhiyyah*, which is aimed at bringing ummah benefit to everyone.
- 2) The Indonesian Ulema Council shall brief the auditor team on haram objects according to Islamic law, which includes haram *li dzatihi* and *li ghairihi* (al-Mahi, 2006)
- 3) The auditor team researches and examines companies previously applying for halal certification. In this case, the inspection process includes inspection of raw materials or ingredients, examination of proof of purchase of materials, and inspection of the process of slaughtering animals when using animal elements;
- 4) Examine the materials that have been carried out in point 2 (two) carefully using a laboratory or similar tool to avoid prohibited materials to get a definite (unsuspected) and scientifically correct answer;
- 5) The inspection can also be carried out more than once. If there is suspicion about the raw materials produced, the auditor team suggests replacing them if the halal certification process still wants to continue.

- 6) The examination results by the examining agency were then made in a report outlined in the examination results report, where the results of this report will be submitted to the Fatwa Commission board of the Indonesian Ulema Council for discussion.
- 7) The director of the Fatwa Institute explained the report's contents in the discussion meeting. Each board of commissioners will discuss the report's results carefully, in detail, and in depth.
- 8) If there are doubtful findings in a material or proof of purchase that is considered not transparent, the auditor team is asked to re-examine the factory or company concerned;
- 9) Products that are successfully verified as halal or there is no doubt about the results of the meeting, and then the halal fatwa will be decided during the commission meeting;
- 10) The results of the meeting are then stated in a fatwa decree on halal products known and signed by the chairman and secretary of the fatwa commission, which will then be issued a halal certificate signed by the fatwa commission, the director of LPPOM (Institute for the Assessment of Food, Drugs, and Cosmetics) MUI, and the chairman of MUI.

In the past, halal certification was not yet the primary study or did not exist. However, its position today is seen again as something that must be fulfilled, even though the verse *ahkam* explains that the law of origin of everything (*muamalah*) is permissible until a proposition prohibits it. However, the *nash* of the Qur'an also commands us to eat food that is halal again (حَلَالًا طَيِّبًا), so halal certification on food, mainly imported food, is so important today. It is felt that the presence of halal certification is now significant in realizing the belief and certainty of halal food and as a form of caution that can avoid eating food that is haram and *subhat*. In addition, the relationship between the existence and urgency of the halal label in Sharia Economic Law can be viewed through the approach of *sharia maqashid*, *maslahah mursalah*, and *qawa'idul fihiyyah*, which is aimed at bringing ummah benefit to everyone. Halal certification of imported products in Indonesia has an essential position in the perspective of sharia economic law, and it also aims to ensure that the product meets halal standards under sharia principles. In this context, halal certification ensures product compliance with sharia legal and economic aspects in Indonesia.

#### D. Conclusion

Based on the analysis in the previous description that the author has done, it can be concluded that the position of halal certification seen from the perspective of Sharia economic law occupies a central position (main point) as contained in the *nash* (Qur'an, as-sunnah, *ijma'*, and *qiyas*), several hadiths of the prophet's *shahih*, and other sources of Islamic law that none of these legal sources reject the existence of halal to what has become the needs of Muslims. The central substance is also in line with the efforts of Islamic law in protecting Muslims against goods or products that bring glory to Muslims in carrying out their lives as Muslims. None of the pillars in halal certification contradict the legal basis as an effort today to maintain the physical (body) and spiritual (soul) purity of humankind, especially Muslims. Because the position of halal is the main staple of Muslims, the products to be consumed by Muslims must have halal certification, whether

they are imported or not, as religious guidance to protect their people from the dangers of non-halal products. It is also an effort to protect the five essential aspects of human life: religion, soul, mind, offspring, and property.

## References

- Abdul Ghofur. (2019). *Introduction to Sharia Economics (Basic Concepts, Paradigms, and Development of Sharia Economy)*. Depok: Rajawali Pers.
- al-Mahi, Q. M. (2018). *Qawaidul al-Mafsadah Inda Syihab al-Din al-Qarafi min Khilal Kitabih al-Furuq*. Beirut: Dar Ibn Haz.
- bps.go.id. (2021). Imports of Beef by Main Country of Origin, 2017-2021. Retrieved July 17, 2023, from bps.go.id website: <https://www.bps.go.id/statictable/2019/02/14/2011/impor-daging-sejenis-lembu-menurut-negara-asal-utama-2010-2019.html>
- Fatah, R. A. (2006). *Analysis of Religious Fatwas in Islamic Jurisprudence*. Jakarta: Bumi Aksara.
- Hasan, S. (2014). *Halal Certification in Positive Law: Regulation and Implementation in Indonesia (First Edition)*. Yogyakarta: Aswaja Pressindo.
- Hasna, A. M. (2022). Ethics in the Growth of Micro, Small and Medium Enterprises. *Youth & Islamic Economic Journal*, 3(2), 34.
- Kamaludin & Sulistiono. (2013). K Product Quality as an Important Factor in Export Marketing at PT Eurogate Indonesia Unity College of Economics. *Sekolah Tinggi Ilmu Ekonomi Kesatuan*, 1–45.
- Lewerissa, Y. A., Hukum, F., & Pattimura, U. (2023). *LUTUR Law Journal*. 4(November), 63–68.
- Mualimin. (2022). The Concept of Human Fitrah and its Implication in Islamic Education. *Journal of Islam and Science*, 8(11), 251.
- Peraturan Pemerintah (PP) No. 69 Tahun 1999 berkenaan dengan Label dan Iklan Pangan* (p. Pasal 10). p. Pasal 10. Jakarta.
- Qs. Al-Baqarah: 168*. (n.d.).
- Rifka Agustianti, D. (2022). *Quantitative and qualitative research methods*. Gowa: CV. Tohar Media.
- Qs. Al-Baqarah: 222*. (n.d.).
- S., K. N. (2022). Design of an Information System for Payment of SPP Money-Based Web. *Journal of Informatics Engineering, Management, and Digital Business*, 1, 284–290.
- Qs. An-Nahl: 114*. (n.d.).
- Sudjana. (2020). Pelindungan Konsumen Terhadap Jaminan Produk Halal dalam Perspektif Sistem Hukum. *Hukum Ekonomi Syariah (HES)*, 1.
- Q.s. Al-Maidah: 88*. (n.d.).
- Susanti, F. W. and D. (2021). *Legal Policy on Halal Products in Indonesia*. Jakarta.
- Q.s. Al-Mukminun: 51*
- Syafrida. (2020). Halal Certificates on Food and Beverage Products Provide Protection and Legal Certainty of Muslim Consumer Rights. *ADIL: Jurnal Hukum*, 7(2).
- Undang-Undang Nomor 18 Tahun 2012 tentang Pangan* (p. Pasal 97). Jakarta.
- Undang-Undang Republik Indonesia Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal*. Jakarta.
- Undang-Undang Nomor 39 Tahun 2021 Tentang Penyelenggaraan Bidang Jaminan Produk Halal*. Jakarta.