

The Integration of Hanafi Mazhab *Qawā'id Fiqhiyyah* into Indonesia's Halal Certification System

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Abstract

Indonesia's halal certification system possesses a strong positive legal foundation, but its normative relationship with Hanafi legal principles and its implications for business governance require further clarification. This study aims to analyse Hanafi legal principles as a normative framework for evidentiary verification, legal certainty, prevention of harm, and responsible business governance in Indonesia's halal certification system. It employs normative legal research using statutory and conceptual approaches. Primary legal materials include Law Number 33 of 2014, Law Number 6 of 2023, and Government Regulation Number 42 of 2024, while secondary materials comprise classical and contemporary Hanafi jurisprudence, literature on *qawā'id fiqhiyyah*, and studies on halal certification and corporate compliance. The findings demonstrate three principal functions. First, the evidentiary principle of *al-ithbāt*, supported by *al-aṣl baqā' mā kāna 'alā mā kāna*, legitimises the verification of ingredients, suppliers, production processes, and contamination risks while maintaining certified status until valid evidence proves a relevant change. Second, *al-yaqīn lā yazūlu bi al-shakk* protects legal certainty from unsupported doubt. Third, *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* positions certification as a preventive mechanism against Sharia violations and legal uncertainty. The study concludes that halal certification represents a functional normative correspondence with Hanafi jurisprudence and operates as a modern Islamic legal and business-governance instrument supporting compliance, risk mitigation, market trust, and sustainable business practices.

Keywords: Business Governance; Halal Certification; Hanafi Legal Maxims; Legal Certainty; Risk Mitigation

Abstrak

Sistem sertifikasi halal di Indonesia memiliki landasan hukum positif yang kuat, tetapi hubungan normatifnya dengan prinsip-prinsip hukum Mazhab Hanafi serta implikasinya terhadap tata kelola bisnis masih memerlukan penjelasan yang lebih sistematis. Penelitian ini bertujuan menganalisis prinsip-prinsip hukum Hanafi sebagai kerangka normatif bagi pembuktian, kepastian hukum, pencegahan kemudharatan, dan tata kelola bisnis yang bertanggung jawab dalam sistem sertifikasi halal Indonesia. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan dan konseptual. Bahan hukum primer mencakup Undang-Undang Nomor 33 Tahun 2014, Undang-Undang Nomor 6 Tahun 2023, dan Peraturan Pemerintah Nomor 42 Tahun 2024, sedangkan bahan hukum sekunder meliputi literatur klasik dan kontemporer Mazhab Hanafi, kajian *qawā'id fiqhiyyah*, serta penelitian mengenai sertifikasi halal dan kepatuhan perusahaan. Hasil penelitian menunjukkan tiga fungsi utama. Pertama, prinsip pembuktian *al-ithbāt*, yang diperkuat oleh *al-aṣl baqā' mā*

kāna ‘alā mā kāna, melegitimasi pemeriksaan bahan, pemasok, proses produksi, dan risiko kontaminasi sekaligus mempertahankan status halal sampai terdapat bukti sah mengenai perubahan yang relevan. Kedua, al-yaqīn lā yazūlu bi al-shakk melindungi kepastian hukum dari keraguan yang tidak didukung bukti. Ketiga, dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣāliḥ menempatkan sertifikasi sebagai mekanisme preventif terhadap pelanggaran syariah dan ketidakpastian hukum. Penelitian menyimpulkan bahwa sertifikasi halal memiliki korespondensi normatif-fungsional dengan fikih Hanafi dan berfungsi sebagai instrumen hukum Islam serta tata kelola bisnis modern yang mendukung kepatuhan, mitigasi risiko, kepercayaan pasar, dan keberlanjutan usaha.

Kata Kunci: *Kepastian Hukum; Mitigasi Risiko; Qawā’id Fiqhiyyah Hanafi; Sertifikasi Halal; Tata Kelola Bisnis*

Introduction

Halal certification serves as a strategic legal instrument for guaranteeing the halal status of products and providing legal certainty to consumers and businesses. In a rule-of-law state with a predominantly Muslim population, halal certification represents more than an expression of religious compliance because it demonstrates the state’s responsibility to protect Muslim consumers from products that conflict with their religious convictions. It must therefore be understood as an integral and legally binding component of the national legal system rather than merely as a religious symbol, commercial label, or administrative formality (Agustin et al., 2025; Ramlan & Nahrowi, 2014).

Within Indonesia’s national legal framework, the juridical legitimacy of halal certification is principally derived from Law Number 33 of 2014 on Halal Product Assurance, as amended by Law Number 6 of 2023, and further implemented through Government Regulation Number 42 of 2024 on the Administration of Halal Product Assurance. This regulatory framework defines halal product assurance as legal certainty concerning the halal status of a product, as evidenced by a halal certificate, and establishes institutional responsibilities for certification, examination, halal determination, supervision, and enforcement. Accordingly, halal certification operates as a public-law instrument that creates legal consequences for businesses, halal inspection bodies, religious authorities, the Halal Product Assurance Organising Agency, and consumers (Law Number 33 of 2014; Law Number 6 of 2023; Government Regulation Number 42 of 2024).

The legal architecture of halal certification has also evolved from a predominantly voluntary religious assurance mechanism into a mandatory and institutionally structured system. This transformation reflects the state’s increasing involvement in regulating materials, production processes, product circulation, labelling, supervision, and the responsibilities of businesses after certification has been granted. It also confirms that halal certification is not

completed by the issuance of a certificate alone, but requires continuous compliance with the conditions upon which the halal status was determined (Asro & Sofyan, 2022; Mustika et al., 2025; Rofi'ah et al., 2024).

Despite its strong positive legal foundation, halal certification cannot be separated from its underlying character as an institutional expression of Islamic legal norms. Determining whether a product is halal involves more than administrative verification because it requires legal reasoning concerning ingredients, production processes, contamination, transformation, necessity, uncertainty, and the evidentiary sufficiency required to establish a product's legal status. The certification process therefore constitutes a contemporary form of Islamic legal determination that requires coherent normative foundations derived from the Qur'an, the Sunnah, substantive fiqh, uṣūl al-fiqh, and *qawā'id fiqhiyyah* (Alfauzi, 2020; Hidayatullah, 2020; Syari et al., 2025).

Within this context, *qawā'id fiqhiyyah* provide general normative principles through which particular legal facts can be evaluated systematically. These maxims assist legal reasoning by connecting concrete circumstances with broader principles concerning evidence, certainty, continuity of established legal status, avoidance of harm, and protection of legitimate interests. Without an adequate fiqh-based framework, halal certification risks being perceived as a technical administrative procedure whose legal force is derived exclusively from state regulation, despite the fact that its substantive object is the determination and protection of halal status under Islamic law (Alfauzi, 2020; Suadi, 2018; Thalib, 2016).

The Hanafi school offers an important analytical framework for examining these normative dimensions. Its legal tradition contains a developed formulation of legal maxims and evidentiary principles concerning reliance on ascertainable facts, the continuity of an established legal condition, the priority of certainty over unsubstantiated doubt, and the prevention of legally recognisable harm. This tradition is particularly relevant to halal certification because modern certification similarly relies on documentary evidence, ingredient examination, production audits, institutional determinations, and the maintenance of a certified status until valid evidence or a material change requires its reconsideration (Al-Karkhī, 2019; Mohamad Yunus, 2019; Mughal, 1999; Zuḥailī, 1999).

The selection of the Hanafi school in this study does not imply that Indonesia's halal certification system formally adopts Hanafi jurisprudence or excludes the contributions of other schools of Islamic law. Rather, Hanafi legal maxims are employed as an analytical lens because of their systematic engagement with evidentiary reasoning, outwardly verifiable conditions, legal continuity, transactional stability, and institutional legal determination. This perspective

provides an alternative to studies that approach halal certification predominantly through general maqāṣid al-sharī‘ah, consumer protection, regulatory compliance, or administrative-law frameworks, while also demonstrating the adaptability of classical Islamic legal reasoning to contemporary legal governance.

The growing halal economy further increases the significance of a coherent certification system. Consumer demand for halal assurance now extends beyond food and beverages to pharmaceuticals, cosmetics, fashion, tourism, logistics, media, and other commercial sectors, making halal certification an increasingly important component of market participation and institutional trust (Agung Miftahuddin et al., 2022; Faikoh & Anwar, 2025). The expansion of the halal industry consequently requires a system capable of combining religious legitimacy, legal certainty, effective supervision, business accountability, and consumer confidence (DinarStandard, 2025; Marlina et al., 2026).

From a business perspective, halal certification can also be understood as a business governance instrument that translates religious and legal obligations into internal compliance structures. It requires businesses to ensure the integrity of materials, suppliers, production processes, storage, distribution, documentation, and product information, while encouraging them to identify and prevent legal, operational, and reputational risks. Halal certification therefore contributes to reducing information asymmetry between producers and consumers, strengthening market trust, and supporting the sustainability of businesses that consistently maintain halal-compliant operations (Ambali & Bakar, 2014; Asro & Sofyan, 2022; Agung Miftahuddin et al., 2022).

This business-governance dimension does not replace the religious and legal purposes of halal certification. Instead, it demonstrates that normatively grounded certification may generate broader institutional effects by promoting compliance, supply-chain integrity, risk mitigation, consumer protection, and reputational resilience. The evidentiary, certainty-producing, and preventive functions of halal certification thus have both legal significance and practical implications for responsible and sustainable business governance (Pradini, 2022).

Nevertheless, the existence of an elaborate regulatory and institutional framework does not automatically resolve all normative questions surrounding halal certification. A certification system may possess formal legality while still requiring a clearer explanation of how its procedures correspond to Islamic legal principles governing evidentiary responsibility, legal certainty, continuity of status, and prevention of harm. This distinction is important because juridical validity under positive law and normative legitimacy under Islamic jurisprudence

constitute related but analytically different foundations of halal certification (Widyaningsih, 2023; Mutiani & Burhanuddin, 2023).

Existing studies have examined halal certification from several important perspectives. Rahmadany (2023) analyses its juridical function in protecting Muslim consumers, while Nur Efendi and Wahyoeono H. (2024) discuss legal certainty following regulatory changes introduced through Law Number 6 of 2023. These studies clarify the position of halal certification within Indonesian positive law, but they do not systematically examine the fiqh-based principles underlying evidentiary verification and the maintenance of certified halal status.

Other studies have focused on policy implementation and institutional challenges. Rachman and Hasan (2025) examine the problems associated with the self-declaration mechanism through a *maqāṣid al-sharī'ah* perspective, whereas Lutfi (2025) critically evaluates the complexity of Indonesia's halal industry policy and its institutional implementation. Jakiyudin and Fedro (2022) similarly identify opportunities and challenges associated with free halal certification for micro and small enterprises, but their analysis is principally directed towards policy accessibility and implementation rather than the doctrinal foundations of halal legal determination.

A further group of studies connects halal certification with business conduct, legal awareness, and consumer protection. Sari and Kushidayati (2025) relate certification to the legal awareness of small and medium enterprises and *maqāṣid al-sharī'ah*, while Mustika et al. (2025) discuss its implementation from the perspective of Islamic economic law. Although these studies demonstrate that certification affects business compliance and consumer interests, they do not specifically reconstruct certification as a legal mechanism grounded in Hanafi evidentiary principles, legal maxims concerning certainty, and the prevention of harm.

Studies of *qawā'id fiqhiyyah*, meanwhile, have generally addressed their theoretical development or application to classical and contemporary transactions. Suadi (2018), Thalib (2016), and Alfauzi (2020) demonstrate the importance of legal maxims in resolving contemporary Islamic legal problems, while Abd Rahman et al. (2025) illustrate their relevance in determining the legal status of halal-related services. However, the application of Hanafi legal maxims to the institutional architecture of Indonesia's halal certification system, including its implications for business governance, remains insufficiently developed.

The preceding literature indicates that discussions of halal certification remain dominated by regulation, legal certainty, institutional implementation, self-declaration, *maqāṣid al-sharī'ah*, consumer protection, and business compliance. Existing scholarship has rarely placed

Hanafi legal maxims at the centre of a systematic analysis explaining how evidentiary verification, continuity of legal status, certainty, and prevention operate within Indonesia's halal certification system. It has also paid limited attention to the connection between these normative functions and certification's role in corporate compliance, risk mitigation, market trust, and sustainable business practices.

This study addresses that gap by employing Hanafi *qawā'id fiqhiyyah* as a normative framework for analysing Indonesia's halal certification system. Its novelty lies not in claiming that Indonesian halal law formally adopts the Hanafi school, but in reconstructing the functional correspondence between Hanafi legal reasoning and the evidentiary, certainty-producing, and preventive mechanisms embedded in contemporary halal certification. The study further extends this normative analysis by demonstrating how these mechanisms position halal certification as a business governance instrument supporting continuous compliance, risk management, consumer confidence, and business sustainability.

Accordingly, this study investigates how Hanafi legal maxims can provide a normative framework for evidentiary verification, legal certainty, prevention of harm, and responsible business governance within Indonesia's halal certification system. It analyses the relationship between Hanafi evidentiary principles and the examination of product materials and processes, the relevance of *al-yaqīn lā yazūlu bi al-shakk* and the continuity of established legal status, and the preventive function of avoiding potential halal violations and legal uncertainty. Through normative legal research, the study seeks to demonstrate that halal certification is not merely an administrative mechanism authorised by positive law, but a modern Islamic legal-governance instrument with defensible fiqh legitimacy and meaningful implications for consumers, businesses, and the sustainability of the halal market.

Method

This study employs normative legal research to examine the normative foundations of Indonesia's halal certification system through the perspective of Hanafi legal maxims. The research applies statutory and conceptual approaches: the statutory approach analyses Law Number 33 of 2014 on Halal Product Assurance, as amended by Law Number 6 of 2023, Government Regulation Number 42 of 2024, and relevant implementing regulations, while the conceptual approach examines Hanafi principles concerning evidence, legal certainty, continuity of established legal status, prevention of harm, and their implications for business governance (Nurhayati et al., 2021; Rosidi et al., 2024). The legal materials consist of primary legal materials, including legislation governing halal product assurance, and secondary legal

materials, including classical and contemporary Hanafi jurisprudential works, literature on *qawā'id fiqhiyyah*, peer-reviewed journal articles, and academic studies on halal certification, Islamic law, consumer protection, and corporate compliance. These materials were collected through library research by tracing, selecting, and classifying sources according to their relevance to halal verification, legal certainty, preventive governance, and business sustainability. The analysis was conducted through grammatical, systematic, and conceptual legal interpretation by identifying the meaning and doctrinal position of the relevant Hanafi principles, examining their correspondence with the regulatory stages of halal certification, and assessing their normative contribution to evidentiary verification, continuity of certified halal status, prevention of violations, risk mitigation, market trust, and sustainable business governance. This method enables the study to produce a systematic legal argument concerning halal certification as a modern instrument that derives authority from positive law while remaining normatively defensible within Islamic jurisprudence (Charda, 2021).

Halal Certification as a Modern Islamic Legal Instrument

Within Islamic legal thought, halal certification functions as an institutional mechanism for determining and affirming whether a product may lawfully be consumed or used by Muslims. Its legal significance has developed beyond that of an administrative label because a halal certificate produces normative and juridical consequences for consumers, businesses, inspection bodies, religious authorities, and the state. Halal certification must therefore be understood as part of a legal determination system that combines religious norms, institutional verification, and state recognition (Ramlan & Nahrowi, 2014).

As an instrument rooted in Islamic legal values, halal certification is closely connected with *qawā'id fiqhiyyah*, which provide general normative principles for analysing legal questions not always addressed in explicit and detailed textual provisions. These maxims do not replace substantive rules concerning halal and haram, but assist legal reasoning in evaluating evidence, maintaining an established legal status, preventing harm, and responding to changes in materials or production processes. Their relevance becomes particularly apparent in contemporary halal governance, where complex supply chains and industrial technologies require systematic methods for translating Islamic legal standards into verifiable procedures (Hidayatullah, 2020; Thalib, 2016).

Under Indonesia's positive legal system, halal certification derives its juridical legitimacy from Law Number 33 of 2014 on Halal Product Assurance, as amended by Law Number 6 of 2023, and Government Regulation Number 42 of 2024. This framework regulates the

examination of materials and production processes, the determination of halal status, the issuance of certificates, post-certification responsibilities, and institutional supervision. The regulatory structure consequently establishes halal certification as a binding legal instrument that provides protection to consumers while imposing continuous compliance obligations upon businesses (Anas et al., 2023; Asro & Sofyan, 2022).

Nevertheless, juridical validity under positive law does not automatically explain the certification system's normative legitimacy within Islamic jurisprudence. Because the substantive object of certification is the legal determination of halal status, the certification process must remain connected to defensible principles of Islamic legal reasoning. The perspective of *qawā'id fiqhiyyah* is therefore required to explain how evidence is assessed, how an established halal status is maintained, and how potential violations are prevented through certification mechanisms (Alfauzi, 2020; Mutiani & Burhanuddin, 2023).

Hanafi Evidentiary Principles in Halal Verification

Evidence occupies a central position in Hanafi legal reasoning because legal determinations must be based on facts and indicators that are outwardly ascertainable and normatively defensible. The term *al-ithbāt* in this context should be understood as the general process of establishing or proving a legal fact rather than as an independent legal maxim equivalent to the major *qawā'id fiqhiyyah*. Hanafi jurists emphasise that adjudication and legal determination operate on the basis of apparent and valid evidence, rather than conjecture, unsupported suspicion, or unverifiable assumptions (Mohamad Yunus, 2019; Mughal, 1999).

This evidentiary orientation is relevant to halal certification because businesses possess information about ingredients, suppliers, production methods, processing aids, storage, and distribution that is generally inaccessible to consumers. The certification process consequently requires businesses to disclose and document relevant information, while halal inspection bodies and auditors examine whether the available evidence supports the claimed halal status. Evidence in halal certification therefore performs both an epistemic function, by establishing the facts necessary for legal determination, and an accountability function, by requiring businesses to justify their claims through verifiable documentation and inspection.

The Hanafi principle that legal judgments are based on outwardly verifiable conditions also explains why certification procedures rely on documentary examination, production audits, laboratory testing when necessary, and institutional assessment. These mechanisms do not claim to reveal an absolute hidden reality beyond all possibility of error, but they establish a legally accountable status on the basis of the best available evidence. Halal certification thus

converts private business information into an institutionally verified legal determination capable of protecting consumers and supporting lawful commercial transactions (Ramlan & Nahrowi, 2014; Thalib, 2016).

The evidentiary dimension can also be connected to the maxim *al-aṣl baqā' mā kāna 'alā mā kāna*, meaning that an established condition is presumed to remain as it was until evidence demonstrates a relevant change. In halal certification, this principle does not mean that every product is automatically treated as permanently halal, but that a status established through valid certification remains effective so long as the materials, production process, and other legally relevant conditions remain unchanged. New evidence concerning prohibited ingredients, contamination, false information, or alterations in the production process may therefore justify reconsideration, suspension, or withdrawal of the certified status (Al-Karkhī, 2019; Mohamad Yunus, 2019).

From this perspective, Hanafi evidentiary reasoning supports a balanced approach between excessive suspicion and insufficient verification. Certification should not impose speculative burdens unsupported by reasonable indicators, but neither may it accept a halal claim without adequate evidence and institutional examination. The evidentiary mechanism therefore reflects legal caution while preserving proportionality, efficiency, and ease in commercial transactions (Mutiani & Burhanuddin, 2023).

Legal Certainty and the Continuity of Certified Halal Status

Legal certainty constitutes an important objective of halal certification because consumers and businesses require clarity regarding the legal status of products circulating in the market. In Hanafi *qawā'id fiqhīyah*, this principle is expressed through the maxim *al-yaqīn lā yazūlu bi al-shakk*, which establishes that a status supported by certainty cannot be displaced merely by unsubstantiated doubt. The maxim protects legal stability while still allowing an established status to be corrected when reliable and legally relevant evidence emerges (Victoria et al., 2025).

A halal certificate should not, however, be equated with absolute or ontological certainty regarding every aspect of a product. Rather, it creates an institutionally recognised and administratively binding presumption of halal status based on examination, verification, religious determination, and issuance by the competent authorities. The certificate therefore represents legal certainty produced through an accountable procedure, not an infallible determination immune from correction (Hasan & Abd Latif, 2024).

The relationship between *al-yaqīn lā yazūlu bi al-shakk* and the principle of *istishāb* explains why a certified halal status remains legally effective until valid evidence indicates a material change or violation. Rumours, public assumptions, or unsupported allegations cannot automatically invalidate an existing certificate because doing so would undermine legal stability and institutional trust. Conversely, verified changes in ingredients, production methods, or compliance conditions may constitute sufficient evidence to reassess the product's legal status (Al-Karkhī, 2019; Uğur, 2016).

For consumers, this legal certainty reduces the burden of independently investigating every ingredient and stage of production. Consumers may reasonably rely on a valid halal certificate unless credible evidence demonstrates that the conditions supporting the certificate are no longer satisfied. This institutional reliance protects religious interests, facilitates market transactions, and strengthens confidence in the halal product assurance system (Ambali & Bakar, 2014; Rofi'ah et al., 2024).

For businesses, halal certification provides operational clarity concerning production, marketing, and distribution. A valid certificate protects compliant businesses from claims based solely on speculation, while simultaneously obliging them to preserve the conditions upon which the certification was issued. Halal certification therefore produces reciprocal legal certainty: consumers receive a recognised assurance of product compliance, whereas businesses receive a stable legal basis for market participation, subject to continued observance of halal requirements (Asro & Sofyan, 2022).

The combination of certainty and continuity does not prevent supervision or correction. Islamic legal stability does not mean that the law ignores proven violations, because certainty generated by valid evidence may also be displaced by stronger and equally valid counter-evidence. Halal certification consequently embodies a dynamic form of legal certainty that protects an established status from arbitrary doubt while remaining responsive to verified changes and actual non-compliance (Mohamad Yunus, 2019).

Preventive Governance and the Avoidance of Harm

Prevention is an important characteristic of Islamic law because legal regulation is intended not only to resolve violations after they occur but also to prevent foreseeable harm before it materialises. This orientation is reflected in the maxim *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*, according to which preventing harm takes priority over pursuing benefits when the two genuinely conflict. Although the maxim is widely recognised across Islamic legal

schools, its preventive reasoning is also consistent with Hanafi jurisprudential approaches to public welfare, legal order, and transactional protection (Zuḥailī, 1999).

The preventive principle operates together with evidentiary verification and legal certainty rather than independently of them. Effective prevention requires reliable information regarding ingredients, production methods, contamination risks, and supply-chain practices, as well as clear standards for maintaining or changing an established legal status. The certification system therefore prevents harm through structured verification, institutional determination, continuous compliance, and post-certification supervision (Thalib, 2016).

Halal certification performs an *ex ante* preventive function by examining products and production systems before or during their entry into the market. Its purpose is not merely to respond to confirmed violations, but to reduce the likelihood that products containing prohibited, doubtful, or contaminated materials will circulate without adequate control. By requiring documentation, inspection, verification, and corrective measures, certification translates the preventive objectives of Islamic law into modern regulatory procedures (Ramlan & Nahrowi, 2014).

The preventive function also reduces the possibility of persistent disputes among businesses, consumers, certifying institutions, and religious authorities. Without an institutionally recognised process, product status could depend upon fragmented assessments, unsupported claims, or inconsistent interpretations, thereby generating market confusion and religious uncertainty. Certification limits these risks by establishing common standards, authorised procedures, and recognised forms of legal determination (Hidayatullah, 2020).

For businesses, preventive governance requires halal compliance to be incorporated into planning, procurement, production, storage, distribution, and product communication. Businesses must not wait until a violation or consumer complaint occurs before examining the integrity of their materials and production systems. Halal certification accordingly operates as a preventive control mechanism that encourages early identification and mitigation of legal, operational, and reputational risks (Wahid, 2017).

This preventive orientation is also compatible with contemporary principles of precaution, consumer protection, and risk-based regulation. Modern legal systems commonly employ *ex ante* standards, licensing, auditing, traceability, and supervision to minimise harm before it reaches the public. Hanafi legal reasoning and contemporary regulatory governance therefore converge in recognising that effective legal protection requires preventive institutional mechanisms, not merely retrospective sanctions.

Halal Certification as a Business Governance Instrument

Beyond its religious and administrative functions, halal certification can be understood as a business governance instrument that translates Islamic legal obligations into internal corporate structures and operating procedures. Certification requires businesses to identify responsibilities, document materials and suppliers, control production processes, monitor changes, and maintain the integrity of halal-compliant operations. It therefore encourages halal compliance to become part of organisational governance rather than a temporary activity undertaken solely to obtain a certificate.

The governance function is especially visible in the management of information asymmetry between producers and consumers. Producers generally possess substantially greater knowledge about ingredients, processing methods, supply chains, and contamination risks, while consumers cannot independently verify each stage of production. Halal certification reduces this imbalance by requiring business claims to be examined and institutionally validated, thereby converting private information into a form of assurance that can be reasonably trusted by the market (Ambali & Bakar, 2014; Miftahuddin et al., 2022).

Halal certification also contributes to corporate risk management. Failure to maintain halal integrity may expose businesses to regulatory sanctions, product withdrawal, consumer complaints, reputational damage, loss of market access, and disruption of commercial relationships. By requiring continuous monitoring and documented compliance, the certification system helps businesses identify and mitigate legal, operational, supply-chain, and reputational risks before they generate wider harm.

Market trust constitutes another important implication of halal governance. A valid halal certificate signals that a product has undergone an authorised process of verification and legal determination, thereby reducing uncertainty in consumer decision-making. This function is closely related to *al-yaqīn lā yazūlu bi al-shakk*, because an institutionally established status provides a stable basis for commercial reliance until credible evidence indicates otherwise.

The business-governance dimension also supports sustainability. Sustainable halal business is not limited to the continued possession of a certificate, but requires the ongoing preservation of supply-chain integrity, consumer accountability, legal compliance, and institutional credibility. Businesses that integrate halal requirements into long-term governance are better positioned to maintain consumer confidence, protect their reputation, and adapt to regulatory and market developments.

Nevertheless, the commercial benefits of certification must remain subordinate to its religious and legal purposes. Halal certification should not be reduced to a marketing strategy

or competitive label disconnected from substantive compliance. Its contribution to market access, reputation, and business sustainability is legitimate precisely because it arises from credible verification, legal accountability, and the continuous protection of consumer interests.

Table 1. Normative and Business-Governance Functions of Hanafi Legal Principles in Indonesia’s Halal Certification System

Hanafi legal principle	Normative function	Application in halal certification	Business-governance implication
Evidentiary principles: <i>al-ithbāt</i> (الإثبات)	Establishing legally relevant facts through valid and verifiable evidence	Disclosure and examination of ingredients, suppliers, production processes, supporting documents, and contamination risks	Strengthening accountability and compliance control while reducing information asymmetry between producers and consumers
<i>Al-aṣl baqā’ mā kāna ‘alā mā kāna</i> (الأصل بقاء ما كان على ما كان)	Maintaining the continuity of an established legal condition until evidence proves a relevant change	A certified halal status remains legally effective as long as the materials, composition, and production processes remain unchanged	Providing operational continuity while requiring businesses to report material changes affecting halal compliance
<i>Al-yaqīn lā yazūlu bi al-shakk</i> (اليقين لا يزول بالشك)	Protecting an established legal certainty from being displaced by unsupported doubt	A valid halal certificate cannot be invalidated merely by rumours, assumptions, or unverified allegations	Strengthening consumer confidence, reputational stability, transactional certainty, and market trust
<i>Dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣāliḥ</i> (درء المفساد مقدم على جلب المصالح)	Preventing legally recognisable harm before pursuing potential benefits	Pre-market verification, monitoring of production processes, corrective measures, and post-certification supervision	Mitigating legal, operational, supply-chain, consumer, and reputational risks while supporting sustainable business governance

The preceding analysis demonstrates that halal certification cannot be regarded as a purely reactive or administrative legal instrument. From the perspective of Hanafi *qawā’id fiqhiyyah*, it constitutes a preventive mechanism designed to forestall *mafsadat*, whether in the form of halal violations, consumer exposure to prohibited or doubtful products, or persistent legal uncertainty. This preventive orientation is consistent with the broader Islamic legal obligation to maintain a clear distinction between halal and haram while avoiding doubtful matters that may endanger religious observance and public welfare (Al-Qardhawi, 1993).

Through evidentiary verification, continuity of established legal status, protection against unsupported doubt, and prevention of harm, the certification system performs interconnected normative and institutional functions. These principles provide a defensible fiqh framework for understanding halal certification as a modern Islamic legal instrument that protects consumers, regulates business conduct, strengthens market trust, and promotes accountable governance. Its preventive function consequently reinforces the fiqh legitimacy of halal certification as an instrument directed toward the protection and welfare of society.

The relationship between Hanafi legal principles and Indonesia's halal certification system should nevertheless be characterised as a functional normative correspondence rather than a formal adoption of the Hanafi school. Indonesian halal regulation derives its authority from positive law, institutional fatwas, and broader Islamic legal reasoning rather than from a single school of jurisprudence, while the Hanafi framework helps explain the legal logic of evidence, certainty, continuity, and prevention embedded in contemporary certification practices. Accordingly, halal certification possesses juridical recognition under positive law, normative legitimacy through Islamic legal principles, protection against religious and market uncertainty, and a governance framework for continuous business compliance, risk mitigation, and sustainable market practices.

The fiqh legitimacy of halal certification is therefore strengthened not by treating certification as an infallible administrative outcome, but by understanding it as an accountable and correctable legal process. A certified halal status remains protected from rumours, assumptions, and unsupported doubt, yet it may be reviewed when valid evidence demonstrates changes in materials, production processes, or other conditions relevant to halal compliance. In this sense, halal certification integrates evidence, legal certainty, prevention of harm, and protection of legitimate public interests within a modern system of Islamic legal and business governance.

Conclusion

This study concludes that Hanafi legal principles provide a coherent normative foundation for Indonesia's halal certification system through three principal and interconnected functions. First, the evidentiary principle of *al-ithbāt* legitimises halal certification as an objective and accountable mechanism for establishing product halal status through the examination of ingredients, suppliers, production processes, documentation, and contamination risks. This evidentiary function is reinforced by *al-aṣl baqā' mā kāna 'alā mā kāna*, which explains that a certified halal status remains legally effective as long as the materials, composition, and production processes upon which it was based remain unchanged. Second, the maxim *al-yaqīn lā yazūlu bi al-shakk* positions a halal certificate as a form of stable legal certainty that cannot be displaced merely by rumours, assumptions, or unsupported doubt, although it remains open to review when valid evidence demonstrates a material change or violation. Third, *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* establishes halal certification as a preventive mechanism aimed at forestalling Sharia violations, consumer exposure to prohibited or doubtful products, and legal uncertainty before such harms materialise.

Indonesia's halal certification system therefore derives legitimacy not only from positive law, but also from a defensible normative framework within Hanafi jurisprudence, while functioning as a modern Islamic legal and business-governance instrument that supports consumer protection, continuous corporate compliance, risk mitigation, market trust, and sustainable business practices.

The novelty of this study lies in reconstructing the relationship between Hanafi *qawā'id fiqhiyyah* and Indonesia's halal certification system as a functional normative correspondence rather than as evidence of the formal adoption of the Hanafi school. Unlike previous studies that primarily emphasise regulation, legal certainty, *maqāsid al-sharī'ah*, consumer protection, or policy implementation, this study integrates evidentiary verification, continuity of certified legal status, protection against unsupported doubt, prevention of harm, and their implications for business governance within a single analytical framework. Nevertheless, the study is limited by its normative legal design and reliance on statutory and doctrinal materials; it does not empirically examine how BPJPH, halal inspection bodies, fatwa institutions, halal auditors, businesses, or consumers interpret and implement these principles in practice. Future studies should therefore employ empirical or mixed-method approaches to evaluate the application of these principles in regular certification and self-declaration schemes, compare Indonesian halal governance with other jurisdictions, and measure the effects of certification on consumer trust, compliance costs, supply-chain integrity, corporate risk management, and long-term business sustainability.

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