


Correlation of Halal Certification in Consumer Protection and Hifzh Nafs in Maqashid Syariah

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Article Info	ABSTRACT
<p>Keywords: Halal Certification, Hifzh Nafs, Maqashid Syariah.</p>	<p>Halal certification plays an important role in ensuring the welfare of Muslims, both physically and spiritually. This is closely related to the principle of hifzh nafs in maqashid sharia which aims to protect human life and welfare. Although the importance of halal certification in the global market is increasing, there is still a lack of research that examines the direct relationship between halal certification and the protection of consumer health, safety, and spiritual peace. This problem is especially evident in studies that focus more on the economic or technical aspects of halal certification, without fully exploring its impact on consumer welfare from a holistic Islamic perspective. This study aims to fill this gap by analyzing the relationship between halal certification and the principle of hifzh nafs through a literature review approach. The research method used is descriptive qualitative, by collecting data from literature studies that include journals, books, and legal regulations related to halal certification and maqashid sharia. The results of the study indicate that halal certification functions as a guarantee of the physical, mental, and spiritual safety of consumers by ensuring that the products consumed do not contain ingredients that harm the body or soul. Halal certification also helps avoid potential risks that can affect physical and mental health, while providing peace of mind to consumers. Therefore, halal certification not only guarantees the halalness of products from a religious perspective, but also supports the protection of human life and welfare in accordance with the principles of maqashid sharia.</p>
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INTRODUCTION

Islam is a religion that is rahmatun lil 'alamin. Islam provides teachings that cover all aspects of human life. Therefore, Islam is designed with the aim of providing human welfare and benefit, both in this world and the hereafter (Ayu Widyaningsih, 2023). One of the efforts to create welfare and benefit for humans is to adopt a halal and good lifestyle. To realize this halal lifestyle, a guarantee is needed that covers all aspects of needs related to the halal lifestyle. This guarantee involves structured and systematic steps to ensure that the food consumed meets halal criteria, both in terms of substance, production process, and additional ingredients used in the process. In order to guarantee the halalness of products produced and distributed in the community, the government has enacted Law Number 33 of 2014

concerning Halal Product Guarantee. This law stipulates that every product imported, distributed, or traded in Indonesia must have a halal certificate.

The existence of Law Number 33 of 2014 concerning Halal Product Assurance gives authority to the Ministry of Religion through a new institution called the Halal Product Assurance Organizing Agency (BPJH) to regulate halal certification which was initially under the management of LPPOM MUI. However, in the process, MUI remains involved in issuing halal certificates and acts as an auditor for registered products (Mulyono & Hidayat, 2022).

The current trend in the halal industry has become a widely discussed topic in the international business world. Trade in halal products has reached a value of \$254 billion and contributes approximately 1–3% to the Gross Domestic Product (GDP) in the member countries of the Organization of Islamic Cooperation (OIC). According to the Global Islamic Economy Report 2019/2020, Indonesia ranks fifth in the development of the global halal industry (Sukri, 2021).

In Islam, the principle of protecting human life (*hifzh al-nafs*) is one of the main objectives of Sharia law, which must be realized in every aspect of life. This principle not only involves physical protection but also includes spiritual and moral safeguards that support the holistic well-being of humanity. One way to uphold this principle is by ensuring that the food and products consumed by the public meet halal and safety standards. This *maslahah* (benefit) relates to preserving mental and physical health, providing protection from various diseases, including the necessity of consuming nutritious and healthy food to maintain overall well-being (Srisusilawati et al., 2022).

A journal study conducted by Muhammad Ilham et al., titled “*Consumer Protection Toward Halal Labeling Efforts in Indonesia*”, concluded that halal labeling offers significant benefits and protection for consumers, guarantees the halal status of food, and contributes to the growth of the halal product industry. This has a positive impact on the brand image of food products (Ilham et al., 2023).

In line with this, a journal written by Jawie Isti Atun Niza titled “*The Implementation of the Halal Product Assurance System as a Form of Legal Certainty in Consumer Protection*” concluded that in the effort to protect consumers, the government provides a strong legal foundation through various regulations such as laws and other legal instruments (Niza, 2023).

Based on the studies above, halal product assurance plays a crucial role, especially amid growing globalization and the increasing complexity of food supply chains. The need for halal assurance is becoming more significant, not only as a religious obligation for Muslims but also as part of a broader effort to ensure general consumer safety. Halal certification, issued by authorized bodies, serves as an essential tool to ensure both the halal integrity and safety of products. This certification not only acts as formal recognition of Sharia compliance but also provides a sense of security for consumers in selecting the products they consume.

According to the official account of the Halal Product Assurance Organizing Agency (BPJPH), as of November 5, 2024, the number of products that have been certified halal is 5,492,791. This figure reflects the crucial role of halal certification in safeguarding consumer safety, which aligns with the *hifzh al-nafs* principle in *maqashid syariah*.

However, despite the existence of legal regulations surrounding halal certification, challenges remain—such as the public’s limited understanding of the importance of the halal lifestyle, the complexity of the certification process, and the lack of studies exploring the relationship between halal certification, consumer safety, and *hifzh al-nafs*. Previous research has tended to focus more on the economic or technical aspects of halal certification.

Therefore, this study aims to fill that gap by analyzing the correlation between halal certification, consumer safety, and the principle of *hifzh al-nafs*. This research not only contributes to a deeper understanding of the interrelationship between these three elements but is also expected to serve as a foundation for policies that support the implementation of a holistic and sustainable halal lifestyle in accordance with the objectives of Islamic law.

METHODOLOGY

The literature in this study was selected purposively, focusing on journals, reports, and official documents that discuss halal certification, consumer protection, and the principle of *hifzh al-nafs*. Sources were taken from relevant national and international publications published within the last five years to ensure the data remains up-to-date. A total of approximately 15 key sources were used, including scientific journals, official institutional reports, and Islamic literature that supports the conceptual analysis.

This study employs a qualitative descriptive method with a literature review approach to analyze the relationship between halal certification, consumer safety, and the principle of *hifzh al-nafs*. Data were collected through a review of various related literature, such as journals, books, research reports, and legal regulations relevant to the topic of halal certification, halal product regulation, and the principles of *maqashid syariah*. The analysis was carried out by identifying and interpreting the information contained in the selected literature to understand how these three variables are interconnected. This approach enables a deeper understanding of the concept and implementation of halal certification, as well as its contribution to consumer protection and human well-being in accordance with the *hifzh al-nafs* principle in Islamic law.

RESULTS AND DISCUSSION

The Concept of Halal Product Assurance

Halal product assurance provides peace of mind and a sense of safety for consumers in using or consuming such products. This is especially important for Muslim consumers, who are selective and careful when it comes to consuming food or using products whose halal status is unclear (Salam & Makhtum, 2021).

According to the Halal Product Assurance Law, halal labeling on products is highly important for the general public, especially in a society where the majority are Muslims. Halal product assurance aims to provide comfort, security, and safety for consumers, as well as ensuring the availability of halal products for public consumption and use (Kritiyanti, 2018).

Essentially, the Halal Product Assurance Law reaffirms the substance of pre-existing legislation by emphasizing specific legal efforts to guarantee legal protection for the public—

especially for Muslims, who are required to consume and use only halal-certified products (Konaras, 2017).

As a form of protecting the public in consuming halal food and products, the state must establish a legal policy regarding halal product assurance in the form of legislation. Initially, legal provisions concerning halal products were regulated under the Food Law No. 7 of 1996. Over time, however, the complexity of halal product issues necessitated the establishment of a dedicated law. Law No. 33 of 2014, enacted by President Susilo Bambang Yudhoyono, serves as the legal foundation for issuing halal certificates in Indonesia. The purpose of this law is to ensure the halal status of products available to the public and to foster a sense of security, calm, and trust among consumers regarding the products they consume (Fatima et al., 2023).

In addition to Law No. 33 of 2014, several other legal frameworks underpin the concept of Halal Product Assurance. In accordance with the mandates of Law No. 33 of 2014 and Law No. 11 of 2020, these include Government Regulations, Minister of Religious Affairs Regulations, Ministerial Decrees, Agency Regulations, and Head of Agency Decisions. These documents contain provisions such as:

Law No. 33 of 2014 on Halal Product Assurance:

1. Government Regulation No. 39 of 2021 on the Implementation of Halal Product Assurance
2. Minister of Finance Regulation (PMK) No. 57/PMK.05/2021 on Service Tariffs for the Public Service Agency of the Halal Product Assurance Organizing Body (BPJPH) under the Ministry of Religious Affairs
3. Minister of Religious Affairs Regulation (PMA) No. 20 of 2021 on Halal Certification for Micro and Small Enterprises
4. PMA No. 8 of 2021 on the Appointment and Dismissal of Halal Product Assurance Supervisors
5. PMA No. 12 of 2021 on the Accreditation Team for Halal Inspection Bodies
6. PMA No. 2 of 2022 on International Cooperation in Halal Product Assurance
7. Minister of Religious Affairs Decree (KMA) No. 1103 of 2019 on the Establishment of the Halal Product Assurance Organizing Body (BPJPH) as a First Echelon Unit at the Ministry of Religious Affairs
8. KMA No. 748 of 2021 on the Types of Products Required to be Halal Certified
9. KMA No. 1360 of 2021 on Agencies Exempt from the Obligation of Halal Certification

Law No. 11 of 2020 on Job Creation:

1. BPJPH Head Decree No. 57 of 2021 on Halal Product Assurance System Criteria
2. BPJPH Regulation No. 1 of 2021 on Procedures for Payment of Public Service Agency Tariffs
3. BPJPH Head Decree No. 135 of 2021 on Technical Guidelines for Self-Declaration
4. BPJPH Head Decree No. 141 of 2021 on Public Service Agency Tariffs of BPJPH
5. BPJPH Head Decree No. 33 of 2022 on Technical Guidelines for Halal Product Process Assistance in Determining Mandatory Halal Certification for Micro and Small Enterprises Based on Business Actors' Declarations

6. BPJPH Head Decree No. 40 of 2022 on the Determination of the Halal Label
7. BPJPH Head Decree No. 57 of 2022 on the Halal Product Assurance System Manual for Halal Certification by Micro and Small Enterprises via Self-Declaration
8. BPJPH Head Decree No. 58 of 2022 on the Determination of Verification and Validation Instruments by Halal Product Process Assistants
9. BPJPH Head Decree No. 61 of 2022 on Service Standard Operating Procedures (SOP)
10. BPJPH Head Decree No. 88 of 2022 on the Use of Halal Labels on Products That Have Obtained Halal Certification

With the enactment of the Halal Product Assurance Law, it provides comfort, safety, security, and certainty of halal product availability for the broader public, especially for the Muslim community in consuming and using products. It also enhances added value for business actors to produce and market halal products (Wajdi & Susanti, 2021).

The Concept of Maqashid Syariah

Maqashid, linguistically, is the plural form of *maqshad*, which means purpose or objective. Terminologically, it has several meanings. First, *maqashid* can mean *al-iltizam, al-i'timad, wa thalab, wa ityanu al-syai'i*, which denotes intent, seriousness, seeking something, and approaching it. Second, it can mean *istiqamat al-thariq* or the straight path. Third, *al-qashdu*, meaning justice, moderation, and non-excessiveness. Fourth, it also means *al-kasr fi ayyi wajhin kana*, which implies breaking or dissecting in any form or situation. Meanwhile, *syariah* refers to religion, teaching, methodology (*manhaj*), path, or tradition (*sunnah*). Among Arabs, the term *syariah* is often understood as the straight path (Paryadi, 2021).

According to Wahbah Zuhaili, *maqashid syariah* are the meanings and objectives preserved by *syara'* (Islamic law) in all or most of its rulings, or the ultimate goals of the *syariah* and the hidden wisdom behind each law (Shidiq, 2009). Al-Syathibi explained that *maqashid syariah* substantively contains elements of public interest (*maslahah*) which can be viewed from two perspectives: *Maqashid syariah* as the objective of God. *Maqashid al-mukallaf* as the objective of the human being.

From the Divine perspective, *maqashid syariah* has four aspects:

1. The primary goal of *Syari'* in establishing the *syariah* is for the benefit of humanity in both this world and the Hereafter.
2. *Syariah* is established as something to be understood.
3. *Syariah* is to be implemented as binding law (*hukm taklif*).
4. *Syariah* aims to place people under the protection of divine law (Jalili, 2021).

In Islamic legal discourse, the study of *maqashid syariah* is vital due to several considerations (Febriadi, 2017):

1. Islamic law is divinely revealed and intended for humanity, and therefore must be able to respond to social changes. Given that the Qur'an and Hadith were revealed centuries ago, the question arises as to whether Islamic law can adapt to evolving social contexts. This can be addressed through studying its components, one of the most crucial being *maqashid syariah*.

2. Historically, attention to the theory of *maqashid syariah* has existed since the time of the Prophet, his companions, the *tabi'in*, and the subsequent generations of *mujtahid* scholars.
3. One of the keys to the success of a *mujtahid* (independent jurist) in their reasoning (*ijtihad*) lies in their understanding of *maqashid syariah*, because legal interpretations must be based on the objectives of the law. Khallaf asserted that the true meanings of *syariah* texts can only be understood by those familiar with *maqashid syariah*.

Essentially, Al-Syathibi categorized the objectives of *syariah* into three levels of need:

- a. Dharuriyyat (essentials),
- b. Hajiyyat (complementary needs), and
- c. Tahsiniyyat (enhancements) (Mansyur, 2020).

Here are the explanations of each level (Abdul, 2019):

1. Dharuriyyat (Essentials): These are fundamental needs vital for human survival in both religion and worldly matters. Neglecting them causes *mafsadah* (harm or damage) and can lead to chaos or even death. The five primary essentials are the protection of religion, life, intellect, lineage, and wealth. These five are indispensable and must be preserved through diligent study and application across times and places.
2. Hajiyyat (Complementary needs): These are necessary to ease difficulties. While not as vital as *dharuriyyat*, their absence leads to hardship, though not destruction. At this level, Islamic law often provides legal concessions (*rukhsah*) to reduce difficulty.
3. Tahsiniyyat (Enhancements): These pertain to luxuries or refinements that beautify life and complete the previous two levels. Their absence does not harm or even cause difficulty but may result in incompleteness or a lack of perfection in achieving *maslahah*.

Based on this structure, Al-Syathibi emphasized five key areas of *maslahah* which form the core elements of *maqashid syariah* (Huda & Saripudin, 2022):

1. Hifzhu al-Din (Preservation of Religion)
Example: *Shalat* (prayer) is essential (*dharuriyyat*). A mosque may support this need (*hajiyyat*), though it's not a requirement for valid prayer. Enhancements (*tahsiniyyat*) include comfortable prayer spaces with facilities such as air conditioning and adequate ablution areas.
2. Hifzhu al-Nafs (Preservation of Life)
Example: Eating is a primary human need (*dharuriyyat*). Eating 2–3 times a day and using a stove are *hajiyyat*. Using modern kitchen appliances and balanced nutrition represents *tahsiniyyat*.
3. Hifzhu al-'Aql (Preservation of Intellect)
Example: Seeking knowledge is a *dharuriyyat*. A classroom, desks, and a blackboard support this as *hajiyyat*. A well-designed and well-equipped learning environment is *tahsiniyyat*.
4. Hifzhu al-Nasl (Preservation of Lineage)
Example: A valid marriage contract (*akad nikah*) is *dharuriyyat*. Official registration of marriage is *hajiyyat*, while a grand wedding celebration is *tahsiniyyat*.
5. Hifzhu al-Mal (Preservation of Wealth)

Example: Working to earn a halal livelihood is *dharuriyyat*. Tools to support work are *hajiyat*, and having complete and modern facilities to increase productivity is *tahsiniyyat*.

The Correlation between Halal Certification and the Principle of Hifzh Nafs in Maqashid Shariah

Hifzh nafs, or the preservation of the soul, is one of the five main principles in maqashid shariah (the objectives of Islamic law), which encompass five essential aspects of human life that need to be protected: religion (hifzh al-din), soul (hifzh al-nafs), intellect (hifzh al-'aql), lineage (hifzh al-nasl), and wealth (hifzh al-mal). The concept of hifzh nafs focuses on safeguarding the safety of the human soul in physical, mental, and spiritual dimensions.

Hifzh means to protect or preserve, while nafs refers to the soul, body, and blood. Among the fuqaha (Islamic jurists), hifzh nafs is often defined as "preserving life" according to the objectives of the sharia. Ahmad Raysuni explains, as previously mentioned, that al-Shatibi defined hifzh nafs as a preservation of life achievable through three means: the realization of family foundations through lawful marriage, ensuring the continuation of life through halal and pure food and drink, and providing clothing and shelter. A similar explanation is given by Al-Ghazali, who stated that hifzh nafs aims to maintain human life through laws and punishments that guarantee the right to life (M. M. Roslan & Osman Zainuri, 2023).

The concept of hifzh nafs can be formulated as an obligation to preserve life, to protect oneself and the soul as established by Allah SWT and His Messenger in the Qur'an and Sunnah, covering two dimensions: the physical and the spiritual (M. Roslan, 2024). From the perspective of Islamic law, the human soul is highly valuable and must be protected from any threats that could damage it. This protection includes all aspects related to human life, from physical health to mental and spiritual well-being. Therefore, anything that could harm the human soul, directly or indirectly, must be avoided or minimized.

In this context, ensuring physical, mental, and spiritual health is an integral part of preserving the soul, which is reflected in Islamic law by prohibiting the consumption of food and drinks that harm the body, intellect, or soul. This is why halal certification is highly relevant in upholding the principle of hifzh nafs. Halal certification does not only verify the religious permissibility of food ingredients but also ensures that the products are safe and do not endanger the health or well-being of consumers.

Halal certification functions as a guarantee that the products consumed by Muslims meet the standards of Islamic law, including cleanliness, quality, and the permissibility of the ingredients used. A main focus of halal certification is to ensure that products in circulation do not contain prohibited substances (such as pork, alcohol, or other harmful materials) that could harm the body and soul, as stated in the Regulation of the Halal Product Assurance Organizing Agency Number 22 of 2023 concerning Amendments to the Regulation Number 150 of 2022 on Technical Guidelines for Halal Product Processes, determining the obligation for micro and small business actors to have halal certification based on business actor statements, except for ingredients exempted by applicable regulations as explained in the Minister of Religious Affairs Regulation Number 1360 of 2021 regarding Ingredients

Exempted from Halal Certification Obligations. Therefore, in this context, halal certification correlates with protecting hifzh al-nafs from potential physical harm, which if neglected, can damage bodily health.

Halal certification also minimizes other potential harms that may not be immediately apparent, such as the use of harmful chemicals or additives mixed during the production process, which pose risks not only to physical health but also to mental and emotional stability. For example, consuming food containing hazardous chemicals or unsafe additives can lead to long-term health problems, clearly contradicting the principle of hifzh nafs in maqashid syariah.

With a standardized halal certification system regulated by authorized bodies such as the Halal Product Assurance Organizing Agency (BPJPH) and the Indonesian Ulama Council (MUI) in Indonesia, consumers can feel safer and protected from the risks of consuming products that might harm their physical and mental health. This aligns with the objectives of the sharia to safeguard human welfare both physically and spiritually, by avoiding the consumption of goods that may harm the body or soul.

Halal certificates hold significant importance in Indonesia, both administratively and legally. This is in line with various considerations found in Consumer Protection Law Number 8 of 1999, which emphasizes the importance of increasing consumer awareness, knowledge, care, ability, and independence to protect themselves and to encourage responsibility among business actors (Dede Al Mustaqim, 2023).

In accordance with the Consumer Protection Law, Law Number 33 of 2014 on Halal Product Assurance Article 1 states that products include goods and/or services related to food, beverages, medicine, cosmetics, chemical products, biological products, genetically engineered products, and goods used by the community. This law emphasizes the state's obligation to ensure freedom of religion and provide protection and assurance regarding the halalness of products consumed by the community (Dede Al Mustaqim, 2023).

Beyond functioning as a guarantee of physical safety, halal certification also plays an important role in protecting the spiritual soul of Muslims. Consuming halal food, which is not only free from prohibited substances but also produced according to Islamic principles, is closely related to achieving inner peace and spiritual tranquility. In Islam, maintaining the consumption of halal food is not only about obeying religious law but also part of manifesting obedience to Allah SWT, which in turn brings peace of mind. This is explained in the Qur'an, Surah Al-Baqarah, verse 168:

يٰۤاَيُّهَا النَّاسُ كُلُوْا مِمَّا فِى الْاَرْضِ حَلٰلًا طَيِّبًا وَلَا تَتَّبِعُوْا خُطُوٰتِ الشَّيْطٰنِ اِنَّهٗ لَكُمْ عَدُوٌّ مُّبِيْنٌ

"O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy."

Consuming halal and wholesome food is considered a form of obedience to the command of Allah SWT. This obedience positively impacts peace of mind and heart, which are key elements in mental and spiritual well-being. When someone consumes halal products, they feel calm and confident that what they eat will not cause harm to themselves or others. This is in line with the maqashid syariah's objective of preserving the welfare of the soul, which includes spiritual and mental aspects.

Conversely, consuming products that are not halal or have doubtful halal status can cause feelings of anxiety or discomfort within a person. This concern may not only relate to potential physical harm but also to the uncertainty of whether they have fulfilled their religious obligations or not. Therefore, halal certification provides assurance that the products consumed meet standards that calm the minds and hearts of consumers.

Socially, halal certification also functions to ensure that products circulating in the market are widely accepted by the Muslim community, while protecting consumers from potential fraud or manipulation. For example, many products claim to be halal but do not meet sharia standards. Without a clear certification system, consumers could become confused or even inadvertently purchase products that do not conform to Islamic teachings. Halal certification by trusted institutions provides certainty that the product is safe from religious and health perspectives.

In another aspect, halal certification within the rapidly growing halal industry economy can help create jobs and improve economic welfare, which also contributes to social stability. With increasing demand for halal products both domestically and internationally, halal certification opens opportunities to enhance the competitiveness of local products in the global market, while still maintaining Islamic principles related to *hifzh nafs*.

Halal certification can be seen as an instrument supporting the principle of *hifzh nafs* by ensuring that the products consumed do not harm the health of consumers. This encompasses not only physical but also moral and spiritual aspects in ensuring that the products consumed align with Islamic values. Therefore, halal certification has a strong correlation with the principle of *hifzh nafs* in protecting consumers. Halal certification provides a sense of security for consumers, especially Muslims, in choosing products that are not only healthy but also in accordance with religious teachings. The consumer protection guaranteed through halal certification supports the welfare of the community, both physically and spiritually, in harmony with the principles of *maqashid syariah*.

CONCLUSION

This study demonstrates that halal certification plays a crucial role in ensuring the safety and comfort of Muslim consumers by guaranteeing that the products consumed comply with the principles of *maqashid syariah*, particularly in protecting *hifzh al-nafs* (preservation of life). Based on a literature review focused on halal regulations and consumer protection principles, it was found that halal certification safeguards not only the physical and health aspects of consumers but also provides spiritual reassurance that supports mental well-being. Comprehensive regulations in Indonesia, such as the Halal Product Assurance Law and its implementing regulations, provide a strong legal foundation to ensure this protection. For future research, it is recommended to conduct empirical studies examining consumer perceptions and the effectiveness of halal certification implementation in various social and economic contexts to deepen understanding of the real impact of halal certification on consumer protection and *maqashid syariah*.

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