


## The Secularization of Halal: State Bureaucracy vs Semantic Ethics in Indonesia's Halal Governance

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### Abstract

A deeper conflict within Indonesia's halal governance system is exposed by the controversy over halal certification for goods bearing names associated with haram concepts. This study examines the historical development of halal-certification organizations, sociological factors influencing halal assurance among producers and consumers, and the public response to the moral conundrum posed by halal-certified goods with names inappropriate to their religions, using a sociological–historical methodology. Primary data was gathered from documents and digital media sources using qualitative methods. The legal-semiotic anomaly appears in Law No. 33/2014 on Halal Product Assurance, where material consideration enables controversial names (such as haram, immoral, or occult elements) to be considered halal due to legal permissibility, creating a separation between halal as a material (legal) aspect and halal as an identity (semantic–ethical). The results show that this anomaly can be explained by an epistemic tension between positivist law and religious ethics, in which the former deems naming insignificant while the latter views the name as part of the meaning of halal. The problem lies in halal governance, where the notion of Halal-Identity is employed as a framework emphasising halal as an identity concept.

### Abstrak

Konflik mendalam dalam sistem tata kelola halal di Indonesia tampak dari kontroversi sertifikasi halal pada produk yang menggunakan nama berasosiasi dengan konsep haram. Studi ini mengkaji perkembangan historis lembaga sertifikasi halal, faktor sosiologis yang memengaruhi jaminan halal di kalangan produsen dan konsumen, serta respons publik terhadap dilema moral dari produk bersertifikat halal dengan nama yang tidak sesuai secara keagamaan, menggunakan pendekatan sosiologis–historis. Data primer diperoleh dari dokumen dan media digital melalui metode kualitatif. Anomali legal-semiotik muncul dalam UU No. 33/2014 tentang Jaminan Produk Halal, di mana pertimbangan material memungkinkan nama kontroversial (seperti haram, immoral, atau unsur okultisme) tetap dianggap halal karena sah secara hukum. Hal ini menciptakan pemisahan antara halal sebagai aspek material (legal) dan halal sebagai identitas (semantik-etis). Hasil penelitian menunjukkan bahwa anomali ini bersumber dari ketegangan epistemik antara hukum positivistik dan etika agama: yang pertama menganggap penamaan tidak relevan secara hukum, sementara yang kedua memandang nama sebagai bagian dari makna halal. Masalah ini menunjukkan bahwa konsep Halal-Identity diperlukan sebagai kerangka analisis yang menegaskan halal sebagai identitas yang utuh.

### Keywords:

Halal governance; Semantic ethics; Legal epistemology; Halal certification; Naming controversy

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## Introduction

The theological imperatives of halal (permissible) and haram (forbidden) in Islamic jurisprudence extend beyond ritual observance to profoundly shape Muslim consumer behavior, particularly in dietary practices. The Quran explicitly equates consuming non-halal substances with “following Satan’s footsteps” (al-Baqarah: 168), while framing halal consumption as an act of worship (al-Baqarah: 173). This divine injunction elevates food ethics beyond mere legality into the realm of spiritual identity, making halal certification a cornerstone of Muslim socio-religious life. In the Quran, the term halal refers to objects and practices that are permissible. The opposite of halal is haram, often translated as “sinful”. The Quran states that God created food to sustain human life and to be enjoyed in moderation. As such, food represents God’s power and benevolence (Armanios & Ergene, 2018). The rules of halal food in Islam are undoubtedly widespread in the world and apply to Muslims living in both Muslim-majority and minority countries. In the Muslim-majority world, there are certainly no problems related to halal food. But not so in countries where Muslims are a minority. There are significant issues related to halal food. Muslim communities living in Muslim minority areas face the difficulty of recognizing halal food circulating in markets (Akbar et al., 2023; Judijanto, 2025; Adham et al., 2024). From a sociological perspective, the existence of a marker or identifier for halal food becomes significant. Here lies the significance of halal certification as a marker that food products intended for consumption have met halal standards regarding ingredients, processes, and production environments.

Discussions about Halal Integrity have intensified globally in recent years. According to recent research, the global halal ecosystem is rapidly changing due to fragmented standards, international discord, and technological disruptions (such as blockchain and digital traceability). As noted by Akbar et al (2023), the absence of universal halal standards creates persistent inconsistencies in certification procedures across Muslim and non-Muslim countries due to differences in national regulations and interpretations of Islamic law. Not only does it create additional problems with the cross-border acceptance of halal certificates, but it also undermines regulatory consistency and consumers' trust. Indeed, comparative analysis of halal certification processes in Southeast Asian countries shows that regulatory differences create substantial compliance difficulties for manufacturers (Zhang et al., 2026). In this way, studies on harmonization efforts have shed light on the divergent interpretations of Sharia law across different nations, making it difficult to formulate a universal standard for halal. Modern academic works have also shown that fragmentation is not merely perceived as a regulatory problem but as an aspect of the wider change occurring within the halal domain towards a multidimensional governance framework. Scientometric and bibliometric studies have revealed a paradigm shift in halal research, whereby initial focus on certification and compliance has shifted to topics such as ethical consumption, sustainability, digitalization, and supply chain management (Judijanto, 2025). In this new environment, halal governance is increasingly linked with technology. Reviews on the adoption of Industry 4.0 indicate that blockchain, the Internet of Things (IoT), and traceability are becoming crucial tools to ensure that products comply with halal standards in complex global supply chains, thereby improving transparency and efficiency. At the same time, studies indicate that implementing digital tools in halal supply chains improves chain performance while enhancing consumer trust (Harsanto et al., 2024; Zulfakar et al., 2014).

Research on the relationship between halal standards and competitiveness, revealing that the governance of halal standards is becoming increasingly tied to global market positioning and consumer psychological security, supports the above developments (Kamil et al., 2025). In recent systematic reviews, there is further evidence that halal standards extend beyond regulatory compliance and are linked to the process of value creation in the global supply chain, particularly through branding and certification-based trust mechanisms. Also,

studies on digital transformation in the halal supply chain indicate that the application of Industry 4.0 technologies, such as blockchain, IoT, and data-driven traceability, greatly improves transparency and competitiveness, and ensures end-to-end halal assurance. Taken as a whole, this growing body of work presents Halal Integrity as a theological and symbolic field encompassing both the moral coherence of the halal ecosystem and the permissibility of substances.

Beyond governance and technological aspects, recent studies extend the discussion to the symbolic and communicative dimensions of halal, particularly in relation to branding and identity construction. Halal identity today functions as a communicative and symbolic economy, according to research on halal branding and Islamic digital consumerism, a dynamic that runs concurrently with regulatory discussions. In a systematic assessment of halal brand image, Noor (2025) emphasizes how symbolic clues, religious sensibilities, and semantic linkages found in halal products influence brand trust and loyalty. Halal is increasingly becoming a lifestyle identity, as evidenced by Malaysia's modern halal branding efforts. The market value of halal depends on the legitimacy of its names, symbols, and narratives. Emerging Islamic marketing trends in the digital sphere demonstrate that companies deliberately highlight halal marks and religious principles to convey ethical authenticity and a sense of identity.

In recent comparative studies, Indonesia's special status in the global halal industry is emphasized. For instance, while halal certification procedures in Malaysia (JAKIM) and Singapore (MUIS) are well-known, globally accepted, and highly centralized, those conducted within BPJPH in Indonesia are more complex and inconsistent (Najla & Huda, 2025; Nizar & Ahmad, 2025). Apart from their administrative differences, these approaches also affect the cultural dimension of the process, thereby complicating halal regulation in Southeast Asia. Moreover, the topic becomes even more complex in light of ongoing discussions about digital religion and its role in redefining religious identity, authority, and practice (Campbell & Cheong, 2024). Specifically, in relation to Indonesia, online discourse intensifies disputes over naming and other aspects of cultural meaning in halal certification. Thus far, although the topic of halal governance has attracted significant scholarly interest, very little attention has been devoted to the relationship between legal and semantic aspects. Therefore, this research proposes analyzing the semantic–legal gap in halal regulation through the concept of Halal-Identity.

The Indonesian outlier stands out on this international intellectual battlefield—standardization vs. symbolic integrity, regulation vs. identity. The controversy in Indonesia revolves around a purely semantic and onomastic question: Can products with names such as “beer,” “wine,” “tuak,” or “tuyul” receive halal certification even though their contents are halal? Global halal debates struggle with technical inconsistencies (e.g., stunning, certification bodies, slaughter standards). Due to the certification system's substantive orientation—if the components are halal, the name is legally irrelevant—dozens of goods bearing words like “wine” or “beer” gained halal certification, according to recent Indonesian cases reported by LPPOM MUI (Yana, 2024; Ariffin et al., 2024). The fatwa authorities of MUI, however, point out that these naming practices are a clear violation of halal naming principles, which forbid the use of terms having *khamr*, occult, or disparaging connotations. The institution openly denied culpability after self-declared certifications allowed a few products (tuak, tuyul, wine, and beer) to be sold without MUI fatwa vetting, thereby escalating the issue.

The legal system intended to offer *itmi'nān* (consumer tranquillity) unintentionally creates semantic unrest, as halal certification affirms material purity while neglecting symbolic offensiveness. This semantic rupture in Indonesia's halal governance has not been studied before (Isnaniah et al., 2024; Ulfa & Yunus, 2025). This is a singular departure from worldwide patterns. The mismatch between Halal-Substance (material permissibility) and Halal-Identity

(symbolic-religious propriety) is Indonesia's problem, whilst other nations battle with slaughter regulations, accrediting harmonization, and cross-border traceability. Therefore, by examining how institutional evolution, sociological imperatives, and community ethics collide in the construction of halal meaning—particularly when product names become the battlefield where legal rationality and religious identity clash—the current study helps close this gap.

## Method

This study employs a qualitative doctrinal-interpretive approach to examine the legal, ethical, and sociological tensions surrounding the halal certification of products with religiously problematic names in Indonesia. The approach is designed to capture the interaction between regulatory frameworks, institutional practices, and public discourse. The research is based on the triangulation of document analysis with three types of data: First, legal and regulatory documents, including Law No. 33/2014 on Halal Product Assurance, Government Regulation No. 39/2021, and BPJPH Regulation No. 40/2022. The documents were selected for their formal authority in the construction of halal certification. Second, institutional documents, including BPJPH Annual Reports, as well as MUI fatwas, including Fatwa No. 44/2020, relating to the ban on names and symbols related to haram. These documents were selected because they played an important part in determining the application of halal requirements. Third, digital discourse and media reports 2019-2024 were included to capture public debates about controversial product naming (e.g., “wine,” “beer,” “tuak,” “tuyul”); The selection criteria were relevance, source credibility, and official statements from BPJPH or MUI, to ensure analytical reliability.

Analysis was conducted using the six-phase thematic analysis by Braun and Clarke (2006). Data familiarisation was achieved by systematically reviewing the corpus first. Second, we performed inductive coding to identify emerging patterns and discursive tensions, especially between material compliance and symbolic meaning. Third, codes were grouped into broader themes by cross-comparing legal, institutional, and media texts. Fourth, the themes were refined for internal coherence and analytical distinction, leading to key categories such as Halal-Substance, Halal-Identity, and semantic dissonance.

The study's limitation is that it relies solely on documentary evidence. The researcher has not conducted any interviews with stakeholders, so there is no primary information on what consumers or other organizations think about this.

## A Brief History of Halal Certification in Indonesia: Origin, Change, and Continuity

Regarding the history of the development of halal certification, three historical concepts will be used, namely origin (genesis), change, and continuity (growth), to analyze the periodization of the development of halal certification in Indonesia (Shiddiqi, 1982; Aulia & Azizah, 2023). These three terms are essential for discussing and evaluating a historical periodization. In this case, these terms can be used to assess when a period begins and ends, thus making the dichotomy important in understanding historical chronology. By analyzing the origins, changes, and continuities of halal certification, a more complete understanding of its history will be achieved.

Prior to halal certification becoming an institutionalized practice, the Indonesian government adopted a policy of labeling haram food items. As per the Decree of the Minister of Health No. 280/Men.Kes/Per/XI/1976, there is a need to place a warning label on any

product that contains pork. The label includes an image of the pig as well as the words “CONTAINS PIGS,” as shown in Figure 1 (Faridah, 2019).

Figure 1.  
Warning signs for products made from pork



A regulation change occurred in 1985 with a Joint Decree of the Ministers of Health and Religious Affairs, introducing the “halal” marking as a positive signifying a shift from the previous negative labelling of “haram.” The key institutional event followed the 1988 discovery, through research, that some pork-derived ingredients (such as gelatin and lard) could be used in food products. Following this discovery, President Soeharto instructed the Indonesian Ulema Council (MUI) to tackle the matter. In 1989, MUI set up LPPOM (Institute for Food, Drug, and Cosmetic Assessment) (Syamsu, 2023).

It underscores the transition from government-led consumer protection efforts to ulama-issued religious certifications, reflecting greater recognition of halal certification as a religious issue. While the first approach of the government dealt with halal certification as an administrative issue concerned with labelling items containing things prohibited in Islam, such as pork, growing complexities in the food industry, particularly in food derivations, such as gelatin, needed a more comprehensive effort beyond science and into Islamic jurisprudence (*fiqh*). It proved that the government's efforts alone would not do the job, thereby making halal certification fall within the domain of the ulama.

In the second phase, institutional coordination began with the issuance of a cooperation charter, signed in 1996 by the Ministry of Religious Affairs, the Ministry of Health, and MUI. In this context, the role of the epistemological centre was fulfilled by MUI, which would conduct product testing and certify products in accordance with fatwa, whereas the Directorate General of Food and Drug Control (BPOM) would regulate labelling and distribution. Thus, it became mandatory for business actors to obtain a halal certificate from MUI before labelling their products. MUI only provides advice on the inclusion of the official MUI halal logo and on the issuance of the halal certificate number (see Figure 2).

There was a clear separation of roles between the institutions in terms of providing legitimacy and enforcement. While the MUI was the primary body responsible for granting halal certification and ensuring products adhered to Islamic law, BPOM oversaw regulatory compliance with the national legal system. Nevertheless, there was a problem in the structure of this system. While the MUI was the leading body in providing halal legitimacy, it lacked the legal enforcement powers to enforce it. As a result, when there were violations involving the misuse of the halal label or alteration of product content, MUI could issue only warnings to manufacturers without imposing any legal consequences.

At the same time, the regulation on the inclusion of the halal logo is the authority of BPOM, which requires a halal certificate to be attached at the time of submission. In 2000, the Directorate General of POM changed to the Food and Drug Supervisory Agency (BPOM), so halal labelling was also switched to BPOM (Wijayanto & Guntur, 2001)

Figure 2.  
Halal logo of the Indonesian Ulema Council



This period shows a mixed model of governance in which governance by religion (MUI) and by the state (BPOM) operate simultaneously, performing distinct tasks that interact with one another. On the one hand, there was normative legitimacy through religious certification in the form of a fatwa, which ensured that products met requirements set by Islamic teachings. On the other hand, the BPOM provided administrative and legal legitimacy regarding labelling and distribution. Halal certification, therefore, became increasingly entrenched in state regulation while retaining its religious roots (Kharrazi et al., 2024).

The next phase is the phase of continuity and development. In this phase, Law No. 33/2014 on Halal Product Assurance marked the largest shift in Indonesian institutions (Republik Indonesia 2014). Under the law, halal certification was provided through an elaborate process that required all relevant products to undergo it. The Halal Product Assurance Organizing Agency (BPJPH) was established by the Ministry of Religion. This was to be charged with overseeing and administering the certification process. In addition, the law established bodies known as LPHs. These would be tasked with auditing and inspecting processes to ensure compliance with halal certification requirements (Alam et al., 2023). Notably, MUI would retain its authority to issue halal fatwa rulings (Faridah, 2019).

In addition, another significant development occurred when a new national halal logo was introduced in 2022 via BPJPH Decree No. 40/2022, replacing the previous halal logo used by the Indonesian Ulema Council (MUI) (see Figure 3). The purpose is to consolidate halal certification under one entity, BPJPH. Notably, the new logo design has been created with the country's culture and religion in mind.

Figure 3.  
Halal logo of the Halal Product Assurance Agency



The decree represents more than just a bureaucratic shift from MUI's long-standing authority to a state-managed certification system. Additionally, it signifies a substantial semiotic change in Indonesia's intellectual and visual construction of halal authority. The Wayang (Javanese puppetry) motif, a cultural sign with strong roots in Javanese heritage, is embedded in the BPJPH logo, in contrast to the MUI logo, which emphasizes textual and

juristic symbols recognizable throughout the Muslim world. Instead of just being “Javasentris,” this design decision might be seen as an example of state cultural hegemony, in which the state elevates a dominant cultural symbol to legitimize its control over religious practice. The state quietly redefines halal identity through the halal emblem as both culturally Indonesian and sharia-compliant, or more accurately, consistent with the state's preferred cultural narrative. This is a symbolic display of power: the state integrates itself institutionally, linguistically, and artistically into what was once a field governed by ulama and rooted in religious law.

The fact that BPJPH is using the Wayang-based halal logo can be seen as the government showing its power over culture and its control over Islam, rather than just a simple way to show culture. If we look at what Müller & Steiner (2018) said, we can see that the rules about halal food in Southeast Asia are part of a process in which religious rules become part of the government system, and Islam becomes something the government controls. In this case, using Javanese symbols like Wayang is not just about how they look; it is about the ideas behind them. It helps the government appear to have the right to make decisions because it is connected to the culture, and it makes the government's involvement seem normal and legitimate.

The use of wayang-inspired halal logos by the BPJPH from a Gramscian point of view can be seen as another type of cultural. Without resorting to forceful methods, the state has been able to incorporate its ideology into culturally recognized symbols, thereby naturalizing its domination. By combining elements of gunung wayang and batik in the design of halal logos, an attempt has been made to construct an Islamic identity rooted in a Javanese cultural background, making it appear organic and acceptable to the public. Recent studies on semiotics and communication indicate that halal logos were intentionally designed as a single symbol system that represents a harmonious national Islamic identity (Varlina & Permatasari, 2025).

However, the symbolic process of harmonization also generates processes of exclusion. Researchers point out that the new logo of halal has faced criticism over its portrayal of cultural bias and lack of recognition of the plurality of Islamic culture in Indonesia, especially those outside Java. According to Gramsci's concept of hegemony, such an approach is indicative of the way in which ruling agencies build up consent through promoting one version of the culture over the others, as seen in the dominance of the Java-influenced form of Islam at the expense of other versions that exist in Indonesia's Muslim communities (Hasan et al., 2025)

The transfer of the halal regulatory function from MUI to BPJPH marks the realization of state hegemony, shifting from a society-oriented to a state-oriented system. The use of the wayang-inspired logo embodies power in everyday religious consumption, emphasizing symbols of Javanese culture over universal Islamic values. The aesthetic focus may lead to the neglect of Islamic textual indications and Muslim pluralities (Saidi & Sazali, 2024). Overall, the logo is a hegemonic icon that reflects the Gramscian principle of power's perpetuation through normalization.

In line with Critical Legal Studies, the use of the halal logo shows how law is not neutral but rather embedded in power structures and ideologies (Hunt, 1985; Sciaraffa, 1999). Unlike instrumental practices, the logo is a tool through which the state creates meaning. The regulation of halal status through the logo represents the transfer of authority from religion to bureaucracy. As seen in recent scholarship on the topic, the redesign of the logo incorporates symbols and cultures that change how people perceive the issue of halal. Thus, the halal logo becomes a regulatory practice that moves from community religion to governance.

This results in a space that is contentious and contested, as there is conflict between universal Islamic teachings and the state's localized cultural interpretation of those teachings. By focusing on the cultural symbolism, such as wayang, not only is the process reflective of identity politics, but it also runs the risk of prioritizing some interpretations of Islam over others. In this regard, the implementation of the halal regulation represents an area where legal

power, culture, and religiosity clash and interact. Herein, the role of the state is much more complicated than simply administrative (Saidi & Sazali, 2024).

Within the paradigm of *siyāsah shar‘iyyah*, the government’s involvement in halal certification would be seen as an appropriate application of political power for the pursuit of public welfare (*maṣlahah*) and the protection of vital elements, including religion (*ḥifẓ al-dīn*) and consumer behaviors. As recent literature emphasizes, modern governance in Indonesia is characterized by a growing trend of applying Islamic law principles by incorporating those values into bureaucratic structures, without replacing the state as such. Here, halal certification, carried out by BPJPH and supported by LPH and MUI, serves as a modern form of hisbah-like control, in which the state guarantees economic and moral order through policy tools. Within this framework, it seems logical to view the use of cultural symbols, such as Wayang, as a practical application of *siyāsah shar‘iyyah* (Hermawan et al., 2025).

In terms of a more in-depth analysis of this case, this approach provides an insight into how Islamic governance is conducted through localization rather than simple textualism. According to empirical research on the implementation of halal regulations in countries such as Malaysia, the state's role in this process has become more closely linked to other regulatory domains beyond religion, including consumer protection, economic development, and regulatory effectiveness. In addition, empirical studies on the semiotics of halal emphasize that logos serve both as regulatory symbols and as semiotic tools through which religious legitimation, cultural identification, and political power can be represented at once. In this context, the Wayang logo serves as a point of convergence between Islamic normativity (compliance with the sharia) and national-cultural representation, demonstrating *siyāsah shar‘iyyah* in action through legal and symbolic control (Rahma & Phahlevy, 2024).

Whereas the process of instituting halal certification adds clarity and protection, the use of the Wayang-inspired logo introduces an element of contestation into what can be described as cultural politics. According to critics, the use of Wayang-inspired images could result in the centering of another ethno-cultural group rather than accommodating the plurality of other groups in Indonesia, thereby leading to the dominance of another cultural paradigm in representing Islam. Therefore, in this regard, the logo transcends the realm of aesthetics and becomes ideological, as it does not rely on traditional images of Islam, such as Arabic script, which has been the convention for halal certification in the past. On the other hand, those who are supportive might see the change as a means of localizing Islam within the socio-cultural context of Indonesia. This would mean that the incorporation of Wayang elements is part of an attempt to create a new type of Indonesian Islam, one that integrates the universal aspects of religion into the culture of Indonesia itself. In this case, localization serves to increase resonance and thereby strengthen halal governance, rather than limiting its reach and undermining its universality.

Indonesia serves as an example of a radical shift in halal governance, which goes well beyond mere symbolism. Halal certification was traditionally rooted in ulama power and was perceived as a purely religious practice based on Islamic law. However, with the growing involvement of the state, this sphere has been redefined by transforming halal practices into a legalized procedure with clear standards, regulations, and implementation through state channels. This shows that the process of legalization does not merely extend into the religious domain but also includes halal certification in national legislation and in economic and administrative processes. On the other hand, the use of culturally significant signs, such as the Wayang halal logo, demonstrates how state authorities legitimize their control through symbols.

This phenomenon raises a critical, unresolved question: Is it possible to maintain both universal Islamic legitimacy and cultural specificity simultaneously? In Indonesia, we will observe the interaction between these two forces. First, halal is based on universal values

inherent in Islam and thus transcends culture. At the same time, the functioning of halal in contemporary Indonesia is becoming more national in character and more culturally specific. Thus, their simultaneous existence reflects the complex dialogue between universal religious standards and national socio-cultural circumstances, set against the backdrop of modern state structures.

### Sociological and *Maqāṣid*-Based Motives for Halal Determination

The certification of products' halal status is conducted by authorized institutions that integrate theological, legal, and social factors that affect producers and consumers. From this standpoint, product certification is not an isolated technical process of verifying ingredients, but a form of regulation that enables Muslims to practice their faith in relation to consumer goods. According to the theory of *maqāṣid al-sharī'ah*, especially as presented from a systemic perspective by Jasser Auda (2008), halal certification thus becomes an effective tool for religious protection (*ḥifẓ al-dīn*).

The primary thesis of this paper is that names, branding, and symbolism are not ancillary to certification but are integral to religious protection within the *maqāṣid al-sharī'ah* approach propounded by Jasser Auda. In the opinion of Auda, "Islamic law as a whole operates as a coherent system whereby meaning, knowledge, and socio-cultural context are interrelated" (Audah, 2008; Auda, 2011). Within this system of interaction, symbolism in terms of names, logos, language, and imagery becomes important when defining religious values.

Based on this view, halal certification is not simply a matter of process and formality. Halal certification, within the framework of the *maqāṣid* approach articulated in Auda's system, is an ethical knowledge-making process rather than a matter of how well legal opinions comply with formal procedures alone. Rather, it is about how far these legal opinions are successful in achieving higher purposes (*maqāṣid*), especially the purpose of protecting religion (*ḥifẓ al-dīn*). It becomes critical that halal certification be viewed not only as a regulatory system but also as a normative system of meaning for religion.

In this new conceptualization, *maqāṣid* emerges as a dynamic, multifaceted framework, featuring interconnected objectives and openness to context. Within such a framework, the halal certification process helps ensure that the sharia's five primary values are upheld. Of these values, *ḥifẓ al-dīn* holds special importance in labeling, as it goes beyond mere compliance to ensure that religious values are clearly expressed in public discourse and in personal conscience (Syihabuddin & Suwandi, 2024).

Recent research shows that a *maqāṣid-inspired* halal industry ensures that halal goods are technically legitimate, ethically sound, and socially useful. This transforms the concept of halal from mere materiality to a normative system in which meaning and representation become important factors (Mohd Raffi, 2024). Therefore, labelling is not a peripheral feature but becomes a functional element of religious protectionism.

According to the *maqāṣid* approach, there is an intertwined relationship between halal labels at both the material level (makeup, manufacture, verification) and the semiotic level (names, signs, stories). Whereas traditional *fiqh* tended to stress the ontic nature of the material itself, the *maqāṣid* approach necessitates a consideration of the dynamic relationship between meaning and context in which it exists. Labels serve as semiotic markers whose purpose is to mold consumer perception and ethical imagination. This corresponds with modern scholarship that underscores the need for halal systems to encompass both production integrity and communication practices amid complex food supply chains. Confusing or conflicting labeling can negate the *maqāṣid*, regardless of the product's physical status.

One example can be provided by Chaerul Firdaus et al. (2025). These authors analyzed the use of names for prohibited goods (e.g., “beer,” “wine,” or “tuak”) on halal-certified products. It was revealed that, despite halal certification, such products continued to use terms strongly associated with haram categories. Thus, the study concludes that: The usage of the haram-related term in relation to halal-certified products is illegal from the viewpoint of *maqāṣid*. There is a risk of confusion connected with regulatory ambiguity. The analysis of this case shows that even formal compliance does not necessarily mean *maqāṣid* compliance. This fact should be considered from the viewpoint of systems theory and labelling.

The concept of *sadd al-dharā’i’* serves as the basis for the solution to the problem of signification from an *ijtihādī* perspective. As defined by scholars, this notion entails hindering permissible actions whose possible consequences can be prohibitions (Ruwandoruwa & Mika’ilu, 2026). Current studies on halal certification demonstrate the significance of this concept in the context of modern challenges and explain the importance of this rule in preventing potential harms (Firdaus et al., 2025). In relation to labeling practices, it becomes an anticipatory instrument of morality applicable not only to behaviors but also to meanings within the realm of public discourse. By this principle, the use of terminology referring to prohibited substances—such as “halal beer,” for example—is limited because there is a danger of legitimizing inherently banned notions according to Islamic Law. Even unintentionally, this process might lead to a gradual change in public discourse and, therefore, to a decrease in moral awareness within the community. Additionally, *sadd al-dharā’i’* attempts to prevent any misunderstandings regarding labelling and to ensure that the meaning of products labelled halal is unambiguous and distinct from that of products labelled haram. Thus, this principle aims to maintain consumers' cognitive awareness of their moral standards. Moreover, it seeks to protect the symbolic dimension of products: in addition to preserving their legality of consumption within Islam, it also maintains their symbolic meaning, as their breach might threaten the unity of a religious community.

A fusion of Jasser Auda’s systems approach with the doctrine of *sadd al-dharā’i’* yields an advanced concept of halal labelling as a practice of semiotic governance, in which the governance of meaning is no less significant than the governance of substances themselves. Labelling, as seen from this viewpoint, includes several elements. The first is normative coherence, through which labels ensure that names, signs, symbols, and other aspects of representation are congruent with the Islamic ethical principles, thus ensuring correspondence between the fatwa and its externalization. The second is cognitive protection against doubt and confusion, safeguarding consumers’ ability to distinguish between halal and haram. The third is the maintenance of public discourse’s social coherence through the stability of meaning attached to halal symbols. Notably, this approach redirects the focus of halal labelling analysis beyond conventional issues of marketing and consumer trust toward the broader epistemological and moral context of Islamic law.

Finally, from the perspective of Auda’s theory of *maqāṣid*, halal certification cannot be understood in isolation from substance, meaning, and societal consequences, but must be seen as a holistic ethical discourse in which all three dimensions converge. Names and signs are integral to halal certification, as they convey religious values and norms and foster a sense of halal in society. The use of haram terms in halal labels reveals that ignoring the semiotic aspect leads to divergence between legality and the implementation of *maqāṣid*, especially the latter *ḥifẓ al-dīn*. Here, Islamic law provides a solution to the problem through the principle of *sadd al-dharā’i’*, which entails preventive regulation of consumption not only of food substances but also from the perspectives of semiotics and the interpretation of the Islamic legal system. In other words, semiotic control becomes a means of *ḥifẓ al-dīn* both at the societal level, preserving the distinctiveness of Islamic norms, and the individual one, protecting morality and

proper perceptions. Hence, halal certification can be viewed as a form of ethical communication that ensures harmony between the two aspects.

Halal certification minimizes uncertainty for manufacturers and improves market efficiency. The evidence suggests that halal certification has a significant impact on consumer buying behavior, especially among Muslim consumers, as it communicates religious adherence and product quality (Wibowo et al., 2021; Pratama & Nurcahya, 2022; A'yuni et al., 2022; Djakasaputra et al., 2023). This has not been limited to majority-Muslim settings, as evidenced by countries such as Korea and Japan, where halal certification has been used to attract Muslim customers and travelers (Mustaqim et al., 2025; Musafak et al., 2025; Hasanah et al., 2025; Ghimire, 2025). At the same time, Indonesian law requires products in the food and beverage industry to have halal certification, fully comply with BPJPH regulations, and be supplied accordingly. Non-compliance and even false labelling face administrative penalties, such as fines amounting to a maximum of Rp 2 billion (Regulation of Government No. 39/2021, Art. 149), along with forced withdrawal of the product in accordance with Law No. 33/2014 (Art. 48) and PP No. 39/2021 (Art. 162).

In addition, halal certification is not just important for religious reasons; it also plays a big role in society as an economic and social institution. It helps build trust between consumers and companies, shapes market behavior, and streamlines economic transactions. Research shows that halal certification really sways consumer choices, particularly for Muslims. It tells them a product meets religious standards, is high quality, and is ethically made (Wibowo & Mandusari, 2018; Pratama & Nurcahya, 2022; A'yuni et al., 2022; Djakasaputra et al., 2023). Because of this, items with certification usually earn more consumer trust and are accepted more easily in the market. Moreover, halal certification is now a global economic tool, even used in countries without major Muslim populations. Places like Korea and Japan jump on it to draw in Muslim tourists and shoppers (Mustaqim et al., 2025; Musafak et al., 2025; Hasanah et al., 2025; Ghimire, 2025). In Indonesia, there are strict laws, such as Law No. 33/2014 and Government Regulation No. 39/2021, that require certification and back them up with punishments. So, this system reduces market confusion, boosts efficiency, and serves as a public good that enhances economic stability and social trust.

*Maqāṣid*-based and sociological motives can be examined separately, yet they really fit together in a broader picture. According to Jasser Auda, we cannot grasp halal certification if we split its substance, meaning, and social impact. The *maqāṣid*-based reasons maintain theological and ethical purity—especially in protecting religion—while the sociological reasons support its practical use, market appeal, and community trust. Together, these parts create an ethical communication system that preserves religious values and maintains moral clarity in public discussions. Additionally, it helps with economic stability and social harmony in today's world.

### **The Controversy of Halal Certification for Haram-Sounding Names: A Clash of Legal Epistemologies**

The debate over the halal certification of products called “Beer,” “Wine,” “Tuak,” and “Tuyul” in Indonesia goes beyond a simple admin snafu. It shows a bigger fight over different legal views in the country’s halal rules—there is BPJPH with its procedural approach, and then there is MUI with its ethical approach. For BPJPH, determining whether a product is halal is straightforward. They focus on clear, measurable stuff like ingredients and production processes. If a product passes their audits and doesn’t contain any forbidden substances, it is halal. That’s why they think the beef with “Beer” and “Wine” type labels is just about naming, not about the actual product being halal. They backed this up at a meeting on October 8, 2024,

saying that only 0.003% of over five million certified products had confusing names. According to their way of thinking, if nothing’s technically wrong with the item itself, what it is called is not super important from a legal angle. So, for BPJPH, this is not a big deal; it is more about fixing a minor labelling mistake than about doubting whether the products are halal.

This approach aligns with Firdaus et al. (2025) argument that in *mu’āmalah* law, what really matters is the actual substance of an object, not its name. The focus shifts to following rules precisely and ensuring administrative processes run smoothly. On the other hand, the Majelis Ulama Indonesia (MUI) looks at things differently. They say the meaning behind a product’s name matters too. Based on Fatwa No. 44/2020, MUI won't certify anything that hints at something forbidden, whether through words or symbolism. It includes stuff like images of alcohol or occult themes. According to Asrorun Niam, a key point from a 2024 meeting, these names shape how we see things and can affect our behavior in moral ways (Suara 'Aisyiyah, 2024).

Labeling a product “Halal Beer” or “Halal Wine” raises issues, even if all ingredients are okay. Calling it Halal implies approval, which is contrary to what is considered haram. Classical scholars like al-Qarāfī and Ibn Taymiyyah saw big ethical problems with such naming (Jackson, 1996; Jalili et al., 2024; Maevskaya and Aga, 2021). Plus, modern thinkers Wael Hallaq and Jasser Auda agree. They say Islamic law is not just about following rules but also about the meanings and social messages those actions convey (Powers, 2010; Auda, 2011; Audah, 2008). According to MUI, names and their capacity to shape Muslim ethical imagination are inextricably linked. Semantic proximity to the haram is nonetheless disqualifying under the fatwa, as Niam stressed, even if the elements are halal (Sugara, 2024). This divergence reflects a fundamental clash of legal epistemologies:

Table 2.  
Comparative Legal Epistemologies: BPJPH’s Positivism and MUI’s Hermeneutics

BPJPH (State)	MUI (Ulama Authority)
Legal Positivism	Legal Hermeneutics
Halal = verified ingredients + process	Halal = material purity + symbolic integrity
Names are non-legal attributes	Names carry moral and legal weight
Bureaucratic rationality	Ethical-semiotic jurisprudence
State administrative authority	Religious normative authority

From a theoretical perspective, this conflict can be interpreted through the lens of Critical Legal Studies (CLS) as an epistemic imbalance between state-centered legal positivism and the normative-hermeneutical authority of the ulama. BPJPH’s claim that the controversy constitutes “only a difference of opinion regarding naming” reflects a technocratic rationality in which, as noted by Firdaus et al. (2025), *mu’āmalah* law prioritizes the material essence (*‘ayn*) of an object rather than its linguistic designation, thereby reducing halal evaluation to measurable substance and process. In contrast, MUI’s position exposes the limits of this epistemology by insisting that meaning, symbolism, and social reception are integral to legal judgment. This tension illustrates how legal authority is distributed unevenly between

bureaucratic institutions and religious scholars, with the former privileging procedural certainty and the latter emphasizing ethical signification.

From this perspective, this dispute is also seen as a fight over how law shapes meaning, distributes authority, and maintains moral order in a modern Muslim society. The heart of this debate is a clash of two legal views. The first, BPJPH or Procedural Legal Positivism, views law through a strict lens. They say something is legal when it ticks all the boxes set by official rules and standards. For halal status under this view, it is simple: (a) It needs to use allowed ingredients; (b) the production process must be clean; (c) Certification must be formal. Names matter only if there are specific regulations about them. This approach is all about making things straightforward and easily checkable, turning halal certification into a regular part of oversight and regulation. Recent studies show this too, proving that certifying something as halal often just means following a set of guidelines to build trust in the marketplace, rather than really digging into what is morally right or wrong. So, using BPJPH, if a drink is labeled “Halal Beer” but contains no alcohol and passes all certification checks, it is considered fine (Nandala & Azrak, 2024).

In contrast, MUI takes a hermeneutic-ethical approach based on Islamic jurisprudence. For them, halal goes beyond a mere material label—it is a moral and symbolic construct shaped by society and language. They say that names linked to haram ideas, like alcohol or supernatural symbols, have serious ethical issues we must consider. According to MUI, calling something can create its meaning and shape how the public thinks and acts. Scholars back this up, too, noting that the halal label signifies more than legal approval—it is a sign of faith and trust in moral principles. This definition gets worked out through both rules and spiritual ideas.

From a critical legal studies perspective, this conflict shows that law is not neutral; it is shaped by different power structures and ways of understanding the world. BPJPH tries to make religion follow bureaucratic rules, turning Islamic norms into set procedures. On the other hand, MUI preserves the traditional religious leaders' authority, keeping interpretation flexible and maintaining its ethical complexity. The clash between BPJPH and MUI highlights the juridification of religious practices—in which spiritual norms are written into strict legal frameworks that may ignore their context. This transformation turns halal certification into a battlefield. It questions who gets to define Islamic law (the state versus religious scholars), what types of evidence should be considered (empirical versus interpretive), and how we understand meaning.

MUI's stance is also backed by the principle of *sadd al-dharī'ah*, which blocks means that could lead to harm. This principle also has a significant sociological and legal impact on discussion. Recent studies highlight that *sadd al-dharī'ah* plays a significant role in the management of contemporary halal rules. It prevents potential harm from apparently permitted actions, particularly in today's intricate supply networks. If applied to product naming, this rule means that even if a product is physically halal, giving it a name linked to something forbidden could normalise bad ideas, confuse people about right and wrong, and create consumer confusion. This shows that the prohibition is not just about doctrine. It is about adopting a proactive approach to safeguarding Islamic values in our daily lives (Ruzulan et al., 2023).

The controversy also shows how Islamic law is changing in modern society. Scholarly work reveals that legal rulings in Islam are evolving from personal, specific interpretations to public norms shaped by government regulations and the media. In Indonesia, halal certification involves global markets, state red tape, and religious authority all at once. This blend turns halal into a system that is regulated and culturally relevant, going beyond just its legal meaning. Discussions about labelling show how Islamic law is adapted to and challenged by today's socio-economic context.

In summary, the disagreement over halal certification for names that sound haram is not about some simple mistake or mix-up; it is a big clash of legal viewpoints. BPJPH takes a

legal positivist approach, treating halal as little more than following procedures and checking materials. But MUI thinks differently—they believe being halal involves more than that. It must be symbolically meaningful and ethically sound, too. Looking at this critically, we can see that who decides what is halal is a key battleground for different views on authority, meaning, and right and wrong in Indonesian law. This debate ultimately raises a fundamental question within contemporary Islamic law: whether halal should be understood merely as compliance with formal regulatory requirements, or as encompassing a broader moral and symbolic framework that shapes the everyday lives of Muslims. The way this question is addressed will significantly influence the future direction of halal certification in Indonesia, particularly in defining the evolving relationship between state regulation, religious authority, and the ethical orientation of Muslim society.

## Conclusion

The Indonesian dispute over halal-certified items with *ḥarām*-associated names, such as “Beer,” “Wine,” “Tuak,” and “Tuyul,” indicates a deeper governance split stemming from the Majelis Ulama Indonesia (MUI) losing control to the state-run BPJPH. Two epistemic models of halal reasoning were structurally divided as a result of this institutional shift: MUI’s hermeneutical-ethical paradigm, which incorporates name, symbolism, and language connotations into the permissibility evaluation framework, and BPJPH’s legal-positivist emphasis on technical compliance and ingredient verification. When BPJPH certified products with semantically problematic names, this epistemological divergence became apparent. This led to a national backlash, prompting BPJPH, MUI, and the Fatwa Committee to convene an emergency meeting in October 2024 to reevaluate 151 products deemed to have inappropriate names. Indonesia’s experience shows that halal certification must preserve semantic and symbolic purity, which are essential to Muslim psychological reassurance (*iṭmi`nān al-qalb*), as well as material purity. Public trust is damaged, and halal certification is susceptible to accusations of bureaucratic formalism when state agencies disregard semiotic ethics. This is a crucial lesson for Indonesia, as well as for Malaysia, Singapore, Brunei, and Muslim-majority nations such as South Korea, Japan, the UK, and Australia—jurisdictions that are increasingly involved in the world’s halal markets. In markets where non-Muslim producers rely on precise, authoritative criteria to prevent unintentional offence or misrepresentation, the Indonesian case demonstrates how semantic anarchy in halal naming can jeopardise both domestic legitimacy and international halal credibility.

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