

## THE URGENCY OF HALAL CERTIFICATION IN ENSURING LEGAL CERTAINTY FOR MUSLIM CONSUMERS

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Received 30 April 2025 • Revised 13 May 2025 • Accepted 20 May 2025

### Abstract

Perceptions about halal certification vary widely, many consumers still do not understand the importance of this certification, even though this certification is part of their rights as consumers. Without a strong understanding of the importance of halal certification, Muslim consumers may face the risk of consuming non-halal products that can interfere with their beliefs. The research method used is Normative legal research, research by approaching laws and regulations and legal literature and journals. The results of the study show that halal certification has a crucial role in providing legal certainty for Muslim consumers in Indonesia, the majority of whom are Muslim. Law No. 33 of 2014 concerning Halal Product Assurance makes this certification mandatory, so it is expected to protect consumer rights in accessing products that comply with sharia principles. Legal certainty for Muslim consumers is very important in the context of consumer protection, especially in the digital era and e-commerce. Research shows that adequate regulation and protection can help Muslim consumers obtain products and services that comply with Islamic principles. Optimizing halal certification is one of the key aspects that supports legal certainty for Muslim consumers. Thus, the urgency of halal certification in this context lies not only in legal and social support, but also in collective efforts to educate the public about the importance of halal products, operationalization in business practices, and assurance that the products they consume maintain sharia values. The role of the government in supporting Micro, Small, and Medium Enterprises (MSMEs) and other business actors to access halal certification is very strategic, considering the importance of this certification to increase the competitiveness of MSME products in domestic and international markets.

**Keywords:** Halal certificate, legal certainty, consumers

## INTRODUCTION

Halal certification plays an important role in providing legal certainty for Muslim consumers in Indonesia. With more than 80% of the population in Indonesia being Muslim, the need for products that comply with Islamic law is increasingly urgent. Halal certification not only serves as a sign of product halalness, but also as legal protection for consumers in ensuring that the food and goods they consume are in accordance with Islamic principles. The need for guarantees and legal certainty in this sector is emphasized in Law No. 33 of 2014 concerning Halal Product Assurance, which makes this certification mandatory (Rohmah, 2021; Aisyah et al., 2021).

Consumer perceptions of halal certification vary widely; many consumers still do not understand the importance of this certification, even though it is part of their rights as consumers (Janah & Makhtum, 2023). Without a strong understanding of the importance of halal certification, Muslim consumers may face risks in consuming non-halal products, which can interfere with their beliefs (Adiwinarto et al., 2022). In addition, research by Rafianti et al. underlines that Law No. 33 of 2014 is an important step in ensuring that products circulating in the market are registered and recognized as halal (Rafianti et al., 2022).

Competition in the food and beverage market is getting tighter, encouraging manufacturers to adopt halal certification as a strategy to increase competitiveness and attract more consumers (Pastika et al., 2023). With increasing awareness among Muslim consumers regarding the need for halal products, manufacturers who fail to obtain halal certification risk losing market share (Nurdin & Sakti, 2024). Education and mentoring programs in halal certification can help producers, especially micro, small and medium enterprises (MSMEs), to understand and implement the established standards.

For consumers, the inclusion of halal labels as a consequence of products in this case halal-certified food products will restore consumer rights to select and consume the types of food they want to consume. Therefore, the inclusion of labels must be open and clearly visible, so as to show good faith from business actors to restore consumer rights. Because in addition to guaranteeing health aspects, it is also very important as a form of providing protection and spiritual satisfaction for the community. MSME actors as producers have the duty and obligation to participate in creating and maintaining a healthy business climate, supporting the national economy as a whole. Therefore, business actors, especially MSME actors, are charged with the responsibility for carrying out these duties and obligations, namely through the application of legal norms, propriety, and upholding the customs that apply in the business world. *The principle of business is business* cannot be applied in cases where it violates consumer rights.

The background to the importance of halal labels on food products cannot be separated from the social, economic and religious aspects held by consumers, especially in countries with large Muslim populations such as Indonesia. In this context, the halal label serves as an indicator of the fulfillment of religious requirements and as a significant marketing tool in the food market, considering that around 87% of consumers in Indonesia are Muslim (Sulistiyowati et al., 2018; . Studies have shown that there is a significant positive relationship between the safety of halal-labeled food and the intention to purchase the product, indicating an increase in awareness of halal and healthy food among consumers (Izza & Akbar, 2023; (Khan et al., 2020; . The presence of a halal label influences purchasing decisions by targeting consumers who want to ensure that the products they consume are in accordance with Islamic law (Maison et al., 2018; Tayob, 2016).

The halal label is important because it serves as a guarantee that the product meets the criteria set by Islamic law, which include aspects of ingredients, processes, and food sources (Mohamed et al., 2013). Muslim consumers show a high appreciation for halal certification when making purchases (Khan et al., 2020; Mohamed et al., 2013). One study showed that recognition of the halal label increases consumer trust and purchase intention, which can trigger an increase in product sales volume (Alfaini et al., 2024). In addition, halal-labeled products often get positive perceptions from consumers, thus becoming a competitive advantage in an increasingly risky market (Talib et al., 2017; Ridwan & Pratomo, 2023).

Overall, the halal label is not only focused on meeting religious requirements, but is also valuable in a commercial context, creating opportunities for product differentiation and improving business performance in the food industry (Rezai et al., 2015; Türk et al., 2024). With the increasing demand for halal products in the global market, a good understanding of the importance of the halal label is a critical aspect for manufacturers who want to reach Muslim and non-Muslim consumers who care about halal (Purwanto et al., 2020; Puspita, 2024).

From the background description above, the author gets the formulation of the problem, namely, how is the urgency of Halal Certification in guaranteeing legal certainty for Muslim consumers.

## RESEARCH METHOD

In this study, the type of research used is the type of normative legal research or library legal research because it is in the form of secondary data such as Legislation and literature books. In this study, the method of accessing and research is largely taken from library materials, namely materials containing new or current scientific knowledge, or new understandings of known facts or ideas, in this case including books, journals, dissertations or theses and other legal materials. This normative legal material research fully uses primary legal materials and secondary legal materials (Nasution: 2008)

## RESULTS AND DISCUSSION

### The Theory of Legal Certainty Associated with Halal Food Labels

A study by Alfaini and Suprpti showed that halal-labeled products have a significant influence on purchasing decisions, where consumers tend to prefer products that have a halal guarantee (Alfaini & Suprpti, 2023). This is reinforced by the results of research by Musthofa and Burhanudin which emphasizes the need for the MUI halal logo on food products, so that Muslim consumers can make purchasing decisions more easily (Musthofa & Burhanudin, 2021). Furthermore, Rahman and Destiarni stated that the attribute of including the halal logo gets a high value in consumer purchasing considerations, which shows that consumer legal certainty is greatly influenced by clear and transparent information regarding the halal status of the product (Rahman & Destiarni, 2023). Pratiwi and Isa also showed that halal certification has a positive effect on purchasing decisions, emphasizing the importance of the halal aspect as part of the legal certainty expected by consumers (Pratiwi & Isa, 2024). Consumer awareness is also an important factor in purchasing halal food. Research by Iqbal and Kusumawardhani shows that religiosity has a significant impact on online halal food purchasing decisions, while knowledge of halal products has also been shown to contribute positively (Iqbal & Kusumawardhani, 2023). This reflects that the level of consumer knowledge and awareness of halal contributes to increasing legal certainty when making purchases.

Consumer protection must also be recognized as a key element in building legal certainty. Hermawan points out that consumer protection for halal food products must be strengthened through proper supervision and law enforcement so that consumers are not deceived (Hermawan, 2020). Also, Maharani and Dzikra highlight the importance of consumer protection institutions in providing guidance and protection to consumers so that they can make the right decisions in purchasing halal products (Maharani & Dzikra, 2021).

From a consumer protection perspective, existing laws must be able to guarantee consumer rights to halal products. In the context of Indonesian law, Law No. 8 of 1999 concerning Consumer Protection provides a clear legal basis to protect consumer rights and prevent fraudulent practices in the marketing of food products (Maharani & Dzikra, 2021). The implementation of this law provides more legal certainty for consumers to defend their rights. Normative legal certainty is when a regulation is made and enacted with certainty because it regulates clearly and logically. Clear in the sense that it does not cause doubt (multiple interpretations) and is logical. Clear in the sense that it becomes a system of norms with other norms so that it does not clash or cause norm conflicts. Legal certainty refers to the implementation of clear, permanent, consistent and consequent laws whose implementation cannot be influenced by subjective circumstances. Certainty and justice are not merely moral demands, but factually characterize the law. A law that is uncertain and does not want to be fair is not just a bad law (Kansil, 2019)

### Definition of Halal in Religious and Legal Perspective

The word halal comes from Arabic which means "to release" and "not bound", etymologically halal means things that are allowed and can be done because they are free or not related to provisions that prohibit them. Or interpreted as everything that is free from worldly and hereafter dangers<sup>1</sup>. Halal is all objects or activities that are permitted to be used or carried out, in everyday vocabulary it is more often used to indicate food and drinks that are permitted to be consumed according to Islam, according to the type of food and how to obtain it

QS.An-Nahl [16] 97: Meaning: "Whoever does righteous deeds, whether male or female, while being a believer, We will indeed give him a good life and indeed We will reward them with a better reward than what they have done." This is Allah SWT's promise to those who do righteous deeds, namely deeds that follow the Book of Allah (Al-Qur'an) and the Sunnah of the Prophet Muhammad

SAW, both men and women whose hearts believe in Allah and His Messenger. The deeds that are ordered have been prescribed by Allah, namely that He will give him a good life in this world and will reward him in the afterlife with a better reward than his deeds. A good life includes all forms of tranquility, whatever their form (Ghoffar, 2003).

### **The scope of halal certification in various products (food, cosmetics, services)**

#### **1. Halal Certification for Food Products**

Halal certification on food products is the most common and important thing, considering that consuming halal food is an obligation for Muslim consumers. Awareness of the importance of halal certification among food consumers greatly influences purchasing decisions (Hapsari et al., 2019). This shows that halal certification not only functions as a halal label but also as a guarantee of food safety.

#### **2. Halal Certification for Cosmetic Products**

In the context of cosmetics, consumer awareness of halal products shows significant growth. The level of consumer awareness of the use of halal cosmetics is influenced by their knowledge, beliefs, and previous experiences (Hasibuan et al., 2019; Hasibuan, 2021). Halal certification on cosmetic products gives consumers confidence that the product does not contain ingredients that are prohibited in Islam, such as animal fat (Hasibuan et al., 2019).

#### **3. Halal Certification on Services**

Halal certification is not limited to physical products, but also extends to various services. For example, in the food and tourism industry, restaurants and catering services that offer halal food need to be certified to attract Muslim consumers. The inclusion of the halal logo is important in decision making and halal-certified restaurants are preferred by consumers (Rahman & Destiarni, 2023; Huda et al., 2021). Service certification programs like this support MSMEs to increase their competitiveness in the market (Mya & Handayani, 2023).

#### **4. Challenges in Halal Certification**

Although many are aware of the importance of halal certification, many micro, small, and medium enterprises (MSMEs) face challenges in applying for certification. Factors such as low knowledge of regulations and certification costs are often barriers (Rahmanita et al., 2023; Adila & Rahmi, 2024). Business actors are often unaware of the need for halal certification, leading to consumer uncertainty about the halalness of products (Rahmanita et al., 2023).

### **Legal Certainty for Muslim Consumers**

Legal certainty for Muslim consumers is very important in the context of consumer protection, especially in the digital era and e-commerce. Research shows that adequate regulation and protection can help Muslim consumers obtain products and services that are in accordance with Islamic principles. Optimizing halal certification is one of the key aspects that supports legal certainty for Muslim consumers (Sofiana et al., 2021).

Halal certification serves as a guarantee that the products consumed meet the halal requirements according to sharia, and provides protection for consumers from fraudulent practices in trade. Halal certification is a form of state protection for the Muslim community, and is important to guarantee consumers' rights to obtain food, medicines, and cosmetics that are in accordance with their beliefs (Sofiana et al., 2021).

In addition, problems in advertising and marketing practices that do not pay attention to Islamic ethics can be detrimental to Muslim consumers. Research by Kamassi shows that the application of Islamic ethical principles in advertising not only respects consumer rights but can also create trust among consumers (Kamassi, 2020). In this context, understanding and implementing advertisements that pay attention to Islamic values is very necessary to make Muslim consumers feel safer and more protected when shopping (Youssef et al., 2015).

On the other hand, consumer protection regulations in the digital era also face their own challenges. As expressed by Novita and Santoso, the need for regulatory updates to accommodate problems arising from the development of digital businesses, including fintech, is very urgent (Novita & Santoso, 2021). This is important to ensure that all business practices, including those based on Sharia, comply with applicable laws and protect consumer rights from potential losses and fraud (Noor et al., 2021).

Therefore, it is important for countries and regulatory institutions to continue to develop legal frameworks that ensure certainty and protection for Muslim consumers, especially amidst this rapid and complex changing business landscape (Anggraini et al., 2023). With strong regulations and

attention to sharia principles, Muslim consumers can have better protection and confidence in their transactions.

### **The Urgency of Halal Certification in Ensuring Legal Certainty for Muslim Consumers**

The urgency of halal certification in ensuring legal certainty for Muslim consumers cannot be underestimated. Halal certification serves as a legitimate protection tool for Muslim consumers in ensuring that the products they consume meet the requirements set by sharia law. In this context, halal certification not only provides a guarantee of the halalness of products, but also helps develop a sharia-based economy by creating a more transparent market (Ashfia, 2022; Firdaus, 2023).

Based on research, there are several factors that influence the decision of business actors to apply for halal certification. Proper knowledge and understanding of regulations on halal certification are very important for business actors, especially micro, small, and medium enterprises (MSMEs) (Rahmanita et al., 2023; Nuraliyah et al., 2023). However, the challenges faced by MSME actors, such as low understanding of halal certification and its procedures, show the need for more effective socialization Sekarwati & Hidayah (2022) and assistance in the certification application process Damayanti et al., 2023). Research shows that although halal certification can increase product attractiveness and consumer trust, awareness and mastery of procedures among MSMEs are still considered inadequate (Ningrum, 2022).

The results of the study conducted by Rahmanita et al as previous research. showed that there is a significant relationship between business actors' knowledge of halal certification and interest in registering their products in the certification program (Rahmanita et al., 2023). The interaction between understanding the importance of halal certification and compliance with regulations also contributes to the decision of business actors to apply for halal certification Pujilestari & Rahmawati (2023) and this is one of the important reasons for Muslim consumers to feel safe in making transactions (Rido & Sukmana, 2021). Furthermore, halal certification also has an impact on consumer purchasing decisions. Research by Alinda and Adinugraha implies that awareness of the halalness of a product affects consumer purchasing interest, especially among consumers who are sensitive to halal and haram issues (Alinda & Adinugraha, 2022). The presence of a halal logo on a product not only creates trust, but also indicates that the product has undergone testing and meets relatively strict standards (Firdaus, 2023).

In this case, the importance of the state's role in regulating and enforcing regulations regarding halal certification cannot be underestimated. Through policies that support and create a good business climate, the state can ensure that halal certification runs effectively and provides maximum benefits for all Muslim business actors and consumers. For example, providing a free halal certification program for MSMEs, as is done in several regions, is a positive step in increasing awareness and understanding of the importance of halal in the products offered (Malahayati& Faizah, 2023; Damayanti et al., 2023).

Thus, the urgency of halal certification in this context lies not only in legal and social support, but also in collective efforts to educate the public about the importance of halal products, operationalization in business practices, and assurance that the products they consume maintain sharia values.

The role of the government in supporting Micro, Small, and Medium Enterprises (MSMEs) and other business actors to access halal certification is very strategic, considering the importance of this certification to increase the competitiveness of MSME products in domestic and international markets. Research shows that the government has a responsibility to provide training, information, and administrative assistance for MSMEs who want to obtain halal certification. In this context, the mentoring program is also one of the important steps taken by the government.

### **CONCLUSION**

From the description above, it can be concluded that halal certification has a crucial role in providing legal certainty for Muslim consumers in Indonesia, the majority of whom are Muslim. Law No. 33 of 2014 concerning Halal Product Assurance makes this certification mandatory, so it is expected to protect consumer rights in accessing products that comply with sharia principles. However, there are challenges in the understanding and awareness of consumers and business actors regarding the importance of halal certification. Therefore, education and mentoring programs for Micro, Small, and Medium Enterprises (MSMEs) and other business actors are very important in helping them apply for halal certification and understand its standards. The importance of including a halal label on a product not only functions as a symbol of halal but also as a guarantee for consumers to be able to choose products that are safe and in accordance with their beliefs. Government support

in the form of training, information, and easy access to halal certification is needed so that MSMEs can compete and contribute to the sharia economy. With increasing awareness of the importance of halal products, peace and security in transactions are increasingly guaranteed, opening up wider opportunities for the creation of a transparent and sustainable market.

## ACKNOWLEDGMENTS

The author of this research is very grateful for the support of the Lecturers who have guided Mr. Dr. Abdul Rokhim, SH., M.Hum and Mrs. Farahwati, SH., M.Sc., M.Hum, until this research was completed. Fellow Fellow Students of the Faculty of Law Class of 2021, thank you for your support and encouragement, until this writing was completed.

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