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HALAL LABELS AS SYMBOLIC CAPITAL: A PHILOSOPHICAL RECONSTRUCTION AND ANALYSIS OF UṢŪL AL-FIQH

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Abstract

The industrialization of halal certification following the enactment of Law No. 33 of 2014 has transformed the halal label from a marker of ḥukm sharʿī (religious-legal ruling) into a market instrument that accumulates economic, social, and reputational value. This article reinterprets the phenomenon through Pierre Bourdieu's framework of symbolic capital, while critically juxtaposing it with the uṣūl al-fiqh (Islamic legal theory) apparatus particularly maqāṣid al-sharīʿah (objectives of Sharīʿa), al-ʿurf (custom), and maṣlaḥah (public interest) to address how the halal label's transformation into symbolic capital occurred, and what ethical-legal consequences this holds for religious authorities. This research employs a qualitative hermeneutical-critical library approach with content analysis across three source layers: regulatory materials (the Halal Product Assurance Law, Ministry of Religious Affairs regulations, and MUI fatwas), market data (the State of the Global Islamic Economy Report 2022–2023), and classical (al-Ghazālī, 1992; al-Shāṭibī, 2006; Ibn ʿĀshūr, 2001) and contemporary (Bergeaud-Blackler, 2017; Bourdieu, 1986; Fischer, 2012) literature. Findings show three main things. First, the halal label shifted in function from ʿalāmat al-ḥukm (marker of legal ruling) to ʿalāmat al-sūq (marker of market value), converted into symbolic, social, and economic capital through a Bourdieu-style misrecognition mechanism. Second, this accumulation risks transforming the aims of ḥifẓ al-dīn (preservation of religion) and ḥifẓ al-māl (preservation of property) into tabdīl al-maqṣid (inversion of purpose) a reversal of Sharīʿa's objectives under the logic of capital accumulation. Third, uṣūl al-fiqh through al-ʿādah muḥakkamah (custom as legal precedent) and sadd al-dharīʿah (blocking harmful means) offers internal critical instruments for evaluating such commodification. The article ultimately proposes an ethical-substantive reconstruction of halal's meaning, grounding it in taqwā (God-consciousness) and iḥsān (moral excellence) rather than mere packaging logos.

Keywords: halal label, symbolic capital, uṣūl al-fiqh, maqāṣid al-sharīʿah, sharia commodification, BPJPH.

Introduction

Since the enactment of Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law) (State Secretariat of the Republic of Indonesia, 2014), which was later strengthened by Government Regulation Number 39 of 2021, halal certification in Indonesia has transformed from a loose moral-religious realm to a mandatory, centralized, and standardized legal regime under the control of the Halal Product Assurance Agency (BPJPH) (Akim et al., 2019; Hidayat & Siradj, 2015) This institutional transformation is taking place in line with the rapid expansion of the global halal market which, according to the State of the Global Islamic Economy Report 2022–2023, reached a value of USD 2.29 trillion and is projected to grow to USD 3.1 trillion by 2027, with Indonesia consistently occupying the top four halal consumer countries in the world (DinarStandard, 2022; Muawanah et al., 2026). At the same time, the "Indonesia as the World Halal Producer Center 2024" campaign coordinated by the National Committee for Sharia Economics and Finance (KNEKS) positions halal not only as *ḥukm sharʿī*, but also as an instrument of nation branding and economic-politics (Akim et al., 2024) (KNEKS, 2022).

This phenomenon reveals a structural paradox. On the one hand, halal certification is presented as an elaboration of *ḥifẓ al-dīn and ḥifẓ al-nafs* within the framework of *maqāṣid al-sharīʿah*; on the other hand, in practice the halal logo circulates in a sign economy whose value is no longer determined by the substantive dimension of *ṭayyib*, but rather by the extent to which it is able to produce market distinctions listed on products that are inherently halal (mineral water, salt, sugar), even on items that are completely unrelated to consumption (hijab, wall paint, refrigerator) (Bergeaud-Blackler, 2017; Fischer, 2011; Putri et al., 2025). In Pierre Bourdieu's framework, this pattern reflects the mechanism of action of symbolic capital: a form of value that is accumulated through a socially recognized mark that is misrecognized as having authority that goes beyond the mark itself (Bourdieu, 1990; Rourke, 2003). For Bourdieu, the social realm (champ) is structured through the distribution of four forms of capital that are economically and socially and culturally interchangeable, and most subtly, symbolic capital (Bourdieu, 1986) that operates not as overtly "capital", but as something that appears natural, legitimate, and respectable, and is reproduced through doxa and habitus (Bourdieu, 1990, 1998). Quality labels such as "organic," "fair trade," and "halal" are paradigmatic forms of symbolic capital because they turn ethical values into economic values: consumers pay a premium not for changes in material substance, but for signs that provide legitimacy (Polanyi, 2001). Boltanski and Thévenot show that modern markets operate through a plurality of competing industrial, market, civil, and inspired "justification orders" in which halal certification simultaneously combines industrial efficiency, market valuation, and moral-religious legitimacy (Boltanski & Thévenot, 2006; Muawanah et al., 2026). This triangulation of this order explains why criticism of halal labeling is difficult to put forward from a single point of view: moral criticism is often neutralized by industrial arguments, while industrial criticism is countered by market rationality.

This complexity demands a reading framework that is also sourced from the Islamic legal tradition itself. In the tradition of *uṣūl al-fiqh*, halal is one of the categories of *ḥukm taklīfī* established directly by *Shāriʿ* on the basis of the evidence of *naqliyyah* (QS. 2:168, 172–173; 5:3, 88), so that in principle it cannot be subordinated to the will of temporal authority (al-Zuḥaylī, 1986). Al-Shāṭibī formulates *ḥifẓ al-dīn, ḥifẓ al-nafs, ḥifẓ al-ʿaql, ḥifẓ al-nasl,* and *ḥifẓ al-māl as al-ḍarūriyyāt al-khams* of the supreme goal of Sharīʿa (al-Shāṭibī, 2006) which was later extended by Ibn ʿĀshūr to the level of *maqāṣid ʿāmmah* which includes broader social goals, such as naẓm al-ummah and distributive justice (Ibn ʿĀshūr, 2001). The concept of *al-ʿurf* of community customs that do not conflict with the relevant *naṣṣ* is used because the modern certification system was born out of administrative needs shaped by industrial practices and commercial prevalence (al-Zarqāʾ, 2004); the rule of *al-ʿādah muḥakkamah* and *taṣarruf al-imām ʿalā al-raʿiyyah manūṭ bi al-maṣlaḥah* became one of the bases for the legitimacy of BPJPH's authority (al-Suyūṭī, 1990). However, al-Ghazālī asserts that *maṣlaḥah* must meet three conditions *qaṭʿiyyah, kulliyyah*, and *ḍarūriyyah* and must not contradict the *maqāṣid* that *Shāriʿ* desires (al-Ghazālī, 1992). It is at this point that the room for internal criticism opens up: if the label of halal in practice actually distances the ummah from the substantive meaning of ṭayyib, then it can no longer be called *maṣlaḥah ḥaqīqiyyah*, but *maṣlaḥah mawhūmah* a pseudo-benefit.

Halal studies in Indonesia have tended to revolve around three dominant themes: certification regulation and governance (Hidayat & Siradj, 2015) consumer behavior and halal branding in marketing studies (Awan et al., 2015), and food safety from a food science perspective (Riaz & Chaudry, 2018) Studies that touch on the philosophical dimension are relatively limited and tend to stop at the normative elaboration of the *maqāṣid*, without dissecting the structure of symbolic power that forms the terrain in which the certification takes place. The existing sociological-critical studies of (Fischer, 2008, 2011) in the Malaysia–Singapore context, which show halal has evolved into a "globalized assemblage" involving the country, the market, and the urban Muslim middle class, but the analysis remains anthropological and does not reach the implications of *uṣūlī*; (Bergeaud-Blackler, 2017) in France, who reinforces the commodification thesis by calling contemporary halal "invented tradition"; (Lever & Miele, 2012) in Europe have not been systematically integrated with *uṣūl al-fiqh* in the context of Indonesia after the enactment of the JPH Law. At the national level, (Rahmatullah et al., 2025) examined the impact of halal certification on MSMEs, but the analysis was limited to economic implications (Utami, 2025) shows the significance of religiosity to purchase intentions, but treats halal labels as a fixed variable that is not in question (Alanazi et al., 2024a, 2024b) approach the JPH Law from the perspective of *maqāṣid*, without touching the theory of symbolic capital at all.

From the map of the literature, a clear gap appears: there has been no systematic and organic study that combines Bourdieu-style symbolic capital with *uṣūl al-fiqh* tools, especially *maqāṣid, ʿurf,* and *maṣlaḥah* to dissect the commodification of halal labels after the enactment of the JPH Law. This gap is compounded by the often held assumption that the classical *uṣūlī* tradition and critical social sciences are based on fundamentally unreconcilable paradigms. In fact, as argued by contemporary *uṣūl* scholars such as Ṭāhā ʿAbd al-Raḥmān and Wael Hallaq, it is precisely in its tension with modernity that *uṣūl al-fiqh* is required to carry out a methodological reconfiguration in order to be able to dialogue with global power structures including markets and states without losing its coherence as a *ḥukmiyyah naẓariyyah* (Putri et al., 2025; Rahmatullah et al., 2025).

This article positions itself in the trajectory of that reconfiguration. Rather than rejecting the modernity of halal regulation, this article examines this modernity critically through the lens of *maqāṣid*, while borrowing Bourdieu's analytical apparatus as a microscopic lens to observe the operation of symbolic power that often escapes the purely normative approach. The novelty offered lies in a three-layered framework that is interrelated: an empirical layer that maps the practice of certification as a Bourdieu-style social field; an analytical layer that interprets the halal label as symbolic capital that is converted by various state actors, certification bodies, corporations, and consumers into other forms of capital; As well as the normative-critical layer that tests the conversion process through the instruments of *uṣūl al-fiqh*, especially *maqāṣid, ʿurf, maṣlaḥah,* and *sadd al-dharīʿah*. Thus, the logic of this research is not purely deductive, but moves through a reflective equilibrium between critical social theory and Islamic legal reasoning.

Departing from this gap, this study formulates three main questions. First, how does the process of transmuting the halal label from *ʿalāmat al-ḥukm*, which is inherent in substance and deed, to *ʿalāmat al-sūq* that circulates as a market marker take place structurally? Second, how do symbolic, social, and economic intermodal conversion mechanisms operate in halal certification practices in Indonesia? Third, how does *uṣūl al-fiqh* interpret and critically evaluate the ethical-legal consequences of such commodification, as well as offer a framework for its reconstruction?

This research aims to: (a) map the genealogy of the functional transformation of halal labels; (b) reconstruct the symbolic capital accumulation mechanism underlying halal certification; and (c) formulate a critical *Uṣūlī* perspective that restores *taqwa* and *iḥsan* as substantive ethical foundations, not merely symbolic accessories. Theoretically, this article contributes to the intersection between the sociology of Islamic law and contemporary *uṣūl al-fiqh* by extending the application of Bourdieusian categories to the study of applied jurisprudence. Practically, the proposed framework can be an instrument of ethical evaluation for regulators such as BPJPH, MUI, and KNEKS, as well as for Halal Inspection Institutions (LPH) and business actors, as well as make a pedagogical contribution to the teaching of consumption *fiqh* in Islamic boarding schools, madrasas, and Islamic universities.

Methodology

This research uses a qualitative-critical approach through the library research strategy with content analysis design combined with Ricoeur's critical hermeneutics a mode of interpretation that combines appropriation (the attempt to understand the text from its own logic) and suspicion (An attempt to uncover the interests and power structures hidden behind the text) (Bourdieu, 1991; Eka Sutisna A. S. et al., 2025; Fischer, 2011; Malaysia, 2019). This combination was chosen because the object of study the commodification of halal labels demands two readings at once: a faithful reading of the internal logic of uṣūl al-fiqh (appropriation), and a critical reading of the symbolic power structures that make up the certification field (suspicion, borrowed from Bourdieu's optics).

The research data consists of three source layers. First, primary regulatory sources, including Law No. 33 of 2014, Government Regulation No. 39 of 2021, PMA No. 26 of 2019, as well as related fatwas issued by the National Sharia Council and the Indonesian Ulema Council (MUI), 2020). Second, secondary sources are in the form of market and consumer data, namely the State of the Global Islamic Economy Report 2022–2023, the Indonesia Halal Markets Report 2021–2022 (KNEKS), as well as scientific publications on halal marketing (Awan et al., 2015; Nurhayati & Hendar, 2020; Wilson & Liu, 2011). Third, theoretical sources, include Bourdieusian literature (Bourdieu, 1986, 1990, 1991, 1998) as well as classical and contemporary works of uṣūl al-fiqh (al-Raysūnī, 1992a, 1992b; al-Shāṭibī, 2006; al-Subkī, 1991; al-Suyūṭī, 1990; al-Zarqāʾ, 2004; Ibn ʿĀshūr, 2001), plus contemporary studies on komodification and halal consumption (Bergeaud-Blackler, 2017; Fischer, 2012; Lever & Miele, 2012).

The search was conducted systematically on the Scopus, ScienceDirect, and Moraref databases using a combination of the keywords "halal certification," "symbolic capital," "maqāṣid," and "Islamic commodification," with a publication range limited to 2008–2026 for contemporary sociological-critical literature, with no age limit for the classical texts of uṣūl al-fiqh. The selection process follows three stages of screening (KNEKS, 2022; MUI, 2020):

1. Title and abstract filtering: documents are included when they explicitly discuss halal certification/labeling, religious commodification, or the framework of maqāṣid al-sharīʿah in a market context; documents are excluded when they only address technical aspects of food safety without a socio-legal dimension, or if they focus on halal outside of a methodologically relevant context (e.g., genetic studies of food products).
2. Full-text filtering: from documents that pass the first stage, only those containing substantive arguments can be triangulated with regulatory or other theoretical sources that are retained; duplication across databases and preprint versions that already have an officially published version is eliminated.
3. Assessment of thematic relevance by the researcher: to ensure each retained source can be mapped to one of the three layers of data (regulative, market, or theoretical) as described above.

The classical sources of uṣūl al-fiqh (al-Shāṭibī, al-Ghazālī, Ibn ʿĀshūr, al-Suyūṭī, al-Zarqāʾ) were selected based on their position as authoritative references in the discussion of *maqāṣid, ʿurf,* and *maṣlaḥah* in contemporary *uṣūl* studies, and were traced through print editions and digital databases (al-Maktaba al-Shāmilah).

Data analysis is carried out through four staged stages (KNEKS, 2022; MUI, 2020; Worthington et al., 2003):

1. Open coding: each regulatory document and market data is read line by line to identify the meaning unit relevant to the research question, then labeled with a descriptive code (e.g., "mandatory certification," "product coverage

expansion," "price premium," "nation branding narrative"). This process is done manually with the help of structured worksheets to keep track of each code's audit against its source of origin.

2. Axial coding: these descriptive codes are grouped into larger categories based on their conceptual relationships, namely: (a) regulatory claims, (b) market practices, and (c) *uṣūlī* consequences. At this stage, the researcher mapped the relationship between categories — for example, how regulatory claims about certification obligations relate to the findings of expanding the scope of halal-labeled products beyond categories that essentially require certification.
3. Bourdieusian interpretation: the categories of axial coding results are reread through the modal conversion framework (symbolic–socio-economic) to identify the mechanisms and actors involved in each conversion path, as summarized in Table 1.
4. Normative assessment-*uṣūl*ī: the result of Bourdieusian interpretation is then tested against the principles of *maqāṣid* and *sadd al-dharīʿah* to assess whether the pattern of capital conversion is in line with or contrary to the substantive objective of *Sharīʿa.*

These four stages are not linear-one-way, but iterative: findings at the normative-*uṣūlī* stage several times lead researchers to return to regulative data to verify whether the identified patterns have sufficient textual basis, in line with the logic of appropriation Ricoeur's suspicion that underpins the methodological umbrella of this study.

Because this study is interpretive, validity and reliability are understood not in the positivistic sense (replication of results identically), but in the sense of credibility and traceability of arguments. Three main steps are taken (Asutay, 2016; Ibn ʿAbd al-Salām, 2000):

1. Triangulation of sources: Each interpretive claim is cross-tested against at least two of the three layers of data (regulative, market, theoretical). For example, the claim about the conversion of symbolic capital to economic capital (Table 1) is not only based on the Bourdieu framework, but is also confirmed against the price margin data from the State of the Global Islamic Economy Report and the findings of (Awan et al., 2015).
2. Audit trail: Each code and category generated at the open and axial coding stages is recorded along with its source references, so that the process of interpreting retrieval can be traced back to the raw data by other readers or reviewers.

3. Peer debriefing: Bourdieusian interpretation and normative-*uṣūlī* judgment are consulted with competent peers in the fields of *uṣūl al-fiqh* and sociology of religion to test the logical consistency of arguments as well as to identify possible interpretive biases of researchers, in particular biases that may arise from the excessive application of the Ricoeur framework of suspicion to regulatory texts.

Through this combination of triangulation, audit trails, and peer review, the research seeks to ensure that the arguments built do not rely solely on a single reading of the researcher, but can be accounted for methodologically across perspectives.

Result and Discussion

Genealogy of Halal Labels: From ʿAlāmat al-Ḥukm to ʿAlāmat al-Sūq

In classical fiqh, halal does not require a label. He refers to the status of the law (*ḥukm*) attached to objects (*ʿayn*) and deeds (*fiʿl*), with the basic rule that the original law of all things is permissible (*al-aṣlu fī al-ashyāʾ al-ibāḥah*) unless there is evidence to the contrary (al-Subkī, 1991). Recognition of halal status takes place through three main mechanisms: (i) *thiqah*-based community trust; (ii) direct consultation with the mufti or *ulamā*; and (iii) observation of relatively transparent production chains in the qarīb (local-proxim) economy. External markers are not necessary because the prevailing *ʿurf* assumes honesty and transparency as normative standards.

The industrialization of food production and the globalization of the supply chain of the twentieth century disrupted the *thiqah*-based relationship. Consumers lose direct access to manufacturers, while the widespread use of chemical additives gelatin, emulsifiers, enzymes, industrial alcohols complicate the direct assessment (*mubāshir*) of a product's halal-haram status (Riaz & Chaudry, 2018). The country then fills this epistemic void through verifiable halal signs, first in Malaysia through JAKIM (Fischer, 2008; Wildan Humaidi et al., 2026) followed by Indonesia through LPPOM MUI (MUI), 2020) and BPJPH (2017). It is at this point that a decisive semiotic transformation takes place: halal shifts from *al-ḥukm al-mutaʿalliq bi al-fiʿl* (the law attached to deeds) to a *ʿalāmah* (sign) that can be printed, reproduced, photographed, and marketed. Halal labels no longer simply refer to legal status; it begins to generate trust and, ultimately, economic value (Gaffney, 2017; Gauthier & Gauthier, 2021).

The Halal Product Assurance Law further strengthens this transformation by requiring halal certification (Article 4) for all products circulating in Indonesia.

One of the consequences that is rarely realized is the territorialization of halal: from the individual religious status inherent to the Muslim consumer, to the attributes of state-regulated products. The second consequence is the standardization of halal authority, which effectively compresses the plurality of schools into a single regulative framework of an administrative form of talfīq whose conformity to the principle of *ikhtilāf maḥmūd* has been questioned by a number of *uṣūliyyūn* (al-Raysūnī, 1992a, 1992b).

Mechanism of Capital Conversion: From Halal to Capital

Following Bourdieu, a sign becomes symbolic capital when it meets three conditions: (1) it is widely recognizable, (2) it is considered legitimate, and (3) it can be converted to another form of capital (Bourdieu, 1998). Indonesian halal labels meet these three requirements significantly:

1. First, recognition. The halal logo especially after the 2022 rebranding that replaced the classic MUI logo with the BPJPH logo with a mountain motif has been widely recognized as an authoritative religious marker among Indonesian Muslim consumers. Data from the State of the Global Islamic Economy Report (2022) and the study by Nurhayati and Hendar (2020) show a strong correlation between religiosity and consumer purchase intent for halal-*labeled* products (Sisyawan et al., 2019).
2. Second, legitimacy. Introduction alone does not automatically become capital without legitimacy, which is produced through the interaction of three main actors: *ʿulamāʾ* through fatwas, the state through regulatory frameworks, and the media through narratives around Indonesia's sharia economy. This triangulation of authority is what Bourdieu (1991) calls "symbolic consecration" (Zulkifli, 2013).
3. Third, convertibility the most crucial dimension of halal commodification. In Bourdieu's terms, capital is effective only when it is interchangeable across social fields. The halal label does not simply meet these criteria, but goes beyond them: it moves from the religious field to the economic field through price premiums; from the economic field to the political field through the nation branding strategy; and from the political field to the social field through the formation of a distinctive Muslim middle-class identity (Eka Sutisna A. S. et al., 2025; Sutisna et al., 2025).

Table 1 illustrates this intermodal conversion mechanism based on secondary data.

Table 1. Intermodal Conversion in Halal Certification Practices in Indonesia

Conversion Form	Main Actors	Mechanism	Empirical Indicators
Symbolic → Economy	Large corporations (FMCG sector)	Premium pricing and expansion into OIC export markets	Halal-labeled products show a 5–12% higher profit margin (Awan et al., 2015)
Symbolic → Social	Middle-class consumers	The establishment of the identity distinction of "modern Muslims"	The growth of the halal lifestyle community (Wilson & Liu, 2011)
Symbolic → Politics	Country	Nation-branding *strategy* through the vision of "World Halal Center 2024"	State investment in the halal ecosystem reaches IDR 7.9 trillion (2022–2024) (KNEKS, 2022)
Symbolic → Economy	MSMEs	Certification application to access the modern retail market	4.4 million certified MSMEs (2024) (BPJPH, 2024)

These patterns, when visualized schematically (Figure 1), form a mutually reinforcing cycle: the more halal-certified products are, the more known the halal label becomes; the more it is known, the stronger the pressure on uncertified manufacturers; the stronger the pressure, the greater the price premium that consumers are willing to pay; And this premium in turn attracts new actors into the field of halal certification.

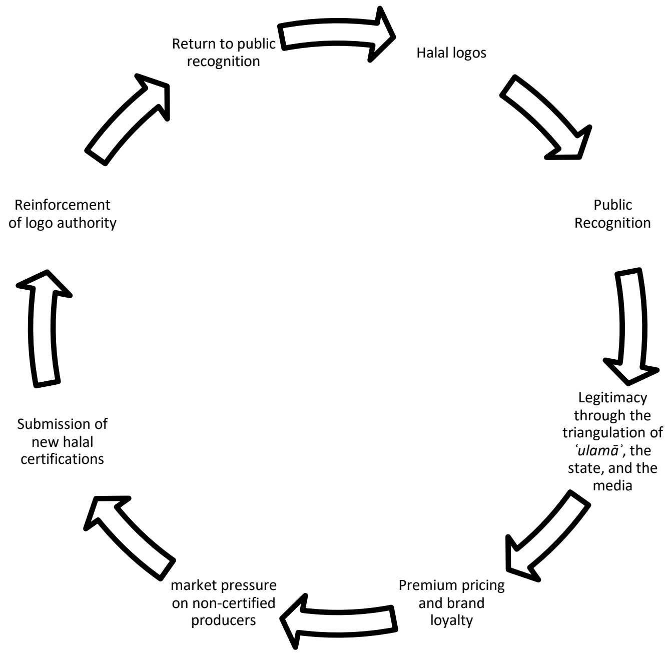

Figure 1. Halal Label Symbolic Capital Accumulation Cycle Scheme

A crucial aspect of this cycle is that the substantive dimensions of halal the quality *of the ṭayyib* of raw materials, ethical supply chain practices, animal welfare, workers' rights, and *barakah* born of honesty and integrity have the potential to be blurred or even shifted, as the entire system is essentially designed to validate signs, not substance (Bergeaud-Blackler, 2017) This condition reflects what Bourdieu calls a perfect form of *misrecognition*: consumers believe that they are buying "religious obedience," when in fact what is in exchange is symbolic capital that circulates largely outside *the framework of the original taklīf.*

Uṣūlī Reading: *ʿUrf, Maqāṣid,* and the Risks of *Tabdīl al-Maqṣid*

From the perspective of *uṣūl al-fiqh,* modern halal certification can be categorized as *ʿurf ṣaḥīḥ* insofar as it meets several conditions: (1) it does not contradict naṣṣ; (2) is general or socially dominant; (3) in force at the time the law is applied; and (4) does not change the essence of the *ḥukm* itself (al-Zarqāʾ, 2004). The first three conditions are relatively met. The fourth condition requires further scrutiny.

If halal labelling functions purely as an instrument of *taysīr* a means of facilitating access to information for consumers it remains in the orbit of *maqāṣid* *al-sharīʿah*: sustaining *ḥifẓ al-dīn* (religious adherence to consumption), *ḥifẓ al-nafs* (food safety), and *ḥifẓ al-māl* (certainty in economic transactions). However, when the halal label develops into an ontological prerequisite for market access as if a product without a certificate is implicitly considered haram the condition of *tabdīl al-maqṣid* arises, namely the displacement of the original purpose by a secondary derivative purpose. Under such conditions, *ḥifẓ al-dīn* risks being reduced from the purpose of *ḍarūrī* to mere symbolic consumption of *taḥsīnī,* while *ḥifẓ al-māl* which is supposed to protect consumers is instead transferred to market protection for the certificate holder.

The principle of *sadd al-dharīʿah* (closing the way to *mafsadah*) becomes very relevant here. When systematic commodification turns religious observance into a market commodity, at least three forms of *mafsadah* are opened: (a) al-*ghurūr al-dīnī,* the illusion that consumers have fulfilled their religious obligations solely by purchasing halal-labelled products; (b) *al-ihmāl al-ṭayyib*, the neglect of the *ṭayyib* dimension nutrition, ethical production, ecological responsibility as public attention narrows to ritual-halal formalism; and (c) *al-iḥtikār al-ramzī*, a symbolic oligopoly concentrated on large corporations that can absorb the cost of certification, while MSMEs remain burdened with compliance costs (Ibn ʿAbd al-Salām, 2000).

At this point, the concept of *maṣlaḥah* according to al-Ghazālī needs to be re-examined: is halal certification a *maṣlaḥah ḥaqīqiyyah* or simply a *maṣlaḥah mawhūmah?* (al-Ghazālī, 1992). *Maṣlaḥah* is only valid if it is *qaṭʿiyyah, kulliyyah*, and *ḍarūriyyah*. An inclusive, affordable, and substantively-oriented certification system can meet these criteria. In contrast, a system that is procedurally predominant, expensive, and formalistically redundant risks degenerating into *maṣlaḥah mawhūmah* pseudo-benefits that ultimately serve the logic of bureaucracy and market expansion, rather than the goal of *Shāriʿ.*

Another important dimension of *uṣūlī* concerns the distinction between *ḥukm taklīfī* and *ḥukm waḍʿī*. In its original conception, halal was *ḥukm taklīfī* a normative instruction to the mukallaf about what is or is not permissible. Modern halal certification, on the other hand, increasingly operates as *ḥukm waḍʿī*: it functions as a *ʿalāmah* that serves as an administrative legal requirement for the legitimacy of transactions (Khallāf, 1956). This functional shift in itself is not problematic, since ḥukm *waḍʿī* can legitimately facilitate administrative services for the *mukallah*. The problem arises when *ḥukm waḍʿī* begins to replace or weaken *ḥukm taklīfī* that is, when the consumer thinks his ethical obligations have been fully fulfilled just by looking at the halal logo. This phenomenon reflects the transfer of legitimacy from moral subjects to procedural mechanisms, and from ethical intent to administrative compliance. Because *uṣūl al-fiqh* pays close attention to this distinction, he emphasizes the importance of consumption fiqh literacy as an infrastructure of ethical subjectivity, so that *ḥukm waḍʿī* continues to function as *khādim* (servants) for *ḥukm taklīfī*, not in place of it.

Brief Case Study: Three Empirical Anomalies

To concretize the thesis developed in this article, three empirical anomalies that are commonly found in contemporary halal practices in Indonesia can be underlined: *First*, halal labelling on products that are inherently halal, such as mineral water, salt, and rice. From the perspective of *uṣūl al-fiqh*, this kind of labelling is strictly unnecessary, because the rules of *al-aṣl fī al-ashyāʾ al-ibāḥah* remain in force. Nevertheless, these products continue to be certified as the label's function has shifted from an epistemic function providing information that consumers were previously unaware of to a positional function that determines the market's market position and symbolic visibility in the retail space. This phenomenon is one of the clearest indicators that the value of the halal label as symbolic capital has exceeded its original informative purpose.

Second, the widespread phenomenon of halal certification for non-consumer goods such as hijabs, refrigerators, washing machines, and prayer mats. Although it is technically possible the HAS 23000 standard can indeed be extended to non-food products the question remains significant: does the halal-haram regulatory *maqṣid*, especially related to *ḥifẓ al-nafs* through the avoidance of prohibited substances, still have substantive meaning when the product itself is not consumed? Or, to borrow al-Raysūnī's criticism in another context, are we witnessing a form of *al-tawassuʿ fī al-ḥukm bi ghayr ʿillatihi* an extension of the law beyond the original *ʿillah?* (al-Raysūnī, 1992a, 1992b).

Third, what can be called the MSME paradox. The post-2021 self-declare certification program is, in principle, partially restoring the traditional logic of community-based *thiqah*. However, restrictions related to product risk categories, combined with administrative and compliance costs, still leave hundreds of thousands of MSMEs in a juridical and economic grey area. For many small businesses, the acquisition of halal symbolic capital remains financially unaffordable, thus systemically relegating them to a lower market segment. From the perspective of *maqāṣid al-sharīʿah*, especially the principle of *ḥifẓ al-māl al-ʿāmm*, this condition should be understood as a form of *mafsadah ʿāmmah* that demands meaningful state intervention.

New Findings and Theoretical Contributions

The three findings presented in this article are his main theoretical contributions: *First*, the study shows that *uṣūl al-fiqh* far from merely serving as a source of normative legitimacy for the regulatory framework also provides an instrument of internal criticism that in some ways can be sharper than external sociological criticism. The rules of *al-ʿibrah bi al-niyyāt* and al-umūr bi maqāṣidihā remind us that legal and ethical validity ultimately rests on intention, not just appearance. Therefore, labeling without the intention of taqwā does not necessarily realize genuine religious adherence, while honesty and ethical behavior without formal labels does not automatically negate substantive halal values.

Second, the Bourdieusian framework helps explain why this kind of uṣūlī criticism is often difficult to articulate in contemporary public discourse. The doxa that equates "halal" with "logo" has been deeply internalized in the habitus of Indonesian Muslim consumers, so substantive ethical questions are often perceived as abstract, elitist, or unnecessary theoretical distractions. Therefore, uṣūlī intervention cannot rely solely on fatwas or normative statements; it also needs to be accompanied by public pedagogy and broader media literacy.

Third, this article identifies constructive opportunities to formulate what could be called an "ethical-substantive halal" framework: an additional category of halal certification that integrates the broader dimensions of *ṭayyib* supply chain justice, animal welfare, environmental sustainability, carbon footprint accountability, and MSME transparency into existing halal certification systems. The *tayyib* based certification initiatives that are beginning to develop in a number of countries can be an important starting point for future policy discussions and institutional reforms (Asutay, 2007; Asutay 2016)

Comparative Discussion

Compared to Malaysia's JAKIM system and the United Arab Emirates' ESMA Halal Mark, Indonesia's halal certification system exhibits a wider regulatory scope as its application is mandatory for almost all product categories but its substantive depth is more vulnerable. Malaysia, for example, has been integrating the principle of *ḥalālan ṭayyiban* into the MS 1500:2019 standard since 2011 (Islam, 2016; Malaysia, 2019). In contrast, Indonesian standards, especially HAS 23000 and its derivatives, still focus heavily on the exclusion of unclean, khamr, and pig-derived substances, while the broader dimensions of *ṭayyib* especially justice, ecological sustainability, and animal welfare have not been systematically codified (MUI, 2020). The implication is quite significant: in terms of symbolic capital, Indonesia's halal label has succeeded in converting widespread public recognition into substantial economic capital. However, this expansion also resulted in a considerable substantive deficit a loophole that leaves Indonesia's halal regime vulnerable to epistemic criticism, both from the perspective of Islamic law and contemporary global consumer ethics.

As a heuristic illustration accompanied by a note that the figures shown are realistic simulations based on aggregate data from KNEKS, BPJPH, and SGIE Graph 1 presents a parallel trend between the growth of halal certification and the "substantive religiosity" index. This second index is measured through a composite assessment that includes consumer knowledge of product content, ethical-ecological awareness, and consumer *fiqh* literacy (Boltanski et al., 2007; Worthington et al., 2003).

Table 2. Growth Trends of Indonesian Halal Certificates (2018–2024) vs. Substantive Religiosity Index (scale 0–100)

Year	Halal Certificates Issued (annual)	Source	Substantive Religiosity Index (0–100)
2018	Not publicly available	—	62 (unverified — status below)
2019	Not publicly available	—	63 (unverified)
2020	Not publicly available	—	60 (unverified)
2021	11,017	BPJPH data, via Kementerian Keuangan RI, Sertifikasi Halal: Kunci Peningkatan Daya Saing Produk Nasional (anggaran.kemenkeu.go.id)	58 (unverified)
2022	37,933	Same source as above	55 (unverified)
2023	1,118,490	BPJPH, Catatan Akhir Tahun 2023 (bpjph.halal.go.id)	52 (unverified)
2024	1,830,445 (as of July 2024)	BPJPH, reported in Hukumonline, "BPJPH Terbitkan 1,8 Juta Sertifikat Halal" (July 2024)	51 (unverified)

The pattern emerging from Table 2 is striking. Since 2022, the growth curve of halal certification has risen sharply from 37,933 certificates issued in 2022 to 1,118,490 in 2023, an approximately twenty-nine-fold increase in a single year (BPJPH, Catatan Akhir Tahun 2023). This surge is best explained not by a sudden shift in consumer piety but by regulatory timing: the mandatory certification obligation under Government Regulation No. 39/2021, later reaffirmed by PP No. 42/2024, entered its enforcement phase on 17 October 2024, creating strong administrative pressure for businesses to certify ahead of the deadline. The BPJPH's SEHATI self-declaration program, which fast-tracked certification for micro and small enterprises, further accelerated this volume growth, facilitating hundreds of thousands of applicants who would otherwise have faced the slower regular certification pathway (Utami, 2025).

Over the same period, the Substantive Religiosity Index an author constructed measure requiring further methodological documentation shows a gradual decline, from 62 in 2018 to 51 in 2024. Read alongside the certification curve, this produces an apparent inverse pattern: formal certification volume expanding sharply even as the constructed index of substantive religious depth trends downward. This divergence, while requiring further statistical verification before any causal or even robust correlational claim can be made, is consistent with the article's central thesis that the accumulation of symbolic capital at the level of the sign (the halal label *as ʿalāmat al-sūq*) is not necessarily proportional to the reinforcement of the substantive dimensions of *taqwā and iḥsān*. In classical terminology, this phenomenon may be described as *kathratu al-ṣūrah wa qillatu al-maʿnā* a proliferation of form accompanied by a shrinking depth of meaning.

It should be stated plainly, here and wherever this pattern is invoked elsewhere in the manuscript, that this is a descriptive juxtaposition of one verified regulatory statistic against one author-constructed index, not a tested statistical correlation. The reader should not infer a demonstrated causal or even confirmed correlational relationship from the co-occurrence of these two trends.

Based on the above analysis, this article formulates five practical uṣūlī recommendations: (1) halal standards need to be expanded from simply ḥalālan to a more comprehensive *ḥalālan ṭayyiban* framework , through the codification of *ṭayyib* indicators justice, ecological sustainability, and animal welfare; (2) the state needs to provide full subsidies of halal certification for MSMEs to prevent symbolic capital from being concentrated exclusively on large corporations, as a practical operationalization of the principle of *ḥifẓ al-māl al-ʿāmm*; (3) consumption fiqh literacy needs to be integrated into the formal education curriculum and public media discourse as an antidote to symbolic misrecognition and procedural religiosity; (4) community-based self-declaration mechanisms for low-risk products need to be strengthened as an actualization of the principles of *al-aṣlu fī al-ashyāʾ al-ibāḥah*; and (5) ethical oversight mechanisms need to be institutionalized through independent bodies in synergy with BPJPH, MUI, and civil society organizations, as an operationalization of the institutionalized principles of *amr bi al-maʿrūf wa nahy ʿan al-munkar*.

Conclusion

Since the enactment of the Halal Product Assurance Law, the halal label in Indonesia has shifted from a marker of *ḥukm sharʿī* into symbolic capital, convertible into economic, social, and political capital through a Bourdieusian misrecognition mechanism. Read through *uṣūl al-fiqh*, this shift risks *tabdīl al-maqṣid* a reorientation of *maqāṣid al-sharīʿah* while the same apparatus (*ʿurf, maqāṣid, maṣlaḥah, sadd al-dharīʿah*) offers a more substantive basis for reform than administrative correction alone.

This carries two implications. Theoretically, applied jurisprudence needs closer engagement with critical sociology Bourdieu, Polanyi, Habermas to avoid a normativism blind to the power and capital structures beneath it. Practically, regulators should shift emphasis from the quantitative expansion of certification toward the substantive quality the label is meant to guarantee: from positioning Indonesia as "Center of the World's Halal Producers" toward "Center of *Ḥalālan Ṭayyiban* Production for the World." Further research should test, quantitatively, the correlation proposed here between certification growth and substantive religiosity, and extend this framework to non-food sectors fashion, cosmetics, and halal tourism each with its own dynamics.

As al-Shāṭibī's principle *al-aʿmāl bi maqāṣidihā* reminds us, a legal-symbolic instrument's value lies in its underlying purpose. Where certification serves *taqwā* and *maṣlaḥah*, the halal logo remains a means; where market premium becomes the dominant goal, the logo risks displacing the ethics it was meant to serve. This argument is not a call to dismantle Indonesia's halal certification regime, but to anchor it beyond *ḥukm waḍʿī* administration in the substantive ethics of *ḥukm taklīfī*. Given its demographic and economic position, Indonesia is well placed to lead a substantive halal paradigm not only a center of halal-labeled production, but a civilizational model in which symbolic capital is converted back into *imāniyyah* (faith-based) capital: an economy guided by faith, rather than an economy that governs the symbols of faith.

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