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RECONSTRUCTING INDONESIA-MALAYSIA CROSS-BORDER HALAL GOVERNANCE: A CONTEMPORARY MAQASID AL-SHARI'AH SYSTEMS ANALYSIS

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ABSTRACT

Cross-border halal trade between Indonesia and Malaysia has expanded through mutual recognition arrangements, yet regulatory fragmentation, complex foreign certificate registration, and weak post-market surveillance continue to create systemic governance gaps. This study reconstructs cross-border halal governance through Jasser Auda's contemporary *Maqasid al-Shari'ah* systems theory. Employing a descriptive-comparative qualitative method, the study combines the Policy Analysis Circle with Auda's six system features to examine the context, actors, processes, regulatory content, and impacts of Indonesia–Malaysia halal governance. The findings reveal structural discrepancies between Indonesia's mandatory, multi-institutional system and Malaysia's centralized voluntary model, as well as technical fragmentation that limits effective reciprocity. The April 2025 bilateral recall of porcine-contaminated products further demonstrates the vulnerability of pre-market and nationally fragmented surveillance. The study proposes a Transnational Halal Trust Network (THTN) as an operational reconstruction based on three mechanisms: API-enabled cross-border certificate interoperability, a Joint Post-Market Surveillance Committee, and an inclusive fast-track scheme for regional MSMEs. The model shifts halal governance from static protection (*hifz*) toward dynamic development (*tanmiyah*) by integrating consumer safety, regulatory trust, technological openness, and economic inclusion. The study contributes a *maqasid*-based systems framework for developing adaptive and digitally integrated cross-border halal governance.

Keywords : *Cross-Border Halal Governance; Maqasid al-Shari'ah; Jasser Auda; Mutual Recognition; Transnational Halal Trust Network; Halal Regulation.*

ABSTRAK

Perdagangan halal lintas batas antara Indonesia dan Malaysia berkembang melalui mekanisme saling pengakuan sertifikat, tetapi fragmentasi regulasi, kompleksitas registrasi sertifikat halal luar negeri, dan lemahnya pengawasan pasca-pasar masih menimbulkan kesenjangan tata kelola. Penelitian ini merekonstruksi tata kelola halal lintas batas melalui teori sistem *Maqasid al-Shari'ah* kontemporer Jasser Auda. Penelitian menggunakan metode kualitatif deskriptif-komparatif dengan mengintegrasikan Policy Analysis Circle dan enam fitur sistem Auda untuk menganalisis konteks, aktor, proses, substansi regulasi, dan dampak tata kelola halal Indonesia–Malaysia. Hasil penelitian menunjukkan adanya perbedaan struktural antara sistem Indonesia yang bersifat wajib dan multi-institusional dengan sistem Malaysia yang terpusat dan bersifat sukarela, disertai fragmentasi teknis yang membatasi efektivitas resiprositas. Penarikan produk terkontaminasi unsur babi pada April 2025 semakin menunjukkan kerentanan pengawasan yang berorientasi pra-pasar dan terfragmentasi secara nasional. Penelitian menawarkan Transnational Halal Trust Network (THTN) sebagai rekonstruksi operasional melalui tiga mekanisme: interoperabilitas sertifikat berbasis API, Joint Post-Market Surveillance Committee, dan skema fast-track inklusif bagi UMKM regional. Model ini menggeser tata kelola halal dari perlindungan statis (*hifz*) menuju pengembangan dinamis (*tanmiyah*) dengan mengintegrasikan keamanan konsumen, kepercayaan regulasi, keterbukaan teknologi, dan inklusi ekonomi. Penelitian berkontribusi pada pengembangan kerangka sistem berbasis *maqasid* untuk tata kelola halal lintas batas yang adaptif dan terintegrasi secara digital.

Kata Kunci: *Tata Kelola Halal Lintas Batas; Maqasid al-Shari'ah; Jasser Auda; Saling Pengakuan; Transnational Halal Trust Network; Regulasi Halal.*

INTRODUCTION

The global halal industry has expanded rapidly beyond traditional theological-religious boundaries to become one of the most promising economic sectors in the world (DinarStandard, 2024; Widyaningsih, 2023; Johan & Schebesta, 2022; Lever & Fischer, 2019). Based on the recent State of the Global Islamic Economy Report, the value of the global halal market is projected to increase sharply and become a primary attraction for international trade (DinarStandard, 2024; Wahab & Mahdiya, 2026). Within this global landscape, Southeast Asia, particularly Indonesia and Malaysia, holds a strategic leadership role (Fischer, 2011; Herianti et al., 2023; Adinugraha & dkk, 2022). Indonesia possesses a demographic advantage as the country with the largest Muslim population in the world, as well as the number one consumer market for halal products (Faridah, 2019; Kamali, 2010; Kamali, 2021; Adinugraha & dkk, 2022). On the other hand, Malaysia is a pioneer in the development of the industrial ecosystem, standardization, halal supply chain infrastructure, and international market promotion, which are highly recognized on the global stage (J.A.K.I.M., 2019; Ramadini, 2025; Fischer, 2011).

Historically, both countries have adopted different halal institutional models (Priatna et al., 2023; B.P.J.P.H., 2025; Dewi et al., 2023). Indonesia initially relied on a civil society-based voluntary system under the auspices of the Indonesian Ulema Council (MUI) through the Assessment Institute for Foods, Drugs, and Cosmetics (LPPOM MUI) (Faridah, 2019; Fikriawan, 2018). However, with the enactment of Law Number 33 of 2014 concerning Halal Product Assurance (UU JPH), which was subsequently amended through the Job Creation Law and elaborated in Government Regulation Number 42 of 2024, Indonesia officially transitioned to a state-led mandatory system managed by the Halal Product Assurance Organizing Agency (BPJPH) (Kementerian Agama RI 2024; Nuraeni et al, 2025). Under the current leadership of the Head of BPJPH, Ahmad Haikal Hasan (Babe Haikal), Indonesia has reaffirmed its comprehensive mandatory halal certification target (Mandatory Halal by October 2026) to strengthen national halal industrial sovereignty (Hasan, 2025; Tamamy, 2025; USDA FAS, 2026). Meanwhile, Malaysia implements a centralized single-window system controlled by the Department of Islamic Development Malaysia (JAKIM), where halal certification is voluntary yet supported by highly stringent national standardization through the MS 1500:2019 document (B.P.J.P.H., 2023; Ramadini, 2025; Tamamy, 2025).

In an effort to align trade flows between the two countries, a historic milestone was achieved on June 8, 2023 (Irham, 2023). President Joko Widodo and Prime Minister Anwar

Ibrahim witnessed the signing of a Memorandum of Cooperation (MoC) on the mutual recognition of halal certificates for domestic products exported between both nations, signed by the Head of BPJPH, Muhammad Aqil Irham, and the Director General of JAKIM, Datuk Hajah Hakimah Binti Mohd Yusoff (Irham, 2023; B.P.J.P.H., 2025). This synergy aims to eliminate non-tariff barriers and facilitate import-export activities for domestic halal products in both countries (Irham, 2023; Tieman & Ghazali, 2020).

Although the agreement has been signed, technical implementation on the ground still faces complex operational and administrative barriers (Gagnon & Labonté, 2020; Priatna et al., 2023). One of the primary constraints in Indonesia is the visual bias of domestic consumers who are accustomed to recognizing only the single national halal logo; consequently, imported products certified by JAKIM are still required to undergo a registration process at BPJPH to obtain a Foreign Halal Certificate Registration (RSHLN) number before being marketed (B.P.J.P.H., 2026; Tamamy, 2025). In addition, reciprocity is hindered by differences in national regulatory systems and the jurisdictional limitations of private halal certification bodies in secular states (Gagnon & Labonté, 2020; Halalcs, 2025).

The vulnerability of this rigid cooperative system became clearly evident in April 2025 (Suhaimie, 2025; Mail, 2025). BPJPH and JAKIM coordinated a mass recall of 11 batches from 9 processed food products (including imported gelatin and marshmallow products) that tested positive for porcine DNA through laboratory analysis, despite several of them having previously secured halal certificates (Suhaimie, 2025; Tamamy, 2025; Mail, 2025). This transnational contamination crisis emphasizes that conventional mutual recognition agreements on paper are insufficient to guarantee product purity without a dynamic joint governance system integrated with science and technology (Suhaimie, 2025; Gagnon & Labonté, 2020; Halalcs, 2025).

To overcome this cross-border halal governance deadlock, a fundamental methodological reconstruction is required (Auda, 2008; Sirait et al. 2025). The classical *Maqasid al-shari'ah* framework, which is oriented toward the passive protection concept (*hifẓ*) of the five essential needs (*al-darūriyyāt al-khams*), is frequently interpreted in a textual-reductionist manner, making it less adaptive to complex global supply chains (Auda, 2008; Musyarrofah & Chumaidah, 2025). Conversely, the contemporary *Maqasid al-shari'ah* systems theory initiated by Jasser Auda offers a flexible, multidimensional, open, and human development-oriented approach to Islamic law, alongside dynamic public interest (*maslahah*)

(Auda, 2008; Alamsyah et al., 2025; Busri & Luqman, 2025; Musyarrofah & Chumaidah, 2025).

Extensive research has been conducted on halal governance and standardization in the Southeast Asian region, particularly within the Indonesia-Malaysia corridor. For instance, (Ramadini, 2025) and (Herianti et al., 2023) focus on regional halal certification dynamics and potential, while (Priatna et al., 2023) highlight the market dynamics of halal certification from the sociological perspective of Muslim society. Nonetheless, prior literature exhibits a critical research gap, as the majority remains focused on static-comparative analyses that view regulatory discrepancies (Indonesia's state-led mandatory system versus Malaysia's voluntary framework) as rigid legal realities. These studies have failed to anticipate and provide resolutions for global supply chain vulnerabilities, as empirically demonstrated by the cross-border porcine DNA contamination crisis in April 2025 (Suhaimi, 2025; Mail, 2025).

On the other hand, the application of *Maqasid al-shari'ah* in halal regulation has thus far been dominated by a classical textual-reductionist approach solely oriented toward passive protection (*hifz*). This approach has been proven to generate institutional bias and bureaucratic protectionism, which inadvertently trigger non-tariff trade barriers for regional MSMEs. The novelty of this study lies in the utilization of Jasser Auda's Contemporary Systems Theory to reconstruct this cross-border governance framework. Moving beyond a mere comparison of regulations, this research offers an operational, science-and-technology-based (open-system) design for a new governance model oriented toward inclusive development (*tanmiyah*). Consequently, this article examines the systemic barriers in Indonesia-Malaysia halal assurance governance and reconstructs an integrated cross-border governance design through this contemporary systems perspective.

RESEARCH METHOD

This study employs a comparative qualitative method with a legal and public policy analysis approach (Faridah, 2019; Sirait et al. 2025). Research data were gathered through library research sourced from both primary and secondary documents (Al-Ghazali, 2000)(As-Syatibi, 2008). Primary documents encompass the legislative regulations of halal assurance in Indonesia (UU JPH, PP No. 42/2024, and BPJPH Regulations) (Kementerian Agama RI 2024), Malaysian trade regulations (Trade Description Act 2011) (B.P.J.P.H., 2023), as well as the bilateral MoC document between BPJPH and JAKIM 2023 (Irham, 2023). Secondary data were obtained from scientific journal articles, institutional annual performance reports,

international cooperation documents, and official press releases related to halal product assurance (B.P.J.P.H., 2025; Suhaimee, 2025).

The study integrates two transdisciplinary analytical frameworks—the Policy Analysis Circle by Gagnon and Labonté (2020) and the contemporary *Maqasid al-shari'ah* Systems Theory by Jasser Auda (2008), through a structured three-stage approach. The first stage involves a policy deconstruction process using the Policy Analysis Circle as an empirical diagnostic tool to unravel the anatomy of current cross-border halal governance failures across five structural dimensions: context, actors, process, content, and impact. The second stage entails a hierarchical evaluation utilizing Jasser Auda's *Interrelated Hierarchy* feature to detect legal and operational dissonances, mapping how procedural barriers at the micro level (such as the RSHLN bureaucracy and tariff structures) negate public interest objectives at the regional macro level. The third stage executes the systemic reconstruction. By translating Auda's six system features (cognitive nature, wholeness, openness, interrelated hierarchy, multidimensionality, and purposefulness) into practical parameters, this stage operationalizes the policy analysis findings into a resilient and digitally integrated cross-border halal governance model, rather than merely compiling an abstract list of policy recommendations.

FINDINGS AND DISCUSSION

Institutional Context and Halal Regulation in Indonesia-Malaysia

The halal product assurance systems in Indonesia and Malaysia are managed by structurally distinct institutions, which subsequently influence the regulatory characteristics and audit mechanisms implemented in each country (B.P.J.P.H., 2023; Ramadini, 2025). In Indonesia, halal assurance governance is collaborative-tripartite in nature, featuring a clear division of authority to maintain public accountability (B.P.J.P.H., 2025; B.P.J.P.H., 2023). BPJPH acts as the government regulatory body responsible for receiving applications, formulating standard policies for the Halal Product Assurance System (SJPH), and issuing physical halal certificates (Hasan, 2025). Scientific testing and auditing of product halalness on the ground are conducted by independent Halal Inspection Bodies (LPH) (B.P.J.P.H., 2026). Meanwhile, the legal determination of halal status under Sharia law remains the domain of the ulema commission through the MUI Halal Fatwa Session, the Halal Product Fatwa Committee, or the Aceh Ulema Council (MPU) (B.P.J.P.H., 2026).

Conversely, Malaysia implements a unilateral-monolithic halal governance model fully centralized within a single government institution, namely JAKIM (B.P.J.P.H., 2023; Ramadini, 2025; Razaly & Zakaria, 2018). Halal oversight in Malaysia is integrated from upstream to downstream (B.P.J.P.H., 2023). JAKIM formulates technical halal assurance standards, recruits and trains specialized auditors, conducts direct on-site factory inspections, tests product samples in accredited government chemical laboratories, convenes internal fatwa commission sessions, and issues Malaysia's official halal certificates and logos (B.P.J.P.H., 2023). To support market acceleration, the Malaysian government also established the Halal Development Corporation (HDC), which focuses on preparing industrial infrastructure, zoning halal industrial parks, and driving global commercial promotion (J.A.K.I.M., 2019).

Table 1: Comparison of Halal Product Assurance Systems in Indonesia and Malaysia

Governance Dimension	Indonesian Halal Product Assurance System (BPJPH)	Malaysian Halal Assurance System (JAKIM)
Legal Basis and Regulation	UU No. 33/2014, UU No. 11/2020 jo. Perpu No. 2/2022, PP No. 42/2024 (B.P.J.P.H., 2023)	Trade Description Act 2011 (APD 2011) (B.P.J.P.H., 2023)
Institutional Model	Tripartite: BPJPH (Regulator), LPH (Auditor/Laboratory), MUI/Fatwa Committee (Shariah Fatwa) (B.P.J.P.H., 2026)	Centralized-Monolithic: JAKIM holds full authority over regulation, auditing, testing, and fatwa determination (B.P.J.P.H., 2023)
Nature of Certification Compliance	Mandatory with exceptions for all circulating food and drug products (B.P.J.P.H., 2023)	Voluntary, yet commands high industrial compliance and market reputation (B.P.J.P.H., 2023)
Technical Reference Standard	Indonesian Halal Product Assurance System (SJPH) (Hasan, 2025)	Malaysian National Standard (MS 1500:2019) (DinarStandard, 2024)
Micro and Small Enterprise (MSE) Facilitation	Free Certification via Self-Declare scheme, assisted by Halal Product Process (P3H) Assistants (Pardiansyah et al., 2022)	Subsidy, training, and digitalization programs through the integrated MyEHalal platform (J.A.K.I.M., 2025)

Foreign Recognition Mechanism	Foreign Halal Certificate Registration (RSHLN) based on agreed MRAs (F. Gagnon & Labonté, 2020)	List of recognized Foreign Halal Certification Bodies (FHCB) by JAKIM (J.A.K.I.M., 2019)
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This institutional divergence creates a unique dynamic in bilateral trade relations (Razaly & Zakaria, 2018). The mandatory halal approach implemented by Indonesia positions the state as the primary guarantor of Muslim consumer safety; however, this requires evenly distributed administrative capacity and LPH infrastructure readiness to avoid obstructing domestic and import trade flows (Kementerian Agama RI 2024). Meanwhile, the voluntary model applied in Malaysia relies on the branding power and international credibility of JAKIM standards, which has proven successful in attracting the trust of non-Muslim nations, such as Japan, to partner in the development of halal industrial zones (J.A.K.I.M., 2019).

MRA Reciprocity Analysis through the Policy Analysis Circle

Although BPJPH has signed dozens of Mutual Recognition Agreements (MRAs) with Foreign Halal Certification Bodies (FHCBS) worldwide—including the Korea Muslim Federation (KMF), the Islamic Food and Nutrition Council of America (IFANCA), the Moroccan Institute of Standardization (IMANOR), and the Japan Islamic Trust (JIT) (B.P.J.P.H., 2023)—the operational implementation of these instruments is deemed suboptimal and has not yet fully realized a balanced principle of reciprocity (F. Gagnon & Labonté, 2020). By utilizing Gagnon and Labonté's Policy Analysis Circle framework, this asymmetric reciprocity can be dissected across five structural dimensions (F. Gagnon & Labonté, 2020):

First, The Context Dimension: The context surrounding the emergence of the 2023 Indonesia-Malaysia G-to-G MoC was driven by the urgency of the mandatory halal certification deadline mandated by Indonesian law (Irham, 2023; B.P.J.P.H., 2023). This enforcement of mandatory halal forces foreign export manufacturers to immediately acquire halal certification compatible with Indonesian standards to avoid losing market access (B.P.J.P.H., 2023). However, differing political-legal contexts—where JAKIM is an integral part of a Malaysian federal ministry rooted in an Islamic state, whereas BPJPH interacts with private FHCBS in secular states—create barriers of authority asymmetry in international legal recognition (Gagnon & Labonté, 2020; B.P.J.P.H., 2023).

Second, The Actor Dimension: The actors involved in cross-border governance vary significantly (B.P.J.P.H., 2025; Gagnon & Labonté, 2020). In Indonesia, the registration process involves BPJPH, LPH, and MUI (B.P.J.P.H., 2026; Ministry of Religious Affairs RI 2024). At the international level, MRA signatory actors encompass both government-owned bodies (such as Morocco's IMANOR) and private religious institutions (such as FHCBs in the United States or Australia) (Gagnon & Labonté, 2020; B.P.J.P.H., 2023). Studies indicate that private-type FHCBs in secular countries often possess limited domestic legal authority to enforce compliance with halal standards, contrasting with JAKIM or BPJPH which hold state-backed legal sanctions (F. Gagnon & Labonté, 2020). This raises hesitations for BPJPH to grant automatic mutual recognition without repeated verification audits (Gagnon & Labonté, 2020; B.P.J.P.H., 2023).

Third, The Process Dimension: The process to achieve mutual recognition is highly intricate and demands an extended assistance timeline (Gagnon & Labonté, 2020; B.P.J.P.H., 2023). In accordance with BPJPH Regulation Number 3 of 2023, the recognition and acceptance of foreign halal certificates must pass through a series of conformity assessment stages, accreditation oversight by local accreditation bodies with mutual recognition arrangements (ILAC/IAF), on-site inspections by BPJPH auditors, up to the signing of the MRA document (B.P.J.P.H., 2023). This multi-layered bureaucracy is frequently perceived as a hindrance to the ease of doing business for global industry players seeking entry into the Indonesian market (F. Gagnon & Labonté, 2020).

Fourth, The Content Dimension: The substance of MoC or MRA agreements often only accommodates high-level technical commitments, such as the exchange of experiences, standardization of product specifications, and the promotion of collaborative R&D in halal assurance (Irham, 2023). However, the content of these MRAs has not yet incorporated operational alignment mechanisms in the event of technical disputes regarding new critical ingredients (F. Gagnon & Labonté, 2020). Furthermore, the cooperation has not fully encompassed the unification of visual markings, leaving foreign halal logos still perceived as unfamiliar by local consumers on the ground (B.P.J.P.H., 2026).

Fifth, The Outcomes Dimension: The tangible outcomes of MRA signings on trade facilitation and the expansion of Indonesian halal product exports abroad, particularly to Malaysia, remain visually insignificant (F. Gagnon & Labonté, 2020). Indonesia frequently acts as a recipient for imports of foreign-certified products registering through the RSHLN, while Indonesian domestic exporters (especially UMKM) still struggle to penetrate foreign

markets due to differing technical standards as well as the costly and complex procedures required to obtain additional certifications from local authority bodies (Gagnon & Labonté, 2020; J.A.K.I.M., 2025).

Operational Barriers and the 2025 Porcine Contamination Case Study

An empirical analysis of the operational barriers in cross-border governance is vividly illustrated by the recall incident of processed food containing porcine elements that occurred on April 21, 2025 (Suhaimie, 2025). BPJPH, through an official press release signed by the Head of BPJPH Haikal Hasan, coordinated bilaterally with Malaysia's JAKIM led by Dato' Sirajuddin bin Suhaimie to issue a sudden recall order for snack and gelatin products from the open market (Suhaimie, 2025). Based on joint laboratory testing results with the Indonesian Food and Drug Authority (BPOM) utilizing specific DNA and peptide analysis methods, 11 product batches from 9 processed food products were detected positive for porcine contamination (Suhaimie, 2025).

This crisis was highly alarming because out of the nine problematic products, 7 products had actually secured official halal certificates (Suhaimie, 2025). The case involved popular imported products such as *Corniche Pluffy Jelly Marshmallow* (Sucere Food Corporation, Philippines), *ChompChomp Car Mallow* (Shandong Qingzhou Erko Foodstuffs, China), as well as food-additive gelatin ingredients manufactured by PT Hakiki Donarta (Suhaimie, 2025). This systemic failure indicates a massive loophole in transnational halal assurance governance (Gagnon & Labonté, 2013; Suhaimie, 2025);

First, Absence of an integrated early detection system: Halal assurance oversight has thus far focused excessively on administrative document audits at the pre-market level (B.P.J.P.H., 2023). There is no dynamically integrated digital laboratory data exchange mechanism between BPJPH and JAKIM to preventatively detect raw material contamination before products are distributed transnationally (Suhaimie, 2025).

Second, Limitations in supply chain traceability: Halal certification is historically granted as a static instrument valid for a specific duration, typically four years (B.P.J.P.H., 2023). Within this timeframe, manufacturers may alter raw material formulations or experience cross-contamination within production facilities without being detected by state auditors, in the absence of stringent, periodic post-market surveillance (Vikaliana et al., 2021).

Third, Commodification of halal certification: There are ethical challenges where the foreign halal certification process is sometimes perceived merely as a commercial economic

commodity to facilitate the flow of export goods (B.P.J.P.H., 2023; B.P.J.P.H., 2025). Consequently, religious values, scientific rigor, and moral commitment within the halal product assurance auditing process tend to be marginalized in pursuit of cost efficiency and market turnover speed (B.P.J.P.H., 2025).

Reconstruction of Jasser Auda's Contemporary *Maqasid al-shari'ah* Systems Theory

To break the deadlock and address the systemic vulnerabilities of cross-border halal assurance governance, a methodological reconstruction based on Jasser Auda's contemporary *Maqasid al-shari'ah* systems theory is required (Auda, 2008). Jasser Auda critiques the classical *usul al-fiqh* approach, which tends to be textual, binary, and reductionist, while ignoring the fundamental objectives of Sharia (*maqasid*) in addressing modern challenges (Auda, 2008). The classical approach is further criticized for focusing excessively on the dimension of individual public interest (passive protection or *hifẓ*) and failing to respond to global, systemic social and humanitarian issues (Auda, 2008).

Auda formulates a paradigm shift in *Maqasid al-shari'ah* from a static protection orientation (*hifẓ*) toward the concept of development (*tanmiyah*) and the enforcement of human rights (*huqūq al-insān*) (Auda, 2008). For instance, within the protection of lineage (*hifẓ al-nasl*), the contemporary approach expands its meaning into the development of reproductive health systems and child protection; meanwhile, the protection of wealth (*hifẓ al-māl*) is reconstructed into just, inclusive economic development and the reduction of social inequality (Auda, 2008).

In the context of halal product assurance, certification must no longer be perceived merely as a bureaucratic instrument for product restriction or prohibition (Auda, 2008). Halal certification serves as a universal means to guarantee quality of life, hygiene, food safety (*halalan thayyiban*), and sustainable economic growth for the Muslim community (*ummah*) (DinarStandard, 2024; Auda, 2008). The reconstruction of cross-border halal governance between Indonesia and Malaysia can be operationalized through the application of Jasser Auda's six systemic features (Auda, 2008):

Cognitive Nature, The cognitive feature asserts that human understanding of sacred texts (*ijtihad*) is inherently influenced by science, technology, and socio-cultural contexts; thus, the resulting legal products are not absolute, but rather relative and open to rectification (Auda, 2008). The discrepancies in halal standards between Indonesia (SJPH) and Malaysia (MS 1500:2019) are frequently driven by variations in the cognitive

understanding of Islamic jurisprudence (*madhhab*)—characterized by the dominance of the strict Shafi'i school in Malaysia and a multi-jurisprudential (*multi-madhhab*) approach in Indonesia—as well as differences in national bureaucratic characteristics (DinarStandard, 2024; B.P.J.P.H., 2023).

The reconstruction of cross-border governance demands a mutual willingness from both BPJPH and JAKIM to relinquish sectoral egos regarding the absolute validity of their respective national standards (DinarStandard, 2024; Gagnon & Labonté, 2013). Both institutions must establish a collective scientific *ijtihad* by integrating cross-jurisprudential (*madhhab*) ulema committees and food technologists to formulate mutually agreed-upon scientific parameters (consensus on critical ingredients), thereby ensuring that divergent interpretations no longer serve as non-tariff trade barriers (J.A.K.I.M., 2019).

Wholeness, The halal assurance system must be viewed as an integrated circular whole, rather than as an administrative process fragmented by geographical borders or political sovereignty (Auda, 2008; B.P.J.P.H., 2025). The transnational porcine contamination incident demonstrates a system failure resulting from purely local-partial audits at the pre-market level (Gagnon & Labonté, 2013; Suhaimee, 2025). Through the feature of wholeness, cross-border governance is reconstructed into an integrated transnational halal supply chain ecosystem (Vikaliana et al., 2021). BPJPH and JAKIM must consolidate oversight from the point of raw material sourcing, production processes, and logistics logs (export-import ports) until the product reaches the final consumer (Gagnon & Labonté, 2013; Vikaliana et al., 2021). Supervision must be designed as a unified, collaborative risk management framework involving customs authorities, quarantine agencies, BPOM, and the halal institutions of both nations (Suhaimee, 2025; B.P.J.P.H., 2025).

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involving customs authorities, quarantine agencies, BPOM, and the halal institutions of both nations (Suhaimi, 2025; B.P.J.P.H., 2025).

Openness, A healthy system must continuously remain open to the developments of its external environment, such as advancements in biotechnology, digitalization, and international trade law, in order to prevent entropy or obsolescence (Auda, 2008; Auda 2022). The reconstruction of governance demands massive technological openness (Auda, 2008). BPJPH and JAKIM must move away from manual physical document verification systems and adopt a shared blockchain-based traceability platform accessible to both nations (B.P.J.P.H., 2025). The deployment of artificial intelligence (AI) sensors for the early detection of critical raw materials at ports of entry, combined with the automated data recording of foreign halal certificate registrations (RSHLN), will suppress bureaucratic costs, accelerate product turnover speed, and minimize human error during quality audits (Harsanto et al, 2025; B.P.J.P.H., 2026).

Interrelated Hierarchy, Islamic law is structured hierarchically, spanning from the universal objectives of Sharia (*al-maqasid al-‘ammah*), to specific objectives within particular legal chapters (*al-maqasid al-khassah*), down to the particular legal intents behind specific jurisprudential rulings (*al-maqasid al-juz’iyyah*) (Auda, 2008). All levels of this hierarchy must harmoniously reinforce one another without contradiction (Auda, 2008).

Table 2: Hierarchical Levels of <i>Maqasid</i> in Cross-Border Halal Governance	
<i>Maqasid</i> Hierarchy Level	Technical Implementation of Cross-Border Halal Governance
Macro Hierarchy (Universal)	Protection of public health (<i>thayyib</i>), economic sovereignty of the <i>Ummah</i> (<i>maslahah</i>), and the assurance of regional Muslim consumer rights (DinarStandard, 2024; Auda, 2008).
Meso Hierarchy (Specific Chapter)	Harmonization of bilateral halal standardization (BPJPH-JAKIM MoC), integration of the ASEAN Working Group on Halal Food, and reciprocity of MRA accreditation (Irham, 2023; J.A.K.I.M., 2019).
Micro Hierarchy (Particular)	Administrative procedures for RSHLN registration, verification fees, specific porcine DNA laboratory audits, and the issuance of visual labels (F. Gagnon & Labonté, 2020; Suhaimi, 2025; B.P.J.P.H., 2026).

In current cross-border governance, a hierarchical dissonance occurs (Gagnon & Labonté, 2013). Particular technical rules at the micro level—such as the imposition of high foreign halal certificate registration (RSHLN) fees or intricate administrative documentation

requirements for private FHCBs—are frequently designed without considering meso and macro objectives (Gagnon & Labonté, 2013; B.P.J.P.H., 2025). As an analytical bridge, this conditional legitimacy shares a logical affinity with the conceptual framework found in MUI Fatwa No. 2/2025 on Equitable Taxation, wherein the validity of law enforcement at the micro level heavily relies on the fulfillment of distributive justice and public interest (*maslahah*) at the macro level (Bianda et al., 2025). The reconstruction of governance demands that all procedural rules at the micro level be aligned and streamlined to support the smooth flow of regional trade at the macro level (Hasan, 2025).

Multi-dimensionality, The multidimensional approach rejects binary logic (black-and-white, rigidly absolute halal-haram) that ignores the dynamics of socio-legal realities on the ground (Auda, 2008). Contemporary halal product assurance does not merely possess a theological dimension; rather, it is intricately intertwined with economic-industrial dimensions, consumer socio-cultural dynamics, health protection, business ethics, and advocacy for small-scale enterprises (Pardiansyah et al., 2022; Auda, 2008). Furthermore, the integration of environmental sustainability (*hifẓ al-bi'ah*) has now emerged as a pressing sixth dimension of *Maqasid* that urgently needs to be adopted within the ethical production standards of the regional halal industry (Nisa et al, 2025).

Many MSMEs in Indonesia and Malaysia feel burdened by the high costs of export halal certification and the lengthy administrative bureaucratic chains (J.A.K.I.M., 2025 Kementerian Agama 2026). The reconstructed governance policy must be inclusive-multidimensional by designing policy differentiations (Gagnon & Labonté, 2013). For instance, the government could provide a dedicated fast-track export lane for food products derived from non-critical raw materials produced by MSMEs, integrate Islamic financing facilitation schemes, and provide free cross-border training and assistance programs for halal supervisors to ensure the economic sustainability of grassroots businesses without compromising Sharia integrity (Auda, 2008; Kementerian Agama 2026; Harsanto, 2025).

Purposefulness, Every halal assurance system must be goal-oriented to generate tangible public interest for humanity (*al-ghāyah*), rather than merely executing ritual routines or paper-based administrative compliance (Auda, 2008). BPJPH and JAKIM must reinforce the purposefulness of their governance orientation (Auda, 2008). The primary objective of signing Memorandums of Cooperation (MoCs) or Mutual Recognition Agreements (MRAs) must not be confined to achieving quantitative statistical targets regarding the number of foreign diplomatic collaborations (M. L. Gagnon & Labonté, 2013). The ultimate purpose of

cross-border halal assurance governance is to build global trust, guarantee the availability of safe food, foster a modern halal industry ecosystem, and elevate human dignity through ethical, clean, healthy, and equitable consumption (Auda, 2008; B.P.J.P.H., 2025). By focusing on this purposefulness, both authorities can formulate joint oversight protocols that are adaptive, transparent, and publicly accountable (B.P.J.P.H., 2025; B.P.J.P.H., 2023).

Based on the six systemic features outlined above, the reconstruction of cross-border halal governance between Indonesia and Malaysia must not cease at the philosophical level or remain confined to abstract, normative policy recommendations (Chasani, 2022; Alamsyah et al., 2025). To produce a model that is fully operational on the ground, all of these contemporary systemic features are manifested into a blueprint for a new governance architecture termed the *Transnational Halal Trust Network* (THTN). This THTN model functions practically through three transnationally integrated operational protocols driven by digital systems.

The first protocol is the cross-border automated clearing house registration protocol, which operationalizes the features of *openness* and *interrelated hierarchy* to bypass the manual bureaucratic dissonance associated with Foreign Halal Certificate Registration (RSHLN). Mechanically, the moment JAKIM issues a digital halal certificate via the MyEHalal platform, the system automatically transmits a secure data payload through an open Application Programming Interface (API) directly to BPJPH's SIHALAL database. Through this systemic interoperability, the authenticity of documents can be verified instantly, and the RSHLN number is issued within less than five minutes, thereby eliminating the need for manual physical document audits or redundant field inspections that have historically served as non-tariff trade barriers for the industry (Gagnon & Labonté, 2013; Indiharwati, 2025).

Furthermore, as a resolution to systemic vulnerabilities such as the porcine DNA contamination case in April 2025, the feature of *wholeness* is operationally manifested through a joint post-market surveillance protocol (joint risk assessment) under the management of the Joint Post-Market Surveillance Committee. The workflow of this committee is structured into three rigid execution chains, beginning with the detection stage, where accredited laboratories under the coordination of BPJPH-BPOM and JAKIM conduct periodic molecular peptide sampling at the commercial ports of entry of both nations (Suhaimie, 2025; Heryani, 2025). If critical contamination indicators are discovered, the system advances to the notification stage by triggering an automated blockchain-based early warning alert

broadcasted directly to the customs networks of both countries within 24 hours. This chain culminates in the execution stage, comprising targeted product recall operations in the market executed precisely only on the specific batch numbers recorded within the blockchain ledger, thereby ensuring that the reputation of other uncontaminated product lines remains securely protected.

Finally, based on the feature of *multidimensionality*, this model implements the MSME Fast-Track Economic Inclusion Protocol, which enforces strict regulatory differentiation to protect grassroots economic actors (Pardiansyah et al., 2022; Gunawati et al., 2025). Through this protocol, a dedicated logistical and regulatory channel termed the ASEAN Halal Green Lane is established to accommodate processed food products derived from non-critical raw materials, such as plant-based and horticultural products, produced by MSMEs. MSME actors within this category are entirely exempted from cross-border registration fees through a cross-subsidization mechanism funded by the jointly managed Halal Development Fund, thereby ensuring economic distributive justice and business sustainability at the grassroots level (Fahrullah et al., 2024; Nisa et al., 2025).

Theoretically, this article contributes significantly to expanding the epistemology of Jasser Auda's contemporary *Maqasid al-shari'ah* systems theory. While discussions surrounding Auda's systems theory have historically been tested primarily within the realms of Islamic family law (*ahwal al-shakhsiyah*) or Islamic political critique (*siyasah shar'iyah*), this study demonstrates that Auda's six systemic features are highly valid and applicable for dissecting the complexities of international economic law, cross-border supply chain management, and modern public policy (Alamsyah et al., 2025; Wahab & Mahdiya, 2026). This study successfully formulates a theoretical bridge between theological values (*halalan thayyiban*) and modern technological instruments (*blockchain* and DNA forensics) (Heryani, 2025; Riani et al., 2025). Furthermore, at the practical-regional level, this operational reconstruction of the THTN between Indonesia and Malaysia can be adopted as an initial blueprint for the *ASEAN Working Group on Halal Food* (AWGHF). The success of this bilateral model will serve as a vital precedent for realizing the *ASEAN Halal Common Market* (Ramadini, 2025; Herianti et al., 2023). Through harmonized, interoperable standards, the Southeast Asian region will not only function as a consumption market but can also emerge as a singular epicenter dictating the trajectory of global halal standardization amidst the market penetration of the non-Muslim world.

Through the integration of these three protocols, the THTN model serves not merely as a conceptual proposition, but rather as a tactical blueprint capable of transforming the regional halal product assurance landscape. This model substantially overhauls the inherent vulnerabilities of conventional halal assurance systems, which are typically fragmented and rigid (Tieman & Ghazali, 2020; Mubarak & Imam, 2020). To provide a comprehensive mapping of the operational distinctions resulting from this reconstruction, a rigid comparison between the characteristics of the legacy governance model—which operates unilaterally—and the newly integrated, dynamic architecture of the THTN is presented in detail in the Table below;

Tabel 3: Operational Comparison Between the Legacy Silo System and the Reconstructed Transnational Halal Trust Network (THTN) Model

Operational Dimension	Legacy Governance Model	New Reconstruction Model: Transnational Halal Trust Network (THTN)
Registration Mechanism & Document Workflow	Physical or digital export documents are reviewed unilaterally; RSHLN processing is time-consuming and triggers non-tariff barriers.	Direct interoperable API integration between SIHALAL (BPJPH) and MyEHalal (JAKIM); instant RSHLN issuance within less than 5 minutes.
Data Infrastructure & Traceability	Databases are fragmented within each national jurisdiction; lack of cross-border transparency in raw material supply chain logistics.	Immutable, transparent raw material supply chain data ledger recording, co-accessible in real-time.
Post-Market Surveillance Protocol	Excessive focus on pre-market document audits; contamination crises are detected casuistically only after products have already been consumed by the public.	Early detection via periodic molecular peptide sampling at commercial ports executed by the Joint Committee.
Crisis Notification Management	Product recall coordination is conducted via manual-bureaucratic channels after contamination has widely spread across the open market.	The system distributes an automated blockchain-based early warning alert to the customs networks of both nations within 24 hours.
Execution Impact of Recalls	Product recalls tend to be sweeping and mass-scale, thereby damaging the overall reputation of all product lines under the same brand.	Targeted, localized, and limited product recalls executed precisely only on specific batch numbers recorded as contaminated within the system.

Regulatory Differentiation for Economic Actors	Administrative standards are uniformly applied to both large corporations and MSMEs; high export costs squeeze small-scale enterprises.	Fast-track logistical channels and RSHLN fee exemptions for non-critical MSME products funded by the cross-subsidized Halal Development Fund.
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The mapping presented in Table 3 clearly demonstrates that the *Transnational Halal Trust Network* (THTN) architecture successfully bridges conventional bureaucratic divides through the convergence of digital technology and adaptive renewals within Islamic law. By transforming the halal assurance paradigm from a static-protectionist pattern into a dynamic ecosystem for the socio-economic development of the Muslim community (*tanmiyah*), this reconstruction not only addresses technical-institutional challenges but also restores the essence of ultimate public interest (*al-maṣlaḥah al-ḥaqīqīyyah*) which constitutes the primary objective of Sharia. The THTN no longer positions halal standardization as an instrument to restrict bilateral trade, but rather as a cross-border ecosystem that guarantees consumer protection while simultaneously fostering distributive justice for grassroots small-scale enterprises. Through the implementation of this operational blueprint, BPJPH and JAKIM possess a strategic opportunity to lay a new foundation for a regional halal industrial governance that is competitive, secure, and fully sovereign on the global stage.

CONCLUSION

The reconstruction of cross-border halal governance between Indonesia and Malaysia through the analysis of Jasser Auda’s contemporary *Maqasid al-shari’ah* systems theory provides a theoretical and practical framework that is both solution-oriented and transformative. The operational and administrative barriers that have historically reduced the effectiveness of the 2023 Memorandum of Cooperation (MoC) tangibly demonstrate that a conventional-static halal assurance approach, which fixates purely on passive protection (*ḥifẓ*), is no longer adequate to address the complexities of modern transnational industries. The bilateral porcine DNA contamination crisis in April 2025 serves as a costly empirical testament to the vulnerability of pre-market surveillance systems when unsupported by real-time traceability infrastructure and dynamic, interoperable scientific-technological collaboration. By synthesizing the Policy Analysis Circle framework with a systems perspective, this study does not merely stop at normative policy recommendations, but successfully formulates a new operational blueprint termed the *Transnational Halal Trust*

Network (THTN) for concrete implementation by BPJPH in Indonesia and JAKIM in Malaysia.

Operationally, this systemic reconstruction is manifested through three primary protocol pillars designed to function organically and digitally on the ground. The first protocol involves regulatory alignment and policy differentiation through an Automated Clearing House scheme, wherein the open API integration between the SIHALAL and MyEHalal platforms is capable of instantly issuing Foreign Halal Certificate Registration (RSHLN) numbers within less than five minutes. This blockchain-based digitalization step successfully bypasses manual bureaucracy and redundant field inspections, which have historically acted as non-tariff barriers detrimental to regional trade flows. The second protocol entails strengthening post-market capacity through the establishment of the Joint Post-Market Surveillance Committee. This committee operationalizes a rigid crisis mitigation chain, spanning from periodic molecular peptide detection at ports of entry and the automated broadcast of early warning alerts within 24 hours to customs networks, to targeted product recall executions restricted precisely to the affected batch numbers in order to safeguard the overall reputation of the halal industry. Furthermore, the third protocol focuses on economic distributive justice through the ASEAN Halal Green Lane, a regulatory differentiation scheme that exempts cross-border registration fees for non-critical MSME products through cross-subsidization from the Halal Development Fund.

Ultimately, this systemic reconstruction framework through the THTN model offers fundamental academic implications for expanding the epistemology of Islamic law, broadening the application of Jasser Auda's systems theory from mere critiques of family law into the architecture of international economic law and global supply chain governance. At the regional level, this operational collaboration model carries strategic policy implications, serving as an initial blueprint for the *ASEAN Working Group on Halal Food* (AWGHF) to realize the establishment of the *ASEAN Halal Common Market*. Through science-based integration, technological openness, and a holistic commitment to public interest (*maṣlahah*), the landscape of halal product assurance in Southeast Asia is fully transformed—moving away from fragmented, protectionist administrative barriers toward a universal language of premium quality, wholesomeness (*ṭayyib*), ethical justice, consumption safety, and a reputation of trust sovereignly recognized on the global stage.

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