

**LEGAL AWARENESS OF RETAIL SERVICE BUSINESS ACTORS ON
HALAL CERTIFICATION OBLIGATIONS BASED ON PP NUMBER 42
OF 2024 MASLAHAH PERSPECTIVE**

(Study on retail business actors in Batu city)

THESIS

BY:

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MALANG
2025**

STATEMENT OF AUTHENTICITY

In the name of Allah,

With consciousness and responsibility toward the development of science, the writer declares that thesis entitled:

**LEGAL AWARENESS OF RETAIL SERVICE BUSINESS ACTORS ON
HALAL CERTIFICATION OBLIGATIONS BASED ON PP NUMBER 42
OF 2024 MASLAHAH PERSPECTIVE (Study on retail business actors in
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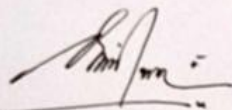
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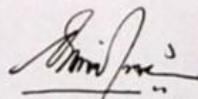
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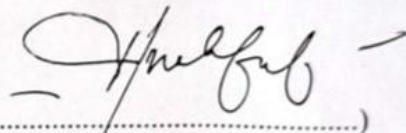
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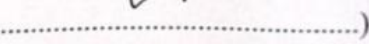
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MOTTO

وَيُجِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

And makes lawful for them all that is good, and forbids them all that is bad.

(QS. Al-A'raf ayat 157)

Id perfectum est quad ex omnibus suis partibus constant

“Something is perfect when every part is complete”

(Adagium Hukum)

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This thesis is prepared to fulfill the final assignment of students to obtain a bachelor of law degree in the Sharia Economic Law Study Program, Faculty of Sharia, UIN Maulana Malik Ibrahim Malang. Of course, the success of writing this thesis cannot escape the guidance, direction, assistance and motivation of various parties. Therefore, on this occasion the author would like to thank:

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With the completion of writing this thesis, it is hoped that the knowledge gained by the author during his education at UIN Maulana Malik Ibrahim Malang can be useful both in the world and in the hereafter. The author realizes that the writing of this thesis is far from perfect and is not free from mistakes, therefore the author asks for suggestions and criticisms that can be constructive for future improvements.

Malang, 10th April 2025

Author

A handwritten signature in dark ink, appearing to be 'Adelia Masitho Dewi', written in a cursive style.

Adelia Masitho Dewi
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TRANSLITERATION GUIDELINES

In writing scientific papers, the use of foreign terms is often inevitable. In general, according to the General Guidelines for Indonesian Spelling, foreign words are written (printed) in italics. In the context of Arabic, there are special transliteration guidelines that apply internationally. The following table presents the transliteration guidelines as a reference for writing scientific papers. Arabic-Indonesian transliteration of the Faculty of Sharia UIN Maulana Malik Ibrahim Malang is guided by the Library of Congress (LC) model of the United States as follows:

Arab	Indonesia	Arab	Indonesia
ا	'	ط	ṭ
ب	b	ظ	ẓ
ت	t	ع	'
ث	th	غ	gh
ج	j	ف	f
ح	h	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	و	w

س	s	هـ	h
ش	sh	ع	'
ص	s	ي	y
ض	d		

To indicate a long vowel sound (madd), the method is to write a horizontal streak above the letter, such as ā, ī and ū. (و, ي, ا). Arabic double vowels are transliterated by combining the two letters “ay” and “aw” such as layyinah, lawwāmah. Words ending in tā' marbūṭah and functioning as an adjective or muḍāf ilayh are transliterated with “ah”, while those functioning as muḍāf are transliterated with “at”.

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ABSTRAK

Adelia Masitho Dewi, 210202110065, 2025, **Kesadaran Hukum Pelaku Usaha Jasa Retail atas Kewajiban Sertifikasi Halal Berdasarkan PP Nomor 42 Tahun 2024 Perspektif Masalah (Studi pada Pelaku Usaha Retail Kota Batu)**. Skripsi Program Studi Hukum Ekonomi Syariah (Muamalah), Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Dosen Pembimbing: Dwi Hidayatul Firdaus, S.HI., M.HI

Kata Kunci: Kesadaran Hukum, Sertifikasi Halal, Retail, Masalah

Kewajiban akan sertifikasi halal tidak hanya mencakup pada proses produksi saja akan tetapi juga mencakup seluruh aktivitas supply chain guna memastikan kehalalan produk sampai pada tangan konsumen. Dalam Pasal 155 Peraturan pemerintah nomor 42 tahun 2024 disebutkan bahwa terdapat tujuh sektor yang wajib melakukan sertifikasi halal salah satunya adalah jasa retail. Kegiatan retail di Kota batu tidak hanya mencakup pada penjualan akan tetapi juga melibatkan aktivitas pengemasan ulang sehingga wajib untuk melakukan sertifikasi halal.

Penelitian ini akan berfokus pada kesadaran hukum pelaku usaha jasa retail sebagai salah satu supply chain yang juga wajib memiliki sertifikasi halal yang dikaji dengan perspektif Peraturan Pemerintah nomor 42 tahun 2024 serta perspektif masalah dengan tujuan untuk menilai sejauh mana kesadaran hukum pelaku usaha retail atas kewajiban sertifikasi halal tersebut.

Penelitian ini merupakan penelitian yuridis empiris dengan menggunakan pendekatan yuridis sosiologis. sumber data yang digunakan ada dua macam yakni sumber data primer dan juga sekunder yang didapatkan melalui metode wawancara dan juga studi literatur. Data-data tersebut akan diolah dengan beberapa tahap yakni pemeriksaan data, klasifikasi, verifikasi, analisis dan kesimpulan.

Hasil Penelitian ini menunjukkan bahwa kesadaran hukum pelaku usaha retail yang ada di Kota Batu masih terbilang cukup rendah, dari 6 narasumber yang diwawancara hanya terdapat 1 pelaku usaha retail yang telah memenuhi indikator kesadaran hukum dengan baik. Dengan kesadaran hukum yang rendah maka hal ini juga tidak sejalan dengan prinsip-prinsip kemaslahatan yakni menjaga tujuan dari syariat islam seperti Hifdz Din, Hifdz Mal dan Hifdz Nafs.

ABSTRACT

Adelia Masitho Dewi, 210202110065, 2025, **Legal Awareness of Retail Service Business Actors on Halal Certification Obligations Based on PP Number 42 of 2024 Maslahah Perspective (Study on Batu City Retail Business Actors)**. Thesis Sharia Economic Law Department (Muamalah), Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang. Supervisor: Dwi Hidayatul Firdaus, S.HI., M.HI.

Keyword: Legal Awareness, Halal Certification, Retail, Maslahah

The obligation for halal certification does not only cover the production process but also covers all supply chain activities to ensure the halalness of products to consumers. In Article 155 of Government Regulation number 42 of 2024, it is stated that there are seven sectors that are required to carry out halal certification, one of which is retail services. Retail activities in Batu City not only include sales but also involve repackaging activities so that it is mandatory to carry out halal certification.

This research will focus on the legal awareness of retail service businesses as one of the supply chains that are also required to have halal certification which is studied from the perspective of Peraturan Pemerintah number 42 of 2024 and the perspective of maslahah with the aim of assessing the extent of legal awareness of retail business actors of the halal certification obligation.

This research is an empirical juridical research using a sociological juridical approach. There are two kinds of data sources used, namely primary and secondary data sources obtained through interview methods and also literature studies. The data will be processed with several stages, namely data examination, classification, verification, analysis and conclusion.

The results of this study indicate that the legal awareness of retail business actors in Batu City is still quite low, from 6 interviewees there is only 1 retail business actor who has fulfilled the indicators of legal awareness well. With low legal awareness, this is also not in line with the principles of maslahah, namely maintaining the objectives of Islamic law such as Hifdz Din, Hifdz Mal and Hifdz Nafs.

مستخلص البحث

أديليا ماسيثو ديوي، ٢٠٢٥/٢٠٢١/٢٠٢١، الوعي القانوني للجهات الفاعلة في مجال خدمات التجزئة في مجال أعمال التجزئة بشأن التزامات شهادة الحلال بناءً على اللائحة الحكومية رقم ٤٢ لعام ٢٠٢٤ من منظور المصلحة (دراسة على الجهات الفاعلة في مجال أعمال التجزئة في مدينة باتو). أطروحة قسم القانون الاقتصادي الشرعي (المعاملات)، كلية الشريعة، جامعة مولانا مالك إبراهيم الإسلامية الحكومية مالانج. المشرف: دوي هداية الفردوس، ماجستير في الشريعة الإسلامية.

الكلمات المفتاحية: الوعي القانوني، شهادة الحلال، البيع بالتجزئة، المصلحة

لا يغطي الالتزام بالحصول على شهادة الحلال عملية الإنتاج فحسب، بل يغطي أيضًا جميع أنشطة سلسلة التوريد لضمان حلال المنتج الذي يصل إلى المستهلكين. وقد ورد في المادة ١٥٥ من اللائحة الحكومية رقم ٤٢ لعام ٢٠٢٤ أن هناك سبعة قطاعات مطلوبة لتنفيذ شهادة الحلال، أحدها خدمات البيع بالتجزئة. لا تشمل أنشطة البيع بالتجزئة في مدينة باتو سيتي المبيعات فحسب، بل تشمل أيضًا أنشطة إعادة التعبئة والتغليف، لذا فإن تنفيذ شهادة الحلال إلزامي.

وسيركز هذا البحث على الوعي القانوني لشركات خدمات التجزئة باعتبارها إحدى سلاسل التوريد التي يجب أن تكون حاصلة على شهادة الحلال والتي تتم دراستها من منظور اللائحة الحكومية رقم ٤٢ لعام ٢٠٢٤ ومنظور المصلح بهدف تقييم مدى الوعي القانوني للجهات الفاعلة في مجال تجارة التجزئة بالالتزام بشهادة الحلال .

هذا البحث عبارة عن بحث فقهي تجريبي باستخدام منهج فقهي اجتماعي، وهناك نوعان من مصادر البيانات المستخدمة، وهما مصادر البيانات الأولية والثانوية التي تم الحصول عليها من خلال أساليب المقابلات وكذلك الدراسات الأدبية. ستتم معالجة البيانات من خلال عدة مراحل، وهي فحص البيانات وتصنيفها والتحقق منها وتحليلها واستنتاجها.

تشير نتائج هذه الدراسة إلى أن الوعي القانوني للجهات الفاعلة في مجال تجارة التجزئة في مدينة باتو لا يزال منخفضًا جدًا، فمن بين 6 أشخاص تمت مقابلتهم هناك جهة واحدة فقط من الجهات الفاعلة في مجال تجارة التجزئة التي استوفت مؤشرات الوعي القانوني بشكل جيد. ومع انخفاض الوعي القانوني، فإن هذا أيضًا لا يتماشى مع مبادئ المصلحة، أي الحفاظ على مقاصد الشريعة الإسلامية مثل: حفظ الدين وحفظ المال وحفظ النفس.

CHAPTER I

INTRODUCTION

A. Background

The halal product sector is now a new opportunity to boost economic growth and development. In recent years, consumer awareness about halal products has increased. Where the halal products they consume are no longer just food and drinks but also penetrate into the world of cosmetics, pharmaceuticals and financial services.¹ This is because halal products not only provide benefits to Muslims, but countries with Muslim minorities also contribute to the development of the halal industry. With the increasing demand for halal products, the government responded by developing a halal certification system to ensure that products circulating in the market have met halal standards according to Islamic law.²

The enforcement of halal product guarantees is now increasingly intensively carried out by the government, considering that Indonesia is a country where the majority of the population is Muslim.³ It aims to provide security, safety, and comfort for all consumers, especially for Muslim

¹ Japar, Rahayu, Idris Paraikkasi, and Cut Muthiadin. " THE ROLE OF HALAL CERTIFICATION BODIES IN BUILDING THE HALAL ECOSYSTEM: CHALLENGES AND OPPORTUNITIES " *International Journal Mathla'ul Anwar of Halal Issues* 4, no. 2 (2024): 34 <https://journal.halalunmabanten.id/index.php/ijma/article/view/111/92>

² Soemitra, Andri, and Zuhri M. Nawawi. "Literature Study on the Implementation of Halal Certification of MSME Products." *EMT KITA Journal* 6, no. 1 (2022): 119 <https://doi.org/10.35870/emt.v6i1.541>

³ Nur, Fatimah. "Halal product assurance in Indonesia for Muslim consumers." *Likuid Journal of Halal Industry Economics* 1, no. 1 (2021): 44 <https://journal.uinsgd.ac.id/index.php/likuid/article/view/12732/5599>

consumers and increase added value for business actors to produce and sell halal products.⁴

In this effort, the government has formulated regulations through Law Number 33 of 2014 concerning Halal Product Guarantee. In addition, Peraturan Pemerintah Number 39 of 2021 Jo Peraturan Pemerintah Number 42 of 2024 concerning the Implementation of Halal Product Guarantee (JPH) was also formed where one of the significant changes in this regulation is the transition in the status of halal certification, which was previously voluntary for business actors, is now mandatory.⁵

Halal certification itself is an effort to obtain a halal certificate by going through several stages of examination to prove that the raw materials, production process, and product halal assurance system at a company are in accordance with the established standards. Halal certification involves a series of examinations carried out by auditors who have competition in this field, then the halal status is determined by the MUI fatwa institution so that later a halal product statement will be created with a halal certificate issued by BPJPH.⁶

⁴ Astuti, Mirsa Halal Product Development in Fulfilling the Halal Lifestyle." *IURIS STUDIA: Journal of Legal Studies* 1, no. 1 (2020): 18

<https://jurnal.bundamedia grup.co.id/index.php/iuris/article/view/16/4>

⁵ Efendi, Ahmad, M. Abdut Tawwab, Siradjuddin Siradjuddin, and Asriadi Arifin. "The Legal Basis of Shar'i and Positive Law of Halal Haram in the Indonesian Halal Product Industry." *Journal of Islamic Economic and Law (JIEL)* 1, no. 1 (2024): 14

<https://jurnal.kalimasadagroup.com/index.php/jiel/article/view/514/476>

⁶ Mulyono, Agus and Yahya Rachmana Hidayat, "IMPLEMENTATION OF HALAL CERTIFICATION POLICY INDONESIA" *Res Publica: Journal Of Social Policy Issues*, no. 1 (2022): 2 <https://intropublicia.org/index.php/rp>

In Law Number 33 of 2014 Article 1 states that a product can be categorized as halal if it meets the provisions stipulated by Islamic law, where halal means everything that is permitted for use or consumption.⁷ In addition, Law Number 33 of 2014 states that a product is said to be halal not only includes the product or goods but also includes all supply chain activities including various services related to halal product management.⁸

Article 155 of Peraturan Pemerintah Number 42 of 2024 concerning the Implementation of Halal Product Guarantee states that products that must be halal certified consist of goods or services. There are seven sectors that are obliged to carry out halal certification, including slaughter services, processing services, storage services, packaging services, distribution services, sales services and presentation services. The seven types of services are only subject to halal certification obligations when handling food, beverages, medicine and cosmetics. That way, if the seven types of services do not handle food, beverages, medicine and cosmetics, there is no obligation to carry out halal certification.⁹

One of the services that are required to be halal certified is sales services or can be called retail services. Retail or retail sales can be defined as activities

⁷ Sup, Devid Frastiawan Amir, Annas Syams Rizal Fahmi, Faridl Noor Hilal, and Muhammad Irkham Firdaus. "Dynamics of Halal Certification Regulation in Indonesia." *JESI (Jurnal Ekonomi Syariah Indonesia)* 10, no. 1 (2020): 36

<https://ejournal.almaata.ac.id/index.php/JESI/article/view/1332>

⁸ Suastrini, Fatana. " HALAL LOGISTICS MANAGEMENT." *Nusantara Hasana Journal* 2, no. 9 (2023): 261 <https://nusantarahasanaajournal.com/index.php/nhj/article/view/838/682>

⁹ <https://bpjph.halal.go.id/detail/bpjph-tegaskan-sertifikasi-halal-untuk-jasa-pendistribusian-bukankendaraan-pengangkut> accessed on January 19, 2025

related to the sale of products or services directly to end consumers for personal needs, not for resale.¹⁰ Retail business actors are an important part of the supply chain which is the link between the initial producer and consumers directly. The retail business itself can be in the form of shops, supermarkets or hypermarkets and can be managed independently or in the form of franchises.

Halal certification of retail services includes the process of handling the flow of products or materials that must be free from unclean and non-halal products that can contaminate halal products. This also includes the entire process from warehousing, distribution (receipt of goods), handling, storage, to display. In other words, every halal-certified product must be guaranteed to be free from unclean until it reaches consumers.¹¹ Not infrequently, retail service activities also involve the process of packaging products in smaller packages and also labeling the trademarks of business actors that increase attractiveness and make them distinctive from other business actors.

According to BPJPH data as of September 2024, there are 48 retailer companies that have received halal certification. Of these, 28 retailer companies have been certified halal through LPPOM inspection. To support the WHO 2024 program initiated by the government, LPPOM continues to implement

¹⁰ Panjaitan, Mela Novaliska, and Ronda Deli Sianturi. "Implementation of Retail Management Strategy to Improve Village Economy." *Journal of Accounting, Management and Economics (Jasmien)* 4, no. 03 (2024): 37 <https://journal.cattleyadf.org/index.php/Jasmien/article/view/498/34>

¹¹ Yana "Selling Non-Halal Products, Retailer Services Still Require Halal Certification" LPPOM MUI, October 3, 2024, accessed on January 4, 2025 <https://halalmui.org/jual-produk-non-halal/jasa-retailer-tetap-wajib-sertifikasi-halal/>

various programs and services to accelerate halal certification for retailer services.¹²

The city of Batu, which is one of the tourism cities with high economic activity, in terms of halal product sales services such as food, drinks, medicines and halal cosmetics, is still dominated by business actors who do not have halal certificates. Based on data obtained from the Batu City Halal Task Force in 2024, only 4 retail or retail trade businesses have halal certificates.¹³ Meanwhile, when referring to BPS Batu City data in 2021, the total number of trade businesses engaged in food and beverage sales services in Batu City reached 39 business actors.¹⁴ From this number, it can be seen that the percentage of halal-certified business actors only reaches 12% of the total number of business actors in Batu City.

With these problems, it is important to conduct research related to "LEGAL AWARENESS OF RETAIL SERVICE BUSINESS ACTORS ON HALAL CERTIFICATION OBLIGATIONS BASED ON PP NUMBER 42 OF 2024 MASLAHAH PERSPECTIVE" with the minimum number of business actors registering retail halal certification, this will also have an impact on the growth of the halal economic industry that has been launched by the government to ensure consumer safety and trust.

¹² Yana "Selling Non-Halal Products, Retailer Services Still Require Halal Certification" LPPOM MUI, October 3, 2024, accessed on January 4, 2025 <https://halalmui.org/jual-produk-non-halal/jasa-retailer-tetap-wajib-sertifikasi-halal/>

¹³ Halal Task Force data, January 2, 2025 by Mr. didik

¹⁴ <https://batukota.bps.go.id/id/statistics-table/1/MTM4NyMx/banyaknya-pemilik-surat-ijin-usahaperdagangan-menurut-jenisnya-di-kota-batu--2021.html> accessed on January 4, 2025

This research is expected to be able to provide insight to business actors and the public regarding the importance of retail halal certification to ensure product halalness and be able to analyze the challenges faced by retail businesses in carrying out the halal certification obligation itself. This research is expected to not only be academically useful but also as a study that provides strategic steps to increase the legal awareness of retail business actors on the obligation of halal certification so that it can support the development of the halal industry in Indonesia.

B. Problem Formulation

With reference to the background previously described, the problems that will be discussed in this study are formulated, namely:

1. How is the legal awareness of business actors in the retail service sector in Batu City towards halal certification obligations based on Peraturan Pemerintah Number 42 of 2024?
2. How is the legal awareness of business actors in the retail service sector in Batu City towards halal certification obligations in terms of a maslahah perspective?

C. Research Objectives

With reference to the problem formulation previously described, the objectives of this research are:

1. To find out how the legal awareness of business actors in the retail service sector in Batu City towards halal certification obligations based on Peraturan Pemerintah Number 42 of 2024.
2. To find out how the legal awareness of retail service sector business actors towards the obligation of halal certification in terms of maslahah perspective.

D. Research Benefits

This research is expected to provide benefits both theoretically and practically which will be described as follows:

1. Theoretical Benefits

The results of this study are expected to be able to provide benefits in the form of adding scientific insight into the legal awareness of retail service business actors on halal certification obligations. In addition, this research can also contribute to the development of sharia economic law science, especially related to halal certification in retail services that have not fully received attention by the government, business actors and the public.

2. Practical Benefits

a. For the Government

This research can be used as a reference material for the development of halal certification policies, especially in the retail service sector which has not received much attention. By formulating a more

effective extension program, as well as creating mechanisms that support easy access for retail service businesses in obtaining halal certification. Thus, it is hoped that halal certification of retail services can be applied more widely and optimally.

b. For Business Actors

This research can add insight and legal responsibility to retail service sector businesses to obtain halal certification in accordance with applicable policies, this of course not only provides benefits for legal compliance but can increase the reputation and consumer confidence in halal-certified retail service sector businesses.

c. For the Community

Halal certification in the retail service sector can facilitate the public in buying halal products that are in accordance with Islamic law without worrying about mixing a halal product with non-halal. So that the existence of halal certification also provides a guarantee of safety and comfort of products that are more maintained halal.

E. Operational Definition

1. Legal Awareness

Legal awareness is the way people view a law, about what should be done and not done against the law, as well as respect for the rights of others which means that legal awareness contains an attitude of tolerance. In this study, legal awareness is associated with the obligation of halal

certification of retail services, where currently the obligation for halal certification is not only limited to products but also to all supply chain activities to ensure product halalness is maintained. Legal awareness will be an important factor in ensuring the implementation of halal certification obligations for retail services runs effectively.

2. Halal Certification

Halal certification is an acknowledgment of the halalness of a product issued by BPJPH (Halal Guarantee Organizing Agency) as an institution authorized to issue halal certification. Conducting halal certification is an obligation for business actors engaged in processed food, beverages, medicine, cosmetics, chemical and biological products, genetically engineered products and used goods that are used, used or utilized.

The obligation for halal certification is contained in Article 4 of Law Number 33 of 2014 concerning Halal Product Guarantee and also in Peraturan Pemerintah Number 39 of 2021. The obligation of halal certification does not only apply to business actors providing goods but also applies to providers of slaughter, processing, storage, packaging, distribution, sales and/or presentation services. In the context of this research, retail services can be classified as sales services, where retail services also handle the flow of sales of a product so that they are still obliged to carry out halal certification.

3. Retail Services

Retail services are one of the sales services offered by third parties as service providers to help the buying and selling process of products or goods. This service is usually offered by individuals or companies that have competence in marketing, offering and selling products or services to consumers. Retail services are the process of selling goods or products directly to end consumers for personal or household needs in small quantities. Retail businesses can be physical stores or online platforms, which sell various types of products such as clothing, food, electronics, and other consumer goods. In the context of this research, retail is a business that markets halal products such as food and beverages.

4. Maslahah

Maslahah in Arabic means anything that is beneficial to humans. This can be an action that brings good, such as profit or pleasure, or it can be an action that avoids damage or harm, such as rejecting harmful things. It can be seen that maslahah includes two things: first, that which brings benefit or goodness, and second, that which avoids or mitigates damage.

In terms of terms, maslahah means the effort to bring about good or avoid things that can harm. In other words, maslahah focuses on efforts to create benefits and protect from damage. In the context of this research, maslahah is used to assess how the legal awareness of retail service business actors on the obligation of halal certification can provide benefits

to the public or consumers, especially for Muslims to ensure security in consuming halal products in accordance with Islamic law.

F. Systematization Of Writing

The systematics of discussion in research is needed to make it easier to understand the content and direction of research entitled "LEGAL AWARENESS OF RETAIL SERVICE BUSINESS ACTORS ON HALAL CERTIFICATION OBLIGATIONS BASED ON PP NUMBER 42 OF 2024 MASLAHAH PERSPECTIVE (Study on Batu City Retail Business Actors)" then the author divides it into five chapters which will be further explained as follows:

Chapter I Introduction, in this chapter the author describes the background of the urgency of conducting this research so as to produce a problem formulation that is the focus of study in this study. In addition, this chapter will also explain the objectives of the research, the benefits obtained both theoretically and practically. And to clarify the study, this chapter also includes an operational definition that provides a more detailed description of the discussion to be carried out, and the last part is the discussion system.

Chapter II Literature Review, in this chapter includes previous research in the form of theses, books and journals that have relevance to this research by describing the similarities and differences between previous research and this research so that interesting legal gaps will be found to be researched. In

addition, there is also a theoretical study that will be the basis for analyzing and processing data in the preparation of this writing until the end.

Chapter III Research Methods, this chapter will describe the methods used by researchers to compile this research which includes the type of research, research approach, research location, data sources, data collection techniques and techniques in analyzing data.

Chapter IV Research Results and Discussion, this chapter will describe in full and in detail the data that has been obtained during the field interview process. So that facts can be found in the field and answer the problems raised related to the legal awareness of sales service business actors (retail) on the obligation of halal certification from a maslahah perspective (Study on Batu City Retail Business Actors).

Chapter V closes, in this chapter will contain conclusions that contain a summary and findings from all the discussion and analysis carried out previously. In addition, there are suggestions that contain constructive ideas for parties related to this research.

CHAPTER II

LITERATURE REVIEW

A. Previous Research

Previous research is an important part of research writing, by describing previous research that has relevance to each other, it will produce legal gaps that can be used as new research, this also aims to avoid plagiarism in a study. Some of the previous studies are:

1. Research written by Nadya Rishelin, Romadhani Ardhi and Ismet Suryadi in 2023 entitled "Development of a Meat Supply Chain Halal Risk Management Assessment Criteria Model in the Downstream Section in Indonesia" This research uses quantitative research with data collection sources with 2 types of data, namely primary data obtained from questionnaire data derived from expert opinions at the risk identification stage, risk prioritization and validation of the development of assessment criteria models, and secondary data is halal supply chain risk data derived from literature studies. The results of this study found 44 assessment criteria to ensure the halalness of the meat supply chain in Indonesia. These criteria were developed from existing standards at LPPOM MUI. One important addition is the criteria for logistics and storage, as previously there has been no detailed explanation of how these two aspects can affect

the halalness of the product. With these criteria, it is hoped that the process of shipping and storing meat can be more assured of its halalness.¹⁵

2. Research written by Moch Mahsun, Nur Hasib, Moh Sohib, Nelly Anisatul Qoriah and Solichah in 2022 entitled "Literacy Review of Traceability Supply Chain Process as Part of Product Assurance and Halal Industry" This research uses qualitative methods and literature analysis to explore information related to traceability practices in the halal supply chain. Data was collected from various sources, including articles, journals, and documents related to the halal industry. The results showed that good traceability implementation can increase consumer confidence and ensure product halalness. In addition, this study found that the development of an integrated traceability system in the context of Industry 4.0 can provide a more efficient solution in monitoring the halalness of products, both before and after halal certification. This research also emphasizes the importance of collaboration between certification bodies, manufacturers, and other related parties in maintaining halal quality and integrity throughout the supply chain.¹⁶

¹⁵ Rishelin, Nadya, Romadhani Ardi, and Ismet Suryadi. "Development of Halal Risk Management Assessment Criteria Model for Meat Supply Chain in the Downstream Section in Indonesia." *Journal of Research and Application of Industrial Systems & Engineering (PASTI)* 17, no. 1 (2023): 126-137. https://www.researchgate.net/profile/Nadya-Rishelin/publication/373193079_Pengembangan_Model_Kriteria_Penilaian_Manajemen_Risiko_Halal_Supply_Chain_Daging_pada_Bagian_Downstream_di_Indonesia/links/64deec6bc5ff5cd0c399e4/Pengembangan-Model-Kriteria-Penilaian-Manajemen-Risiko-Halal-Supply-Chain-Daging-pada-Bagian-Downstream-di-Indonesia.pdf

¹⁶ Mahsun, Moch, Nur Hasib, and Moh Shohib. "Literacy Review of Traceability Supply Chain Process as Part of Product Assurance and Halal Industry." In *Proceedings of Annual Conference for Muslim Scholars*, vol. 6, no. 1, pp. 176-188. 2022. <https://doi.org/10.36835/ancoms.v6i1.454>

3. Research written by Kintan Mawarni in 2022 entitled "Proposed Risk Mitigation in Halal Supply Chain Management with the House Of Risk Approach (Case Study of UKM Kampoeng Timoer)" this research uses the House Of Risk (HOR) method. The research begins by identifying risk events, analyzing potential sources of risk to product halalness. Then the priority order of risk mitigation is evaluated against halal products and a risk mitigation design is carried out against the halalness of the product. After the research, 17 risk events and 15 risk sources were found in the supply chain flow of Kampoeng Timoer MSMEs. A total of 7 risk sources are the highest risk sources that can be given halal risk mitigation proposals. There are 9 halal risk mitigation proposals that can be made by Kampoeng Timoer MSMEs to reduce the emergence of risk sources, namely making SOPs according to halal standards, having more than 1 raw material supplier, carrying out routine cleaning, conducting thorough checks regarding the cleanliness and halalness of raw materials, adding employees, increasing the temperature in the raw material storage area, making work instructions both before and after production, choosing suppliers that guarantee halal quality, and separating shipments of products whose halalness is not clear.¹⁷
4. Research written by Faridatul Jannah in 2024 entitled "Legal Awareness of Business Actors Towards the Obligation of Halal Certification in Food from a Maslahah Perspective" This study aims to determine the understanding of

¹⁷ MAWARNI, KINTAN. "Proposed Risk Mitigation in Halal Supply Chain Management with the House of Risk Approach (Case Study of UKM Kampoeng Timoer)." (2022).

food business actors in the Sudimoro UMKM community in Malang City about the importance of halal certification, as well as understanding the maslahah perspective regarding the benefits of realizing this obligation. This research is a juridical-empirical research, using a qualitative approach. Data collection is done through interviews, questionnaires and documentation, then processed through the stages of editing, classification, verification, analysis, and conclusion drawing. Based on the results of the discussion, it shows that from the aspects of knowledge, legal understanding, attitudes and behavior patterns, the awareness of business actors in the Sudimoro MSME community is quite high. From a maslahah perspective, based on the level of maslahah, awareness and compliance with the Halal Product Guarantee Act is part of maslahah dharuriyyah, because halal and haram food is essential for the survival of consumers, especially in maintaining religion (hifdz ad-din) and soul (hifdz an-nafs) in accordance with the principles of maqashid sharia. Meanwhile, based on its development, halal certification is included in the category of maslahah mursalah, because there is no special evidence that specifically discusses halal certification and the benefits are real and felt together, both by business actors and consumers.¹⁸

5. Research written by Bustami Shidqi in 2022 entitled "Legal Awareness of Student Consumer Rights on Halal Product Guarantee" This type of

¹⁸ Jannah, Faridatul. "The legal awareness of business actors towards the obligation of halal certification in food from the perspective of Maslahah: Study in the SME Community Sudimoro Malang City." PhD diss., Maulana Malik Ibrahim State Islamic University, 2024.
<http://etheses.uin-malang.ac.id/64828/>

research is empirical legal research, because the author wants to examine and analyze how the application of law to students studying in the Sharia Economic Law study program at UIN Maliki Malang on halal product guarantees. The approach used in this research is juridical sociological with data collection techniques through questionnaires, questionnaires, and documentation studies. The results of the study Most students of the Sharia Economic Law study program at UIN Maliki Malang have legal awareness that is classified as good. This is shown through several indicators in the form of indicators of legal knowledge, legal understanding, legal attitudes and legal behavior. As for the implementation of legal awareness itself, it is shown by students always consuming halal and good food in places labeled halal. So that this agrees with maqashid sharia on hifzh nafs itself, namely the maintenance of the human soul. Students have implemented hifzh nafs when they want to consume food.¹⁹

6. Research written by Rosmianti in 2023 entitled "Legal Awareness of Chicken Slaughterhouse Business Actors (RPA) in North Bontang Against Halal Certification Obligations" This research uses descriptive qualitative research. Qualitative research procedures carried out by researchers produce descriptive data in the form of written and oral words originating from informants and behavior observed by researchers who aim to examine

¹⁹ Shidqi, Bustami. "Legal awareness of student consumer rights to guarantee Halal products: Case study on students of the Sharia Economic Law study program at UIN Maliki Malang." PhD diss., Maulana Malik Ibrahim State Islamic University, 2022. <http://etheses.uin-malang.ac.id/64828/>

the legal awareness of chicken slaughterhouse business actors (RPA) in North Bontang towards halal certification obligations. The results of the descriptive qualitative method used by researchers are adjusted between the opinions of informants and researchers. The results of this study indicate that the legal awareness of chicken slaughterhouse business actors towards halal certificate obligations, using awareness indicators, namely legal knowledge, legal understanding, legal attitudes and legal behavior. from the results of the study it can be concluded that RPA business actors in Bontang have not met the criteria for legal awareness indicators. This can be proven by the lack of knowledge of RPA business actors. One of the RPAs does not even know the halal certificate regulation, while others also do not understand how to register a halal certificate. Furthermore, it can be seen from the legal attitude of the chicken slaughterhouse business actors, that they accept the existence of halal certification for chicken slaughterhouses. However, none of these RPAs have a halal certificate or register a halal certificate.²⁰

7. Research written by Ratih Rahayu and Akhmad Yusup in 2022 entitled "Analysis of Legal Awareness and Protection of Business Actors against Consumers regarding Ownership of Halal Certificates" This research uses qualitative methods with an empirical legal approach. The data obtained is

²⁰ Rosmianti, Rosmianti. "Legal Awareness of Chicken Slaughterhouse Business Actors (RPA) in North Bontang Against Halal Certification Obligations." (2023).
<http://repository.uinsi.ac.id/handle/123456789/4017>

based on field data using data collection techniques of observation, interviews, and documentation. The results of this study indicate that the legal awareness of Ayam Sawce business actors towards ownership of halal certificates on ready-to-eat processed foods is to know and accept about halal certification and agree to the existence of laws that regulate the obligation to have a halal certificate, but do not understand the contents of the law and cannot prove ownership of halal certificates. As for the form of protection and guarantees of Ayam Sawce business actors against consumers regarding the halalness of ready-to-eat processed food products, the restaurant has provided protection and guarantees in accordance with laws and regulations such as using halal ingredients and providing compensation or compensation.²¹

8. Research written by Via Lutviana and Soleh Hasan Wahid in 2023 entitled "Legal Awareness of Food Industry Business Actors After the Implementation of the Free Halal Certification Program in the perspective of Maslahah" This research uses field research methods with a qualitative approach, which means that researchers make direct observations about the phenomena that occur in the field. While collecting data through interviews, documentation, and observation. Based on the results of the study, that business actors in Geger District, Madiun Regency have mostly

²¹ Rahayu, Ratih, and Akhmad Yusup. "Analysis of Legal Awareness and Protection of Business Actors against Consumers regarding Ownership of Halal Certificates." *Journal of Sharia Economic Research* (2022): 129-136. <https://doi.org/10.29313/jres.v2i2.1390>

taken good actions, but due to lack of knowledge, some of them do not realize that there are important rules that must be obeyed. According to the Maslahah review, the actions of business actors who are already aware of the law in terms of their content are in accordance with Maslahah 'Ammah, while business actors who are not aware of the law in terms of their content are included in Maslahah Khassah. And in maintaining consistency in terms of the level of importance including Maslahah Dhoruriyah.²²

9. Research written by Muhammad Efendi in 2023 entitled "Legal Awareness of Muslim Batik Business Actors Against the Obligation of Halal Certification in Tirto District, Pekalongan Regency" This research uses empirical juridical research, using a qualitative approach. The data collection technique uses primary data, namely data obtained directly from the field such as interviews, observations, and documentation. This study examines the level of legal awareness and the effectiveness of law enforcement related to halal products in batik. The results of the analysis concluded that: the level of legal awareness related to halal certification of batik business actors in Tirto Pekalongan District based on four indicators can be said to be classified as low. Because legal knowledge and understanding are low, it affects legal attitudes and behavior. This is

²² Lutviana, Via, and Soleh Hasan Wahid. "Legal Awareness of Food Industry Business Actors After the Implementation of the Free Halal Certification Program in the Perspective of Maslahah." *Journal of Legal Anthology* 3, no. 1 (2023): 33-52.
<https://doi.org/10.21154/antologihukum.v3i1.2262>

evidenced by the absence of batik business actors who register halal certification of their products. Regarding the effectiveness of law enforcement, it can be said to be ineffective. This is because there is no socialization to the village from law enforcement (BPJPH). So that it affects the legal compliance of batik business actors to comply with the rules for registering halal certification of their products.²³

10. Research written by Ari Purwita Kartika and Eny Sulistyowati in 2021 entitled "Legal Awareness of Coffee Shop Business Actors Regarding Halal Labels on Coffee Drink Sales Services in Malang City" This research uses empirical juridical methods using data collection techniques through observation and interviews. The research data analysis technique is descriptive analytical. Based on the results of research from 3 (three) coffee shop business actors in this study, they do not have legal awareness because of the four indicators that affect legal awareness are not fulfilled. The causes of legal unawareness of 3 (three) coffee shop business actors are due to educational factors and age factors. In addition to educational and age factors, the unawareness of business actors is due to the lack of socialization from the URAIS Division of the Ministry of Religion of East Java Province as the East Java Province Halal Certification Service Coordinator. Currently, supervision carried out by the section Head of the

²³ Erfandi, Muhammad. "Legal Awareness of Muslim Batik Business Actors Towards the Obligation of Halal Certification in Tirto District, Pekalongan Regency." PhD diss., KH Abdurrahman Wahid State Islamic University Pekalongan, 2023.
<http://etheses.uingusdur.ac.id/7188/>

URAIIS Division as the halal certification service coordinator to coffee shop owners who do not have halal certification and have not included a halal label on coffee beverage sales services in Malang City by means of preventive and repressive supervision.²⁴

TABLE 1.1

Previous Research

NO.	Title	Author and year	Equation	The difference
1.	Development of Halal Risk Management Assessment Criteria Model for Meat Supply Chain Downstream in Indonesia	Nadya Rishelin, Romadhani Ardhi and Ismet Suryadi in 2023	This research discusses halal in the supply chain.	The difference lies in the focus of the study, where the study by Nadya Rishelin, Romadhani Ardhi and Ismet Suryadi is more on the development (management) aspects of risk management in the meat supply chain specifically, while this research focuses more on the awareness of retail service business actors

²⁴ Kartika, Ari Purwita. "Kesadaran Hukum Pelaku Usaha Kedai Kopi Terkait Label Halal Pada Jasa Penjualan Minuman Kopi Di Kota Malang." *Novum: Jurnal Hukum* 8, no. 3 (2021): 141-150. <https://doi.org/10.2674/novum.v0i0.37902>

				on the obligation of halal certification.
2.	Literacy Review of Traceability Supply Chain Process as Part of Product Assurance and Halal Industry	Moch Mahsun, Nur Hasib, Moh Sohib, Nelly Anisatul Qoriah and Solichah In 2022	This research discusses the halalness of products in the supply chain.	The difference lies in the focus of the study where research by Moch Mahsun, Nur Hasib, Moh Sohib, Nelly Anisatul Qoriah and Solichah focuses more on developing a traceability system as an effort to facilitate monitoring of halal and nonhalal products during the supply chain process while this study focuses more on the awareness of retail service business actors on the obligation of halal certification
3.	Proposed Risk Mitigation in Halal Supply Chain Management with the House of Risk Approach (Case Study of	Kintan Mawarni pada tahun 2022	This research is the same research related to halal certification in the chain.	Research by Kintan Mawarni in 2022 refers more to the risk management that exists in the logistics activity itself, while this

	UKM Kampoeng Timoer)			research emphasizes more on the awareness of sales service business actors (retail) on the obligation of halal certification.
4	Legal Awareness of Business Actors Towards the Obligation of Halal Certification on Food from the Perspective of Maslahah	Faridatul Jannah in 2024	This research both examines related to legal awareness of halal certification of business actors.	The difference lies in the object of study, if the research by Faridatul Jannah in 2024 focuses more on business actors who tend to produce food, while this research will focus on sales or retail service businesses.
5.	Legal Awareness of Student Consumer Rights on Halal Product Guarantee	Bustami Shidqi in 2022	This research both examines related to product guarantees	The difference lies in the focus of the study, where research conducted by Bustami Shidqi in 2022 focuses more on the awareness of the customer himself to protect his rights, while this study focuses more

				on the legal awareness of sales or retail service business actors.
6.	Legal Awareness of Chicken Slaughterhouse Business Actors (RPA) in North Bontang towards Halal Certification Obligations	Rosmianti in 2023	This research both examines related to halal certification, especially in the field of services	The difference lies in the object of study, where research conducted by Rosmianti in 2023 focuses more on slaughter services while this research focuses more on the legal awareness of sales or retail service business actors.
7.	Analysis of Legal Awareness and Protection of Business Actors against Consumers regarding Ownership of Halal Certificates	Ratih Rahayu and Akhmad Yusup in 2022	This research both examines related to halal product guarantees	The difference lies in the object studied, if the research by Ratih Rahayu and Akhmad Yusup in 2022 focuses more on fast food business actors, this research will focus more on sales or retail service business actors.
8.	Legal Awareness of Food Industry Business Actors	Via Lutviana and Soleh Hasan Wahid in	This research is the same as examining related to	The difference lies in the object of study. If the research

	After the Implementation of the Free Halal Certification Program in the perspective of Maslahah	2023	legal awareness of halal certification of business actors.	conducted by Via Lutviana and Soleh Hasan Wahid in 2023 focuses on production or industrial business actors, this research emphasizes more on the aspect of sales services that must have halal certification.
9.	Legal Awareness of Muslim Batik Business Actors Towards the Obligation of Halal Certification in Tirto District, Pekalongan Regency	Muhammad Efendi in 2023	This research is the same as examining related to legal awareness of halal certification of business actors.	The difference lies in the object of study, if the research conducted by Muhammad Efendi in 2023 focuses more on business actors who produce goods, this research emphasizes more on the aspect of sales services that must have halal certification.
10.	Legal Awareness of Coffee Shop Business Actors Regarding Halal Labeling of Coffee Drink	Ari Purwita Kartika and Eny Sulistyowati in 2021	This research both examines related to legal awareness of halal certification of business	shop business actors and emphasizes halal labels on product packaging, while this study examines retail services that are broader in scope

	Sales Services in Malang City		actors, especially in sales services.	that can sell various types of products, especially food and drinks, besides that in this study also assesses the legal awareness of business actors using a masalahah perspective.
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B. Theoretical Framework

1. Legal Awareness

a. Definition of Legal Awareness

Legal awareness comes from the word "aware" which comes from words meaning "feel", "understand" and "comprehend". The understanding of circumstances, experiences experienced by individuals is called awareness. Legal awareness is an abstract idea of how to make a situation organized according to plan.²⁵

Legal awareness can also be interpreted as self-awareness without pressure, coercion or orders from outside to submit to the applicable law. With the implementation of legal awareness in society, the law does not need to impose punishment. Punishment are only given to

²⁵ Yuanisa Wardiyanti, et al. *The Role of Citizens in Maintaining National Unity and Integrity*, (Surakarta: UNISIRI Press, 2023): 141
https://www.google.co.id/books/edition/Buku_Ajar_Peran_Serta_Warga_Negara_dalam/EZsFEQAAQBAJ?hl=en&gbpv=1&dq=kesadaran+hukum+adalah&pg=PA141&printsec=frontcover

individuals who are proven to violate the law. Laws contain commands and prohibitions. The law tells us about actions that are contrary to the rules that if carried out will be threatened in the form of punishment. Actions that violate the law are certainly considered offenses and will get punishment as a result.²⁶

Several experts provide definitions of "awareness" and legal compliance, including the following:

- 1) Soerjono Soekanto: Legal awareness is actually an awareness or values contained in humans about existing laws or about expected laws.
- 2) Achmad Sanusi: In a broad sense, legal awareness is the potential of society that must be cultured with rules so that they are binding and enforceable.
- 3) Paul Scholten: Legal consciousness is nothing but an awareness that exists in human life to always obey and obey the law.²⁷

b. Stages and Levels of Legal Awareness

Everyone's legal awareness can be different, according to Prof. Soerjono Soekanto, the level of public legal awareness can be assessed from the following points, namely:

²⁶ Emil, El Faisal and Mariyani, *Philosophy of Law* (Palembang: Bening Media Publishing, 2022), 102

https://www.google.co.id/books/edition/Buku_Ajar_Filsafat_Hukum/bYAeEAAAQBAJ?hl=en&gbpv=1&dq=kesadaran+hukum+adalah&pg=PA102&printsec=frontcover

²⁷ Lukman Surya Saputra, *Civic Education* (Bandung: PT. Setia Purna Inves), 23

https://www.google.co.id/books/edition/Pendidikan_Kewarganegaraan_Menumbuhan_N/Yt5zoBzxYpkC?hl=en&gbpv=1&dq=kesadaran+hukum+adalah&pg=PA23&printsec=frontcover

- 1) Knowledge of legal rules: This stage involves a person's understanding of the written law, such as what is prohibited and permitted.
- 2) Law Understanding: Refers to the amount of knowledge a person has about the meaning of a written legal rule, including the purpose, and benefits of the law.
- 3) Attitude towards the rule of law: defined as the tendency to adopt or reject laws based on knowledge and beliefs about whether or not they are useful in life. So in the element of respect for the rule of law
- 4) The legal behavior phase which focuses on whether the rule of law applies in society and the extent to which people obey it.²⁸

2. Business Actors

a. Definition of Business Actors

Business Actors Business actors in UUPK are individuals or groups of people, both legal and non-legal entities, which are established and domiciled and carry out business activities in various fields within the jurisdiction of the Republic of Indonesia. Whether the business entity is managed alone or together through an agreement. According to the Bill, business actors have 2 definitions, namely:

²⁸ Yuanisa Wardiyanti, et al. *The Role of Citizens in Maintaining National Unity and Integrity*, (Surakarta: UNISIRI Press, 2023): 143
https://www.google.co.id/books/edition/Buku_Ajar_Peran_Serta_Warga_Negara_dalam/EZsFEQAAQBAJ?hl=en&gbpv=1&dq=kesadaran+hukum+adalah&pg=PA141&printsec=frontcover

- 1) Goods business actors, are people or business entities that run businesses in the field of goods production, be it trading, exporting products and so on.
- 2) Service provider, is a person or business entity that runs a business in the field of services, for example, a bus rental service provider, travel, etc.²⁹

As for business actors according to Economic Scholars who are members of the Association of Scholars (ISEI) define business actors into various types including:

- 1) Investor is someone who does not produce goods or services but as a provider of funds to support production activities and has the aim of making a profit.
- 2) Producers are business actors who make products/services originating from raw materials which are then turned into outputs in the form of goods services that can be enjoyed by the wider community
- 3) Distributors are business actors who distribute or sell products / services from producers to the wider community, distributors do not make products or services directly but distributors are a means from

²⁹ Mustaklima, *Consumer Law and Policy in Indonesia* (Malang: Maknawi, 2024), 88-89.

producers to the wider community to be able to enjoy the products that producers produce.³⁰

b. Rights of Business Actors

Business actors also have rights and obligations that must be fulfilled. The aim is to clarify the rights and obligations of each party involved in trade activities and to create a balanced relationship between business actors and consumers. The rights of business actors are regulated in Article 6 of UUPK, including:

- 1) The right to receive payment in accordance with the agreement on the conditions and exchange rate of goods and or services sold and purchased.
- 2) The right to obtain legal protection from consumers who have bad intentions or attitudes
- 3) The right to self-defense in the legal settlement of consumer disputes
- 4) The right to restore the company's good name if it is legally proven that the consumer's loss was not caused by the goods and services sold.
- 5) Rights stipulated in other laws and regulations.

³⁰ Ramon Zamora, Edwin Agung, *Consumer Protection in Marketing Perspective*, (Absolute Media, 2023), 22-23
https://www.google.co.id/books/edition/PERLINDUNGAN_KONSUMEN_DALAM_PERSPEKTIF_P/jzuxEA_AAQBAJ?hl=en&gbpv=1&dq=rights+of+entrepreneurs&printsec=frontcover

c. Obligations of Business Actors

In addition to the rights obtained by business actors, there are also obligations of business actors that must be fulfilled, including:

- 1) Have a good intention or attitude in carrying out their business activities
- 2) Provide correct, clear, and honest information about the condition and guarantee of goods and services, as well as an explanation of use, repair, and maintenance
- 3) Treat or serve customers fairly, honestly, and non-discriminately
- 4) Ensure the quality of goods and services produced and sold in accordance with applicable quality standards for goods and services.
- 5) Provide opportunities for customers to inspect and try certain products and services and provide guarantees and warranties for products made and sold.
- 6) Provide compensation, compensation, and / or compensation for losses caused by the use, use, and utilization of goods and services traded
- 7) Provide compensation, compensation, and/or replacement in cases where the goods and services received or used are not in accordance with the agreement.

Regarding good faith in the first point, this right does not only exist for business actors but also for consumers. The difference is that if consumers are required to have good faith during transactions, it is different from business actors who must have good faith from the time the goods are produced until the product is marketed. This is because consumer losses can occur since the goods are produced, while business actors are only harmed by consumers during the transaction process.³¹

3. Retail Services

a. Definition of Retail

The word "retail" comes from the French, "ritellier," which means to cut or break something. Retailing includes all activities involved in the sale of goods or services directly to end consumers for personal, rather than business, use. Retailing involves the entire process of selling products (goods or services) to consumers for personal consumption. The retail business serves as part of the distribution of products to end consumers.³²

Retail plays a very important role in the supply chain as it helps consumers find the goods they need on a small scale. As such, retail plays a major role in the economy, especially in the consumption stage where consumers do not need to seek out the producers directly to fulfill their needs.

³¹ Mustaklima, *Consumer Law and Policy in Indonesia*, (Malang: Maknawi, 2024), 90-92

³² Smar'in, et al, *Retail Business Management* (Banten: PT. Sada Kurnia Pustaka, 2024), 16

According to Berman (2003), there are several characteristics in the retail business that distinguish it from other types of businesses, namely:

- 1) Small quantity, which means the product is sold in small batches with enough quantity for self-consumption within a certain time.
- 2) Impulse buying, which is a condition that arises due to the availability of goods in various quantities and types, which provides many choices in the consumer shopping process.
- 3) Store conditions, namely the environmental and interior conditions in the store that affect the shopping experience.³³

Basically, the goal of a retail business is to make it easier for customers to buy products by providing sufficient inventory and packaged in smaller sizes. The explanation is as follows:

- 1) Provide a wide selection of goods according to the buyer's wishes
- 2) Offer goods in smaller unit sizes so that consumers can fulfill their needs
- 3) Liaise between distributors and consumers
- 4) Collect information on various types of goods that customers need.³⁴

³³ Risnawati, et al, Retail Management (Pasaman: CV Azka Pustaka, 2023), 4
https://books.google.co.id/books?id=8kfnEAAQBAJ&newbks=0&printsec=frontcover&pg=PA71&dq=retail+adalah&hl=en&source=newbks_fb&redir_esc=y#v=onepage&q=retail%20adalah&f=false

³⁴ Maddiansyah, Ali, *Introduction to Retail Marketing* (Surabaya: Cipta Media Nusantara, 2022), 5
https://www.google.co.id/books/edition/PENGANTAR_MARKETING_RITEL/NSV_EAAQBAJ?hl=en&gbpv=1&dq=retail+adalah&pg=PA4&printsec=frontcover

b. Functions Performed by Retail

Retail has various important functions that can increase the value of the products and services they offer to consumers including:

- 1) Providing goods and services: Retailers strive to provide various types of products and services that consumers need (providing assortments).
- 2) Breaking bulk: Retail serves to break down large quantities of products into smaller ones, which is beneficial for both the producer and the consumer.
- 3) Inventory storage: Retail establishments can serve as a repository for smaller sizes of stock or inventory.
- 4) Service-producing: Retail makes it easy for consumers to obtain desired products easily and also provides various services, such as offering credit so that consumers can have products now and pay for them later.
- 5) Enhancing products and services: In customer activities that require multiple items, retailers can enhance the value of these products as not all items are sold in a complete state.³⁵

³⁵ Sundari, Ariefah and Ahmad Yani Syaikhudin, Retail Management (Lamongan: Cademia Publication, 2021), 4
https://www.google.co.id/books/edition/Manajemen_Ritel_Teori_dan_Strategi_dalam/jLk1EAAAQBAJ?hl=en&gbpv=1&dq=retail+adalah&pg=PA1&printsec=frontcover

c. Types of Retail

The types of retail can be distinguished by the products sold, ownership, and location of sales. Here's a further explanation:

1) Types of retail based on products sold

- a) Product retail: is retail that sells goods directly to consumers with a smaller quantity of goods, for example, food and beverage souvenir centers, grocery sellers, etc.
- b) Service retail: is a retail store that offers repair services, for example vehicle repair services, garden maintenance, babysitters etc.
- c) Non-store Retail: is a retail business that does not have a direct store to offer goods or services, for example: vending machines and online shops that are part of e-commerce.

2) Retail Type by ownership

- a) Independent retail: is retail that is managed independently by the owner without joining any party. Examples are grocery stores
- b) Franchise retail; is retail that involves the central company (franchisor) and derivative entrepreneurs (franchisees) in marketing the same product, examples are: Kopi kenangan, Tea break, Roti O, etc.

- c) Group retail: is a network of retailers that are interconnected under one management, such as supermarkets or department stores

3) Types of retail by sales location

- a) Strip mall retail or commercial land: is a retail business that sells on the side of a public road, for example, a grocery store.
- b) Retail within a shopping center: is a shopping center that consists of a combination of retailers who market products and services within the same area or building, for example, the sun department store.³⁶

4. Halal Certification

a. Definition of Halal Certification

Halal certification is a recognition of the halalness of a product based on Islamic law. Halal certification is obtained from a gradual inspection process so that it can be proven that the raw materials used, the production process carried out and the logistics process that ensures the halal determination of a product. The definition of a halal certificate according to the JPH Law is a guarantee of the halalness of a product that is recognized and issued by BPJPH or the Halal Product Guarantee Agency based on a fatwa issued by MUI in writing.

³⁶ Maddiansyah, Ali, *Introduction to Retail Marketing* (Surabaya: Cipta Media Nusantara, 2022), 4

The main purpose of halal certification on a product is to provide certainty to consumers about the halalness of the product so that consumers can make their choices. In addition, halal certification also aims to provide peace for consumers that the products they choose or use are clearly halal.³⁷

As for the implementation of halal certification, there are several principles that must be considered, namely ensuring that the products produced are in accordance with halal provisions and guaranteeing the halalness of products throughout the halal product series (PPH), ensuring no contamination of haram materials, both facilities/ equipment, workers and the environment, maintaining the continuity of the halal production process.³⁸ The Halal Product Guarantee Standard set aims to ensure that products consumed by Muslims are truly halal. This standard is a norm and technical guideline that has been standardized to ensure product halalness. With this standard, people can feel confident that the products they consume or use have met the halal requirements in accordance with Islamic law. Therefore, the Halal Product Guarantee standard is very important to ensure that the products consumed by the Muslim community are truly halal.³⁹

³⁷ Harahap, Guffar, et al, *Halal Industry in Indonesia* (Banten: Sada Kurnia Pustaka, 2023), 26-27

³⁸ HS, Sufyati, et al, *Entrepreneurship Theories and Concepts* (Cirebon: Insania, 2021), 101

³⁹ Putra, Purnawan Pontana, *Halal Food Products Cosmetics and Medicines* (Central Java: Wawasan Ilmu, 2023), 71

b. Legal Basis for Halal Certification

Basically, every Muslim is obliged to consume halal food and drinks based on Islamic law, this is stated in the word of Allah, namely:⁴⁰

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا ۚ وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ

Meaning: And eat of that which Allah has bestowed upon you of lawful and good sustenance, and fear Allah in whom alone you believe. (Qs. Al-maidah verse 88)

The verse clearly shows that it is mandatory for every Muslim to consume halal products. The legal basis for the mandatory enforcement of halal in positive law itself has been formed to ensure that there is a legal umbrella that regulates it. The mandatory validity of halal certification is contained in:

- 1) Law Number 33 of 2014 concerning Halal Product Guarantee
- 2) Law Number 11 of 2020 on Job Creation Jo Law Number 6 of 2023
- 3) Law Number 18/2012 on Food
- 4) Peraturan Pemerintah Number 69/1999 on Food Labeling and Advertisement
- 5) Peraturan Pemerintah Number 39 of 2021 concerning the Implementation of Halal Product Guarantee Jo Peraturan

⁴⁰ Farid Wajdi and Diana Susanti, Legal Policy for Halal Products in Indonesia (Jakarta: Sinar Grafika, 2021), 3

Pemerintah No. 42 of 2024 concerning the Implementation of Halal Product Guarantee.

With the applicable regulations, halal certification is an obligation for business actors who produce goods or services that distribute a product. With this halal certification itself aims to provide certainty and comfort for consumers, especially Muslim consumers.

c. Halal Certification Application Procedure

Basically, there are two types of halal certification applications, namely the self-declaration method and the regular method. The procedure for applying for halal certification by self declare is only intended for micro and small businesses with goods products. With the following submission flow:

- 1) Register with BPJPH to get a Business Identification Number (NIB) and get a halal Business Registration Number (NRU).
- 2) Self-assess the products produced whether they meet halal requirements
- 3) Prepare required documents such as raw material lists, production processes and other documents.
- 4) Submission of halal self-declaration to BPJPH
- 5) Assessment by BPJPH

- 6) Issuance of halal certificate if approved by BPJPH.⁴¹

As for the regular halal certification registration procedure, the registration flow is as follows:

- 1) Business actors apply for halal certification through SIHALAL by inputting company data, submitting required documents and selecting LPH.
- 2) Then BPJPH will verify the halal certification application documents for business actors.
- 3) LPH will then set a fee to conduct the audit
- 4) Business actors make halal certification payments which will then be submitted to BPJPH
- 5) LPH will confirm the halal audit schedule and the implementation of product halal inspection and or testing.
- 6) Furthermore, the fatwa committee will determine the halalness of the product.
- 7) After being determined halal by MUI, BPJPH will issue a halal certificate to business actors.⁴²

⁴¹ <https://indonesia.go.id/kategori/perdagangan/8178/mengurus-sertifikasi-halal-bagaimanacaranya?lang=1> accessed on December 02, 2024

⁴² <https://bbkbp.kemenperin.go.id/page/proses-sertifikasi-halal> accessed on December 02, 2024

5. Maslahah

a. Definition of maslahah

Etymologically, the word *maslahah* (plural *masalih*) means something good, beneficial, and opposite to ugliness and damage. *Maslahah* is also interpreted as an effort to seek the truth, so the essence of *maslahah* is the achievement of goodness and happiness in human life and things that can damage public life.⁴³

The definition of *maslahah* etymologically can also be understood from the word *maslahah* means benefit, benefit, goodness, or usefulness. Taufiq Yusuf al-Wa'i in his book states that that contains benefits, whether obtained through the search for benefits or enjoyment, or by avoiding damage, can be called *maslahah*. Based on this understanding, it can be concluded that linguistically, *maslahah* means every good (*al-khair*) and benefit (*al-manfa'ah*).⁴⁴

In the Quran, words derived from the word *salaha* are often used, but the form *maslahah* is not found. However, the most commonly used

⁴³ Abdau, Muhammad Rum "Implementation of Mashlahah by Bank Muamalat Indonesia KCU Makassar Against MSME Customers in Makassar City." PhD diss., State Islamic Alauddin Makassar, 2021: 13 <https://repository.uin-alauddin.ac.id/19770/1/Implementasi%20Mashlahah%20oleh%20Bank%20Muamalat%20Indonesia.pdf>

⁴⁴ Jannah, Faridatul. "The legal awareness of business actors towards the obligation of halal certification in food from the perspective of Maslahah: Study in the SME Community Sudimoro Malang City." PhD diss., Maulana Malik Ibrahim State Islamic University, 2024 <http://etheses.uin-malang.ac.id/64828/1/200202110086.pdf>

word is salih - the active participle or fa'il of salaha.⁴⁵ For example, in Allah's words in Surah Al-Imran verse 114 which reads:

يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُسْرِعُونَ فِي الْخَيْرَاتِ وَأُولَئِكَ مِنَ الصَّالِحِينَ

Meaning: They believe in Allah and the Last Day, enjoin the good, forbid the bad, and hasten to do good. They are among the righteous.

While maslahah according to the term is an effort to bring all forms of benefits or avoid all things that can damage. The definition of maslahah according to several figures has several definitions, according to Al-Fasi maslahah is the ultimate goal to be achieved by sharia and the variety of secrets behind every provision in the Islamic law. The meaning of sharia is the law established by Allah for His servants about religious affairs, whether in the form of worship or muamalah, which can move human life.⁴⁶

While Al-Ghazali states that maslahah is the preservation of the objectives of Islamic law and the objectives of Islamic law consist of five things, namely the preservation of religion, soul, mind, offspring and property. Thus, anything that ensures the preservation of the five main objectives of the sharia is called maslahah and every thing that escapes

⁴⁵ Rusfi, Muhammad. "The Validity of Maslahah Mursalah as a Source of Law." *Al-Adalah* 11, no. 1 (2017): 63-74. <http://dx.doi.org/10.24042/adalah.v12i1.175>

⁴⁶ Bakhri, Saiful. "Maslahah and its Implementation in the Development of Islamic Economics from Al-Syatibi's Point of View." *Journal of Islamic Education Studies* 5, no. 1 (2018): 2.

from it is called mafsadah / damage. Another definition is expressed by Al-Khwarizmi who states that al-maslahah is maintaining the objectives of Shara by avoiding the misfortune of humans.⁴⁷

Even so, the views of the figures in formulating maslahah between one another are expressed with different editorials, in terms of substance and essence still have the same meaning. In essence, maslahah is taking benefit and rejecting harm or misfortune in order to maintain Islamic law.

b. Division of Maslahah

In general, ulama' divided maslahah into four main aspects, namely maslahah based on the existence, maslahah based on the quality and importance of the benefit, maslahah based on the content of maslahah itself and maslahah based on whether or not the maslahah can change. The further explanation is:

1) Maslahah based on the existence of maslahah according to shara

According to al-ghazali maslahah based on the existence of maslahat according to shara is divided into three namely:

a) Maslahah Mu'tabarah

It is a maslahah that has a legal basis in the Qur'an and Sunnah so that it can be used as a definite source of law. For

⁴⁷ Azizah, et al, *Family Resilience in Islamic Perspective* (Tangerang: Pusataka Cendikiawan Muda, 2018), 9
https://www.google.co.id/books/edition/Ketahanan_Keluarga_Dalam_Perspektif_Isla/s42IDwAAQBAJ?hl=en&gbpv=1&dq=maslahah+is&pg=PA9&printsec=frontcover

example prohibition of drinking alcoholic beverage to preserve the mind.

b) Maslahah Mulghah

It is a maslahah that contradicts the Quran and sunnah, therefore maslahah mulghah cannot be used as a source of law because this maslahah is rejected by the Quran and sunnah. For example the prohibition of fasting for two months for the rich people who having conjugal relations during the month of Ramadan during daylight hours.

c) Maslahah Mursalah

It is a maslahah that refers to the public interest in which there is no support or rejection of benefit. Therefore, scholars are still debating whether maslahah mursalah can be used as a source of law or not. Bookkeeping nash Alquran by khalifah ustman bin Affan.⁴⁸

2) Maslahah based on the quality and importance of the benefit

Maslahah in this aspect is also divided into three types and levels of strength, namely:

⁴⁸ Adhari, Lendy Zelviean, et al, *Conceptual Structure of Ushul Fiqh* (Bandung: Widhina Bhakti Persada, 2021), 420

a) Maslahah Daruriyah

It is a maslahah that aims to maintain the five basic elements of sharia, namely maintaining religion, maintaining the soul, maintaining the mind, protecting offspring and protecting property. The five basic elements of its existence are absolute and cannot be ignored, with the achievement of the maintenance of the five basic elements will give birth to a balance in religious and worldly life. For example: the recommendation to marry and have offspring which is solely to preserve offspring.

b) Maslahah Hajiyyah

It is a maslahah that is needed by a person to facilitate life and eliminate difficulties in an effort to maintain the five basic elements of sharia. In other words, al- hajiyyah needs are something that is needed for human life, but does not reach the level of dharury. If this need is not met, it will not negate or damage life itself, but its existence is needed to provide convenience in the lives of mankind. An example in daily life is the rukhsah of prayer and fasting for people who are sick or traveling (travelers).

c) Maslahah Tahsiniyah

It is a benefit that is complementary in nature in the form of flexibility that can complement the previous benefit. In other words, it is something that is complementary to the needs of life

and further enhances the welfare of human life. If this tahsiniyyah benefit is not fulfilled, then the benefit of human life will feel less beautiful and less enjoyable, but not to the point of causing misery in life. Examples are wearing good clothes and wearing perfume when praying, preening and wearing jewelry.⁴⁹

3) Maslahah based on the quality and importance of the benefit

Maslahah based on the quality and importance of the benefit can be divided into two types namely:

- a) Maslahah ‘ammah: Is a benefit that concerns the public interest or the interests of many people. For example: Development of infrastructure such as hospital, education and others.
- b) Maslahah Khashshah: is a benefit that concerns personal interests. For example: It is in the wife's interest for the judge to order fasah (divorce) because her husband has been declared missing.

4) Maslahah based on the quality and importance of the benefit

This Maslahah based on the quality and importance of the benefit can be divided into two types, namely:

- a) Maslahah sabitah: Maslahah that does not change until the end of time for example like mandatory of shalah, zakat, fasting and hajj.

⁴⁹ Salma, Salma. "Maslahah in the Perspective of Islamic Hukim." *Al-Syir'ah Scientific Journal* 10, no. 2 (2016). <https://media.neliti.com/media/publications/240260-maslahahdalam-perspektif-hukim-islam-d0758bcd.pdf>

- b) Masalahah mutaghayyarah: masalah that can change from time to time according to changes in time, place and subject. For example, in the field of muamalah.⁵⁰

⁵⁰ Rosayadi, imron and Muhammad Muinudinilah Basri “Usul Fiqih Hukum Ekonomi Syariah (Surakarta: Muhmmadiyah University Press, 2020), 151-153
https://books.google.co.id/books?id=wuriDwAAQBAJ&newbks=1&newbks_redir=0&printsec=frontcover&pg=PA155&dq=masalah&hl=id&source=gb_mobile_entity&redir_esc=y#v=onepage&q&f=true

CHAPTER III

RESEARCH METHODS

A. Type of Research

This research uses empirical juridical research, namely research that examines the applicable legal provisions with what happens in society, with the aim of finding facts that can be used as data in a study.⁵¹ Empirical juridical research can be obtained from data carried out by observation, experience and analyzed with qualitative and quantitative methods.⁵² In general, the object of empirical juridical research is divided into 6 objects of study, namely research on legal effectiveness, compliance with the law, the role of legal institutions or agencies in law enforcement, implementation of the rule of law, research on the influence of the rule of law on social problems and the influence of social problems on law.⁵³

In the context of this research, this type of empirical research is used to examine how the legal awareness of retail service sector business actors on halal certification obligations from a *maslahah* perspective.

⁵¹ Benuf, Kornelius, and Muhamad Azhar. "Legal research methodology as an instrument to unravel contemporary legal issues." *Gema Keadilan* 7, no. 1 (2020): 29
<https://ejournal2.undip.ac.id/index.php/gk/article/view/7504/385>

⁵² Kristiawanto, *An Easy Introduction to Understanding Legal Research Methods* (Makassar: Nas Media Indonesia, 2018), 23

⁵³ Yanova, Muhammad Hendri, Parman Komarudin, and Hendra Hadi. "Legal Research Methods: Analysis of Legal Problems with Normative and Empirical Research Methods." *Badamai Law Journal* 8, no. 2 (2023): 404

B. Research Approach

The approach taken in this research is a sociological juridical approach where this research is used to examine community life, behavior, social activities with applicable law. Sociological juridical research uses secondary data at first then proceeds with primary data obtained directly in the field to find legal gaps that occur, besides that the data collection tool consists of interviews and literature studies.⁵⁴ The use of sociological juridical methods in this study aims to be able to find out in detail related to the legal awareness of retail service sector business actors on the obligation of halal certification from a maslahah perspective.

C. Research Location

The location of this research will be conducted to six food and beverage retail businesses in Batu City, including:

- a. UD. Rizky Jl. Suropati No.97, Ngaglik, Kec. Batu, Batu City, East Java.
- b. Batu souvenir retail shop Bu Sri Wahyuni Jl. Dewi Sartika Atas, Sisir, Kec. Batu, Batu City, East Java
- c. Batu souvenir retail shop Bu Isnaini Jl. Dewi Sartika Atas, Sisir, Kec. Batu, Batu City, East Java
- d. Batu souvenir retail store Bu Firda Jl. Dewi Sartika Atas, Sisir, Kec. Batu, Batu City, East Java

⁵⁴ Amiruddin, Introduction to Legal Research Methods, (Jakarta: PT.Raja Grafindo Persada, 2012), 34

- e. Batu Bu Fitri souvenir retail shop Jl. Dewi Sartika Atas, Sisir, Kec. Batu, Batu City, East Java
- f. Anugerah snack retail store Bu siti Jl. Imam Bonjol, Gg. 4 No.8, Sisir, Kec. Batu, Batu City, East Java.

D. Data Type and Source

The types and sources of data used in this study can be divided into two types, namely primary data and secondary data. The further explanation is:

a. Primary Data

Primary data is data that can be obtained directly from related parties who are the object of research. By using primary data, a study will be able to describe phenomena that exist in society that can be identified with the current law.⁵⁵ Primary data in this study is obtained from interviews with related parties, namely several business actors engaged in retail services. The selection of interview objects is carried out through samples using the Purposive sampling method, then the data will be processed and analyzed using theories and regulations related to the research.

b. Secondary Data

Secondary data is data obtained from primary legal materials and secondary legal materials. Primary legal materials are legal materials that are already available, namely legal norms that have binding force or can be called laws and regulations. Meanwhile, secondary legal materials are

⁵⁵ Juliardi, Budi, et al, *Legal Research Methods* (CV. Gita Lentera, 2023), 97

legal materials that can support primary legal materials that have relevance to the study. This secondary legal material can be obtained from various literature studies that support research data, both in the form of journals, theses, articles and books.⁵⁶

E. Data Collection Methods

Data collection method is one of the important things in research, using the correct data collection method will produce data that has high credibility. Of the several qualitative research data collection methods, this study only uses two methods, namely the interview method and literature study. The description is as follows:

a. Interview

Interview is a form of data collection method with question and answer interactions conducted by researchers with respondents. This interview itself can be conducted directly or through communication media because in essence interviews are conducted to obtain in-depth information about a topic or issue raised in a study.⁵⁷

In the context of this study, researchers will conduct interviews with 8 retail service business actors in Batu City to obtain the data that will be needed. The method used in determining the sample is to use the Purposive

⁵⁶ Mezak, M. H. (2006). Types, methods and approaches in legal research. https://www.academia.edu/download/33676150/lw-05-03-2006_jenis_metode_dan_pendekatan.pdf

⁵⁷ Rahardjo, M. (2011). Metode pengumpulan data penelitian kualitatif. <http://repository.uin-malang.ac.id/1123/1/metode-pengumpulan.pdf>

sampling method where sampling is selected based on certain considerations with the aim of obtaining a sampling unit that has the desired characteristics.⁵⁸ That way, this research will focus on food and beverage retail services in Batu City to provide an overview of the challenges and opportunities in implementing halal certification regulations for retail services themselves.

b. Literature Study

In addition to using the interview method, this research also uses data collection methods with literature studies. By reviewing several secondary legal materials in the form of journals, theses, articles and books that have relevance to the theme of this research.

F. Data Processing Method

The data processing method is the steps used to process and analyze the data obtained. Data itself is a collection of facts, figures, text and information obtained from various sources such as interviews, observations, literature studies and so on. Data processing itself aims to convert raw data into knowledge that can be used for decision making, problem solving, reporting

⁵⁸ <https://binus.ac.id/malang/2022/08/teknik-pengambilan-sampel/#:~:text=Teknik%20pengambilan%20sampel%20atau%20sampling,untuk%20menduga%20keadaan%20suatu%20populasi>, Accessed on March 2, 2025

analysis and others.⁵⁹ In the context of this research, the research methods used include:⁶⁰

a. Data Checking

The first stage is to identify whether the data that has been collected is of good quality, clear and has relevance to the research topic and can be analyzed further at a later stage. This stage is important to identify thoroughly to reduce the risk of analysis errors and lead to biased conclusions.

In this research, data checking is carried out thoroughly by validating data that has been obtained from various sources, be it the results of interviews, surveys, or other data related to the research, so that accurate data is obtained.

b. Classification

Classification is part of grouping the data obtained based on the formulation of existing problems, so that the data can be arranged systematically, easy to read and provide an understanding of the information needed by researchers. By classifying the data, the data that was originally complex will become simpler and look clearer about the

⁵⁹ Tojiri, Yusuf, Hari Setia Putra, Nur Faliza, Basic Research Methodology Theory, Design, and Data Analysis (West Sumatra: Takaza Innovatix, 2023), 72

⁶⁰ The Compilation Team of Guidelines for Writing Scientific Work for the Faculty of Sharia UIN Maulana Malik Ibrahim Malang, Guidelines for Writing Scientific Papers in 2022, Journal of the Faculty of Sharia Uin Malang, vol. 1 (Malang: UIN Maulana Malik Ibrahim Malang, 2022).

structure and patterns in the data. This aims to facilitate data processing in the next stage.

In this study, some data obtained from interviews and other data sources will be classified based on the formulation of existing problems so that it will facilitate the author in the data analysis process.

c. Verification

The next stage is data verification, this stage is important to determine the credibility of the data and to ascertain whether the data collected is in accordance with the specified criteria and standards. This stage is important to maintain the credibility of the data because it will affect the results of the research, if data verification is not carried out, it will potentially lead to data errors which result in wrong conclusions.

In this research, data verification is carried out by reviewing whether the data obtained is in accordance with the topic and problem formulation raised so that it can present accurate data.

d. Analysis

The analysis stage is the main stage in research, after all the data has been collected and verified, the data will be processed and described to obtain information from the data. The purpose of data analysis itself is to gain useful insights to answer and solve problems that exist in a study.

In this research, the data that has been obtained from interviews and from literature studies is analyzed using the theory described in the theoretical framework so as to present answers to the problem formulation.

e. Conclusion

The final stage is the conclusion, the conclusion is a summary of all stages of data processing which usually contains answers to a shortened problem and there are findings in it. In addition, conclusions must be compiled accurately in accordance with the data that has been described previously, presented in a concise and easy to understand manner. With the conclusion, the data can make it easier for readers to understand the brief content related to the research conducted by the researcher.

In this study, the conclusions will be presented in a concise and easy-to-understand manner in accordance with the existing problem formulation, making it easier for readers to understand the brief content related to the research conducted by the researcher.

CHAPTER IV

RESEARCH RESULTS AND DISCUSSION

A. Overview

1. Overview of Batu City

Batu City is a city in East Java Province, Indonesia formed in 2001 as a division of Malang Regency. Previously, the Batu City area was part of the North Malang Sub Unit of Development Area 1 (SSWP 1). Batu City is located 15 km west of Malang City, on the Malang-Kediri and Malang-Jombang routes. Together with Malang Regency and Malang City, Batu City is part of the regional unit known as Malang Raya.

Geographically, Batu City is located at 7°44'- 8°26' South latitude and 122°17'-122°57' East longitude with an area of 202.30 km². The city area is at an altitude of 680-1,200 meters above sea level and is flanked by 3 well-known mountains namely Mount Panderman (2010 meters), Mount Arjuna (3339 meters), Mount Welirang (3156 meters). The mountainous and hilly topographic conditions make Batu City has an average air temperature of 15-19 degrees Celsius.

The administrative area of Batu City is divided into 3 areas based on Law No. 11/2001 on the Establishment of Batu City, the areas are Batu

Subdistrict, Junrejo Subdistrict and Bumiaji Subdistrict. The three subdistricts are divided into 20 villages and 4 sub-districts.⁶¹

2. Economic Characteristics of Batu city

During the period 2019 to 2023, the economic structure of Batu city was dominated by five sectors, namely wholesale and retail trade, repair of cars and motorbikes; other services; agriculture, forestry and fisheries; construction; and provision of food and beverage accommodation. It can be seen how these five sectors have an important role in the formation of the GRDP of Batu City.

Batu City's Gross Regional Domestic Product (GRDP) at current prices increased from Rp. 18,857 trillion in 2022 to Rp. 20,254 trillion in 2023.⁶² GRDP per capita also increased, from Rp. 85,4 million in 2022 to Rp. 93,2 million in 2023, exceeding the average GRDP percapita of East Java Province of Rp. 71, 1 million.⁶³

In addition, Batu City's Regional Original Revenue (PAD) also increased, from Rp. 222,283 billion in 2023 to Rp. 256,813 billion in 2024, reaching 91.38% of the Regional Budget (APBD) target of Rp. 281,260

⁶¹ <https://batukota.bps.go.id/id/publication/2024/02/28/ecb3b64275c332d8b2f067d5/kota-batudalam-angka-2024.html>, accessed on March 5, 2024

⁶² https://suarajatimpost.com/membanggakan-kota-batu-ungguli-peningkatan-ekonominasional?utm_source=chatgpt.com, accessed on March 5, 2024

⁶³ https://www.bangsaonline.com/berita/141379/tahun-2024-pertumbuhan-ekonomi-kota-batu-diatas-rata-rata-jatim-dan-nasional?utm_source=chatgpt.com, accessed on March 5, 2024

billion.⁶⁴ This indicates good regional economic stability, despite the challenges of a national economic slowdown.

As for this research, it will focus more on one of the stone city business sectors, namely the retail trade business in the city of stone. Where retail trade itself also plays an important role in the economy in the city of stone. Based on data obtained from BPS Batu city in 2021, the number of trade businesses engaged in the food and beverage service sector is 39 businesses. This data is data in 2021 which of course will grow from year to year in line with economic growth in the city of Batu.

B. Discussion

1. Legal Awareness of Retail Service Business Actors on Halal Certification Obligations Based on PP Number 42 of 2024

The government has issued regulations relating to halal certification, where this halal certification, which was initially only voluntary, is mandatory for all business actors, both business actors related to services and procurement of goods. This aims to create a halal industrial system to further develop in Indonesia. Given that there are many Muslim consumers who must be fulfilled their rights to obtain security, comfort and safety in consuming a product that has guaranteed halalness.

⁶⁴ https://lenteratoday.com/capaian-positif-pertumbuhan-ekonomi-kota-batu-pada-dan-investasimelonjak-selama-tahun-2024/?utm_source=chatgpt.com, accessed on March 5, 2024

With the regulations that have regulated the obligation of halal certification, legal awareness is needed from the community so that these regulations run properly. The indicators to determine the level of legal awareness of business actors can be assessed from the four aspects proposed by Prof. Soerjono Soekanto, namely legal knowledge, legal understanding, legal attitudes and behavior towards the law itself. The further explanation is:

a. Legal Knowledge

is the knowledge of business actors of an applicable regulation relating to the business they run. According to Sorjono Soekanto, legal knowledge can be seen from a person's understanding of what is prohibited and permitted by laws and regulations.

Table 2.1

Table of Legal Knowledge of Retail Business Actors

No.	Business Name	Legal knowledge of business actors
1.	Sri wahyu	Not knowing
2.	Fitri	Knowing
3.	Firdha	Not knowing
4.	Isnaini	Not knowing
5.	Khansa	Knowing
6.	Tris	Not knowing

In this study, it will focus on how the legal knowledge of business actors on regulations regarding the implementation of halal certification for retail businesses that have been contained in Law No. 33 of 2014 and also in PP No. 42 of 2024. The information in the table is obtained from interviews with resource persons. With the same question about how the legal knowledge of business actors about the halal certification policy in the field of retail services and about the punishment when they don't complete it. The answers from the sources are as follows:

1) First source:

"Yes, I know a little, but in the service sector it is like a sharia bank, if retail I don't know, I don't know yet about the punishment because i only sell halal product " ⁶⁵

2) Second source:

"yes i know, yesterday i hear about that regulation especially about repacking product. I was interest to regist my product to halal certification but i still waiting information from PLUT. I know abut the punishment that is fine or revocation of bussiness liscence." ⁶⁶

⁶⁵ interview with Mrs. Sri Wahyuni on March 1, 2025

⁶⁶ interview with Mrs. Fitri on March 1, 2025

3) Third resource person:

"Not so much mba I know, it's just that now the average person if for example there is no halal logo, they don't want anything." ⁶⁷

4) Fourth resource person:

"I've heard it but don't understand it, maybe the mba can explain hehe" ⁶⁸

5) Fifth resource person:

"I already know that it is safe, this halal certification itself is part of the licensing regulated by the government, which actually every producer or other business like mine is required to include halal certification. I know, usually fines or liscence revocation are not imposed immediately but are warned first " ⁶⁹

6) Sixth resource person:

"Don't know yet" ⁷⁰

From the results of the interview, it shows that business actors who have legal knowledge about the obligation of halal certification in the field of retail services are only 2 out of 6 people, while other retail business actors tend to only know and understand halal certification intended for producers or for home industries without having much indepth knowledge about the application of halal certification in the service sector, especially in the field of retail services.

⁶⁷ interview with Mrs. Firdha on March 1, 2025

⁶⁸ interview with Mrs. Isnaini on March 2, 2025

⁶⁹ interview with Ms. Khansa on February 24, 2025

⁷⁰ interview with Mrs. tris on February 26, 2025

b. Understanding the Law

Legal understanding is the stage where business actors have an understanding of the meaning of written legal rules, including the objectives and benefits or benefits of the law. In general, the halal product guarantee law explains that the purpose of organizing JPH itself is to provide security, comfort, safety and legal certainty in consuming and using a product, besides that the purpose of organizing halal product guarantees itself is to increase added value for business actors to produce and sell halal products.

In addition, in assessing this indicator, business actors must also know about halal certification regulations in the retail service sector itself, such as the types of products or services that must be halal certified, the process that must be followed to obtain a halal certificate and punishment when not conducting halal certification.

Table 2.2

Table of Legal Understanding of Retail Business Actors

No.	Business Name	Legal understanding of business actors
1.	Sri wahyu	Lack of understanding
2.	Fitri	Lack of understanding
3.	Firdha	Lack of understanding

4.	Isnaini	Lack of understanding
5.	Khansa	understand
6.	Tris	Not understanding

The information in the table is obtained from interviews with resource persons. With the same question about how the legal understanding of business actors related to the benefits of halal certification in the field of retail services in accordance with statutory regulations and also about how the application process or registration procedure for halal certification in the retail sector itself. The answers given by the sources are as follows:

1) First Interviewee:

"Yes, I know that there are few benefits for us, for Muslims who must know whether it is halal or not. If the submission procedure is not yet known" ⁷¹

2) Second resource person:

"For the benefits, there are many mba because now on average there are many by-products from outside such as dried fruit latio which is questionable because now many by-products are imported and more booming than local products, while if the local has a halal logo, it can compete with imported products. For procedures, we still don't know, usually there will be a notification from the plut"⁷²

3) Third resource person:

⁷¹ interview with Mrs. Sri Wahyuni on March 1, 2025

⁷² interview with Mrs. Fitri on March 1, 2025

"According to my own perception, if I think about it, because the majority of Indonesian people are Muslim and I myself am Muslim, so this halal certification is important, for example, food so you know the ingredients are halal, if other fields such as skincare or services can later ensure that it is safe for ourselves. if the submission process itself does not know me" ⁷³

4) Fourth resource person:

"Yes, it is important because of the demand from consumers, if consumers are fanatical, they will question the halalness of the product, but if consumers are ignorant, the important thing is that it is worth selling, it doesn't matter, the submission may be to the plut." ⁷⁴

5) Fifth resource person:

"The function is that brand owners can be regulated by the government and a form of verification required by brand owners that can be accounted to the government. And the most vital function is to make consumers believe in the brands we sell which will be very necessary for potential customers to see whether this brand is worth buying or not. For the submission process, of course, we already know because we have applied for halal certification." ⁷⁵

6) Sixth resource person:

Don't know yet" ⁷⁶

⁷³ interview with Mrs. Firdha on March 1, 2025

⁷⁴ interview with Mrs. Isnaini on March 2, 2025

⁷⁵ interview with Ms. Khansa on February 24, 2025

⁷⁶ interview with Mrs. Tris on February 26, 2025

The results of the interviews conducted show that most business actors do not understand the regulations of the implementation of halal certification in the retail service sector. From the results of the interview, it can be seen that only 1 person out of 6 interviewees understands well related to halal certification regulations, while 4 of them do not understand related to retail halal certification policies, and 1 does not understand halal certification itself.

c. Legal Attitude

Legal attitude is an attitude that refers to the tendency to accept or reject legislation based on a person's belief and knowledge that the law is useful or not in life. This legal attitude plays an important role because it will affect the sustainability of the implementation of existing regulations.

Table 2.3

Table of Legal Attitudes of Retail Business Actors

No.	Business Name	Legal attitude of business actors
1.	Sri wahyu	Undecided (between yes and no)
2.	Fitri	Interested
3.	Firdha	Undecided (between yes and no)
4.	Isnaini	Interested
5.	Khansa	Interested

6.	Tris	Interested
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The information in the table is obtained from interviews with resource persons. With the same question about how the response of business actors is interested in registering halal certification in the field of retail services after knowing the regulations and the process of applying for halal certification itself. The answers from the sources are as follows:

1) First Interviewee:

" I might be interested." ⁷⁷

2) Second resource person:

"Yes, very interested." ⁷⁸

3) Third resource person:

"Maybe yes." ⁷⁹

4) Fourth resource person:

"It's okay, the important thing is that there will be coordination" ⁸⁰

5) The fifth interviewee:

"very interested and very important because we already have our own brand" ⁸¹

⁷⁷ interview with Mrs. Sri Wahyuni on March 1, 2025

⁷⁸ interview with Mrs. Fitri on March 1, 2025

⁷⁹ interview with Mrs. Firdha on March 1, 2025

⁸⁰ interview with Mrs. Isnaini on March 2, 2025

⁸¹ interview with Ms. Khansa on February 24, 2025

6) Sixth resource person:

"Yes, if it's required, it's important." ⁸²

The results of the interview show that 2 of the other 6 interviewees are still hesitant to register their business to have halal certification. From the results of the interview, on average, business actors answer with the word "maybe" which causes multiple interpretations and refers to a sense of doubt about the importance of registering halal certification for their business.

d. Legal behavior

Legal behavior is the last indicator in measuring a person's legal awareness put forward by Prof. Soerjono Soekanto. Legal behavior here refers to the implementation of the law itself in society, whether the community has complied with it or ignored it. In the context of this research, the legal behavior phase can be analyzed by looking at how the steps taken by business actors to comply with regulations regarding halal certification, especially in the field of retail services, for example, is to apply for a halal certification process for their business.

⁸² interview with Mrs. tris on February 26, 2025

Table 2.4

Table of Legal Behavior of Retail Business Actors

No.	Business Name	Legal behavior of business actors
1.	Sri wahyu	Not yet registered
2.	Fitri	Not yet registered
3.	Firdha	Not yet registered
4.	Isnaini	Not yet registered
5.	Khansa	Already registered
6.	Tris	Not yet registered

The information in the table is obtained from interviews with resource persons. With the same question whether your retail business has a halal certificate in accordance with existing regulations. The answers from the informants are as follows:

1) First Interviewee:

"Not yet halal certified" ⁸³

2) Second resource person:

"No plan yet, if there is information from the plut, I want to register" ⁸⁴

⁸³ interview with Mrs. Sri Wahyuni on March 1, 2025

⁸⁴ interview with Mrs. Fitri on March 1, 2025

3) Third resource person:

"Not yet, but the average product sold is halal" ⁸⁵

4) Fourth resource person:

"Not yet, there seems to be no halal-certified stores here" ⁸⁶

5) Fifth resource person:

"For halal certification, it is still ongoing, maybe in 1 or 2 months
it will be launched" ⁸⁷

6) Sixth resource person:

"Not yet but the products are all halal-certified from the
manufacturer" ⁸⁸

The results of the interview show that 5 out of 6 business actors have not registered halal certification for their businesses, this is also influenced by previous indicators such as legal knowledge, legal understanding and also legal attitudes of business actors.

From all the results of the interviews conducted, it can be seen that the level of legal awareness of business actors is quite low so that it affects the implementation of existing halal product guarantee regulations. In general, the legal knowledge of business actors regarding halal certification of retail services as stipulated in Law number 3 of 2014 and Peraturan Pemerintah

⁸⁵ interview with Mrs. Firdha on March 1, 2025

⁸⁶ interview with Mrs. Isnaini on March 2, 2025

⁸⁷ interview with Ms. Khansa on February 24, 2025

⁸⁸ interview with Mrs. tris on February 26, 2025

number 42 of 2024 is quite low, this can be seen from the results of interviews which state that retail business actors only know the obligation of halal certification in the production process without knowing that halal obligations also concern all supply chain activities as stated in article 155 of Peraturan Pemerintah number 42 of 2024.

The legal understanding of retail business actors in Batu City is quite good but only limited to the general benefits in the opinion of the respective business actors and do not know anything about the benefits or objectives contained in Law Number 33 of 2014 and in Peraturan Pemerintah number 42 of 2024, namely to provide comfort, security, safety, and certainty of the availability of halal products for the community in consuming and using products and increasing added value for business actors to produce and sell halal products. In addition, the understanding of business actors regarding the procedure for applying for halal certification in the field of retail services is still low. This creates a gap between their understanding of the benefits of halal certification and the implementation of policies related to the obligation of halal certification itself.

In addition, the legal attitude of business actors towards the regulation of halal certification in the retail sector also varies. Business actors did not explicitly mention that they refused or were not interested in conducting halal certification but they showed a hesitant response by answering "maybe" during the interview. In this case, the hesitancy of business actors

to register for halal certification can be influenced by their lack of understanding of the benefits of registering halal certification itself both in terms of legal compliance and in terms of the sustainability of their business.

So that this affects the legal behavior of business actors towards the regulation of mandatory halal certification in retail services. Based on the results of the interview, there is only one business actor who has registered halal certification in the retail service sector, while the other five have not complied with these regulations. This shows ignorance or lack of awareness of the importance of halal certification in supporting business sustainability and maintaining consumer confidence

Low legal awareness of business actors is certainly not in line with the objectives of halal certification as stated in Peraturan Pemerintah Number 42 of 2024, namely to provide legal certainty and guarantees for the public for the halalness of products that enter, circulate, and are traded in Indonesian territory. With low legal awareness, there is a potential for not guaranteeing the halalness of the product during the halal product process (PPH), which in turn can harm consumers, especially for Muslim consumers.

In addition, low legal awareness among business actors is also a form of non-compliance with the standards and regulations set by the government. In accordance with Articles 18 and 19 of PP number 42 of 2024, it is explained that the place and tools used during the sales process

must be separated between halal and non-halal products and must be distinguished and may not be used interchangeably between halal and nonhalal products. With low legal awareness, it will result in non-fulfillment of halal standards for product sales so that there is the potential for contamination with non-halal products.

In Peraturan Pemerintah Number 42 of 2024 Article 74 also states that business actors are required to implement a halal product guarantee system to maintain the continuity of the Halal Product Process (PPH), if there are business actors who do not fulfill these obligations, they will potentially be subject to administrative punishment as stated in Peraturan Pemerintah Number 42 of 2024 Article 170, where these punishment can be in the form of written warnings, administrative punishment to operational suspension.

That way, halal certification in the field of services, especially in the field of retail services, is also very important both for the business actors themselves and for the community. By conducting halal certification, business actors will avoid punishment that will burden and harm business actors, which will also affect the business image of business actors. In addition, by conducting halal certification, it will increase the integrity of business actors and increase consumer confidence. Meanwhile, from the consumer side itself, it will guarantee or fulfill consumer rights to consume and obtain product services that are safe, comfortable and in accordance with established halal standards.

One of the factors behind the low legal awareness of business actors is the lack of socialization from the authorities, where the authorities have not conducted socialization regarding the obligation of halal certification in the service sector, especially in the field of retail services that are massively developing in the Batu City area. In accordance with Peraturan Pemerintah Number 42 of 2024 Article 49 states that business actors have the right to obtain information, education and socialization regarding the halal product guarantee system. By not fulfilling this right, business actors will have difficulty understanding the obligations and procedures that must be followed regarding halal certification in the field of retail services. Then this will result in non-compliance with existing regulations, and hinder business actors in maximizing the benefits of halal certification, such as increased consumer confidence and wider market access.

Therefore, in order to support the growth and development of the halal industry in accordance with Law number 33 of 2014 and PP number 42 of 2024, the government needs to pay greater attention to increasing legal awareness among retail business actors. By conducting broader education and socialization regarding the importance of halal certification, especially in the field of services that have not received full attention. In addition, stricter supervision is also needed to ensure that halal product guarantee regulations can run properly

2. Legal awareness of business actors in the retail service sector in Batu city towards halal certification obligations from a maslahah Perspective

Halal certification is a maslahah daruriyah where the benefit concerns the basic and fundamental needs for Muslims to ensure the halalness of the products consumed. Indeed, the principles that exist in maslahah are to maintain the objectives of Islamic law itself, namely Hifdz Al-Din, Hifdz Al-Nafs, Hifdz Al-Aql, Hifdz Al-Nasl, Hifdz Al-Mal. That way maslahah itself also prevents every case from damage or kemafsadatan. In the context of legal awareness of retail business actors to register their halal certification based on a maslahah perspective, it can be analyzed with three maslahah principles, namely the principles of Hifdz al-Din, Al-Nafs and also Hifdz Al-Mal.

Legal awareness of retail business actors when viewed from the perspective of maslahah Hifdz Din can be related to the preservation of religion both for individuals and for the ummah in general. Retail business actors as one of the supply chains or supply chains which are also required to carry out halal certification have a moral and religious obligation to ensure that the services they offer in selling products are in accordance with Islamic law. By ensuring that there is no contamination with haram products or products whose halalness is unclear.

Business actors who have not registered halal certification, then business actors have not fully contributed to protecting religion in

accordance with the principle of maslahah by ensuring that Muslims get facilities for the needs of Muslims in accordance with religious demands (halal products and services). This will certainly result in hampering efforts to maintain Islamic law which is the main objective of the principle of maslahah. In addition, people who are increasingly concerned about the halal aspect of a product will feel less certain whether the services they use or the products they use have met the principles of sharia or not.

The next guarding principle is Hifdz An-Nafs which means guarding the human body and soul, which in this case can also be associated with maintaining the health of humanity. In principle, halal certification is not only limited to whether the product is halal or not but also concerns the hygienic safety of the products and services offered with regard to handling halal products. With a low level of legal awareness of retail business actors regarding the obligation of halal certification, business actors have not fully contributed to ensuring that the products and services offered are in accordance with religious provisions, besides that business actors who do not have halal certification cannot guarantee that the services provided have taken procedures that are safe, hygienic and according to health standards.

Services that are not in accordance with halal standards will allow products to be contaminated with non-halal products, unclean or harmful substances which will ultimately endanger consumer health. For example, with poor food management and storage and not in accordance with halal

standards, the product will have the potential to be contaminated with unclean or other harmful ingredients that can endanger consumer health such as indigestion, and others. Things like this are the urgency of halal certification in the service sector, which is none other than to provide care for the ummah in accordance with the principle of Hifdz Nafs.

Meanwhile, when viewed from the perspective of *maslahah hifdz amal*, the low level of retail service businesses in registering their businesses to obtain halal certification will result in a lack of competitiveness in the market, especially with increasing consumer awareness of halal products and services circulating in the market. People who are increasingly understanding and increasingly aware of the importance of the halalness of a service will certainly choose services that are halal certified, this will certainly cause business actors to be hampered to develop their business and lose their market segment for Muslim consumers.

In addition, by not registering halal certification, business actors will also be at risk of administrative punishment in accordance with existing regulations where these punishment can be in the form of reprimands or fines that will harm their own businesses. This is of course also not in line with the principle of *maslahah*, namely *hifdz amal*, where basically halal certification is not only a legal obligation but also a form of protection of ummah assets to ensure business continuity

Therefore, the obligation of halal certification serves as a form of protection and control of products circulating in society, including certification in the field of retail services which aims to maintain the hygiene and halalness of a product until the stage of consumption by consumers. If legal awareness and obligations towards halal certification increase, it will prevent the circulation of unsafe products, and create an industry that not only meets religious requirements, but also contributes to the welfare and benefit of the people. Thus, halal certification in the retail sector is a very important part in supporting the principle of Maslahah, which ultimately aims to bring overall goodness to the people and society at large.

CHAPTER V

CLOSING

A. Conclusion

From the results of research and discussion regarding the legal awareness of retail service business actors on halal certification obligations based on Peraturan Pemerintah number 42 of 2024 and the perspective of *maslahah*, the following conclusions can be drawn:

1. The legal awareness of retail business actors in the city of Batu towards halal certification obligations that have been regulated in Peraturan Pemerintah number 42 of 2024 is low. This can be seen from the assessment of four indicators of legal awareness put forward by Prof. Soerjono Soekanto, namely legal knowledge, legal understanding, legal attitudes and legal behavior. Of the four indicators, only one of the six interviewees fulfilled the legal awareness indicators well, while the other five interviewees did not have good legal awareness about the obligation of halal certification in the retail service sector. This is certainly not in line with the objectives of Peraturan Pemerintah No. 42 of 2024 to provide legal certainty and guarantees for the public on the halalness of products that enter, circulate, and are traded in Indonesian territory.
2. The low legal awareness of retail business actors in Batu City is not in line with the principles of benefit, namely maintaining the objectives of Islamic law itself, namely *Hifdz Al-Din*, *Hifdz Al-Nafs*, *Hifdz Al-Aql*, *Hifdz Al-*

Nasl, Hifdz Al-Mal. In the context of maslahah, the legal awareness of retail business actors can be studied through 3 principles of guarding religion, soul and property. Where if business actors do not register halal certification, business actors have not contributed to providing facilities for the needs of the Islamic ummah in accordance with religious demands (halal products and services), then the principle of Hifdz Al-Din has not been fulfilled. In terms of Hifdz Al-Nafs, business actors who do not have halal certification cannot guarantee that the services provided have taken procedures that are safe, hygienic and according to health standards so that they will not endanger the health of the ummah. In addition, business actors who do not yet have halal certification will risk losing competitiveness in the market and potentially being subject to administrative punishment or fines that will harm their own businesses. This is certainly also not in line with the principle of maslahah, namely hifdz amal.

B. Advice

1. For the government, there needs to be a broader educational effort regarding the importance of halal certification, especially in the field of services that have not received full attention, this aims to increase public legal awareness regarding the obligation of halal certification in the field of retail services itself. In addition, there needs to be stricter supervision to ensure that

regulations regarding halal certification obligations in various sectors, especially the retail service sector, can run optimally.

2. For business actors, they should further increase legal awareness regarding the obligation of halal certification in the field of retail services. With the development of technology, information regarding procedures and other matters related to halal certification can be accessed through many online media. This is solely to maintain business continuity, avoid being sanctioned and increase contributions to the development of the halal industry globally.

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ATTACHMENT

Attachment 1

INTERVIEW GUIDELINES

A. Supplementary questions

1. Can you tell us a little about your business?
2. Has the government ever conducted socialization on the obligation of halal certification in the field of retail services?

B. Legal Knowledge

1. Do you already know about halal certification obligation, especially in the retail sector?
2. Do you already know about punishment when you not doing halal certification obligation?

C. Understanding of the law

1. What do you understand about the obligation of halal certification especially in the retail sector?
2. Do you know the benefits of halal certification especially especially in the retail sector?
3. Do you know how the process of applying for and obtaining halal certification in this retail sector?

D. Law Behavior

1. What is your opinion regarding the obligation of halal certification for retail businesses?
2. Do you feel halal certification in retail businesses is important?
3. Are you interested in doing halal certification in your business?

E. Legal action

1. So far, does your business already have a halal certificate? What is the reason?
2. How do you ensure that the products you sell are kept halal?

Attachment 2



(Wawawancara dengan bu isnaini)



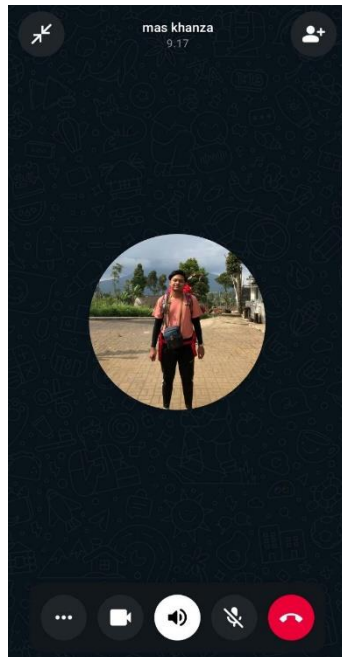
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(Wawawancara dengan mas khansa)



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