

**Bridging *Istinbātī* and *Taṭbīqī*: An Integrative *Ijtihād* Model for
Halal Fatwa Governance and Regulatory Compliance**

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Abstract: This study investigates the integration of *ijtihād istinbātī* and *ijtihād taṭbīqī* in the formulation of *halal* fatwas for processed food products in Madura, Indonesia. The research addresses persistent reliance on fragmented fatwa methodologies, which have historically engendered legal ambiguity, interpretive divergence, and challenges to the legitimacy of religious authority. Employing a qualitative descriptive methodology, the study combines doctrinal analysis with field observations and in-depth interviews involving *ulama*, food industry stakeholders, and representatives of *halal* certification bodies. Findings demonstrate that *halal* fatwa determination in Madura is contingent upon the synergistic application of *istinbātī ijtihād*, which provides normative and doctrinal legitimacy, and *taṭbīqī ijtihād*, which facilitates the contextualization of Islamic legal norms within contemporary socio-technological and industrial frameworks. This unification produces an integrative *ijtihād* model in which Islamic law is dynamically aligned with empirical realities and public welfare considerations (*maqāṣid al-sharī'ah*). Operationalization occurs through collaborative governance mechanisms involving regional MUI branches, *Halal* Inspection Agencies (LPH), *pesantren* networks, and academic institutions, yielding *halal* fatwas that are simultaneously legally authoritative and socially responsive. The study further suggests that adopting a unified *ijtihād* framework can enhance the coherence, legitimacy, and legal certainty of *halal* fatwa production, while concurrently strengthening national *halal* governance by harmonizing religious authority, regulatory institutions, and industrial practices. The findings contribute to contemporary Islamic legal scholarship by demonstrating how integrative jurisprudential methodologies can reconcile classical *Sharī'ah* principles with modern technological, socio-economic, and policy imperatives.

Keywords: *Fatwa Halal; Ijtihad Istinbātī; Ijtihad Taṭbīqī; Progressive Jurisprudence.*

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Introduction

The rapid expansion of the global *halal* industry has fundamentally transformed *halal* fatwas from purely religious instruments into pivotal mechanisms of regulatory governance, market legitimacy, and socio-economic development. The *halal* industry has influenced Indonesia's growth,¹ presenting both challenges and opportunities for its development.² This context clearly presents substantial opportunities³ and broader economic sectors.⁴ It is likely to garner attention from governments globally, particularly in Muslim-majority nations such as Indonesia.⁵ In Muslim-majority countries such as Indonesia, *halal* certification and fatwa issuance now function at the intersection of Islamic jurisprudence, public policy, and industrial regulation.

The *halal* fatwa issued by the Indonesian Ulema Council (MUI) represents a concrete example of the synergy between these two models of *ijtihad*. The MUI combines a textual approach (*istinbat̃i*) with a contextual approach (*tatbiq̃i*) in assessing the *halal* status of complex modern food products. An example of this can be found in the DSN-MUI fatwa No. 80/DSN-MUI/III/2011 on "Guidelines for Fatwas on Food Products Containing Pork Ingredients," which demonstrates an effort to interpret sharia law normatively while considering the scientific and technical aspects of the production process.⁶ In classical *ushul fiqh* literature, *ijtihad* has been described as a collective obligation (*fardhu kifayah*) for Muslims to maintain the continuity of Islamic law amid changing times. Al-Ghazali, in his book *Al-Mustashfa fi 'Ilm al-Usul*, explains that *ijtihad* is "the maximum effort of a jurist to reach a strong assumption (*zann*) regarding sharia law."⁷ Ibn Qayyim al-Jawziyyah also emphasized the importance of contextualizing *ijtihad* by stating that changes in fatwas can occur along with

¹ Wahyu Destriyansah, Imsar Imsar, and Muhammad Ikhsan Harahap, "Analysis of the Influence of the Halal Industry on Indonesia's Economic Growth," *Wiga: Jurnal Penelitian Ilmu Ekonomi* 13, no. 2 (September 2023): 232–245, <https://doi.org/10.30741/wiga.v13i2.1117>.

² Muhammad Anwar Fathoni, "Potret Industri Halal Indonesia: Peluang Dan Tantangan," *Jurnal Ilmiah Ekonomi Islam* 6, no. 3 (October 2020): 428, <https://doi.org/10.29040/jiei.v6i3.1146>.

³ Awani Irewati and Hayati Nufus, "Indonesia's Efforts in Developing Halal Tourism through the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT)," *SUVANNABHUMI* 16, no. 1 (January 2024): 229–269, <https://doi.org/10.22801/SVN.2024.16.1.229>.

⁴ Chairul Lutfi, "Critical Review of Halal Industry Policy in Indonesia," *Ascarya: Journal of Islamic Science, Culture, and Social Studies* 5, no. 1 (January 2025): 1–12, <https://doi.org/10.53754/iscs.v5i1.717>.

⁵ Rizal et al., "From Formal Halal Certification to Substantive Compliance: Integrating Maqāsid Al-Sharī'ah and Risk-Based Governance in SMEs," *Nusantara: Journal of Law Studies* 5, no. 1 (April 2026): 397–420, <https://doi.org/10.66325/nusantaralaw.v5i1.176>.

⁶ Yusuf Al-Qardawi, *Al-Ijtihad Fi al-Syari'ah al-Islamiyyah* (Cairo: Dar al-Syuruq, 1994).

⁷ Al-Ghazali, *Al-Mustashfa Fi 'Ilm al-Usul* (Beirut: Dar al-Kutub al-Ilmiah, 1997).

changes in time, place, conditions, and social customs.⁸ This statement emphasizes that Islamic law is dynamic and flexible in responding to technological and social developments, including in the modern food industry. The *halal* status of a product is very important, including food products, medicines, clothing, cosmetics⁹, or other consumer goods,¹⁰ reflecting the nation's strategic aspiration to establish itself as a leading global *halal* hub.¹¹ Within Muslim communities, the *halal* status of food and beverage products is a critical determinant of consumer decision-making, significantly influencing both purchasing behavior and consumption practices.¹²

This transformation has been further institutionalized through the enactment of Law No. 33 of 2014 on *Halal* Product Assurance (JPH), which mandates *halal* certification for consumable products and reinforces the authoritative role of fatwa institutions in safeguarding religious compliance and public trust. Consequently, the methodological foundation of *halal* fatwa formulation has become a critical academic and practical concern, particularly in relation to processed food products that involve complex ingredients, advanced technologies, and globalized supply chains. Classical Islamic legal reasoning has traditionally relied on *ijtihad istinbat̃i*, a deductive method through which jurists derive legal rulings from primary sources such as the *Qur'an*, *Sunnah*, *ijmā'*, and *qiyās*.¹³ This mode of *ijtihad* ensures normative legitimacy,¹⁴ textual fidelity, and continuity with established juristic traditions. However, contemporary food production increasingly operates beyond the epistemic horizon of classical *fiqh*.¹⁵ The use of food additives, emulsifiers, enzymes, and synthetic compounds, often derived from animal or biotechnological sources, poses significant challenges to the direct application of textual rulings. As a result, *halal* fatwa formulation today requires not only doctrinal rigor but also a contextual and empirically informed

⁸ Ibnu al-Qayyim Al-Jauziyah, *I'lam al-Muwaqqi'in 'an Rabb al-'Alamin* (Cairo: Dar al-Hadits, 1996), 12.

⁹ Sufiana Sarisae, "The Need For Halal Certification Of Medical Devices: A Case Study Of Thailand," *Journal of Halal Science and Technology* 2, no. 1 (June 2023): 32–39.

¹⁰ Raihan Mohd Isa et al., "Determinants of Consumer Adoption of Halal Cosmetics: A Systematic Literature Review," *Journal of Cosmetic Dermatology* 22, no. 3 (March 2023): 752–62, <https://doi.org/10.1111/jocd.15486>.

¹¹ Muh. Firmansyah et al., "A Bibliometric Exploration of Halal Industry Research in the Indonesian Context," *Halal Studies and Society* 2, no. 2 (May 2025): 22–26, <https://doi.org/10.29244/hass.2.2.22-26>.

¹² Slamet Slamet, "Faktor-Faktor Yang Memengaruhi Keputusan Pembelian Produk Makanan Halal Di Kota Semarang," *UPY Business and Management Journal (UMBJ)* 2, no. 1 (January 2023): 01–17, <https://doi.org/10.31316/ubmj.v2i1.3126>.

¹³ Abu Hamid Muhammad Al-Ghazali, *Al-Mustasfa Min 'Ilm al-Usul* (Beirut: Dar al-Kutub al-Ilmiyyah, 1993), 45.

¹⁴ Al-Qardawi, *Al-Ijtihad Fi al-Syari'ah al-Islamiyyah*.

¹⁵ M. Quraish Shihab, *Grounding the Qur'an* (Bandung: Mizan Pustaka, 2002).

legal approach capable of engaging with scientific data, industrial processes, and socio-economic realities.

In this context, *ijtihād taṭbiqī* emerges as a crucial complementary mode of reasoning. While *ijtihād istinbātī* provides normative grounding,¹⁶ *ijtihād taṭbiqī* focuses on the application of legal rulings within evolving social, technological, and economic contexts. It operationalizes Islamic legal norms by translating abstract legal principles into actionable guidance that aligns with empirical conditions. Contemporary scholars have emphasized that separating these two modes of *ijtihād* risks issuing normatively sound yet socially impractical fatwas, thereby undermining compliance and legal certainty.¹⁷ The Indonesian Ulama Council (MUI) represents a concrete institutional manifestation of this dual approach. In collaboration with the *Halal* Inspection Body under the Indonesian Ulema Council (MUI), the exclusive authority for *halal* certification, products are categorized into consumer goods, non-consumer goods, and operational procedures within *halal*-compliant supply chains, with the latter two often revealing misconceptions in *halal* labeling. Beyond product oversight, MUI's jurisdiction extends to agrarian issues, religious practices, technological innovation, and scientific domains.¹⁸ Through its Fatwa Commission, MUI increasingly integrates textual reasoning with contextual assessment, scientific consultation, and institutional collaboration in determining the *halal* status of processed food products. Studies on *ijtihād jamā'ī* demonstrate that collective reasoning involving *ulama*, scientists, and regulators enhances the epistemic credibility¹⁹ and social acceptance of fatwas.²⁰ Moreover, recent scholarship highlights a growing reliance on *maqāṣid al-sharī'ah*, particularly the principles of *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, and *ḥifẓ al-māl*, to justify adaptive legal reasoning in *halal* governance and certification systems.

Previous researchers have conducted some related studies. The results underscore that ensuring the *halal* status of food and beverage products

¹⁶ Al-Ghazali, *Al-Mustasfa Min 'Ilm al-Uṣul*, 45.

¹⁷ Fuat Hasanudin, "Ijtihad Maqashidi: Methodology and Contextualization of Islamic Law in Indonesia," *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 1, no. 2 (August 2019): 134–153, <https://doi.org/10.20885/mawarid.vol1.iss2.art2>.

¹⁸ Mukhsin Aseri, Muhammad Rasyid, Ahmad Sharifuddin bin Mustapha, et al., "Negotiating Authority and Knowledge: Religion, Science, and Politics in the Fatwa Transformations of the Indonesian Ulema Council," *Journal of Islamic Law* 6, no. 2 (August 2025): 286–316, <https://doi.org/10.24260/jil.v6i2.4702>.

¹⁹ Moh. Bahrudin, Tulus Suryanto, and Mohd Mizan Bin Mohammad Aslam, "The Implementation of Ijtihad Jamā'iy in MUI's Fatwa Commission," *Walisono: Jurnal Penelitian Sosial Keagamaan* 28, no. 2 (November 2020): 125–144, <https://doi.org/10.21580/ws.28.2.6293>.

²⁰ Holis Holis et al., "From Concept to Practice: Ijtihad Jama'ī as a Method for Issuing Halal Product Fatwa from the Perspective of Kiai in Bangkalan, Madura," *Jurnal Mediasas: Media Ilmu Syari'ah Dan Abwal Al-Syakhsyiyah* 8, no. 2 (May 2025): 307–319, <https://doi.org/10.58824/mediasas.v8i2.340>.

constitutes a core requirement for Muslim consumers, necessitating strict compliance with Islamic sharia principles throughout the entire supply chain, from raw material sourcing to final distribution.²¹ A study examines the application of *ijtihād* in *halal* certification, particularly highlighting misconceptions about its application to non-food commodities. The research demonstrates that state intervention often encroaches upon the domain of independent *ijtihād*, constraining the flexibility of religious authorities to interpret and implement *halal* standards.²² The study demonstrates that while Indonesia's *Halal Product Guarantee (JPH) Law* embeds *Maqāṣid Shari'ah* principles to ensure product quality, safety, and religious compliance, persistent certification challenges highlight the need for additional regulatory support to systematically advance the *halal* industry and position the country as a global *hub of Shari'ah-compliant economic activity*.²³ The study demonstrates that applying *istinbāt* and *ijtihād* within *Fiqh* and *Usul Fiqh* is essential for ensuring *halal* products comply with both *Sharia* principles and contemporary industry standards.²⁴ The study demonstrates that *halal* fatwas significantly influence consumer purchasing decisions for Korean food products, highlighting how sociological awareness and religious guidance intersect to shape market behavior. Findings indicate that clear and credible *halal* fatwas not only reinforce consumer trust but also serve as a critical factor in promoting *halal* compliance and acceptance in international food markets, underscoring the importance of authoritative religious certification in guiding consumption patterns.²⁵

This study addresses a critical gap in localized socio-religious contexts such as Madura, where a strong *pesantren* tradition, the central authority of *kiai*, and entrenched religious norms shape economic and social life. Yet, empirical research on how regional fatwa institutions operationalize integrative *ijtihād* remains limited. By analyzing the unification of *ijtihād istinbātī* and *ijtihād taṭbīqī* in

²¹ Nada Tauhida Zaharani, "Halal Fatwa in the Food and Beverage Industry," *Indonesian Journal of Halal Studies* 2, no. 1 (November 2025): 1–11, <https://doi.org/10.18326/ijhs.v2i1.1-11>.

²² Abdul Hamid et al., "Misconception about Halal Certification Placement on Non-Food Commodities: State Coercion over the Territory of *Ijtihad*," *Al-Manahij: Jurnal Kajian Hukum Islam*, November 11, 2025, 271–288, <https://doi.org/10.24090/mnh.v19i2.14064>.

²³ Agus Waluyo, "The Developmental Policy of Halal Product Guarantee in the Paradigm of *Maqāṣid Shari'ah* in Indonesia," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 20, no. 1 (June 2020): 41–60, <https://doi.org/10.18326/ijtihad.v20i1.41-60>.

²⁴ Ratna Wijayanti and M. Meftahudin, "Kaidah *Fiqh* Dan *Ushul Fiqh* Tentang Produk Halal, Metode *Istinbath* Dan *Ijtihad* Dalam Menetapkan Hukum Produk Halal," *International Journal Ihya' Ulum al-Din* 20, no. 2 (November 2018): 241–268, <https://doi.org/10.21580/ihya.20.2.4048>.

²⁵ Mohammed Sayah S. Eljohani et al., "Fatwa and Sociological Awareness: The Role of Halal Fatwa and Its Influence on Consumer's Purchasing Decisions of Korean Food Products," *JURNAL INDO-ISLAMIKA* 14, no. 2 (December 2024): 408–419, <https://doi.org/10.15408/jii.v14i2.43827>.

halal fatwa formulation for processed food, the study conceptualizes Islamic law as a dynamic system guided by *maqāṣid al-sharī'ah*, offering both a theoretical integrative model and practical insights to enhance regional *halal* governance, regulatory coherence, and sustainable development of the *halal* food industry. The urgency of this research is reinforced by the rapid expansion of the global *halal* industry and Indonesia's strategic position as the world's largest Muslim-majority country. The implementation of Law No. 33 of 2014 on *Halal* Product Assurance has intensified the need for coherent and legitimate *halal* governance that aligns religious authority with state regulation and industry practice. Strengthening the enforcement and implementation of Law No. 33 of 2014, and advancing Participatory *Halal* Governance, can reform policy, enhance consumer protection, ensure legal certainty, and reinforce Indonesia's position in the global *halal* economy.²⁶ Without an integrative *ijtihad* framework, *halal* fatwa formulation risks legal inconsistency, institutional fragmentation, and declining public trust. By offering a unified *ijtihad* model grounded in *maqāṣid al-sharī'ah*, this study contributes to strengthening legal certainty, institutional legitimacy, and societal relevance in Indonesia's *halal* governance system and, more broadly, in contemporary Islamic legal discourse. The growth of the *halal* industry necessitates a comprehensive understanding of its alignment with the objectives of Sharia (Maqāṣid al-Shariah).²⁷

This study contributes to scholarship by conceptualizing and empirically demonstrating the unification of *ijtihad istinbātī* and *ijtihad taṭbīqī* as an integrated epistemological framework in *halal* fatwa formulation, moving beyond the conventional treatment of normative derivation and contextual application as parallel or sequential processes. Grounded in empirical evidence from Madura, the research presents a context-sensitive model of progressive fiqh, showing that this integration enhances legal legitimacy, implementation feasibility, and maqāṣid-oriented public welfare in contemporary *halal* governance.

Method

This study adopts a qualitative descriptive research design²⁸ with an inductive analytical approach to examine the process of *halal* fatwa formulation and the

²⁶ Rahmatullah Rahmatullah et al., "Halal Industry and Certification in Disguise: Is It Faith Implementation or Economic Ploy in Indonesia's Legal Framework?," *Jurisdictie: Jurnal Hukum Dan Syariah* 16, no. 2 (December 2025): 334–373, <https://doi.org/10.18860/j.v16i2.33812>.

²⁷ Reza Nurul Ichsana et al., "Halal Industry In The Fulfillment Of Sharia Maqasid: A Qualitative Study On Halal Business Actors In North Sumatra," *Jurnal Ilmiah METADATA* 7, no. 2 (May 2025): 80–97.

²⁸ Kornelius Benuf and Muhamad Azhar, "Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer," *Gema Keadilan* 7, no. 1 (April 2020): 20–33, <https://doi.org/10.14710/gk.2020.7504>.

unification of *ijtihād istinbātī* and *ijtihād taṭbiqī* in Madura. A qualitative approach is particularly appropriate for investigating complex socio-religious and institutional phenomena,²⁹ where legal reasoning, authority, and contextual practice intersect dynamically and cannot be adequately captured through quantitative indicators alone.³⁰ This study adopts a socio-legal and institutional case study approach, situating Madura as the empirical focus due to its strong *pesantren* tradition and the *kiai*'s central role in legitimizing *halal* norms. Employing qualitative methods, the researcher engaged directly with institutional, social, and religious settings, using participatory observation and complementary techniques to examine *halal* fatwa deliberation, coordination among MUI, LPH, and BPJPH, and the practical implementation of *halal* certification under the newly established *Halal* Product Guarantee Agency.³¹

In Indonesia, *halal* certification is administered by the *Halal* Product Assurance Agency (BPJPH) under the supervision of the Indonesian Ulema Council (MUI).³² Observational methods have been recognized as effective in socio-legal *halal* studies for understanding normative application in real institutional settings.³³ Second, in-depth semi-structured interviews were conducted with purposively selected key informants, including ulama, food industry stakeholders, and representatives of *halal* certification bodies involved in processed food production. Table 1 below represents the role of the informants:

Table 1. Key Informant of Research

No.	Name	Position	Role
1.	Kyai Haji Farmadi Hasyim	An ulama	Providing insights into the theological foundations of <i>halal</i> fatwa issuance
2.	Ahmad Zaidan	a local entrepreneur	Offering perspectives on the operational and economic implications of <i>halal</i> fatwas.
3.	K.H. Makruf Khozin	Chair of the Fatwa Commission	Providing an overview of the procedural and methodological approaches in <i>halal</i> fatwa issuance.

²⁹ Zuchri Abdussamad, *Metode Penelitian Kualitatif* (Makassar: Syakir Media Press, 2021).

³⁰ Creswell, John W, and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing among Five Approaches* (Thousand Oaks CA: Sage Publications, 2018).

³¹ Ihsanul Ikhwan, "Systematic Review on Indonesia Halal Certification," *Ekonomi Islam Indonesia* 6, no. 2 (December 2024), <https://doi.org/10.58968/eii.v6i2.554>.

³² Rita Zaharah et al., "Halal Industry: A Comparative Analysis of Halal Certification Mechanisms in Indonesia and Malaysia from the Perspective of Sharia Economic Law," *ASAS* 16, no. 2 (December 2024): 179, <https://doi.org/10.24042/asas.v16i2.23994>.

³³ Bahrudin, Suryanto, and Aslam, "The Implementation of Ijtihād Jamā'iy in MUI's Fatwa Commission," 216.

Source: author's interpretation

Purposive sampling was employed to ensure participants had substantive knowledge and direct involvement in the formulation and implementation of *halal* fatwas, a strategy commonly used in qualitative research on *halal* governance. Interviews were conducted iteratively until theoretical saturation was achieved. Third, document analysis was conducted to examine primary institutional texts, including *halal* fatwas, minutes of deliberation meetings on fatwas, LPH technical guidelines, and official collaboration reports between MUI and BPJPH. Documentary analysis is a core method in Islamic legal and *halal* governance studies, enabling researchers to trace formalized legal reasoning and institutional decision-making patterns.³⁴ In addition, a systematic literature review was conducted on classical fiqh, *uṣūl al-fiqh*, *maqāṣid al-sharī'ah*, and contemporary scholarship on *halal* certification governance and Islamic legal methodology.

Data analysis followed an inductive qualitative analytical procedure, drawing on the framework proposed by Miles and Huberman³⁵, which consists of three interrelated stages: data condensation, data display, and conclusion drawing and verification. Inductive coding was applied to allow analytical categories and themes to emerge from the empirical data, rather than being imposed a priori.³⁶ This approach is consistent with interpretive qualitative traditions in Islamic law and governance research.³⁷ The findings were interpreted within the socio-religious context of Madura, where pesantren traditions, *kiai* authority, and local wisdom shape the legitimacy of *halal* fatwas, and were analyzed through a *maqāṣid al-sharī'ah* lens to assess how unifying *ijtibād istinbātī* and *ijtibād taṭbīqī* advances public benefit and addresses modernization challenges in the processed food sector. Methodological rigor was ensured through source and method triangulation of interviews, observations, and documents, with full ethical compliance, producing empirically grounded and theoretically reflective insights into integrative *ijtibād* in regional *halal* fatwa practices.

Results and Discussion

The findings of this study demonstrate that the formulation of *halal* fatwas for processed food products in Madura is inherently grounded in a

³⁴ Ryan Bianda, Muhammad Yosef Niteh, and Maad Ahmad, "Maqāṣidī Paradigm in the Indonesian Ulema Council (MUI) Fatwa 2024 Reorienting Mashlahah in the Issue of Halal Products and Khabā'its," *Journal of Muwafaqat* 8, no. 2 (2025): 120–138.

³⁵ A. M. Miles and M. B. Huberman, *An Expanded Sourcebook: Qualitative Data Analysis*, 2 Vol 1304 (California: Sage Publications, 1994).

³⁶ Justin L. Robinson et al., "Power, Desire, and Elite Deviance: A Psycho-Social Analysis of the Jeffrey Epstein Case through Freudian Theory," *Al-Biruni Journal of Humanities and Social Sciences*, March 14, 2026, 46, <https://doi.org/10.64440/BIRUNI/BIR0020>.

³⁷ David Silverman, *Doing Qualitative Research*, 5th ed. (Thousand Oaks: Sage Publications, 2020).

methodological integration of two interdependent dimensions of *ijtihad*: *ijtihad istinbātī* and *ijtihad taṭbīqī*. Empirically, religious scholars and fatwa institutions, particularly the regional Indonesian Ulema Council (MUI), do not function solely as legal extractors of norms derived from authoritative textual sources such as the *Qur'an*, *Hadith*, *ijmā'*, and *qiyās*. Rather, they simultaneously operate as interpretive agents who translate Islamic legal values into socially, economically, and technologically evolving contexts. The Indonesian Ulema Council (MUI) facilitates *halal* industry exports in the ASEAN region by issuing authoritative fatwas that standardize compliance, enhance international trust in Indonesian products, and align domestic production with global *halal* standards, thereby strengthening market access and trade competitiveness.³⁸ The strategic enhancements at LPPOM MUI and LPH institutions aim to increase enrollment in *halal* certification programs through evidence-based analysis.³⁹

The process of *istinbāt al-ḥukm* is conducted rigorously to establish a firm normative foundation for determining the *halal* status of processed food products. At the same time, *ijtihad taṭbīqī* plays a decisive role in ensuring that the resulting fatwas remain responsive to the empirical realities of Madurese society, which is increasingly embedded in globalized food supply chains and industrial production systems. A significant result of this integrative approach is that *halal* fatwas are perceived not merely as abstract legal determinations, but also as operational guidelines that provide legal certainty while facilitating practical compliance with *halal* principles. This dual orientation enables Islamic law to preserve its normative integrity while effectively addressing the community's demand for clarity, feasibility, and socio-economic relevance. Consequently, *ijtihad* in this context transcends its traditional role as a purely intellectual exercise of the *ulama* and emerges as a socially embedded instrument that bridges sharia values with the economic practices and cultural realities of local communities.⁴⁰

Furthermore, the findings confirm that *ijtihad istinbātī* and *ijtihad taṭbīqī* should not be understood as separate or sequential modes of reasoning, but rather as complementary epistemological instruments that jointly shape the production of valid, contextual, and authoritative Islamic legal rulings. Their unification enables *halal* fatwas to be formulated in a more comprehensive and balanced manner, combining the normative strength of textual fidelity with the

³⁸ Husain, Abdul Gaffar, and Fikru Jayyid, "The Role of Mui Fatwas in Promoting Indonesia'S Halal Industry Exports Within the Asean Region," *Az-Zabra International Proceeding* 1, no. 4 (2025): 13–27.

³⁹ Andi Syathir Sofyan et al., "Strategies on Halal Certification Obligations: Learning from the Experience of LPPOM MUI South Sulawesi," *International Journal of Halal Industry* 1, no. 2 (October 2025): 133–146, <https://doi.org/10.20885/IJHI.vol1.iss2.art2>.

⁴⁰ Yusuf Al-Qardawi, *Fiqh Al-Halal Wa al-Haram Fi al-Islam* (Cairo: Maktabah Wahbah, 2001).

adaptive flexibility required by contemporary contexts. One significant outcome of this integrative model is that *halal* fatwas in Madura function not only as dogmatic legal rulings, but also as moral and socio-religious reference points that actively shape public religious consciousness and ethical economic behavior.⁴¹

The study further reveals that *halal* fatwas are produced through a continuous process of dialogue between scriptural evidence and empirical data, between juristic reasoning and scientific assessments conducted by *halal* auditors and food technologists. This dialogical process generates fatwas endowed with dual legitimacy: sharia legitimacy rooted in Islamic jurisprudence and scientific legitimacy grounded in the technical verification of production processes. Such legitimacy enhances public trust and strengthens institutional credibility within the national *halal* assurance system. Importantly, this synergy contributes not only to safeguarding the sanctity of Islamic values but also to enhancing the economic competitiveness of Muslim communities in Madura by facilitating broader market access and compliance with national and global *halal* standards.

At this juncture, the unification of *istinbatī* and *taṭbiqī ijtihād* emerges as a defining feature of progressive *fiqh*, reaffirming religious authority while simultaneously asserting the continued relevance of Islamic law in addressing the challenges of modernity, industrial transformation, and socio-economic change. This finding underscores the transformative potential of integrative *ijtihād* as both a legal methodology and an epistemological paradigm within contemporary Islamic legal discourse.

Epistemological Foundations of Integrative *Ijtiḥād* in Contemporary *Halal* Fatwa Governance

Ijtiḥād serves as the primary epistemological instrument in Islamic law for responding to novel issues arising from advancements in science and technology, through a structured method of legal discovery.⁴² In contemporary *halal* fatwa governance, legal determination can no longer rely solely on a purely textual approach (*ijtiḥād istinbāṭī*); rather, it has transformed into a social construction that negotiates religious authority, scientific validity, and political realities.⁴³ The utilization of the *istiṣlāḥ* (public interest) method by the Indonesian Ulema Council (MUI) reflects a concrete effort to bridge the normative and contextual dimensions, although in

⁴¹ Wahbah Al-Zuhayli, *Usul Al-Fiqh al-Islami* (Damaskus: Dar al-Fikr, 1986).

⁴² Siti Nashrah Binti Tamsir, Mohammad Kafabihi, and Zaini Zaini, "Ijtiḥād as a Method of Legal Discovery in the Islamic Legal System," *Trunojoyo Law Review* 5, no. 2 (August 2023): 129–143, <https://doi.org/10.21107/tr.v5i2.21051>.

⁴³ Mukhsin Aseri, Muhammad Rasyid, Ahmad Sharifuddin bin Mustapha, et al., "Negotiating Authority and Knowledge: Religion, Science, and Politics in the Fatwa Transformations of the Indonesian Ulema Council," *Journal of Islamic Law* 6, no. 2 (August 2025): 286–316, <https://doi.org/10.24260/jil.v6i2.4702>.

practice it frequently triggers internal tensions when confronted with contesting objectives.⁴⁴ It is this limitation of a purely textual approach that necessitates complementing it with *ijtihād taḥbiqī*, which is oriented toward empirical reality. This integration of textual and contextual approaches gains strong academic justification from moderate reasoning (*wasatīyyah*), which can harmonize the *nuṣūṣ* (sacred texts) with contemporary contexts. For jurisprudence (*fiqh*) to consider maqāṣid without this integration loses its soul and becomes rigid and stagnant.⁴⁵ Through the integrative *ijtihād* model, *ijtihād istinbatī* provides normative legitimacy grounded in authoritative Sharia sources, while *ijtihād taḥbiqī* ensures that the legal formulation remains adaptable to evolving social, technological, and economic realities.

Within this epistemological bridge, the contemporary *maqāṣid al-syarī'ah* framework plays a central role by transcending its conservative function of protection (*hijāz*) toward a dynamic function of development (*tanmiyah*) and the fulfillment of human rights, in which *maslahah* serves as the primary interpretive metric rather than the literal wording of the text.⁴⁶ Empirically, the dynamics of MUI's fatwas have shifted toward a more responsive direction through three patterns of transformation: the relaxation of provisions, the annulment of prior fatwas, and the refinement of legal norms. These changes are triggered by new scientific evidence that necessitates active engagement between religious authorities and the scientific community—a logic that places empirical data as an integral component of the law-making process. On the institutional dimension, *ijtihād jamā'ī* (collective *ijtihād*) has emerged as the most representative model through a process of multidisciplinary deliberation, such as the collaboration between medical specialists and Islamic jurists to resolve modern legal dilemmas.⁴⁷ A similar pattern shapes the *halal* governance ecosystem in Madura through the collaboration of the regional MUI, *Halal* Examination Agencies (LPH), the *Halal* Product Assurance Organizing Agency (BPJPH), Islamic boarding schools (*pesantren*), and academics, which simultaneously yields Sharia legitimacy and scientific validity. Furthermore, integrating religious moderation with the *halal* industry positions

⁴⁴ Zainal Azwar and Farid Afif Rinaldi, “Consistency of the Indonesian Ulama Council in Using *Istislāh* as a Method for Legal *Istinbath*,” *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (May 2024): 1, <https://doi.org/10.29240/jhi.v9i1.7680>.

⁴⁵ Ainol Yaqin, Moch. Cholid Wardi, and Achmad Mulyadi, “Actualization of Moderation in Reasoning at Ma'had Aly Salafiyah Syafi'iyah Sukorejo Situbondo and Its Influence on *Istinbath* of Islamic Law,” *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 2 (December 2022): 434–457, <https://doi.org/10.19105/al-lhkam.v17i2.5962>.

⁴⁶ Ahmad Syafi'i Sulaiman Jamrozi et al., “Maqashid Al-Sharia in the Study of Hadith and Its Implication for the Renewal of Islamic Law: Study on Jasser Auda's Thought,” *Justicia Islamica* 19, no. 1 (June 2022): 74–93, <https://doi.org/10.21154/justicia.v19i1.3269>.

⁴⁷ Edi Susilo, Budi Santoso, and Yessy Eka Ambarwati, “Transformation of Contemporary Fiqh through a Collective *Ijtihad* Approach in Resolving Lineage Issues Arising from Egg Freezing,” *MILRev: Metro Islamic Law Review* 4, no. 2 (July 2025): 728–760, <https://doi.org/10.32332/milrev.v4i2.10403>.

the principles of *wasatiyyah* and *maṣlahah* not merely as moral foundations, but as a governance logic that bridges theological values and market realities, including equitably expanding access to certification for MSME actors.⁴⁸

Halal certification as a regulatory obligation obtains substantive justification through the *maslahah mursalah* approach, which is factual (*ḥaqīqiyah qaṭ'iyah*) and possesses a public dimension (*ʿāmmah kulliyah*) to protect consumers from hazardous substances, aligning closely with the logic of *ijtihād taḥbiqī*.⁴⁹ Formally, this governance is backed by Law No. 33 of 2014 concerning *Halal* Product Assurance (JPH) and Law No. 6 of 2023 on Job Creation, which has successfully increased the efficiency and volume of certifications significantly, despite the emergence of the *Halal* Product Fatwa Committee (KFPH) that potentially shifts the traditional role of MUI.⁵⁰ However, applying *ijtihād taḥbiqī* to MSMEs poses complex structural and cultural challenges. On one hand, compliance with certification is supported by the social capital of religious organizations such as NU and Muhammadiyah⁵¹. However, resistance emerges from business actors due to a failure to integrate state law with the community's living law.⁵² Active legal awareness remains low due to administrative burdens and the absence of strict sanctions.⁵³ This fact underscores the urgency of an *ijtihād taḥbiqī* approach grounded in the principles of ease (*taysīr*) and social justice,

⁴⁸ Asep Saefullah et al., "Integration of Religious Moderation and Halal Industry: Challenges and Solutions," *Al-Istinbat: Jurnal Hukum Islam* 10, no. 2 (November 2025): 948–975, <https://doi.org/10.29240/jhi.v10i2.14554>.

⁴⁹ Wahyu Abdul Jafar, "Legality of Halal Food Certification on Maslahah Mursalah Perspective," *Jurnal Ilmiah MIZANI: Wacana Hukum, Ekonomi Dan Keagamaan* 09, no. 01 (2022), <https://www.academia.edu/download/99492386/4029.pdf>; Hatoli Hatoli, "Halal Certification of the Indonesian Ulama Council on Electronic and Non-Consumer Products from the Maslahah Perspective," *JIL: Journal of Islamic Law* 1, no. 2 (August 2020): 237–255, <https://doi.org/10.24260/jil.v1i2.45>.

⁵⁰ Bambang Iswanto, "Job Creation Law and Consequences in Determining Halal Products: Analysis of the Halal Product Fatwa Committee," *Al-Adalah* 20, no. 1 (June 2023): 179, <https://doi.org/10.24042/adalah.v20i1.16379>; Dedah Jubaedah et al., "Halal Certification In Indonesia: Study of Law Number 6 of 2023 on Job Creation," *JURISDICTIE* 14, no. 1 (July 2023): 154–184, <https://doi.org/10.18860/j.v14i1.19948>.

⁵¹ Rohmah Maulidia, "Consumer Legal Protection Efforts Through Halal Certification Policy for Small Medium Industry In Ponorogo," *JURISDICTIE* 13, no. 1 (July 2022): 111–127, <https://doi.org/10.18860/j.v13i1.16477>.

⁵² Asnaini Asnaini et al., "Resistance of Micro, Small, and Medium Enterprise Owners to Halal Labeling Policy within Islamic Law Framework," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 20, no. 1 (July 2025): 196–226, <https://doi.org/10.19105/al-lhkam.v20i1.18430>.

⁵³ Khusniati Rofiah et al., "Legal Awareness of Halal Products Certification among East Java Business Operators and Society," *JURIS (Jurnal Ilmiah Syariah)* 23, no. 1 (June 2024): 55, <https://doi.org/10.31958/juris.v23i1.10467>.

through comprehensive economic empowerment of MSMEs, based on the fulfillment of the five core principles of public interest (*al-ḍarūriyyāt al-khamsah*).⁵⁴

The socio-religious context of Madura provides a unique empirical setting for operationalizing this integrative *ijtihād* model. The pesantren and the figure of the kiai hold significant cultural and religious legitimacy to foster a *halal* lifestyle and act as epistemological translators, grounding normative fatwas into practical guidelines for the community.⁵⁵ Nevertheless, *ijtihād taḥbiqī* in Madura must remain sensitive to local traditions (‘urf). The case of tompangan practices in Sumenep demonstrates how a shift from social to profit motives can deviate from the essence of *maqāṣid al-syarī’ah*. Therefore, fatwa implementation must consider its social impacts on achieving both the immediate objective (*al-bada’*) and the ultimate goal (*al-gāyah*) of Islamic law, through a multidimensional approach in which text and context complement one another, as also reflected in the progressive *ijtihād* of Religious Court judges in pursuit of gender justice.⁵⁶

To optimize this system, concrete institutional strategies are required, including strengthening regulatory capacity, expanding public literacy, and accelerating digital transformation. The urgency of these steps is reinforced by the fact that the dissemination of MUI fatwas through new media such as Instagram remains very minimal (9.6%), leaving *halal* legal literacy at the grassroots level less than optimal.⁵⁷ In a broader public policy context, such as the management of Hajj fund investments, integrative *ijtihād* confirms that fatwas must not be elitist (top-down) but rather the product of transparent, participatory collective deliberation.⁵⁸ In addition, the application of the emergency concept (*dharūrat*)—as seen in the vaccine fatwa—demonstrates that *ijtihād taḥbiqī* can yield adaptive and beneficial decisions in pressing situations without sacrificing the integrity of Sharia established by *ijtihād istinbatī*.⁵⁹

⁵⁴ Rulyjanto Podunge et al., “Increasing Halal Industry MSMEs in Gorontalo through Maqāṣid Asy-Syarī’ah,” *Asy-Syarī’ah* 27, no. 2 (December 2025): 171–192, <https://doi.org/10.15575/as.v27i2.39577>.

⁵⁵ Moh. Nayu and Agung Ali Fahmi, “Efforts to Realize a Halal Lifestyle in Madura Through the Synergy of Islamic Boarding Schools and the Halal Center of University Trunojoyo of Madura,” *Trunojoyo Law Review* 4, no. 2 (March 2022): 98–113, <https://doi.org/10.21107/tr.v4i2.18616>.

⁵⁶ Suaidi and Ali Sodikin, “Halal but Forbidden? A Systems Approach to Tompangan Transactions in Sumenep, Madura,” *El-Mashlahah* 15, no. 2 (November 2025): 231–254, <https://doi.org/10.23971/el-mashlahah.v15i2.9049>.

⁵⁷ Mualimin et al., “Are Fatwas Visible on New Media? Dissemination of the Fatwas of the Indonesian Ulama Council on Instagram,” *El-Mashlahah* 15, no. 1 (June 2025): 21–40, <https://doi.org/10.23971/el-mashlahah.v15i1.7879>.

⁵⁸ Jaenal Aripin, “Hajj Fund Investment: A Comparative Contemporary Fiqh Study on Maslahah and Public Policy Perspectives in Indonesia,” *MIL.Rev: Metro Islamic Law Review* 4, no. 1 (June 2025): 360–388, <https://doi.org/10.32332/milrev.v4i1.10424>.

⁵⁹ Jubaedah et al., “Halal Certification in Indonesia.”

In conclusion, the integrative *ijtihad* model in *halal* fatwa governance rests upon three mutually supporting epistemological pillars: the normative dimension (*ijtihad istinbātī*), which guarantees textual and *istiṣlāḥ*-based Sharia legitimacy; the empirical dimension (*ijtihad taḥbīqī*), which accommodates scientific data, market realities, local traditions, and the real needs of MSME assistance; and the institutional dimension (*ijtihad jamā'ī*), which unifies religious authority and the expertise of cross-disciplinary specialists. The unification of these two modes of *ijtihad* within the framework of *maqāṣid al-syarī'ah* is not merely a methodological choice, but an epistemological necessity as well as a governance paradigm that places *maslahah 'āmmah* (the public interest) as the highest criterion for regulatory compliance and the fulfillment of society's legal needs.

Social and Religious Context in Madura

Madura Island exhibits highly distinctive socio-religious characteristics that are deeply embedded in the everyday lives of its Muslim population. Islamic faith in Madura is manifested not only through ritual observance but also through cognitive orientations, social ethics, and patterns of economic behavior.⁶⁰ Islamic boarding schools (*pesantren*) function as pivotal institutions in shaping religious consciousness, while *ulama* and *kiai* occupy central positions as moral authorities and primary sources of religious legitimacy. Within this socio-religious configuration, the concept of *halal* is understood not merely as a juridical classification but as a marker of religious identity, moral integrity, and communal self-respect. Consequently, food products, whether produced through traditional methods or modern industrial processes, are evaluated not only for quality and hygiene but also for compliance with sharia principles. *Halal* certification thus operates as a key mechanism of social trust, significantly influencing consumption patterns and economic decision-making. This deeply rooted collective ethos renders Madura a distinctive context in which religious norms and social ethics are closely intertwined, fostering a pragmatic harmony between spirituality and daily life.

At the same time, the modernization of the food industry introduces increasingly complex challenges to *halal* governance.⁶¹ The widespread use of additives such as emulsifiers, gelatin, flavor enhancers, and enzymes, often derived from animal or synthetic sources, frequently generates legal ambiguity from a Sharia perspective. These developments necessitate an adaptive and context-sensitive approach to Islamic legal reasoning capable of addressing the technological sophistication of contemporary food production.⁶² In this regard, *ijtihad taḥbīqī* emerges as a critical mediating mechanism that bridges normative sharia principles and empirical realities. Through engagement with scientific

⁶⁰ Ahmad Zainuri, *Sociology of Madurese Islam* (2020: Uinsa Press, 2020).

⁶¹ Juhaya S. Praja, *Philosophy of Islamic Law* (Bandung: LPPM UIN Sunan Gunung Jati, 2011).

⁶² M. Quraish Shihab, *Grounding the Qur'an* (Jakarta: Lentera Hati, 2019).

analysis and contemporary fiqh methodologies, *ulama* in Madura seek to ensure that Islamic legal interpretations remain responsive to modern conditions without compromising their normative foundations.

The findings further indicate that the unification of *ijtibād istinbātī* and *ijtibād taḥbiqī* has evolved within a framework of local wisdom shaped by *pesantren* culture, where doctrinal principles are systematically contextualized within the lived experiences of the community. As a result, *halal* fatwas function not only as formal legal determinations but also as instruments of social education, moral formation, and collective awareness-building. Through this integrative process, *halal* fatwas reinforce the religious identity of Madurese Muslims while simultaneously equipping them to navigate the challenges posed by global industrial modernization. In this sense, the Madura case illustrates how integrative *ijtibād* can sustain the relevance of Islamic law as both a normative system and a socially embedded guide in an increasingly globalized *halal* ecosystem.

***Ijtibād Istinbātī* in Determining *Halal* Fatwa**

Ijtibād istinbātī refers to a systematic and methodologically rigorous process of deriving Shari'ah rulings from primary legal sources, including *Qur'anic* verses, *ḥadīth*, *ijmā'*, and *qiyās*, particularly for novel issues not explicitly addressed in classical texts. Within *halal* fatwa governance, it serves as a normative foundation, establishing core principles such as the prohibition of carrion, blood, pork, and other impure or harmful substances (*ḍarar*).⁶³ These principles serve as benchmarks for evaluating the permissibility of ingredients in contemporary processed foods. For example, in assessing gelatin used in confectionery, dairy, or pharmaceuticals, mujtahids investigate whether it is animal-based, properly slaughtered, or synthetic, ensuring that rulings are legally sound and contextually informed by advancements in food science. Beyond legal formalism, *istinbātī ijtibād* integrates philosophical and ethical considerations through *maqāṣid al-shari'ah*, requiring jurists to account for public benefit (*maṣlahah*), protection of religion (*ḥifẓ al-dīn*), life and health (*ḥifẓ al-nafs*), and property (*ḥifẓ al-māl*). Consequently, *halal* fatwas are both morally grounded and socially responsive, providing guidance that extends beyond textual interpretation to practical implications for contemporary society. In the Madura food production context, fatwas play a pivotal role in operationalizing these principles. Producers, particularly MSMEs, rely on MUI guidance when selecting raw materials, designing production processes, and ensuring hygiene and cross-contamination prevention. Sharia-compliant financial products and Islamic banking play a vital

⁶³ Imam Al-Nawawi, *Al-Majmu' Syarh al-Mubadẓdzab*, Vol. 9 (Beirut: Dar al-Fikr, 2003).

role in supporting MSMEs.⁶⁴ Self-declared *halal* certification strengthens legal assurance, competitiveness, and consumer trust but requires MSME education and support to overcome resource, institutional, and documentation challenges.⁶⁵

Fatwas determine the permissibility of additives, enzymes, flavorings, and compliance with *halal* slaughter standards, integrating *Shari'ah* principles with food safety and socio-economic considerations.⁶⁶ This demonstrates that *istinbatī ijtibād* directly informs daily industrial practices and business decisions, rather than remaining a purely theoretical exercise. Institutionally, the Indonesian Ulema Council (MUI) of Madura aligns its *ijtibād istinbatī* with the fatwas of the National Sharia Council (DSN-MUI), while contextualizing its rulings through classical fiqh sources (*turāth*) and local socio-cultural realities. This approach enables regional *ijtibād istinbatī* to function as a dynamic actualization of Islamic law, supporting contemporary societal welfare. The resulting *halal* fatwas have broader policy implications, providing normative guidance for *halal* certification, consumer protection, food industry regulation, and regional *halal* tourism development. Through this integration, religious legal reasoning becomes a central reference for evidence-based, ethically informed, and socially legitimate governance, linking *Shari'ah* principles with modern industrial and regulatory contexts.

Ijtibād istinbatī does not stop at normative legal reasoning but also includes philosophical and ethical dimensions through an understanding of *maqāṣid al-syarī'ah* (the goals of Islamic law). A mujtahid is required to be able to consider the beneficial aspects in each fatwa, such as protecting religion (*ḥijz al-dīn*), protecting life and health (*ḥijz al-nafs*), and protecting property (*ḥijz al-māl*) from destructive or deceptive elements. Thus, the resulting *halal* fatwa is not only legally and formally valid, but also reflects the moral, humanitarian, and balance-of-life values promoted by Islamic law.⁶⁷ In the context of the Indonesian Ulema Council (MUI) Madura, the application of *ijtibād istinbatī* is carried out by referring to the fatwas of the National Sharia Council (DSN) of the central MUI, as well as referring to the classical *fiqh turāth treasures* adapted

⁶⁴ Firman Menne et al., "Optimizing the Financial Performance of SMEs Based on Sharia Economy: Perspective of Economic Business Sustainability and Open Innovation," *Journal of Open Innovation: Technology, Market, and Complexity* 8, no. 1 (March 2022): 18, <https://doi.org/10.3390/joitmc8010018>.

⁶⁵ Muhammad Raja et al., "Self-Declare Halal Certification in Kota Langsa: Empowering MSMEs for Quality Consumption," *International Journal of Halal Industry* 1, no. 2 (October 2025): 117–132, <https://doi.org/10.20885/IJHI.vol1.iss2.art1>.

⁶⁶ Haryati Haryati, Heri Junaidi, and Sheikh Mohammed Rateb, "The Debate on the Aesthetics of Business Brand Innovation Among the Millennial Generation for the Issuance of Halal Certification," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 24, no. 2 (December 2024): 476–490, <https://doi.org/10.19109/nurani.v24i2.24417>.

⁶⁷ Abū Ishāq Ibrāhīm bin Mūsā al-Lakhmī Al-Shāṭibī, *Al-Muwāfaqāt Fi Uṣūl al-Shari'ah*, cet. ke-1 (Beirut: Dar Al-Kutub Al-ilmīyah, 2004).

to local community conditions. Although the authority of the text is maintained as the main foundation, the MUI Madura also opens up space for reinterpretation and contextualization of the law, so that *ijtihād istinbatī* at the regional level is not only a reproduction of the thoughts of previous scholars, but also a form of actualization of Islamic law that lives in the midst of modern society and remains oriented towards the welfare of the people.⁶⁸

Taṭbīqī *Ijtiḥād* in Field Practice

Taṭbīqī ijtiḥād plays a strategic role in ensuring that *halal* fatwas are translated from normative legal reasoning into practical, context-sensitive applications within Madurese society. Unlike *istinbatī ijtiḥād*, which primarily derives legal rulings from *Shari‘ah* sources, *taṭbīqī ijtiḥād* operates at the level of legal implementation and requires careful consideration of empirical, technological, and socio-economic variables. This form of *ijtiḥād* is inherently interdisciplinary, necessitating collaboration among religious scholars, academics, and scientific experts in chemistry, biotechnology, and food technology.⁶⁹

Halal standards in the food and beverage industry encompass all stages of production, from raw material selection to packaging and distribution,⁷⁰ ensuring compliance with Islamic law and consumer assurance of both safety and religious conformity.⁷¹ A significant concern is raw materials, especially imports from countries with less stringent *halal* oversight, which complicate verification and increase producers’ compliance burdens.⁷² In the governance of modern processed food products, determining *halal* or *haram* status extends beyond the origin of raw materials to include scientific evaluation of chemical transformations, production processes, and distribution chains. For example, enzymes used in fermentation or emulsifiers in processed foods often derive from genetically modified organisms (GMOs), which require rigorous laboratory-based verification to ensure *Shari‘ah* compliance. In Madura, *halal* fatwa institutions collaborate closely with *halal* laboratories (LPH), biotechnology specialists, and certification bodies (BPJPH) to operationalize these assessments, thereby bridging religious reasoning with scientific inquiry.

⁶⁸ MUI East Java, *Halal Fatwa Guidelines* (Surabaya: MUI Press, 2021).

⁶⁹ Al-Nawawi, *Al-Majmu’ Syarḥ al-Mubadḍab*, vol. IX.

⁷⁰ Mohammad Majduddin, “Kajian Terhadap Standar Dan Sistem Sertifikasi Halal Yang Efektif Untuk Meningkatkan Daya Saing Usaha Di Pondok Pesantren Mambaus Sholihin,” *MASADIR: Jurnal Hukum Islam* 2, no. 2 (January 2023): 494–510, <https://doi.org/10.33754/masadir.v2i2.594>.

⁷¹ Asri, “Perlindungan Hukum Bagi Konsumen Terhadap Produk Pangan Yang Tidak Bersertifikat Halal,” *Jurnal IUS Kajian Hukum Dan Keadilan* 4, no. 2 (2016): 1–20.

⁷² Kinanti et al., “Analisis Titik Kritis Halal Pada Proses Produksi Di Komunitas UKM Aksara Cimahi Menggunakan Failure Mode Effect Analysis (FMEA),” *Jurnal Ekonomi Pertanian Dan Agribisnis* 4, no. 4 (2020): 738–751.

The implementation of *taṭbīqī ijtihād* in the food production sector is also socially oriented, particularly in contexts dominated by micro, small, and medium-sized enterprises (MSMEs). Compliance cannot rely on rigid legalism; instead, fatwas are operationalized through principles of justice, facilitation (*taysīr*), and community-based economic empowerment. The classical *fiqh* maxim *al-mashaqqab tajlib al-taysīr* (hardship necessitates ease) guides authorities in ensuring that regulatory adherence does not impose disproportionate burdens on small-scale producers, while enhancing product quality and market competitiveness. Through this inclusive and adaptive framework, *halal* fatwas in Madura demonstrate a high degree of responsiveness to social change and technological advancement without compromising *Shari‘ah* principles. The integration of scientific rigor, socio-economic facilitation, and legal certainty exemplifies the inherent flexibility of Islamic law as a dynamic ethical system oriented toward public benefit (*maṣlahah*) within the broader framework of *maqāṣid al-shari‘ah*.

Unification Model of *Ijtihad Istinbatī* and *Taṭbīqī*

This study shows that, in the Madurese context, the unification of the *ijtihad* form is not formalistic but functional. This means that both types of *ijtihad* are used alternately and mutually complete, in accordance with the characteristics of the problems faced.⁷³ For example, at the initial stage of determining a *halal* fatwa on a new material, such as imported gelatin, fatwa institutions use the *istinbatī* approach to confirm the principal law. However, when implemented in the field, such as through certification and coaching MSME actors, the approach used was *taṭbīqī* to ensure the law could be implemented effectively in the middle society.⁷⁴ The unification of this model is called “integrative *ijtihad*,” namely the process of determining law that combines the strength of text and context, normativity and reality. In the Madurese context, integrative *ijtihad* is also accompanied by local wisdom, expressed in values and religious practices, in Islamic boarding schools that prioritize people's well-being and social responsibility.⁷⁵

The unification process between *istinbatī ijtihad* and *taṭbīqī ijtihad* in the Madurese context occurs through a multi-layered institutional mechanism. At the regional level, the Madura MUI acts as a fatwa authority, coordinating with *the Halal Inspection Institute* (LPH) and *the Halal Product Assurance Organizing Agency* (BPJPH).⁷⁶ This collaboration is not only administrative but also epistemological: the fatwa institution provides a

⁷³ Fathurrahman, *Epistemology of Ijtihad and Contemporary Fatwa* (Yogyakarta: Pustaka Pesantren, 2018), 99.

⁷⁴ DSN-MUI, *Halal Product Fatwa Association* (Jakarta, 2020), 17.

⁷⁵ Harun Nasution, *Rational Islam* (Jakarta: UI Press, 1995), 16.

⁷⁶ BPJPH, *Report Collaboration between MUI and LPH Madura* (Jakarta: Ministry of Religion of the Republic of Indonesia, 2023), 17.

framework of law syar'i, while LPH provides empirical data and laboratory test results. This model shows that *ijtihād istinbātī* occupies a normative authority, whereas *ijtihād taṭbīqī* becomes an *instrumental authority*.⁷⁷ Both of them synergize to form a system that enables law-based decisions grounded in scientific data without ignoring sources of Sharia. The resulting *halal* fatwa does not take a dogmatic stance, but rather is based on scientific evidence and social justice. Moreover, the results show that Madurese scholars tend to use the *tahqīq al-manāṭ* approach, which ensures that law is suitable to the facts.⁷⁸ This approach serves as a bridge between epistemology, text-based fiqh, and local reality.

In many cases, the decision on the *halal*-haram status of a product is made after verification of materials, production processes, and distribution, and is then confirmed by the MUI in accordance with the law. Unification of *ijtihād* in Madura is not only methodological, but also rooted in the framework of *maqāṣid al-syarī'ah*. *Halal* scholars and auditors in this region realize that the *halal* fatwa does not stop at the category of legalistic (*halal*-haram), but must lead to *maslahah 'āmmah* (benefit general).⁷⁹

The Madurese people place strong emphasis on the *halal* principle not only as a religious obligation but also as a means of protecting people's health and economy. This is in harmony with the *maqāṣid* main: guarding the soul (*ḥifẓ al-naḥs*), guarding reason (*ḥifẓ al-'aql*), and guarding wealth (*ḥifẓ al-māl*).⁸⁰ Therefore, the fatwa institution in Madura interprets *ijtihād taṭbīqī* in a broader sense, considering aspects such as food security, welfare, and the economy of society. For example, when case material preservative potential artificial endanger body, the cleric does not only evaluate from the aspect of *halal* the source, but also from the potential harm to health.⁸¹ In the context of *ijtihād istinbātī*, ensure references to syar'i arguments, while *ijtihād taṭbīqī* evaluates aspects empirically based on scientific data. The integration of values, *maqāṣid*, also appears in the policy development of *halal* MSMEs in Madura.⁸² This shows that *ijtihād taṭbīqī* is not only technical-applicative but also social-transformational.

From an epistemological perspective, the unification of *ijtihād* in Madura presents a new pattern in the contemporary development of Indonesian Islamic law. This pattern is called *ijtihād jamā'ī* (collective *ijtihād*), namely the process of *istinbāt* and *taṭbīq* the law, carried out together with scholars, academics, and experts in technology and food.⁸³ In this model, the process of decision-making is not again monopolized by

⁷⁷ Jasser Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law A Systems Approach* (London: The International Institute of Islamic Thought, 2008).

⁷⁸ Al-Amidi, *Al-Ihkam Fi Ushul al-Ahkam*, Vol. 2 (Beirut: Dar al-Fikr, 1997).

⁷⁹ Al-Shāṭibī, *Al-Muwāfaqāt Fi Uṣūl al-Sharī'ah*, vol. II.

⁸⁰ Shihab, *Grounding the Qur'an* (2019).

⁸¹ DSN-MUI, *Halal Product Fatwa Association*, 17.

⁸² MUI Madura, *Halal MSME Development Program 2023* (Pamekasan: MUI Madura, 2023).

⁸³ Fathurrahman, *Epistemology of Ijtihad and Contemporary Fatwa*, 99.

textual scholars, but cross-disciplinary dialogue results in discipline. This Collective *ijtihad* strengthens the legitimacy of the fatwa because it is supported by scientific data, social, and solid fiqh argumentation.⁸⁴ The fatwa authority in Madura has a strong, unbiased epistemic foundation, yet is trapped in textual formalism. However, the dynamics also present challenges: not all scholars have a deep understanding of technology and food, and not all scientists understand the structure of Islamic law.⁸⁵ Therefore, there is a need for a fatwa institution capable of serving as an epistemological translator between the world of texts and the world of the laboratory. In Madura, this is carried out by the regional fatwa commission, which regularly coordinates with BPJPH and campus LPHs, such as at UTM or IAIN Madura.⁸⁶

Research results show that the level of communication and trust between actors strongly determines the success of unifying *ijtihad*. When scholars and experts work in the same framework, with the same *maqāṣid*, then the results of the fatwa become more credible and acceptable to the public at large.⁸⁷ The analysis conceptually shows that *ijtihad istinbatī* and *ijtihad tatbiqī* have different epistemic bases. The first is sourced from revelation and reason (rational fiqh), while the second is sourced from reality (empirical and scientific contemporary).⁸⁸ In the context of *halal* law, meeting both of them gives rise to an integrative, transformative *ijtihad*.⁸⁹

From the results of the study, three pattern integrations were found: (1) Paradigmatic integration, namely unification framework thinking between text and context; (2) Methodological integration, namely use of method *istinbatī* (*ta'hl*, *qiyās*, *istiṣlāh*, and *sadd al-dharī'ah*) together with scientific method (observation, laboratory tests, and risk analysis); (3) Operational integration, namely alignment between decision laws and policies implementation in the field.⁹⁰ This pattern makes the fatwa-*halal* product a dynamic law rather than just a normative decision. In addition, this research finds that the implementation of the unification of *ijtihad istinbatī* and *ijtihad tatbiqī* in Madura brought significant methodological implications for the mechanism of *halal* fatwa determination. *Ijtihad istinbatī* tends to be associated with activity scholars who focus on textual analysis, whereas *ijtihad tatbiqī* is more closely associated with the realm of practical and technical matters. In the process of issuing *halal* fatwas, the method *istinbatī* remains the main foundation, especially in determining the basis law

⁸⁴ Jasser Auda, *Systems Thinking for Islamic Law* (London: IIIT, 2014).

⁸⁵ Wahbah Al-Zuhaili, *Ushul Al-Fiqh al-Islami*, Vol. 2 (Damaskus: Dar al-Fikr, 2006).

⁸⁶ BPJPH, *Guide to Higher Education LPH* (Jakarta: Ministry of Religion of the Republic of Indonesia, 2022).

⁸⁷ Al-Jauziyah, *Ilam al-Munwaqqi'in 'an Rabb al-'Alamin*, vol. IV.

⁸⁸ Al-Amidi, *Al-Ihkam Fi Ushul al-Abkam*, 220.

⁸⁹ Nurhasanah Nurhasanah et al., "Challenges in Implementing Indonesia's Halal Product Assurance Law: An Analysis of Legal Uncertainty, Supervisory Systems, and Legal Culture," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 25, no. 2 (December 2025): 599–619, <https://doi.org/10.19109/nurani.v25i2.28633>.

⁹⁰ Fathurrahman, *Epistemology of Ijtihad and Contemporary Fatwa*, 145.

(al-asl al-sharʿī) of the material or production process. However, to ensure the validity of its implementation, Madurese scholars integrated empirical test results, field observations, and laboratory data from LPH.⁹¹ In other words, fatwas are not *halal*. Again, set solely on base *qiyas* or *istiḥsān*, but also above consideration, scientific *evidence-based*. This mark of transformation is epistemological in the tradition of Islamic law in Madura, where science and technology are treated as tools to support *ijtihad*.⁹² Verification process empirical to material addition food, for example, gelatin, emulsifier, or flavoring, to be part of the procedure strengthening *ijtihad taṭbīqī istinbāt al-ḥukm* (determination of law).⁹³ Integration of both forms: more *halal* law, comprehensive, and adaptive to the development of the modern food industry.⁹⁴

Madura has a strong social structure with a high religious base. The culture of Islamic boarding schools became central to life in society. In this context, the implementation of *ijtihad* in *halal* fatwa takes a distinctive shape. The clerics don't only serve as *muftis* (*fatwa-givers*), but also as cultural mediators between Islamic law and local society. Kiai in Madura are known for their high spiritual authority, so their opinions often serve as the public's main reference in determining whether a product is *halal* or haram.⁹⁵ Therefore, when the MUI Madura issued a *halal* fatwa, the process always involved deliberation of Islamic boarding school *kiai*. The result was the fatwa not only legitimate in a way, but also accepted as a social phenomenon. *Taṭbīqī ijtihad* not only provides implementation of law in a technical sense, but also involves social *ijtihad* in building public reception of the fatwa.⁹⁶

In addition, Islamic boarding schools in Madura play an important role in supporting *halal* certification based on the community.⁹⁷ This shows that *ijtihad taṭbīqī* has been institutionalized at the grassroots level, not only in the academic realm but also in the bureaucracy. The unification of *ijtihad* in Madura has not only affected legal matters but also social transformation and the empowerment of the public economy grounded in Islamic values. This unification model of *ijtihad* can serve as a reference for strengthening the legitimacy of national *halal* law. It is because the system being built shows a balance between authority science and authority social.⁹⁸ In the national system, DSN-MUI is the highest authority issuing *halal* fatwas, while BPJPH and LPH are the implementing agencies for administrative and technical matters. However, the Madura model shows that the effectiveness of the fatwa depends not only on

⁹¹ BPJPH, *Madura LPH Guidelines* (Jakarta: Ministry of Religion of the Republic of Indonesia, 2023), 33.

⁹² Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law A Systems Approach*, 139.

⁹³ Al-Amidi, *Al-Iḥkām Fī Uṣūl al-Aḥkām*, 198.

⁹⁴ Ibnul Qayyim, *I'lam al-Muwaqqi'een* (Beirut: Dar al-Fikr, 1998), 66.

⁹⁵ Zainuddin, *Kiai and Power in Madura* (Surabaya: Bina Ilmu, 2019), 72.

⁹⁶ Yusuf Al-Qardawi, *Fiqh Al-Waqi'* (Cairo: Maktabah Wahbah, 2002), 53.

⁹⁷ BPJPH, *Halal Santri Program Report* (Jakarta: Ministry of Religion of the Republic of Indonesia, 2023), 22.

⁹⁸ DSN-MUI, *National Halal Fatwa System* (Jakarta, 2020).

legitimate institutions but also on social participation.⁹⁹ Involving the public through Islamic boarding schools, MSMEs, and local *kiai* results in more down-to-earth *halal* fatwas that can be widely implemented. This research suggested that a national fatwa system adopt a decentralized, participatory model, i.e., giving regional MUIs greater space for *ijtihad* in accordance with local contexts, without contradicting the DSN-MUI general principles.¹⁰⁰

In addition, strengthening national *halal* law can be done by broadening the scientific basis of *ijtihad*. This means that scholars need training in food science, while scientists need to understand the basics of *halal* jurisprudence.¹⁰¹ *Halal* fatwa at the national level will become a multidisciplinary product that is not only legitimate in the way of Sharia but also a legally valid scientific approach. This aligns with the Spirit of *tajdid al-fikr al-fiqhi* (renewal of Islamic law), in which classical texts are recontextualized alongside progress, technology, and societal change.¹⁰² Madurese scholars, who stick to the principles *maqāṣid al-ṣyari' ah*, successfully make a fatwa *halal* not only as religious regulations, but also as an instrument for the development of people. Contribution epistemological: the other is an emergence paradigm, *integrative-collaborative* between religious knowledge and science. This paradigm rejects the dichotomy between knowledge, sharia, and science and precisely places them in a complementary relationship.¹⁰³

The result of the interview, which supports this research, can be seen in the following:

Kyai Haji Farmadi Hasyim, an ulama from Bangkalan, emphasized that:

*“The istinbat and tatbiq methodologies represent the most ideal approach for issuing halal fatwas, considering that future halal challenges are increasingly complex, extending beyond the mere composition or substance of food to encompass the methods of processing and preparation.”*¹⁰⁴

The statement of Kyai Haji Farmadi Hasyim underscores the pivotal role of integrating *istinbat* and *tatbiq* methodologies in contemporary *halal* fatwa formulation. His assertion highlights that the challenges in *halal* certification are no longer limited to evaluating a product's intrinsic ingredients but increasingly involve complex considerations of processing techniques, technological applications, and production practices. This perspective indicates a shift from a purely doctrinal approach to a more contextual and application-oriented methodology, reflecting the need to harmonize normative Islamic jurisprudence

⁹⁹ Central MUI, *Guidelines National Halal Fatwa Procedures* (Jakarta: Majelis Ulama Indonesia Pusat, 2021).

¹⁰⁰ Auda, *Systems Thinking for Islamic Law*, 72.

¹⁰¹ Nurdin, *Integration of Science and Islam in Halal Certification* (Bandung: Alfabeta, 2022).

¹⁰² Fathurrahman, *Epistemology of Ijtihad and Contemporary Fatwa*, 147.

¹⁰³ Jasser Auda, *Reform of Islamic Thought* (London: IIIT, 2008).

¹⁰⁴ “Interview with Kyai Haji Farmadi Hasyim, an Ulama from Bangkalan, 2025.”

with practical, real-world conditions. Consequently, the adoption of a combined *istinbat–tatbiq* framework appears essential to ensure that *halal* rulings remain both theologically legitimate and operationally relevant in addressing the multifaceted nature of modern food production.

Ahmad Zaidan, a local entrepreneur, stated:

“Entrepreneurs require halal fatwas that not only consider the substance of the product, but also the methods of processing, and most importantly, ensure that the fatwa supports the interests of the business”.¹⁰⁵

The insights provided by Ahmad Zaidan highlight the practical concerns of entrepreneurs regarding *halal* certification. His statement indicates that, for business stakeholders, the legitimacy of a *halal* fatwa must encompass not only the intrinsic composition of products but also the methods of processing and production. Moreover, he emphasizes that fatwas should be responsive to the operational and economic realities faced by entrepreneurs, ensuring that religious compliance does not hinder business sustainability. This underscores the necessity of a context-sensitive approach to *halal* jurisprudence, which balances doctrinal rigor with pragmatic considerations in the commercial sector.

K.H. Makruf Khozin, Chair of the Fatwa Commission, stated:

“The issuance of halal fatwas for food products in Madura has seen remarkable progress. Naturally, the Fatwa Commission in East Java responds in accordance with traditional fiqh scholarship, which is then elaborated using scientific approaches. This integrated process is what is referred to as istinbat ijthād and tatbiq ijthād”.¹⁰⁶

The statement of K.H. Makruf Khozin highlights the evolving sophistication of *halal* fatwa issuance for food products in Madura. He emphasizes that the Fatwa Commission in East Java combines traditional fiqh scholarship with contemporary scientific approaches, reflecting a dual methodology that integrates normative jurisprudence (*istinbat ijthād*) with practical application (*tatbiq ijthād*). This integrated framework demonstrates how Islamic legal reasoning can adapt to increasingly complex societal and technological contexts, ensuring that *halal* rulings remain both doctrinally sound and operationally relevant. By incorporating scientific elaboration alongside classical jurisprudential principles, the Commission effectively bridges the gap between religious legitimacy and contemporary food industry practices.

The findings further indicate that Madurese society perceives *halal* not only as a religious obligation but also as a mechanism for safeguarding public health and economic sustainability. Consequently, *tatbiq ijthād* is interpreted expansively by local fatwa institutions to include considerations of food safety and socio-economic welfare. For instance, when addressing food additives with

¹⁰⁵ “Interview with Ahmad Zaidan, a Local Entrepreneur, 2025.”

¹⁰⁶ “Interview with K.H. Makruf Khozin, Chair of the Fatwa Commission, 2025.”

potential health risks, scholars assess not only their *halal* origin but also their potential harm (*ḍarar*) based on scientific evidence. In this process, *istinbātī ijtibād* secures *Shari'ah* legitimacy, while *taṭbīqī ijtibād* validates empirical realities. This integration is also reflected in *halal* MSME development policies, where fatwas are accompanied by empowerment programs, training, and facilitation of access to certification, demonstrating the socially transformative character of *taṭbīqī ijtibād*.¹⁰⁷

Building on the findings from *Halal Fatwa Formulation: A Progressive Fiqh Approach to Processed Food Products in Madura*, this study demonstrates that the unification of *istinbātī* and *taṭbīqī ijtibād* is functionally adaptive and context-sensitive, operating alternately depending on the legal issue at hand. Determining *halal* status for new food materials, such as imported gelatin, predominantly relies on *istinbātī ijtibād*, whereas *taṭbīqī ijtibād* becomes central for practical implementation, including certification procedures, MSME guidance, and socio-economic facilitation. This alternating yet complementary mechanism produces an integrative *ijtibād* that synthesizes textual authority and empirical realities, normativity and pragmatism. Local wisdom and *pesantren* culture further enrich the approach by embedding public welfare (*maṣlahah 'āmmah*) and social responsibility into the process of fatwa-making. Empirical evidence indicates that this integration is institutionalized through multi-layered governance, involving MUI, *Halal* Inspection Institutions (LPH), and BPJPH, thereby reinforcing normative, scientific, and social legitimacy simultaneously. Moreover, the application of *taḥqīq al-manāt* ensures alignment between legal rulings and empirical facts, while fatwas are accompanied by capacity-building and empowerment programs, highlighting the socially transformative function of *taṭbīqī ijtibād*.

From a governance perspective, the Madura model demonstrates that local religious authority and socio-cultural networks are critical to the legitimacy of fatwas. Engagement with *kiai*, *pesantren*, and MSME stakeholders ensures compliance, trust, and practical implementation, complementing national-level analyses that emphasize certification and market standards. All stakeholders must grasp the implications of both general and specific challenges in the *halal* industry to strategically integrate pertinent Quranic guidance while anticipating future issues related to standards and certification that affect pricing, distribution, and promotion beyond the current product-focused framework.¹⁰⁸

¹⁰⁷ Setiawan bin Lahuri et al., “Halal Certification Governance in Indonesia: An Islamic Legal Appraisal Based on Maṣlahah Principles,” *JURIS (Jurnal Ilmiah Syariah)* 24, no. 2 (December 2025): 233–247, <https://doi.org/10.31958/juris.v24i2.15411>.

¹⁰⁸ Mohammad Mominul Islam, Mohamed Syazwan Ab Talib, and Nazlida Muhamad, “Challenges of Halal Standards and Halal Certification for Islamic Marketing,” *Muslim Business and Economic Review* 2, no. 1 (July 2023): 105–124, <https://doi.org/10.56529/mber.v2i1.156>.

The present study's investigation into the integration of *ijtihād istinbāt* and *ijtihād taḥbīq* in Madura's *halal* fatwa formulation both aligns with and extends previous research on *halal* governance. The findings reaffirm that ensuring Sharia compliance throughout the food supply chain is essential; however, unlike Zaharani's emphasis on normative compliance, this study demonstrates how doctrinal reasoning and contextual application are synergistically combined to produce fatwas that are simultaneously legally authoritative and socially responsive.¹⁰⁹ In contrast to Abdul Hamid, who highlights the restrictive effects of state intervention on non-food commodities, the Madurese case shows that collaborative governance among regional MUI branches, *Halal* Inspection Agencies (LPH), pesantren networks, and academic institutions enables religious authorities to maintain interpretive flexibility while contextualizing Islamic legal norms within industrial realities.¹¹⁰ Similarly, while Waluyo emphasizes persistent regulatory gaps under the JPH Law, this study illustrates that adopting an integrative *ijtihād* framework can reconcile legal certainty with socio-technological and operational considerations, offering a practical model for effective *halal* governance.¹¹¹ In line with Wijayanti, the study confirms the necessity of combining *istinbāt* and *ijtihād* methodologies to ensure compliance with both classical Fiqh principles and contemporary industry standards, yet it goes further by operationalizing these methods within collaborative institutional arrangements.¹¹²

Moreover, whereas Eljohani et al. focus on the influence of *halal* fatwas on consumer behavior, the present research bridges doctrinal methodology with governance structures, demonstrating that integrative *ijtihād* not only strengthens legitimacy and coherence in fatwa production but also enhances market trust and acceptance. Collectively, these comparisons underscore that unifying doctrinal reasoning with contextual pragmatism through collaborative and integrative *ijtihād* constitutes a critical mechanism for improving *halal* certification processes, advancing consumer confidence, and positioning Indonesia competitively within the global Sharia economy.¹¹³

The study contributes to theory by proposing an integrative–collaborative paradigm of *ijtihād* that reconciles *Shari'ah* knowledge with empirical science.

¹⁰⁹ Zaharani, "Halal Fatwa in the Food and Beverage Industry." 20.

¹¹⁰ Hamid et al., "Misconception about Halal Certification Placement on Non-Food Commodities: State Coercion over the Territory of Ijtihad," 271.

¹¹¹ Waluyo, "The Developmental Policy of Halal Product Guarantee in the Paradigm of Maqāṣid Shari'ah in Indonesia," 41.

¹¹² Wijayanti and Meftahudin, "Kaidah Fiqh Dan Ushul Fiqh Tentang Produk Halal, Metode Istinbath Dan Ijtihad Dalam Menetapkan Hukum Produk Halal," 101.

¹¹³ Eljohani et al., "Fatwa and Sociological Awareness: The Role of Halal Fatwa and Its Influence on Consumer's Purchasing Decisions of Korean Food Products," 48.

Islamic law remains a central element of Muslim life, continuously evolving through engagement with socio-cultural and political contexts, and encompassing not only fiqh literature but also scholars' fatwas, judicial rulings, and legislative enactments.¹¹⁴ Dual-authority fatwas, grounded in normative and empirical legitimacy, demonstrate how contemporary Islamic law can accommodate technological advancements without compromising doctrinal fidelity. This model addresses concerns regarding the “technocratization” of Sharia law, showing that scientific inputs, when framed within *maqāṣid* principles, enhance normative authority. Additionally, the Madura case foregrounds the socio-cultural foundations of legal effectiveness, highlighting that *halal* governance operates not only as a regulatory system but also as a cultural and educational process.

This research contributes to Islamic legal scholarship by providing an empirically grounded, progressive model of integrative *ijtihād* that operationalizes *maqāṣid al-sharī'ah* in *halal* governance. Unlike prior normative or procedural studies, it demonstrates how doctrinal fidelity, scientific evidence, and socio-cultural engagement can be layered to produce legally, scientifically, and socially legitimate fatwas. By addressing technological complexity, public welfare, and socio-economic empowerment simultaneously, this study advances a context-sensitive, evidence-based, and socially transformative jurisprudential framework, offering theoretical and practical insights for *halal* governance beyond Indonesia.

Conclusion

This study demonstrates that the unification of *ijtihād istinbatī* and *ijtihād taṭbiqī* constitutes a critical epistemological and methodological foundation for the formulation of *halal* fatwas on processed food products in Madura. In the context of rapid modernization of the food industry and the globalization of *halal* markets, these two modes of *ijtihād* cannot be separated. *Ijihād istinbatī* provides normative legitimacy through rigorous derivation from authoritative *sharī'ah* sources, while *ijtihād taṭbiqī* ensures contextual relevance by aligning legal rulings with evolving social, economic, and technological realities. Importantly, this unification represents not a methodological compromise but an epistemological synthesis that integrates textual authority and contextual awareness within the framework of *maqāṣid al-sharī'ah*, reaffirming Islamic law as a dynamic and moderate (*wasatīyyah*) system capable of responding to contemporary challenges without undermining its foundational principles. Empirically, the findings reveal a notable shift in *halal* fatwa practices in Madura, where *ulama* and fatwa

¹¹⁴ Gusti Muhamad Shadiq et al., “Telaah Metodologi Istinbath Dan Corak Hukum Islam Lembaga-Lembaga Fatwa Di Indonesia (LBMNU, Majelis Tarjih Muhammadiyah Dan Komisi Fatwa MUI),” *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 2, no. 2 (June 2024): 684–99, <https://doi.org/10.62976/ijjel.v2i2.546>.

institutions increasingly engage with empirical data, production processes, and *halal* audit findings rather than relying exclusively on textual interpretation. This shift has facilitated the emergence of a collaborative and interdisciplinary model involving jurists, academics, *halal* auditors, and industry practitioners. As a result, *halal* fatwas function not merely as formal legal rulings but as socially embedded instruments that guide ethical economic behavior and strengthen public trust. The effectiveness of this integrative model is evident in its capacity to balance normative precision with contextual effectiveness, preserving textual authenticity while enhancing social acceptance through collective deliberation.

Furthermore, the study highlights that this integrative approach produces *halal* fatwas endowed with dual legitimacy—both *shari'ah*-based and socially recognized—through the involvement of the Indonesian Ulema Council (MUI), pesantren networks, and local business actors. These fatwas contribute not only to regulatory clarity but also to community welfare and the development of an Islamic value-based economy. Nevertheless, this study is limited by its focus on a single regional context, which may constrain the generalizability of its findings. Future research could therefore adopt comparative or cross-national approaches, employ mixed-method designs to assess the impacts on consumer trust and *halal* market competitiveness, and explore the role of digital technologies in supporting evidence-based deliberation of *halal* fatwas. In this respect, the Madura experience offers a transferable paradigm for progressive *fiqh* that reconciles textual idealism with social reality, spiritual values with technological advancement, and doctrinal authority with practical governance within the evolving global *halal* ecosystem.

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Author Contributions Statement

HH conceived the research idea, developed the theoretical framework on the unification of *ijtihad istinbat* and *ijtihad tatbiq*, led the overall research design, and finalized the manuscript. UZ contributed to the literature review, conceptual refinement of progressive *fiqh* and *maqāṣid al-shari'ah*, and assisted in drafting the

introduction and discussion sections. LM conducted field data collection, including interviews and observations, and contributed to data organization and preliminary analysis. HG and WND contributed to methodological design, qualitative data analysis, and validation through triangulation of sources. I.M. assisted in document analysis, data interpretation related to *halal* fatwa institutions, manuscript editing and formatting, and served as the corresponding author. All authors reviewed, revised, and approved the final version of the manuscript.

AI Usage Statement

The authors used artificial intelligence (AI) tools, including ChatGPT developed by OpenAI, solely to assist with language refinement, grammar checking, and improving the clarity of the manuscript. AI tools were not used to generate, analyze, interpret, or validate research data, nor were they involved in drawing the study's conclusions. All intellectual content, research design, data analysis, interpretation of findings, and final manuscript preparation remain the sole responsibility of the authors. The authors carefully reviewed and verified all AI-assisted outputs to ensure their accuracy, originality, and compliance with academic and ethical standards.

Conflict of Interest

The authors declare that there are no financial, professional, institutional, or personal conflicts of interest that could have influenced the research, analysis, interpretation of data, or the publication of this manuscript. The authors affirm that the study was conducted independently and objectively, and that no external party had any role in influencing the research outcomes or conclusions presented in this article.

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