

## SUBSTANTIVELY FRAGILE HALAL COMPLIANCE IN THE SELF-DECLARE CERTIFICATION SCHEME: EVIDENCE FROM RURAL INDONESIA

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### Abstract

Indonesia's self-declare halal certification scheme has improved procedural access for micro and small enterprises, yet its substantive integrity remains questionable in rural areas. This study examines how halal verification is practiced by Halal Product Process Facilitators (PPPH) in Maluku Subdistrict, Pulang Pisau Regency, Central Kalimantan, where halal verification is conducted remotely with limited on-site presence. Using an empirical legal (socio-legal) approach, data were collected through semi-structured interviews with six informants, limited observation, and digital documentation, analyzed through data reduction, display, conclusion drawing and verification. The findings indicate that digital administrative verification supports procedural efficiency and access to certification; however, the absence of on-site verification limits substantive sharia assurance. This condition affects the realization of *al-shafa'fiyyah*, *al-mas'uliyah*, *amānah*, *ṣidq*, and *'adl*, as halal legality is formally fulfilled without sufficient empirical verification. The article introduces the concept of substantively fragile halal compliance to describe halal compliance that is legally recognized yet substantively vulnerable due to weak field verification. The findings highlight the need for risk-based halal governance, accountable territorial assignments for PPPH, logistical support from local governments, and stronger local facilitator capacity in rural halal certification systems.

**Keywords:** Halal Certification; MSMEs; Self-declare; Substantive compliance; PPPH



## **Abstrak**

Skema sertifikasi halal *self-declare* di Indonesia telah meningkatkan akses prosedural bagi usaha mikro dan kecil, namun integritas substantifnya masih dipertanyakan di wilayah pedalaman. Studi ini mengkaji bagaimana verifikasi halal dipraktikkan oleh Pendamping Proses Produk Halal (PPPH) di Kecamatan Maluku, Kabupaten Pulang Pisau, Kalimantan Tengah, di mana verifikasi halal berlangsung secara daring dengan keterbatasan kunjungan lapangan. Dengan menggunakan pendekatan hukum empiris (*socio-legal*), data dikumpulkan melalui wawancara semi-terstruktur dengan enam informan, observasi terbatas, dan dokumentasi digital, yang dianalisis menggunakan reduksi data, penyajian data, serta penarikan kesimpulan dan verifikasi. Temuan menunjukkan bahwa verifikasi administratif berbasis digital mendukung efisiensi prosedural dan akses sertifikasi; namun, ketiadaan verifikasi lapangan membatasi jaminan substantif syariah. Kondisi ini memengaruhi realisasi prinsip *al-shafāfiyyah*, *al-mas'ūliyyah*, *amānah*, *ṣidq*, and *'adl* karena legalitas halal terpenuhi secara formal tanpa verifikasi empiris yang memadai. Artikel ini memperkenalkan konsep *substantively fragile halal compliance* untuk menjelaskan kepatuhan halal yang diakui secara legal, tetapi rentan secara substantif akibat lemahnya verifikasi lapangan. Temuan ini menegaskan perlunya tata kelola halal berbasis risiko, pembagian wilayah kerja PPPH yang akuntabel, dukungan logistik pemerintah daerah, dan penguatan kapasitas fasilitator lokal dalam sistem sertifikasi halal pedalaman.

**Kata kunci:** *Kepatuhan Substantif; UMKM; Self-declare; Sertifikasi Halal; PPPH*

## **A. INTRODUCTION**

Indonesia as the country with the world's largest Muslim population, has great potential in the halal industry, which is projected to contribute approximately 27% to the national GDP by 2025. According to the State of the Global Islamic Economy Report 2024/2025, Indonesia successfully maintained its third-place global ranking in the Global Islamic Economy Indicator (GIEI) with a score of 99.9, after Malaysia and Saudi Arabia.<sup>1</sup>

Regardless the economic significance and constitutional legitimacy of Muslim consumers' right to access halal products, the implementation of halal certification continues to face substantive challenges at the grassroots level. The Indonesian government established the BPJPH based on Law No. 33 of 2014 and refined regulations via the Job Creation Law and Ministerial Regulation No. 20 of 2021, including a self-declaration scheme to facilitate access for MSMEs. This scheme allows business operators to

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<sup>1</sup> Viviyanti Yuniastuti and Andrey Achmad Pratama, "Portraits and Challenges of Indonesia's Modest Fashion Industry on the Halal Industry Competition in the World," *Indonesian Journal of Halal Research* 5, no. 1 (2023): 21–29, <https://doi.org/10.15575/ijhar.v5i1.17385>.

self-declare the halal status of their products following guidance from the PPPH.<sup>2</sup> Although intended to empower MSMEs, practices in remote areas such as Maluku showing that substantive verification in the form of field visits is not carried out, then that legal compliance is merely administrative and substantively fragile. This situation raised new issues regarding the quality of halal oversight and highlights the tension between law in the books and law in action.<sup>3</sup>

Halal certification plays a strategic role in ensuring the trust of Muslim consumers while enhancing the competitiveness of products in both domestic and global markets. The existence of the Halal Product Assurance System (SJPH) serves as a crucial instrument to ensure that all stages of production support Sharia standards and Islamic business ethics.<sup>4</sup> Halal certification not only provides religious legitimacy but also acts as a key determinant of market access, particularly amid the rising trend of halal lifestyles and the growth of the global halal industry. Despite the waiving of certification fees, many SME operators remain reluctant due to procedural complexity, documentary burden, and limited digital literacy barriers that are not merely financial but also structural. To address this, the self-declaration way was introduced, allowing SMEs to self-declare halal compliance following guidance from the Halal Product Process Facilitator (PPPH),<sup>5</sup> without undergoing a full audit process.<sup>6</sup> The PPPH thus serves as a critical intermediary whose professionalism and

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<sup>2</sup> Supriyadi Supriyadi et al., “Legal Effectiveness of Halal Product Certification in Improving Business Economics in Indonesia and Malaysia,” *Al-Ahkam* 34, no. 1 (2024): 193–220, <https://doi.org/10.21580/ahkam.2024.34.1.20546>.

<sup>3</sup> Rudi Kartono, “Strategi Kebijakan Akselerasi Sertifikasi Halal Bagi Usaha Mikro, Kecil, Dan Menengah (UMKM) Di Provinsi Kalimantan Timur Menyongsong Ibu Kota Negara (IKN) Nusantara,” *Jurnal Ilmiah Gema Perencana* 4, no. 2 (2025): 847–70, <https://doi.org/10.61860/jigp.v4i2.263>.

<sup>4</sup> Esther Masri et al., “Halal Product Assurance as Legal Protection for Moslem Consumers in Indonesia Indonesia, as a Moslem-Majority Country , 1 Must Provide Legal Protection for Concerning Consumer Protection . The Law Covers the Right to Correct” 35, no. 1 (2025): 205–34, <https://doi.org/10.21580/ahkam.2025.35.1.26384>.

<sup>5</sup> BPJPH, *Pedoman Pelaksanaan Sertifikasi Halal*. (Jakarta: BPJPH, 2021).

<sup>6</sup> Supriyadi et al., “Legal Effectiveness of Halal Product Certification in Improving Business Economics in Indonesia and Malaysia.”

substantive engagement determine the integrity of the entire halal assurance system.<sup>7</sup>

The PPPH serves as the primary liaison between businesses operators and the BPJPH. Its mandate encompasses for verification and validation of production processes on-site prior to certificate application, positioning it as the frontline institution responsible for ensuring Sharia compliance.<sup>8</sup> The legal basis of the PPPH's role is established in Articles 24 and 28 of Law No. 33 of 2014 on Halal Product Assurance (UU JPH)<sup>9</sup> and Article 1 (12) and Chapter III of the Regulation of the Minister of Religion of the Republic of Indonesia No. 20 of 2021 on Halal Certification for Micro and Small Business Operators, which stipulates that the halal certification process must undergo verification stages by competent facilitators.<sup>10</sup> Article 80 (3) of Government Regulation No. 39 of 2021 on the implementation of the halal product assurance sector clarifies the duties of the PPPH, including providing assistance, collecting data, and reporting verification results to the BPJPH.<sup>11</sup> In addition, technical regulations such as the Minister of Religious Affairs Regulation and the BPJPH Head's Decision provide operational guidelines for PPPH, including competency standards, work ethics, and reporting mechanisms. These regulations are requiring PPPH to carry out their duties professionally, objectively, and in accordance with Sharia principles.<sup>12</sup>

Pragmatically, the performance of Halal Product Process Facilitators (PPPH) has not yet fully met the expected ideal standards. Field findings from a study in Maluku Subdistrict, Pulau Pisau Regency, Central

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<sup>7</sup> Azzah Azimah Assagaf, Juajir Sumardi, and Winner Sitorus, "The Effect of Cost Determination in the Provision of Halal Certificates on Traded Products in Makassar City," *Khazanah Hukum* 4, no. 3 (2022): 192–204, <https://doi.org/10.15575/kh.v4i3.19945>.

<sup>8</sup> Abdul Rachman and Bilaly Sangare, "Synergy and Collaboration Between Government and Private Institutions in Building Halal Ecosystems in Indonesia," *Jurnal Ilmiah Islam Futura* 23, no. 2 (2023): 303–26, <https://doi.org/10.22373/jiif.v23i2.17507>.

<sup>9</sup> Pemerintah Republik Indonesia, "Undang-Undang (UU) Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal" (2014).

<sup>10</sup> Kementerian Agama RI, "Peraturan Menteri Agama Nomor 20 Tahun 2021 Tentang Sertifikasi Halal Untuk Pelaku Usaha Mikro Dan Kecil" (2021).

<sup>11</sup> Pemerintah Republik Indonesia, "Peraturan Pemerintah (PP) Nomor 39 Tahun 2021 Tentang Penyelenggaraan Bidang Jaminan Produk Halal" (2021).

<sup>12</sup> Musataklima, "Self-Declare Halal Products for Small and MicroEnterprises: Between Ease of Doing Business and Assurance of Consumer Spiritual Rights," *De Jure: Jurnal Hukum Dan Syar'iah* 13, no. 1 (2021): 32–52, <https://doi.org/10.18860/j-fsh.v13i1.11308>.

Kalimantan, indicate significant weaknesses in the field verification aspect conducted by the PPPH.<sup>13</sup> Multiple business operators reported that facilitation activities were limited to photographing products and compiling formal documentation, without any direct observation of actual production processes.<sup>14</sup> This situation raises fundamental concerns about the effectiveness of halal oversight at the local level. The systematic absence of substantive verification not only risks undermining the validity of halal certification but also creates structural conditions for the violation of core Islamic economic principles, particularly accountability, trustworthiness, and transparency

In Islamic economic law, transparency (*al-shafāfiyyah*) and accountability (*al-mas'ūliyyah*) are fundamental principles which safeguard transactional fairness and consumer rights.<sup>15</sup> Transparency requires full disclosure of production processes, raw material sourcing, and certification status, while accountability imposes moral and legal responsibility on business actors and supporting institutions alike. Both principles are grounded in Qur'anic values such as *amānah* (trustworthiness), *ṣidq* (honesty), and *'adl* (justice), which form the ethical foundation of sharia based economic governance.<sup>16</sup>

Previous studies have examined various dimensions of self-declaration halal certification and PPPH performance. Purbasari's research emphasized the success of empowerment programs in coastal areas, with a focus on improving MSMEs' access to halal certification.<sup>17</sup> On the contrary, Raja's research found that in urban area of Aceh province, although the self-declaration procedure is more simple, consumer confidence in the validity of certification remains low.<sup>18</sup> This contrast

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<sup>13</sup> T, Penyuluh PPPH KUA Maluku (Maliku, 26 Mei 2025).

<sup>14</sup> S, Pelaku Usaha di Maluku (Maliku, 7 Juni 2025).

<sup>15</sup> Elda Unike Atmajaya et al., "Kepatuhan Syariah (Syariah Compliance) Pada Lembaga Keuangan Mikro Syariah," *Journal of Economics and Business* 2, no. 1 (2024): 133–43, <https://doi.org/10.61994/econis.v2i1.473>.

<sup>16</sup> Sri Haryanto, Sukawi Sukawi, and Mohammad Muslih, "Uniting Tradition and Modernity: Scientific Paradigms of Pesantren-Based Universities," *Nazhruna: Jurnal Pendidikan Islam* 7, no. 3 (2024): 684–704, <https://doi.org/10.31538/nzh.v7i3.48>.

<sup>17</sup> Indah Purbasari et al., "Empowering Micro and Small Enterprises Legal for Halal Certification in Tanjung Village Kamal Bangkalan," *Community Development Journal* 7, no. 1 (2023): 15–21, <https://doi.org/10.33086/cdj.v7i1.4028>.

<sup>18</sup> Muhammad Raja et al., "Self-Declare Halal Certification in Langsa City: Empowering MSMEs for Quality Consumption" 1, no. 2 (2025): 117–32, <https://journal.uii.ac.id/IJHI/article/download/39578/18248/137086>.

elevate the question of what conditions prevail in remote inland areas constrained by limited infrastructure. Makiah's research adds another dimension by highlighting administrative barriers, unstable internet connections, and low digital literacy among business operators in South Kalimantan.<sup>19</sup> However, this study remains limited to a regional context with relatively better transportation access compared to the interior. Fathoni's research used the Analytic Network Process approach to map national halal certification barriers and strategies, but its weakness was generalizations that fail to account for geographical variations.<sup>20</sup> Meanwhile, Khalimy's study offered a progressive legal perspective emphasized the need for adaptive regulatory reform, but without empirical field evidence.<sup>21</sup>

A comprehensive synthesis of previous research findings reveals persistent fragmentation. Nur Kasanah and Muhammad Husain As Sajjad<sup>22</sup> map the regulatory and practical problems of SEHATI at a general level. Moving deeper into structural bottlenecks, Hasan and Jailani<sup>23</sup> examine multi stakeholder implementation obstacles among, revealing that internal administrative complexity highly standardized digital system and a profound lack of post-issuance strict supervision continuously hinder the efficacy of the self-declare pathway. Furthermore, Pratiwi<sup>24</sup>

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<sup>19</sup> Zulpa Makiah, Supian Sauri, and Lutpi Sahal, "Strengthening SEHATI Self-Declare Halal Certification in South Kalimantan: Roles, Constraints, and Field Practices of Halal Product Process Companions," *Journal of Islamic Economics Lariba* 12, no. 1 (2026): 225–58, <https://doi.org/10.20885/jielariba.vol12.iss1.art8>.

<sup>20</sup> Muhammad Anwar Fathoni et al., "Unlocking Barriers and Strategies of Halal Certification for Micro and Small Enterprises in Indonesia: Analytic Network Process Approach," *Problems and Perspectives in Management* 23, no. 1 (2025): 169, [https://doi.org/10.21511/ppm.23\(1\).2025.13](https://doi.org/10.21511/ppm.23(1).2025.13).

<sup>21</sup> Akhmad Khalimy et al., "The Intersection of the Progressive Law Theory and the Self-Declaration Concept of MSEs Halal Certification," *JILS* 8, no. 1 (2023): 159, <https://doi.org/10.15294/jils.v8i1.66087>.

<sup>22</sup> Nur Kasanah and Muhammad Husain As Sajjad, "Potensi, Regulasi, Dan Problematika Sertifikasi Halal Gratis," *Journal of Economics, Law, and Humanities* 1, no. 2 (2022): 28–41, <https://doi.org/10.21154/jelhum.v1i2.1196>.

<sup>23</sup> Maisyarah Rahmi Hasan and Munawar Rizki Jailani, "The Problem of Implementing Self Declared Halal Certification for Micro and Small Enterprises," *JESKaPe: Jurnal Ekonomi Islam Akuntansi Dan Perbankan* 8, no. 1 (2024): 1–25, <https://doi.org/10.52490/jeskape.v8i1.2945>.

<sup>24</sup> Heni Pratiwi, "Governance Risk Pada Program Sehati: Analisis Kecurangan Data Bahan Baku Dan Strategi Deteksi Anomali Dalam Sistem BPJPH.," *International Journal Mathla'ul Anwar of Halal Issues* 6, no. 1 (2026), <https://doi.org/10.30653/ijma.202661.192>.

uncovers the critical governance and fraud risks embedded within the SEHATI framework, highlighting how the digital acceleration under the self-declaration scheme creates structural loopholes for raw material data manipulation due to reactive, sampling-based monitoring within the SIHALAL system. The critical gap in the existing literature, however, lies in the absence of analysis concerning how geographical remoteness, limited operational incentives, and weak supervision collectively transform halal verification into an entirely documentary and online process producing has been investigated substantively fragile of halal compliance.

To address this critical gap, this article proposes the concept of substantively fragile halal compliance as an original analytical construct to describe a systemic anomaly in which halal certification requirements may be formally fulfilled through digital self-declaration mechanisms yet remain substantively vulnerable due to the absence of empirical on-site verification of production practices. This concept is grounded in a legal compliance framework, particularly the dichotomy between formal and substantive compliance.<sup>25</sup> Furthermore, this study unpacks how such structural vulnerabilities may compromise core Islamic ethical values, namely *‘adl* in safeguarding consumer rights, *amānah* entrusted to halal facilitators, and *ṣidq* in digital declarations. Accordingly, this research aims to critically analyze the operational challenges of substantive verification within the self-declaration scheme for micro and small enterprises, focusing on the geographically remote context of Maluku Subdistrict, Pulau Pisau Regency.

## B. METHOD

This study applied a descriptive qualitative methodology within an empirical legal research (socio-legal) framework. This approach highlights the gap between official halal regulations and how they are actually practiced and verified in reality. Unlike purely normative legal research, the socio-legal approach enables data-driven analysis of the effectiveness of legal norms within social, geographical, and institutional contexts. Accordingly, empirical data obtained through interviews, observation, and documentation were used to evaluate the operational functioning of halal regulations under the self-declaration scheme in a remote rural setting.

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<sup>25</sup> Lauren B Edelman, Christopher Uggen, and Howard S Erlanger, “The Endogeneity of Legal Regulation: Grievance Procedures as Rational Myth,” *American Journal of Sociology* 105, no. 2 (1999): 406–54, <https://www.journals.uchicago.edu/doi/abs/10.1086/210316>.

The research location was purposively selected in Maluku Subdistrict, Pulau Pisau Regency, Central Kalimantan. The justification for selecting this location is based not only on geographical factors (a rural area with limited transportation access) but also on academic urgency: Maluku represents an extreme context where halal verification is conducted entirely online. This context provides theoretical relevance for testing the concept of partial compliance and for extending the existing literature, which has predominantly focused on urban and coastal settings.

Data was gathered from six research participants., consisting of three MSME operators, two PPPH representatives, and one KUA staff member. The KUA representative was not intended to serve as a technical informant explaining the details of the certification process, but rather as a comparative informant for the purpose of triangulating sources. Thus, data from the KUA served to strengthen the validity of the findings through an institutional perspective, while technical field information regarding mentoring practices and production processes was obtained from SMEs and PPPHs. This strategy was chosen to maintain between the depth of primary data and the reliability of the analysis, ensuring that the research results accurately reflected factual conditions while also possessing institutional legitimacy.

Participants were selected through purposive sampling based on strict criteria: active participation in the self-declaration scheme and engagement in halal mentoring. Data collection was conducted through three main techniques. First, semi-structured interviews, both in person and online (WhatsApp), to explore informants' experiences and perceptions. Second, limited observation of halal guidance practices and production processes. This observation was non participatory, conducted at accessible points, and supplemented with digital documentation (photos, field notes, and online communications). Physical access limitations due to geographical conditions were acknowledged as a research constraint but were addressed through data triangulation from across sources (MSMEs, PPPH, and KUA) and methods (interviews, observation, and documentation). Third, analysis of official documents such as SIHALAL records, communication screenshots, and halal certification documents.

Data analysis was conducted following the Miles, Huberman, and Saldaña model, through the stages of data reduction, presentation in thematic matrices, and drawing conclusions and verification.<sup>26</sup> The

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<sup>26</sup> Matthew B. Miles, A. Michael Huberman, and Johnny Saldaña, *Qualitative Data Analysis: A Methods Sourcebook*, 3rd ed. (Thousand Oaks, CA: SAGE Publications, Inc., 2014).

analysis focused on the main themes: online verification practices, geographical constraints, partial compliance, and implications for Sharia principles (transparency, accountability, *amanah*, *sidq*, and *'adl*). Research validity was maintained through data triangulation and a commitment to research ethics, specifically by ensuring participant anonymity and securing informed consent.

The study ensured data validity by combining triangulation techniques with strict ethical practices, such as protecting informant anonymity and obtaining informed consent. The limited number of informants was intended to provide in depth empirical insight into the implementation of self-declare halal certification in a specific remote rural context. Consequently, the findings represent an analytical rather than a statistical generalization. The Maluku case serves to illustrate how factors like geographical isolation, minimal operational incentives, and inadequate oversight can compromise the integrity of halal verification in similar rural contexts.

## C. RESULTS AND DISCUSSION

### 1. Verification Conducted by PPPH in Maluku Subdistrict

In accordance with Chapter III of the Minister of Religious Affairs Regulation No. 20 of 2021<sup>27</sup> and BPJPH Head Decision No. 146 of 2025,<sup>28</sup> halal verification under the self declaration scheme should cover two aspects: administrative review and substantive verification through on-site visits and observation of the production process. The standard process begins with the registration of MSMEs on the [ptsp.halal.go.id](https://ptsp.halal.go.id) portal or the SIHALAL app, where they create an account and complete the application data. Next, the business operator selects a Halal Product Process Facilitator (PPPH) from a Halal Product Process Facilitator Institution (LPPPH) registered with the BPJPH. The PPPH is tasked with delivering direct oversight, which encompasses conducting on-site visits for verification and validation purposes. Administrative verification involves checking the completeness of documents, either physically or digitally, while substantive verification involves observing production processes, interviewing workers, and taking samples if necessary. The results of this guidance are then submitted to the BPJPH for further verification, prior to the issuance of the Halal Certificate. This process is

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<sup>27</sup> Kementerian Agama RI, Peraturan Menteri Agama Nomor 20 Tahun 2021 tentang Sertifikasi Halal Untuk Pelaku Usaha Mikro Dan Kecil.

<sup>28</sup> Kepala BPJPH RI, “Keputusan Kepala BPJPH RI No. 146 Tahun 2025 Tentang Petunjuk Teknis Layanan Sertifikasi Halal Bagi Pelaku Usaha Mikro Dan Kecil Yang Didasarkan Atas Pernyataan Halal Pelaku Usaha Mikro Dan Kecil” (2025).

designed to ensure the integrity of halal certification, with an ideal duration of 15–30 working days.<sup>29</sup>

However, according to several informants in Maluku Subdistrict, the substantive stages were not consistently implemented in the cases examined. Verification was predominantly conducted online via WhatsApp and SIHALAL without meaningful substantive physical visits to the actual production facilities. Business operators were asked to submit photographs of legal documents, brief descriptions of the production process, and evidence of raw materials through digital messages. They were then directed to input data independently into the SIHALAL system. These narratives imply that, in the observed cases, the verification process relied heavily on digital documentation rather than on-site examination.<sup>30</sup>

The official BPJPH guidelines and the SIHALAL manual<sup>31</sup> explicitly state that halal verification must not rely solely on digital documents but must be empirically validated through on-site visits to prevent false declarations. The regulations further stipulate that the self-declaration scheme encompasses both administrative checks and substantive verification of production processes and potential haram contamination risks.<sup>32</sup> Field evidence from the informants indicates a significant implementation gap in the cases documented in this study, verification was conducted predominantly through WhatsApp and SIHALAL, while physical inspection of production facilities was either absent or very limited. This process typically takes 7–14 days,<sup>33</sup> substantially shorter than the prescribed 15–30 working days, indicating that speed was achieved at the expense of substantive rigor.

A local MSME operator highlighted the superficial nature of the procedure, noting that: “we were only asked to send photos of raw materials and documents no inspector ever came to the production facility”.<sup>34</sup> This procedural gap was further corroborated by another business owner who recalled a similarly truncated encounter: “the PPPH officer came and only took a photo with me and the raw materials without

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<sup>29</sup> BPJPH, *Pedoman Pelaksanaan Sertifikasi Halal*.

<sup>30</sup> Interview with R, MSE operator, Maluku Subdistrict, Maluku, February 18, 2026.

<sup>31</sup> BPJPH, *buku panduan si halal*, 2025.

<sup>32</sup> BPJPH, *buku panduan si halal*, 2025.

<sup>33</sup> Interview with S, MSE operator, Maluku Subdistrict, Maluku, June 7, 2025

<sup>34</sup> Interview with R, MSE operator, Maluku Subdistrict, Maluku, February 18, 2026.

observing the production process”.<sup>35</sup> This empirical evidence reinforces the argument that regulations requiring a balance between administrative procedures and substantive requirements are fulfilled only formally, while the substantive integrity of halal certification remains fragile. One MSME operator even stated that “this actually helps me because I do not have to wait long for the certification results”<sup>36</sup>, Local community members view this online system as advantageous, particularly because businesses are scattered across remote villages along rivers and in forested areas, where road access is often cut off during the rainy season and water transport becomes the only realistic option.

These geographical constraints are not merely technical obstacles but structural factors that fundamentally alter the nature of halal verification in remote areas. The considerable distance between MSMEs’ production facilities and the PPPH<sup>37</sup> offices, coupled with limited transportation options, severely restricts the mobility of verifiers. This situation is exacerbated by the PPPH operational incentive of only Rp150,000 per certificate,<sup>38</sup> an amount that does not offset the incurred transportation expenses and time required for field visits.

The combination of these transportation barriers and low incentives directly drives PPPH to opt for cheaper and faster remote verification, even though it is merely administrative. Consequently, the substantive accompaniment which should include direct observation of production processes, inspection of household facilities, and worker interviews has shifted to document and photo-based surface level verification sent via WhatsApp. Photos of raw materials, for example, do not ensure comprehensive halal integrity across the entire supply chain, especially when raw materials are sourced from traditional markets or local rivers prone to contamination.

This empirical evidence can be analyzed through the “law in the books vs. law in action” framework<sup>39</sup> where regulations demand substantive verification, but on-the-ground practices result only in administrative compliance. Thus, minimal incentives and transportation barriers are not merely technical factors but causal factors that transform

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<sup>35</sup> Interview with R, MSE operator, Maliku Subdistrict, Maliku, February 18, 2026.

<sup>36</sup> Interview with M, MSE operator, Maliku Subdistrict, Maliku, February 18, 2026.

<sup>37</sup> Interview S dan I, PPPH Maliku, Maliku Subdistrict, February 18, 2026.

<sup>38</sup> Keputusan Kepala Badan Penyelenggara Jaminan Produk Halal Republik Indonesia Nomor 52 Tahun 2025.

<sup>39</sup> Roscoe Pound, “Law in Books and Law in Action,” *Am. L. Rev.* 44 (1910): 12.

the form of halal verification from substantive to administrative, while simultaneously revealing the tension between the normative objectives of halal regulations and the socio-economic realities in rural areas.<sup>40</sup>

**Table 1**  
Comparison of Regulatory Standards and Observed Verification Practices in  
Maliku Subdistrict

<b>Verification Aspects</b>	<b>Regulatory Requirements</b>	<b>Practice in Maliku</b>	<b>Implications</b>
<b>Administrative</b>	NIB documents, raw materials, labels	Conducted via WhatsApp & SIHALAL	Formally met
<b>Substantive</b>	On-site visits for production process observation	Not conducted	Not met
<b>Process duration</b>	15-30 working days	7-14 days	Efficient but substantively inadequate

Source: Primary data processed (2026)

## 2. Deconstructing Substantively Fragile Halal Compliance

From a legal compliance perspective, the verification practices observed in Maliku Subdistrict constitute a form of partial compliance the procedural and administrative fulfillment of legal requirements without achieving their substantive regulatory objectives. This concept denotes the formal and administrative conformity with statutory regulations, nonetheless falling short of attaining the substantive objectives of the regulations. According to Roscoe Pound's theory, there is a tension between "law in books" and "law in action".<sup>41</sup> National regulations such as Minister of Religious Affairs Regulation No. 20 of 2021 and BPJPH Head Decision No. 146 of 2025 require both administrative and substantive verification through on-site visits. In Maliku, verification is conducted solely online via WhatsApp and SIHALAL, enabling the issuance of halal certificates and thus generating formal legal legitimacy. Substantively, oversight of production processes, raw material supply chains, and potential haram contamination risks appeared limited in the cases

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<sup>40</sup> Rizwan Matloob Ellahi et al., "Integrity Challenges in Halal Meat Supply Chain: Potential Industry 4.0 Technologies as Catalysts for Resolution," *Foods* 14, no. 7 (2025): 1135, <https://doi.org/10.3390/foods14071135>.

<sup>41</sup> Pound, "Law in Books and Law in Action."

examined.<sup>42</sup> This limitation weakens the empirical basis of halal assurance, even though the certification process may still generate formal legal legitimacy.

The divergence between regulatory intent and operational practice is particularly visible in the SIHALAL system's procedural requirement, which requires the upload of a photograph showing both the PPPH facilitator and the business operator. In practice, however, this digital requirement may unintentionally encourage a procedural rather than substantive orientation in remote areas. Instead of using the physical encounter to conduct meaningful on-site verification of the production process, the interaction is often reported to be limited to capturing the required joint photograph, sometimes at locations that are more accessible than the actual production site, in order to complete the system requirement. In cases where physical encounters are difficult, verification may rely even more heavily on separate digital photo submissions and online communication. Consequently, the regulatory objective of ensuring substantive Sharia compliance through physical verification may be reduced to an administrative performance. This condition reinforces the structural fragility of halal assurance under the self-declare scheme in remote rural contexts.

This gap is further reinforced by the limited deterrent effect of the current enforcement framework. Although the regulatory framework sets out procedural requirements for halal verification, its implementation in remote areas may remain weak when supervisory mechanisms are not sufficiently localized and responsive to field conditions. Within the scope of this study, administrative interventions serve as the primary mechanism for addressing operational oversights committed by facilitators, such as temporary suspension of facilitator registration numbers, rather than through stronger accountability mechanisms.<sup>43</sup> Moreover, the absence of localized monitoring bodies makes it difficult for BPJPH to systematically verify whether digital documentation accurately reflects actual production conditions. As a result, the formal requirements of the system may be fulfilled on paper, while the substantive objectives of halal assurance and Sharia-based consumer protection remain only partially achieved in practice.

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<sup>42</sup> Makiah, Sauri, and Sahal, "Strengthening SEHATI Self-Declare Halal Certification in South Kalimantan: Roles, Constraints, and Field Practices of Halal Product Process Companions."

<sup>43</sup> Kepala BPJPH RI, "Peraturan BPJPH RI Nomor 5 Tahun 2025 Tentang Kriteria Pelaku Usaha Mikro Dan Kecil Dalam Sertifikasi Halal Melalui Pernyataan Halal Dan Tata Cara Pendampingan Proses Produk Halal" (2025).

The conceptual distinction between formal and substantive compliance is useful for explaining this situation. Drawing on the concept of organizational procedures as a rational myth<sup>44</sup> and the notion of creative compliance,<sup>45</sup> formal procedures may function symbolically as evidence of legality, while legal actors may satisfy the letter of the law without fulfilling its spirit. In the Maliku case, PPPH practices reflect this pattern: the documentary requirements of the self-declare scheme were formally fulfilled through SIHALAL and WhatsApp communication, but the substantive function of halal verification was not carried out. This gives rise to the concept of “substantively fragile halal compliance” as the primary analytical framework of this study. The concept refers to halal compliance that is formally recognized by the state but substantively fragile because it lacks genuine empirical assurance of Sharia conformity.

Nonetheless, this vulnerability must not be interpreted as a purely technical outcome of geographical isolation, poor connectivity, or limited transportation access. The Maliku case indicates a deeper actor-based problem, namely facilitator driven procedural irregularity. The reliance on online verification was shaped by logistical constraints, low operational incentives, and weak supervisory control over the verification process. In this sense, the absence of field visits reflects a form of opportunistic compliance: PPPH formally complies with the self-declare mechanism by completing digital documents and communication requirements, while avoiding the more demanding task of directly verifying production processes, raw materials, and potential halal critical points. Thus, the problem is not simply that rural geography makes verification difficult, but that geographical barriers, limited incentives, and weak supervision create space for facilitators to reduce halal verification into a documentary exercise.

This interpretation is empirically reinforced by Lailatul Fadilah’s study on the self-declare halal certification system in micro and small food industries. The study showed that self-declare certification is shaped by the interaction between business actors, P3H, BPJPH, and SIHALAL as digital infrastructure. Although the scheme provides opportunities such as free halal legality, increased knowledge, and facilitation by P3H, it also faces serious challenges, including limited technological capability, procedural irregularities by P3H, insufficient supervision, low digital

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<sup>44</sup> Edelman, Uggen, and Erlanger, “The Endogeneity of Legal Regulation: Grievance Procedures as Rational Myth.”

<sup>45</sup> Doreen McBarnet and Christopher Whelan, “The Elusive Spirit of the Law: Formalism and the Struggle for Legal Control,” *The Modern Law Review* 54, no. 6 (1991), <https://www.jstor.org/stable/1096920>.

literacy and commitment among business actors, and instability of the SIHALAL platform.<sup>46</sup> These findings support the argument that the weakness of self-declare certification lies not only in administrative complexity, but also in actor integrity, supervisory capacity, and the reliability of digital governance.

Similar concern is also visible in governance risk studies of the SEHATI program.<sup>47</sup> Previous studies indicate that the acceleration of free halal certification may create moral hazard when the self-declare mechanism relies heavily on the honesty of business actors and the integrity of facilitators. This condition is further compounded by post-certification anomalies. As observed by Hasan and Jailani,<sup>48</sup> a major pitfall of the current digital bureaucratic acceleration is the total absence of ongoing field supervision after the certificate is issued, which leads to a steep decline in legal compliance, such as the failure to update halal labels or adhere to product name restrictions. These empirical investigations do not serve as direct evidence of target-oriented practices in Maluku, but they help explain why weak supervision in self-declare certification can create room for documentary compliance and procedural irregularity. This is precisely the condition that makes halal compliance formally successful but substantively fragile.

This behavioral vulnerability is further intensified by structural digital barriers, poor connectivity, and low digital literacy, as highlighted by Makiah, Sauri, and Sahal in the context of South Kalimantan.<sup>49</sup> These constraints do not independently explain the weakness of halal verification, but they provide a permissive environment in which facilitators can retreat into superficial digital administrative tasks. Similarly, Sucipto et al. argue that the self-declaration framework inherently produces structural gaps where empirical rigor is traded for

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<sup>46</sup> Lailatul Fadilah, "Sistem Sertifikasi Halal Self-Declare Dengan Pendekatan Ekosistem Halal Pada Industri Makanan Mikro Dan Kecil" (UIN Maulana Malik Ibrahim Malang, 2025).

<sup>47</sup> Pratiwi, "Governance Risk Pada Program Sehati: Analisis Kecurangan Data Bahan Baku Dan Strategi Deteksi Anomali Dalam Sistem BPJPH."

<sup>48</sup> Hasan and Jailani, "The Problem of Implementing Self Declared Halal Certification for Micro and Small Enterprises."

<sup>49</sup> Makiah, Sauri, and Sahal, "Strengthening SEHATI Self-Declare Halal Certification in South Kalimantan: Roles, Constraints, and Field Practices of Halal Product Process Companions."

market accessibility and bureaucratic acceleration.<sup>50</sup> The Maluku case extends these studies by showing that weak supervision, limited operational incentives, and geographical remoteness interact to produce a specific form of compliance: administratively complete, legally recognized, but substantively weak.

Furthermore, PPPH practices also reveal other violations, such as the neglect of substantive verification obligations, lack of objectivity and professionalism, and potential conflicts of interest arising from excessive reliance on self-declarations by business operators. These practices undermine the core purpose of halal certification, which is not merely to issue certificates but to ensure that production processes, raw materials, and supply chains comply with Sharia principles. This analysis confirms that although halal regulations are responsive at the national level, their implementation in remote areas remains formalistic when not supported by risk based supervision, actor accountability, and adaptive verification mechanisms. In the language of Nonet and Selznick's responsive law theory, the regulatory framework has not yet become sufficiently responsive to the concrete realities of implementation.<sup>51</sup> As a result, the self-declare halal certification scheme in Maluku produces compliance that is legally valid and administratively successful but substantively fragile.

### 3. Legal Compliance with the PPPH from a Sharia Perspective

The partial compliance observed in Maluku is not merely a procedural issue it also creates tension with the spirit of Islamic economic law. The online verification protocols implemented by the PPPH, which depend exclusively on WhatsApp communication and the uploading of document photos without direct on-site observation can be evaluated through the following Sharia principles.

From the standpoint of *al-shafāfiyyah* (transparency),<sup>52</sup> photo-based verification fails to meet standards because it does not allow for direct inspection of potential cross contamination at household facilities located near rivers and forests, resulting in partial information that contains

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<sup>50</sup> Sucipto Sucipto et al., "Analysis of Self-Declared Halal Certification in Indonesia: Regulation, Barriers, and Opportunity," *Cogent Food & Agriculture* 12, no. 1 (2026): 2660378, <https://doi.org/10.1080/23311932.2026.2660378>.

<sup>51</sup> Philippe Nonet and Philippe Selznick, *Hukum Responsif* (Nusamedia, 2019).

<sup>52</sup> Atmajaya et al., "Kepatuhan Syariah (Syariah Compliance) Pada Lembaga Keuangan Mikro Syariah."

elements of *gharar*.<sup>53</sup> In Maliku, transparency is realized only minimally: the photos and digital descriptions submitted by business operators are unable to reveal the risk of cross contamination that is highly likely to occur in household facilities adjacent to rivers and forests. A PPPH even admitted, “we can only inspect documents and photos; it is impossible to visit in person because road access is often cut off.”<sup>54</sup> This empirical evidence shows that the principle of total transparency which forms the foundation of consumer trust, is not being met, thereby undermining accountability and integrity in halal certification. Consequently, violations of Sharia principles are not merely abstract but are clearly evident in verification practices that have shifted from substantive observation to mere administrative formalities.

On the other hand, accountability (*al-mas’ūliyyah*) defined as the moral and legal responsibility for the trust entrusted to them has also weakened. As representatives of the state and Sharia institutions, PPPH bear the responsibility of ensuring that products are halal not merely through administrative approval, but that they are truly in accordance with Sharia law.<sup>55</sup> When verification relies solely on self-declarations by business operators without evidence of physical inspection, it is difficult to hold the PPPH accountable if discrepancies are later discovered.<sup>56</sup>

This practice also violates the principle of *amānah* (trust) because the PPPH, as a state-mandated and Sharia authorized agent, holds the trust of both the public and BPJPH to verify that certified products genuinely comply with halal standards. When verification is reduced to reviewing photos submitted via WhatsApp, this fiduciary obligation is structurally broken the PPPH cannot fulfil its *amānah* without having observed the actual production environment.

The principle of *ṣidq* (honesty) is equally compromised: a verification report that certifies halal compliance based on digital self-declaration, without empirically examining the production facility, is

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<sup>53</sup> Pejman Abedifar, “Formalism versus Purposivism in Islamic Jurisprudence: The Case of Islamic Finance Law,” *Religions* 14, no. 4 (2023): 465, <https://doi.org/10.3390/rel14040465>.

<sup>54</sup> S, PPPH Maliku, wawancara oleh penulis, Maliku, 18 Februari 2026.

<sup>55</sup> Junaidi Abdillah et al., “Contribution Model of Al-Mas’ Ūliyyah Al-Jinā’iyyah in the Formulation of Criminal Liability in Indonesia’s New Criminal Code,” *Al-Ahkam* 34, no. 2 (2024): 367–92, <https://doi.org/10.21580/ahkam.2024.34.2.22592>.

<sup>56</sup> Rudiyanto Rudiyanto and Mohammad Nizarul Alim, “Akuntabilitas Proses Sertifikasi Halal Berbasis Self Declare Pada Halal Center Universitas Trunojoyo Madura,” *Muttaqien; Indonesian Journal of Multidisciplinary Islamic Studies* 5, no. 1 (2024): 75–98, <https://doi.org/10.52593/mtq.05.1.06> Naskah.

structurally deceptive (*tadlis*) insofar as it implies rigour that was never exercised. The digital format of the photo does not guarantee that the depicted raw materials are the ones actually used in production, nor does it reveal contamination risks that are only visible on-site.

Finally, from the perspective of *'adl* (justice), the inability to conduct substantive verification because of geographical constraints produces asymmetric injustice: Muslim consumers in remote areas receive a halal certificate that carries the same formal weight as one issued after a thorough audit in an urban centre, yet without equivalent substantive assurance. This gap is a form of distributional injustice (*zulm*) that violates the *maqāsid al-sharī'ah* objectives of *hifz al-dīn* (protecting religion) and *hifz al-nafs* (protecting life/health), since consumers in Maluku are denied the meaningful protection that halal certification is designed to guarantee.<sup>57</sup>

An employee at the KUA in Maluku stated, “We believe the halal certificate is a guarantee, but if there is no on-site inspection, how can we be sure?”<sup>58</sup> This statement indicates that the weak accountability in Halal Certification has the potential to undermine public trust in the national halal certification system. If consumer trust is undermined, the legitimacy of halal certification as an instrument of legal and Sharia protection is also threatened, thereby obstructing the regulatory objective of establishing a credible halal ecosystem. Thus, the accountability issue in Maluku is not merely a procedural weakness, but a threat to the integrity and legitimacy of the halal system as a whole.

Thus, practices in Maluku reveal the classic gap between the law on the books and the law in practice. National regulations designed without adequate consideration of the rural contexts have instead given rise to ambivalent compliance: administratively efficient, but substantively fragile. This not only threatens the *maqāsid syarī'ah* (particularly *hifz al-dīn* and *hifz al-nafs*) but also undermines the credibility of halal certification in the eyes of Muslim consumers living in remote areas.

#### **4. Policy Recommendations and Solutions for Optimizing Compliance with the PPPH**

To bridge the gap between ideal regulations and on the ground practices in Maluku Subdistrict, an adaptive, contextual, and geographically grounded policy approach is needed, tailored to the realities of Central Kalimantan's interior regions. This approach must integrate technological innovation with local capacity building and

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<sup>57</sup> Haryanto, Sukawi, and Muslih, “Uniting Tradition and Modernity: Scientific Paradigms of Pesantren-Based Universities.”

<sup>58</sup> T, Penyuluh PPPH KUA Maluku (Maluku, 26 Mei 2025).

realistic operational incentives, so that the Sharia principles of *al-shafāfiyyah* (transparency), *al-mas'ūliyyah* (accountability), *amānah*, *ṣidq*, and *'adl* can be substantively realized without sacrificing the efficiency of the self-declaration process. The following recommendations are specifically designed for the conditions in Maluku, characterized by remote villages along rivers and forested areas, where land access is often cut off during the rainy season.

- a. First, the BPJPH and the Ministry of Religious Affairs need to tighten the assignment of PPPH mentoring areas based on the principle that each mentor may only assist business operators located within their working area that can be physically reached. PPPH should be required to refuse mentoring requests from hard-to-reach locations; if they accept such cases, they must bear full responsibility for any substantive risks that arise. This approach aligns with recommendations to strengthen oversight and the deployment of facilitators in remote areas.<sup>59</sup> Additionally, to mitigate the systemic fraud risks identified in the digital pipeline, BPJPH must transition from reactive administrative controls toward proactive risk based monitoring.<sup>60</sup>
- b. Second, the Pulau Pisau Regency Government, through the Industry and Trade Office (Disperindag), must play an active role as the primary facilitator for inland areas by providing logistical support in the form of specialized transportation (motorboats or land vehicles), mapping of MSME clusters, and coordinating the placement of certified PPPH in remote areas. Infrastructure and logistical support from local governments are key to overcoming the geographical barriers to halal certification in remote areas.<sup>61</sup>
- c. Third, it is necessary to increase the number and capacity of certified PPPH at the local level through intensive recruitment and training programs for prospective local facilitators who meet the official BPJPH certification requirements, with the support and coordination of the

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<sup>59</sup> Sucipto et al., “Analysis of Self-Declared Halal Certification in Indonesia: Regulation, Barriers, and Opportunity.”

<sup>60</sup> Pratiwi, “Governance Risk Pada Program Sehati: Analisis Kecurangan Data Bahan Baku Dan Strategi Deteksi Anomali Dalam Sistem BPJPH.”

<sup>61</sup> Anshori Anshori et al., “Unlocking Indonesia’s Halal Potential: Policy, Certification, and International Alignment,” in *9th International Conference on Strategic and Global Studies 2025 ((ICSGS 2025)* (Atlantis Press, 2025), 113–25, [https://doi.org/10.2991/978-94-6463-918-6\\_8](https://doi.org/10.2991/978-94-6463-918-6_8).

Office of Religious Affairs (KUA) as a facilitating partner. In addition, it is recommended that special district-based verification teams be formed, supported by dedicated funding from the Regional Budget (APBD) and the State Budget (APBN), so that substantive verification can still be conducted periodically, albeit at a frequency adjusted to geographical conditions. This recommendation aligns with the need to enhance human resource capacity and adapt policies in rural areas.<sup>62</sup>

Implemented in an integrated manner, these recommendations would strengthen substantive compliance without contravening BPJPH regulations, while reinforcing the role of local institutions in supporting the halal ecosystem in remote areas. Such reforms would not only enhance consumer trust among Muslim communities in inland regions but also improve the competitiveness of MSME and contribute to the national target of universal halal certification. Future research is recommended to evaluate the effectiveness of this proposed model through comparative studies in analogous remote areas across Central Kalimantan and other provinces.

#### **D. CONCLUSION**

The implementation of the self-declaration halal certification scheme in geographically remote areas like Maluku Subdistrict, Central Kalimantan, produces a form of partial and substantively fragile halal compliance. While administrative integration through SIHALAL supports procedural efficiency, geographical barriers, limited operational incentives, and weak supervisory mechanisms may reduce substantive field verification. This condition illustrates the gap between law in the books and law in action, showing that rigid national digital frameworks can compromise the realization of Sharia principles when they are not supported by adaptive and context-sensitive verification mechanisms.

Theoretically, contribution of this study is the introduction of the construct of substantively fragile halal compliance, which bridges socio-legal scholarship and Islamic economic law in rural contexts. Practically, the findings underscore the urgent need for decentralized governance mechanisms, including localized territorial boundaries for PPPH facilitators and systematic logistical support from regional governments.

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<sup>62</sup> Kamille A Buenafe et al., “Why Halal Certification Remains Elusive: Evidence from Foodservice Businesses in the Philippines,” *Cogent Business & Management* 12, no. 1 (2025): 2582802, <https://doi.org/10.1080/23311975.2025.2582802>.

Because this study is based on a limited number of informants in one rural subdistrict, future research should test the proposed concept of substantively fragile halal compliance through comparative studies involving broader regions, different types of MSMEs, and multiple halal facilitation institutions.

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