

Balancing Regulatory Efficiency and Halal Integrity: A Governance Analysis of Indonesia's Self-Declaration System in Halal Certification

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Article Info

Article history :

Received: January 22, 2025

Revised: May 10, 2025

Accepted: June 3, 2025

Keywords :

Self-Declaration,

Halal Certification,

Transparency,

Accountability,

Regulatory Governance

ABSTRACT

Indonesia's halal certification self-declaration system faces criticism for oversight and accountability gaps. This study evaluates its compliance with transparency principles under national law and Islamic jurisprudence (*fatwa*), employing a mixed-methods analysis of legislative texts, case studies, and interviews. Contrasting *law in books* and *law in action*, findings reveal systemic gaps between regulatory ideals and implementation. Procedural misconduct—including data falsification and lax verification by Halal Product Process (PPH) officers—undermines accountability, exposing flaws in coordination and audit mechanisms. The self-declaration model inadequately safeguards halal integrity, requiring reforms: real-time monitoring, standardized verification protocols, and collaborative governance between Indonesia's National Ulama Council (MUI) and state agencies. Such measures are vital to aligning Indonesia's halal assurance with global Islamic economy benchmarks while safeguarding consumer trust and principles. The study underscores bridging normative-practical divides through adaptive governance, ensuring coherence and compliance in Indonesia's evolving halal ecosystem.

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JURNAL INDO-ISLAMIKA

Published by Graduate School of UIN Syarif Hidayatullah Jakarta, Indonesia

Please cite this article in APA Style as:

Sahhari, A. S. A., Azmi, L. K., Razi, R. F., Mukti, K. W., Hidayatullah, I. (2025). Balancing Regulatory Efficiency and Halal Integrity: A Governance Analysis of Indonesia's Self-Declaration System in Halal Certification. *Jurnal Indo-Islamika*, 15(1), 153–172. <https://doi.org/10.15408/jii.v15i1.47339>

1. INTRODUCTION

Within Indonesia's socio-religious framework, where Islam constitutes the majority faith, the Quranic mandate to utilize exclusively halal products operates as a fundamental ethical guideline shaping Muslim consumption patterns. The industrial sector has witnessed a pronounced proliferation of halal-compliant goods in recent years, extending across diverse product categories (Sholeha & Musadad, 2023). This growth aligns with heightened consciousness among Indonesian Muslim consumers regarding the necessity of verified halal compliance. To address this societal imperative, Indonesia institutionalized Law No. 33/2014 concerning Halal Product Assurance (*Jaminan Produk Halal*), hereafter referenced as the Halal Law, which enforces mandatory certification for all market-available goods. This regulatory development precipitated a structural transformation in certification governance, transferring jurisdiction from the Indonesian Ulema Council (MUI) and its Halal Audit Agency (LPPOM-MUI) to the state-administered Halal Product Assurance Organizing Agency (*Badan Penyelenggara Jaminan Produk Halal*, BPJPH). Scholars characterize this transition as a pivotal reorganization of Indonesia's *halal* certification framework, creating a dual governance model integrating religious and bureaucratic oversight (Azhari & Ulinnuha, 2023).

BPJPH's creation aimed to implement standardized, scalable certification mechanisms accessible to enterprises of varying scales. The agency presently administers two distinct protocols: a conventional audit pathway and a streamlined self-declaration system tailored for Micro and Small Enterprises (MSEs). Beyond regulatory adherence, halal certification functions as a value-creation strategy, with empirical evidence indicating certified products attain heightened competitiveness in global markets. This commercial advantage reflects contemporary consumer priorities emphasizing both halal authenticity and quality assurance (BPJPH, 2024).

Nevertheless, the conventional halal certification framework remains protracted and financially burdensome, presenting significant barriers for Micro, Small, and Medium Enterprises (MSMEs) constrained by limited operational and fiscal capacities. To mitigate these challenges, Indonesian regulatory authorities implemented a self-declaration policy under BPJPH supervision, enabling enterprises to assert *halal* compliance without undergoing exhaustive certification protocols (Masitah et al., 2024). This initiative seeks to democratize MSME participation in Indonesia's *halal* economy while streamlining administrative processes. BPJPH data indicates that by September 2023, 1,021,457 MSME products had secured certification, with 633,917 (62.1%) leveraging the self-declaration mechanism (BPJPH, 2023).

However, this regulatory flexibility has engendered systemic vulnerabilities, including declaration validity disputes, data reliability concerns, and insufficient risk-assessment frameworks. Public scrutiny intensified following the certification of "*Nabidz*," a fermented grape beverage marketed as halal juice despite its elevated ethanol content—a chemical byproduct of fermentation overlooked during verification by Halal Product Process (PPH) auditors. Further controversies emerged with products bearing semantically contradictory labels such as "*halal tuak*" (traditionally alcoholic palm wine), "*halal beer*," and "*halal tuyul*" (referencing supernatural entities), all approved under lax nomenclature vetting protocols. These cases highlight critical gaps in aligning certification practices with MUI Fatwa No. 44/2020, which explicitly prohibits terminologies conflating halal status with religiously proscribed concepts (Pradipta, 2024).

Emerging scholarship posits that synergizing halal certification with traditional knowledge assets and geographical indications—forms of communal intellectual property (CIP)—could fortify product authenticity, ethical stewardship, and holistic halal compliance (Disemadi et al., 2024). This framework offers a critical counterpoint to the self-declaration mechanism, which scholars critique for its substantive verification gaps and insufficient integration of religious oversight mechanisms. Such analyses reaffirm the centrality of *maqāṣid al-sharī'ah* (Islamic legal objectives) in governing certification frameworks. Concurrently, Munawar & Mugiono (2024) advocate blockchain-based solutions and smart contracts to optimize supply chain traceability, mitigate data manipulation risks, and ensure audit transparency, particularly for globally distributed products. These technologies could theoretically reconcile the self-declare scheme's inclusivity goals with rigorous compliance by establishing automated, tamper-evident verification systems that preserve both Shariah legitimacy and public accountability.

Parallel empirical investigations identify systemic barriers to Halal Law implementation, including MSEs' constrained access to certification financing and the Indonesian Ulema Council's (MUI) diminished regulatory influence following BPJPH's ascendance (Kharrazi et al., 2024; Priantina, et al., 2024). These studies advocate for sustainable fiscal support mechanisms and enhanced interagency collaboration between state administrators and religious authorities to cultivate a certification ecosystem that balances legal enforceability, inclusivity, and theological credibility. Collectively, these critiques crystallize this study's core thesis: the self-declaration paradigm, while democratizing market access, inherently risks eroding regulatory oversight—a vulnerability necessitating institutional realignment to harmonize state policy objectives with religious governance imperatives in safeguarding *halal* certification integrity.

Scholarly discourse currently lacks a systematic critical evaluation of the self-declaration scheme's efficacy, particularly through a dual analytical lens integrating normative-legal frameworks with empirical verification of transparency, accountability, and operational alignment with Good Governance Theory and Halal Assurance System (HAS) protocols. This study bridges this epistemological gap by conducting a forensic analysis of two emblematic cases: the *Nabidz* fermentation controversy and certification of products bearing religiously contentious nomenclature. The investigation addresses four pivotal inquiries: (1) Typology of compliance breaches in self-declared certification; (2) Structural configuration of Indonesia's halal regulatory architecture and its policy externalities; (3) Operational manifestation of transparency-accountability principles within certification governance; and (4) Theoretical insights derived through triangulation of Good Governance Theory, Public Accountability frameworks, and HAS implementation metrics.

This research advances critical discourse in Islamic economic jurisprudence while exposing systemic vulnerabilities in self-declaration governance through evidentiary case analysis. Diverging from prior scholarship prioritizing administrative streamlining or MSME certification accessibility, our novel analytical framework underscores the imperative of synergizing bureaucratic efficiency with shariah-compliant accountability mechanisms. By juxtaposing *de jure* regulatory mandates against *de facto* implementation failures—the perennial law-in-books versus law-in-action dichotomy—the study proposes policy-oriented recommendations for strengthening halal oversight. These reforms are philosophically anchored in *maqāṣid al-sharī'ah* (Islamic legal objectives) and empirically informed by public accountability paradigms, thereby reconciling regulatory pragmatism with theological legitimacy.

This study theorizes that Indonesia's self-declaration mechanism risks systemic collapse unless reinforced by risk-calibrated oversight, active participation of fatwa institutions in doctrinal verification, and implementation of multilayered audit protocols. Striking an equilibrium between bureaucratic expediency and Shariah-compliant legal certitude emerges as a prerequisite for maintaining public trust in *halal* integrity. Absent robust institutional safeguards, the scheme risks degenerating into a procedural ritual, lacking substantive theological or ethical validation.

Employing Good Governance Theory, the analysis scrutinizes four institutional parameters: operational transparency, regulatory precision, multi-stakeholder engagement, and accountability enforcement (Priantina, et al., 2024; Prokomsetda, 2017). The Public Accountability Framework further dissects answerability mechanisms, compliance enforceability, and informational disclosure as foundational pillars of certification credibility (Bovens, 2007). Complementarily, the Halal Assurance System (HAS) framework evaluates the scheme's alignment with *halal* quality benchmarks across production workflows, distribution channels, and supervisory infrastructures (Sari & Rahayu, 2024).

Through this tripartite theoretical synthesis and empirical examination of certification failures, the research advances conceptual frameworks for reconciling regulatory pragmatism with Islamic ethical imperatives. Its primary scholarly contribution resides in transcending mere system diagnostics to propose an alternative governance architecture emphasizing participatory oversight, audit trail transparency, and institutional embodiment of *maqāṣid al-sharī'ah* (Islamic legal objectives). The study concludes by advocating institutional harmonization between statutory frameworks and religious edicts—dual normative pillars essential for sustaining Indonesia's pluralistic *halal* governance regime.

2. METHODS

This research critically evaluates Indonesia's *halal* self-declaration policy through an analysis of two emblematic cases: (1) the certification of *Nabidz*, a fermented beverage with disputed ethanol content, and (2) multiple food products bearing semantically incongruous labels such as "*halal* beer" and "*halal* tuak" (traditionally alcoholic beverages). The study interrogates how these instances reflect operational adherence to transparency-accountability paradigms while assessing systemic alignment with statutory provisions and *shariah* principles under the Halal Assurance System (HAS).

Employing a qualitative paradigm, the research synthesizes doctrinal-legal analysis with exploratory case study methodology to dissect the interplay between normative frameworks and socioreligious praxis. This dual approach facilitates granular examination of the selected cases' jurisprudential contexts while identifying disjunctures between codified regulations (*law in books*) and implementation realities (*law in action*). By foregrounding procedural irregularities and ethical discrepancies, the methodology enables critical appraisal of certification processes against *maqāṣid al-sharī'ah* (Islamic legal objectives) and principles of distributive justice.

This research derives its analytical foundation from systematically curated secondary data, encompassing regulatory statutes, institutional publications, scholarly discourse, and media narratives. The legal framework analysis centers on Law No. 33/2014 concerning Halal Product

Assurance and its implementing regulations, notably Government Regulation No. 42/2024, supplemented by technical guidelines governing self-declaration protocols. Institutional documentation—including policy briefs, annual audits, and official press releases from halal certification authorities—provides critical insights into administrative practices. Scholarly inputs are drawn from peer-reviewed journals and academic monographs addressing Islamic economic jurisprudence, regulatory ethics, and public administrative law, while media sources offer contextualized public narratives on the *Nabidz* and controversial nomenclature cases.

The study implemented a structured thematic documentary analysis protocol, categorizing materials into four analytical dimensions: statutory foundations of self-declaration, procedural mechanisms in certification, patterns of regulatory non-compliance, and operationalization of transparency-accountability principles. This methodological approach facilitated a systematic examination of disjunctures between positivistic legal provisions and on-ground implementation realities, while integrating ethical-normative evaluations aligned with Islamic legal objectives (*maqāṣid al-sharī'ah*). By synthesizing these multidisciplinary strands, the analysis constructs a coherent evaluative framework that bridges doctrinal mandates with socioreligious expectations, ultimately informing policy recommendations for enhancing halal governance integrity.

The dataset underwent rigorous content analysis to dissect both the structural composition and substantive provisions of Indonesia's halal regulatory framework, with particular emphasis on its operationalization in the two self-declaration violation cases. This inquiry was augmented by a normative hermeneutic methodology, interpreting legal texts through the dual prisms of Islamic jurisprudential values (*maqāṣid al-sharī'ah*) and Good Governance Theory. The analytical matrix focused on two critical axes: (1) systemic discrepancies between codified regulations (*law in books*) and their practical enforcement (*law in action*), and (2) ethical evaluation anchored in the *maqāṣid* dimensions of *ḥifẓ al-māl* (asset protection) and *ḥifẓ al-dīn* (safeguarding religious integrity). Through this synthesized approach, the study identifies governance vulnerabilities while proposing reforms synergizing regulatory pragmatism with Shariah-compliant accountability mechanisms.

By integrating these methodological paradigms, the research transcends mere policy evaluation to advance theoretical discourse on institutional design. It establishes a diagnostic framework for reconciling administrative efficiency with ethical imperatives, thereby contributing to the development of a robust, theologically coherent halal governance architecture in Indonesia.

3. RESULTS AND DISCUSSION

3.1. Halal Certification Cases under the Self-Declare Scheme

a. The Nabidz Fermented Beverage Controversy

In July 2023, the Indonesian halal certification framework faced intense scrutiny following reports of the fermented beverage *Nabidz*—marketed as wine-like yet bearing halal certification. Public outcry emerged due to the product's inherent contradiction of Islamic prohibitions on alcohol, despite its registration as a "fruit juice" under the self-declare scheme on 25 May 2023. Administered by Indonesia's Halal Product Assurance Organizing Agency (BPJPH), the scheme permits low-risk products such as non-fermented juices to bypass rigorous laboratory testing, contingent on verification by a Halal Product Process (PPH) assistant (Saptohutomo, 2023;

BPJPH, 2023).

However, BPJPH's supervisory audit uncovered systemic irregularities. The assigned PPH assistant had certified *Nabidz* despite explicit knowledge of its fermentation process—a critical disqualifier under the self-declare mechanism. Indonesian regulations mandate that fermented products undergo formal laboratory analysis by a Halal Inspection Body (*Lembaga Pemeriksa Halal*, LPH) to detect alcohol content and ensure compliance. Instead, the assistant deliberately circumvented these protocols, falsifying registration documents to misclassify *Nabidz* as a conventional fruit juice (BPJPH, 2023). This act of regulatory noncompliance not only exploited procedural loopholes but also undermined trust in the certification framework.

An investigative audit by Indonesia's Halal Product Assurance Organizing Agency (BPJPH) exposed collusion between the entrepreneur ("BY") and the Halal Product Process (PPH) assistant ("AS") to falsify documentation for *Nabidz*'s halal certification. In response, BPJPH enforced stringent administrative penalties on 16 August 2023: BY's halal certificate for the grape-based product was revoked, while AS faced deregistration as a PPH assistant due to violations of professional ethics and certification protocols (Pamuji, 2023). These sanctions underscored institutional efforts to deter malpractice within the self-declare framework.

Subsequent to these actions, the Indonesian Ulema Council (MUI) issued a definitive *haram* (religiously prohibited) ruling on *Nabidz*, based on empirical evidence from three accredited laboratories. Analyses revealed ethanol concentrations surpassing the 0.01% threshold permissible for halal products, rendering the beverage unfit for Muslim consumption. MUI further emphasized that the product's nomenclature ("wine-like"), flavor profile, and use of grape fermentation with yeast—a process analogous to conventional alcohol production—directly contravened its halal guidelines. Such mimicry of *haram* items, whether in branding or manufacturing methods, inherently disqualifies products from halal status, irrespective of ingredient composition (Medistiara, 2023).

b. Halal Certification Controversies: The Case of Semantically Noncompliant Product Branding

In October 2024—14 months after the *Nabidz* scandal—Indonesia's halal certification system faced renewed scrutiny following the emergence of products branded with nomenclature such as "Tuak," "Beer," "Tuyul," and "Wine," all bearing self-declared halal certification. A viral video exposing these certifications triggered public outrage, as the product names directly invoked associations with alcoholic beverages, a clear violation of MUI fatwas prohibiting imitative labeling of *haram* items. The Indonesian Ulema Council (MUI) launched a multi-phase inquiry, including forensic verification and stakeholder consultations, ultimately confirming that the products had exploited the self-declare scheme to bypass mandatory audits by Halal Inspection Bodies (LPH) and evade formal endorsement from the MUI Fatwa Commission (Febriani, 2024).

MUI's investigation concluded that the certifications constituted a breach of religio-legal standards, as no Fatwa Commission ruling had ever sanctioned such nomenclature. Consequently, MUI publicly disavowed the halal status of these products, asserting that their branding alone rendered them doctrinally noncompliant (Junaidi, 2024). BPJPH, however, defended its certification protocol, arguing that the controversy stemmed solely from "semantic noncompliance" rather than substantive flaws in ingredient safety or production methods. The agency reiterated that all certifications had adhered to procedural guidelines, with validation provided by the Halal Product Fatwa Committee—a stance critics dismissed as a regulatory

loophole enabling circumvention of MUI's authority (BPJPH, 2024).

BPJPH's official response framed the debate as a *semantic-doctrinal dichotomy*, acknowledging scholarly disagreements over product naming conventions while asserting that such disputes did not invalidate the halal status of the products in question. The agency emphasized that certification had been granted based on rigorous verification of ingredient safety and Shariah-compliant production protocols, as stipulated in its operational guidelines (Pamuji, 2023). The Director of BPJPH's Halal Product Development and Supervision Center contextualized these interpretative variances as inherent to Indonesia's multidimensional halal governance structure, which involves overlapping jurisdictions among regulators, certifiers, and religious authorities. To mitigate public confusion, BPJPH proposed establishing a cross-sectoral dialogue platform aimed at reconciling divergent interpretations of permissible nomenclature—a move reflecting institutional recognition of branding's critical role in maintaining halal integrity (Syaihu, 2024).

Central to this controversy is Indonesia's codified emphasis on *lexical integrity* within halal certification. MUI Fatwa No. 4/2003 and No. 44/2020 explicitly prohibit product names, symbols, or packaging that evoke blasphemy, deception, or associations with *haram* elements (e.g., *khamr* [intoxicants], pork). These regulations extend beyond material compliance to encompass *semiotic compliance*, recognizing that linguistic and visual branding directly influence consumer perceptions of a product's adherence to Islamic principles. For instance, terms like "beer" or imagery suggestive of alcohol, even if technically unrelated to the product's composition, risk conflating market identity with prohibited substances, thereby eroding doctrinal legitimacy (Junaidi, 2024). This dual focus—on both substantive and symbolic Shariah alignment—underscores Indonesia's holistic approach to halal governance, where regulatory frameworks serve not only to validate production processes but also to preserve theological coherence and consumer trust.

Miftahul Huda, Secretary of the Indonesian Ulema Council (MUI) *Fatwa* Commission, issued a stark institutional critique of the self-declare halal certification framework, cautioning against its inherent systemic risks. In a 2024 statement, Huda underscored that the mechanism's reliance on declarative compliance—without third-party audits—demands heightened accountability from businesses and certifiers alike. He emphasized that eligibility for self-declaration must be restricted to products with unambiguous halal composition and minimally complex production chains, where ingredient sourcing and processing can be transparently monitored (Febriani, 2024).

Huda further delineated operational prerequisites for the scheme, stressing that even low-risk products require meticulous oversight at critical junctures, such as raw material procurement and additive integration, to prevent halal integrity breaches. His critique implicitly challenged the Halal Product Assurance Organizing Agency (BPJPH) to enforce stricter pre-certification verification protocols, arguing that procedural negligence could erode public trust in Indonesia's halal governance ecosystem. By framing ethical diligence as inseparable from Shariah compliance, Huda's remarks elevated the discourse beyond technical adherence to encompass moral stewardship in halal certification practices.

3.2. *Halal Governance in Indonesia: Regulatory Architecture and the Self-Declare Policy Dilemma*

The institutionalization of Indonesia's halal certification regime, anchored in Law No. 33/2014 on Halal Product Assurance (JPH), represents a critical effort to harmonize state oversight with Islamic jurisprudence. This legal framework establishes the Halal Product Assurance Organizing Agency (BPJPH) as the central regulatory authority under the Ministry of Religious Affairs, mandating end-to-end administration of certification—from product registration to final issuance. However, recurrent controversies surrounding the self-declare mechanism necessitate a structural analysis of Indonesia's dual governance model, which bifurcates authority between BPJPH's administrative functions and the Indonesian Ulema Council (MUI)'s doctrinal mandate (Hasan & Abd Latif, 2024).

BPJPH administers end-to-end certification protocols, including registration, auditing via Halal Inspection Bodies (LPH), and compliance monitoring, ensuring alignment with national standards. Meanwhile, MUI's Fatwa Commission retains exclusive authority to issue religious rulings (*fatwa*) on product permissibility, contingent on LPH-submitted audit findings (LPPOM MUI, 2022). This regulatory-religious nexus ostensibly creates a checks-and-balances system, yet the self-declare scheme—designed to streamline certification for low-risk products—has exposed vulnerabilities in this collaboration. By allowing businesses to bypass LPH audits and MUI fatwa endorsements, the policy inadvertently weakens the doctrinal rigor integral to halal integrity, privileging bureaucratic efficiency over theological scrutiny.

Indonesia's halal governance framework underwent a transformative regulatory pivot with the 2020 Job Creation Law (Omnibus Law), which institutionalized the self-declare mechanism as a neoliberal deregulation strategy (Rohman & Sudiro, 2023). Article 4A of the law explicitly empowers Micro and Small Enterprises (MSEs) to self-certify products as halal under BPJPH's standards, bypassing mandatory audits by Halal Inspection Bodies (LPH) and doctrinal endorsement from the Indonesian Ulema Council (MUI) (Purbasari et al., 2023). This policy reconfigures halal certification from a state-supervised, theologically anchored process into a market-driven declarative system—a shift critics argue prioritizes economic inclusivity over institutional oversight (UIN Walisongo, n.d. ; Rohman & Sudiro, 2023).

The government rationalized this reform as a pragmatic response to MSEs' structural constraints, notably administrative burdens and limited fiscal capacity (Ashfia, 2022). Under the scheme, MSEs submit halal declarations facilitated by Halal Product Process Assistants (PPH), theoretically democratizing access to certification while enhancing market competitiveness. BPJPH data from September 2023 reflects this ambition: 633,917 MSEs secured halal status via self-declaration, signaling rapid uptake (BPJPH, 2023). However, the absence of third-party verification mechanisms raises critical questions about the trade-off between procedural accessibility and certification integrity. By outsourcing compliance to entrepreneurs, the policy risks conflating declarative convenience with halal authenticity, potentially diluting the theological rigor that underpins Indonesia's certification ethos.

While Indonesia's self-declare scheme has demonstrably expanded halal certification accessibility—evidenced by over 633,000 MSE certifications by 2023—its procedural architecture remains fraught with accountability asymmetries. The conflation of certification volume with systemic efficacy risks obscuring critical gaps in verification rigor, particularly the absence of Halal Inspection Body (LPH) oversight and post-declaration audits. Without

enforceable safeguards, the mechanism risks degenerating into a performative exercise in regulatory tokenism, vulnerable to ethical breaches akin to the *Nabidz* scandal. To mitigate this, BPJPH must institutionalize risk-stratified supervision: restricting eligibility to non-fermented, minimally processed goods; mandating provisional certification pending field verification; and integrating blockchain-enabled traceability for halal-critical supply chains.

Concurrently, Indonesia's regulatory scaffolding for the scheme—enshrined in Government Regulations 39/2021 and 42/2024, Ministerial Decree 20/2021, and BPJPH Decrees 135/2021 and 33/2022—prioritizes procedural formalism over doctrinal coherence. These frameworks narrowly define MSE eligibility through criteria such as “simple production processes” and “low halal-critical control points” (Lestari et al., 2023; Sadiyah & Erawati, 2024). However, the reduction of halal integrity to administrative checklists—rather than theological compliance—exposes a policy-praxis gap, where streamlined certification workflows undermine MUI's authority in determining Shariah adherence. This dissonance highlights the need for hybrid governance models that harmonize bureaucratic efficiency with jurisprudential oversight.

The self-declare mechanism operationalizes a streamlined procedural scaffolding: MSEs initiate certification via BPJPH's digital portal, followed by consultative guidance from Halal Product Process Assistants (PPH) or Islamic Religious Counselors. While BPJPH verifiers conduct nominal reviews and the MUI Fatwa Committee retains a *pro forma* oversight role, this process lacks the granular scrutiny of conventional audits—a quasi-ritualistic verification that contrasts sharply with LPH-led forensic inspections. Certificates issued under this framework remain perpetually valid barring substantive alterations to ingredients or production protocols, embedding systemic inertia in post-certification monitoring. This dual-track architecture ostensibly balances MSE inclusivity with halal integrity, yet its procedural leanness risks institutionalizing compliance complacency (Pardiansyah et al., 2022).

The scheme's structural design, however, incubates *accountability vacuums*. By decentralizing verification to enterprises—entities with inherent conflicts of interest—the policy dismantles the checks-and-balances intrinsic to Indonesia's conventional halal governance, where LPH audits and MUI fatwas enforce third-party accountability (Dewi, 2018). This institutional bypass not only undermines MUI's doctrinal authority but also fosters certification *arbitrage*, where businesses exploit declarative simplicity to secure halal status without substantive adherence. The absence of mandatory periodic re-audits further exacerbates risks, permitting dormant certificates to circulate despite potential deviations in production practices—a regulatory blind spot that conflates administrative convenience with theological negligence.

The self-declare mechanism introduces a critical regulatory incongruence with Indonesia's foundational Halal Product Assurance Law (No. 33/2014), which enshrines MUI's fatwa as the doctrinal cornerstone of halal certification. By circumventing MUI's rigorous oversight in favor of abbreviated Fatwa Committee reviews, the policy creates an institutional bifurcation—a dual-track system that weakens legal coherence and fosters ambiguity among stakeholders. This divergence not only contravenes the 2014 mandate but also risks eroding consumer trust, as businesses navigate conflicting expectations between streamlined certification and doctrinal legitimacy (Azhari & Ulinuha, 2023).

To counterbalance these risks, BPJPH has instituted multi-tiered oversight mechanisms, integrating field inspections by Halal Product Process Assistants (PPH), supervisory bodies, and verifiers, supplemented by centralized administrative audits. The agency retains punitive

authority to revoke non-compliant certifications and enforce market withdrawals, signaling a commitment to accountability (Dewi, 2022). However, this framework's efficacy hinges on proactive enforcement—a challenge given the scheme's reliance on declarative honesty and the absence of randomized post-certification audits.

From a socio-economic vantage, the self-declare scheme democratizes halal certification by eliminating prohibitive costs (e.g., millions of rupiah under conventional audits), thereby enhancing MSMEs' market competitiveness and consumer reach (Septiani & Ridlwan, 2020). Yet, this accessibility paradoxically amplifies systemic vulnerabilities: reduced financial barriers may incentivize procedural shortcuts, potentially commodifying halal status as a transactional credential rather than a theological guarantee. While empowering MSMEs economically, the policy risks diluting the ethical sanctity of halal certification, underscoring a precarious trade-off between inclusivity and integrity.

While the self-declare mechanism enhances economic inclusivity for MSMEs, its sustainability hinges on systemic accountability and normative alignment with Islamic jurisprudence. Economic advancements derived from streamlined certification necessitate stringent regulatory frameworks to counteract risks of declarative inaccuracies, particularly among enterprises with insufficient understanding of halal compliance protocols (Purbasari et al., 2023). To address this, BPJPH must prioritize capacity-building initiatives for Halal Product Process Assistants (PPH), coupled with nationwide halal literacy programs to institutionalize ethical self-certification practices. Furthermore, synergistic coordination between BPJPH's administrative oversight and MUI's doctrinal authority is imperative to mitigate institutional discord, ensuring that procedural efficiency does not eclipse theological rigor.

Indonesia's halal governance is bifurcated into dual frameworks: the conventional scheme, anchored in MUI *fatwa* and third-party audits, and the self-declare model, reliant on entrepreneurial declarations. While the former ensures doctrinal legitimacy through rigorous inspections, the latter introduces systemic vulnerabilities, such as declarative arbitrage and diluted accountability. The state's primary mandate lies in safeguarding *maqāṣid al-sharī'ah*—prioritizing the protection of faith, life, intellect, lineage, and property—through multi-tiered oversight, stakeholder education, and interagency regulatory harmonization. Regulatory innovations aimed at economic democratization must remain tethered to these ethical-legal pillars, ensuring that halal certification transcends transactional compliance to embody holistic Shariah adherence.

3.3. *The Imperatives of Transparency and Accountability in Halal Certification Governance*

Within international public administration frameworks, transparency and accountability emerge as pivotal pillars underpinning the credibility and efficacy of halal certification systems. Transparency, as articulated by Suhendro (2023), mandates the proactive disclosure of certification-related information—ranging from procedural guidelines to audit outcomes—in formats accessible to stakeholders, including consumers, businesses, and regulatory bodies. This principle ensures that all phases of certification, from product registration to final approval, remain subject to external scrutiny, thereby fostering institutional legitimacy. Enhanced transparency extends beyond procedural openness to encompass supply chain traceability, wherein raw material origins, production methodologies, and compliance documentation are verifiably mapped (Dashti et al., 2024). Such granular visibility not only mitigates information

asymmetry but also empowers consumers to actively validate halal claims, transforming them into vigilant participants rather than passive observers (Kharrazi et al., 2024).

Accountability, as a corollary principle, imposes a dual obligation on certification authorities (e.g., Indonesia's Halal Certification Authority, BPJPH) and Halal Inspection Bodies (LPH) to justify operational decisions and uphold ethical standards (Priantina, et al., 2024). This entails rigorous adherence to audit protocols, impartiality in evaluations, and corrective measures for non-compliance. Digital platforms, exemplified by Indonesia's SiHalal system, operationalize these principles by providing real-time certification updates, audit trails, and stakeholder engagement mechanisms. By integrating traceability technologies and open-data architectures, such systems elevate the global competitiveness of halal products, ensuring alignment with international trade standards. Collectively, the symbiosis of transparency and accountability not only fortifies public trust but also establishes a replicable model for harmonizing religious compliance with transnational governance benchmarks.

Indonesia's halal certification regime derives its formal transparency obligations from Government Regulation No. 24 of 2005 and Law No. 33 of 2014 on Halal Product Assurance, which codify institutional mandates for disseminating comprehensive, accurate, and publicly accessible certification data. These legal instruments operationalize transparency through three key mechanisms: (1) systematic disclosure of policy frameworks and fiscal allocations, (2) standardized protocols for public service delivery, and (3) integration of digital infrastructure—exemplified by Indonesia's SiHalal platform—to enable real-time tracking of certification statuses, raw material provenance, and production audit trails (Disemadi et al., 2024). Such transparency is critical in addressing the dual demands of global halal markets: religious compliance and ethical supply chain governance, where consumers increasingly prioritize traceability alongside product integrity.

Conversely, accountability within the system is institutionalized through a tripartite framework encompassing legal, managerial, and policy dimensions. Legally, certification bodies are bound by statutory compliance, including adherence to Sharia standards verified by the MUI Fatwa Committee. Managerially, resource allocation and operational efficiency are monitored through performance audits, while policy accountability ensures alignment with national objectives of consumer protection and halal industry growth (Priantina, , et al., 2024). Regulatory oversight by BPJPH further mandates the publication of audit findings and certification evaluations, creating an ecosystem of checks and balances. This multilayered accountability proves particularly vital in mitigating risks inherent to self-declaration schemes, where lax oversight could enable procedural abuses. Crucially, the interdependence of transparency and accountability mechanisms not only fortifies institutional credibility but also positions Indonesia's halal certification model as a benchmark for reconciling regulatory rigor with global market expectations.

Indonesia's halal certification framework has institutionalized transparency and accountability by integrating the normative pillars of Good Governance Theory and the Public Accountability Framework. Grounded in Lionandiva & Triandi (2022) conceptualization, Good Governance Theory mandates four non-negotiable principles: (1) transparency through systematic disclosure of certification criteria and audit outcomes, (2) accountability via legally and ethically defensible decision-making, (3) multi-stakeholder participation through structured engagement with civil society and industry actors, and (4) legal certainty anchored in standardized

protocols. These principles align with the Public Accountability Framework's emphasis on institutional reporting obligations, policy rationalization, and third-party evaluations—mechanisms that collectively transform certification bodies into answerable entities rather than opaque bureaucracies. Such synergistic frameworks not only elevate governance legitimacy but also address systemic vulnerabilities in Indonesia's halal ecosystem, particularly in mitigating risks of procedural opacity.

Operationalizing these principles, the Halal Assurance System (HAS) serves as a pivotal technical instrument, merging ISO-derived quality management practices with Shariah compliance imperatives (Munawar & Mugiono, 2024). The HAS mandates stringent documentation protocols, requiring verifiable records of raw material sourcing, production methodologies, and distribution channels, thereby embedding traceability as a core governance feature. By obligating both businesses and certifiers to maintain auditable data repositories, the system ensures dual compliance: scientific rigor in quality control and theological adherence to halal standards. This dual accountability mechanism not only fortifies consumer trust but also positions Indonesia's halal industry for global market integration, where harmonization of ethical, religious, and technical benchmarks is increasingly demanded. Thus, the HAS transcends mere procedural compliance, emerging as a transformative scaffold that bridges normative governance frameworks with pragmatic supply chain integrity.

Despite systematic initiatives to institutionalize transparency and accountability, Indonesia's halal certification ecosystem continues to grapple with multifaceted operational and structural barriers. Empirical evidence highlights a critical scarcity of technically competent and ethically grounded halal auditors, coupled with fragmented regulatory enforcement across provinces, which paradoxically coexist with advanced legal frameworks (Kharrazi et al., 2024). These disparities—manifested in inconsistent supervision protocols and uneven audit reporting—expose systemic vulnerabilities that threaten the coherence of national certification standards. Such jurisdictional ambiguities between central agencies (e.g., BPJPH) and regional authorities risk diluting the system's credibility, necessitating urgent institutional reforms to harmonize oversight mechanisms and enhance intergovernmental collaboration.

The imperative to fortify these governance pillars is further intensified by the exponentially growing global halal market, where consumer expectations now transcend mere Shariah compliance to demand demonstrable ethical sourcing, environmental sustainability, and corporate accountability (Kusnadi et al., 2024). Any perceived lapse in transparency or accountability could precipitate a erosion of consumer trust, jeopardizing Indonesia's strategic position in the \$3 trillion halal economy. To preempt such risks, accountability must evolve from a procedural formality to a holistic ethical paradigm, embedding moral responsibility across certification bodies, businesses, and regulatory institutions. Civil society organizations and independent watchdogs must therefore be empowered as co-regulators, leveraging participatory audits and digital whistleblowing platforms to institutionalize public oversight. Only through such multidimensional governance can Indonesia's halal certification system transition from aspirational policy to globally recognized gold standard.

The systematization of transparency and accountability in Indonesia's halal certification regime necessitates the codification of robust compliance mechanisms, including prescriptive sanctions for procedural violations. Instances of non-compliance—ranging from misrepresentation in self-declaration schemes to fraudulent audit practices—must trigger graded

disciplinary actions, such as certification annulment, financial penalties, and blacklisting of offenders (Algaisya & Rosadhillah, 2024). This approach operationalizes the principles of answerability and enforceability, which posit that governance frameworks lacking punitive deterrence risk systemic delegitimization. Equally critical is the establishment of impartial adjudicative processes, wherein regulatory bodies like BPJPH exercise operational autonomy to conduct oversight free from regulatory capture or vested economic interests. Such institutional independence ensures that law enforcement is both consistent and equitable, thereby preserving the system's juridical integrity.

Transparency and accountability transcend procedural formalities to function as normative cornerstones of Indonesia's halal assurance architecture. Their effective implementation demands a paradigm shift wherein stakeholders—certifiers, businesses, and regulators—internalize these principles as non-negotiable ethical obligations rather than bureaucratic checkboxes. The sustainability of the system hinges on embedding openness and responsibility into three interconnected strata: (1) policy formulation, ensuring alignment with international best practices; (2) operational workflows, integrating traceability technologies and participatory audits; and (3) evaluative frameworks, adopting third-party benchmarking and public feedback loops. Such multidimensional reforms not only consolidate domestic consumer trust but also elevate Indonesia's halal products as globally competitive commodities, meeting stringent ethical and religious benchmarks. Consequently, advancing transparency and accountability must form the nucleus of Indonesia's halal certification reform agenda, positioning it as a model of governance that harmonizes doctrinal fidelity with 21st-century market exigencies. This dual focus on domestic integrity and international market penetration underscores the urgency of institutional recalibration to secure Indonesia's leadership in the evolving halal economy.

3.4. Case Analysis of Indonesia's Self-Declare Halal Certification Scheme: Systemic Vulnerabilities and Governance Failures

The self-declaration mechanism for halal certification, administered by Indonesia's Halal Product Assurance Organizing Agency (BPJPH), has emerged as a contentious governance model, exposing critical gaps between theoretical compliance frameworks and operational realities. A forensic examination of two high-profile cases—the *Nabidz* fermented beverage certification and the misbranding of products with non-halal-associated nomenclature (e.g., “*tuak*,” “beer”)—reveals systemic vulnerabilities that undermine the scheme's credibility (Pradicta, 2024). In the *Nabidz* scandal, procedural failures enabled the misrepresentation of fermented wine as grape juice, circumventing Shariah prohibitions on alcoholic content through falsified documentation and collusion with inadequately trained Halal Product Process Assistants (PPH) (Saptohutomo, 2023). Concurrently, the certification of products bearing semantically non-compliant names highlights the absence of semantic governance protocols, allowing market-driven branding to override religious symbolism stipulated in MUI fatwas. These cases collectively illustrate how the self-declare framework, devoid of robust third-party verification by Halal Inspection Bodies (LPH), incentivizes regulatory arbitrage and erodes institutional accountability (Febriani, 2024; Pamuji, 2023).

The root causes of these governance failures stem from a triad of systemic weaknesses: (1) insufficient field verification capacity due to under-resourced audits and reliance on declarative submissions; (2) inadequacies in PPH training programs, which lack standardized modules on

ethical compliance and Shariah jurisprudence; and (3) policy dissonance between MUI's theological mandates and BPJPH's administrative priorities. In the *Nabidz* case, the absence of fermentation process disclosure and the PPH's complicity in data manipulation underscore a critical lack of technical oversight and moral accountability. Meanwhile, the misbranding incidents reveal institutional blind spots in semantic regulation, where BPJPH's registration protocols prioritize administrative completeness over symbolic adherence to Islamic norms. This misalignment is exacerbated by the self-declare scheme's exclusion of LPH involvement, effectively outsourcing verification to profit-driven businesses rather than independent certifiers. Such structural flaws not only compromise halal integrity but also position the scheme as a conduit for ethical laundering, wherein procedural compliance masks substantive non-compliance. To restore credibility, reforms must address these institutional disconnects, prioritizing harmonized Shariah-administrative frameworks, enhanced auditor competency, and mandatory LPH oversight—measures critical to transforming the self-declare mechanism from a liability into a resilient governance tool.

The aforementioned case studies underscore systemic deficiencies in operationalizing transparency and accountability within Indonesia's halal certification regime. The *Nabidz* scandal exemplifies how gaps in procedural transparency—specifically, the non-disclosure of fermentation processes and absence of mandatory laboratory audits—enabled administrative malfeasance, circumventing Shariah prohibitions on alcohol content. Concurrently, the certification of products bearing semantically non-compliant names (e.g., “*tuak*,” “beer”) reveals institutional discord between BPJPH's bureaucratic protocols and MUI's theological mandates, reflecting a failure to harmonize administrative efficiency with normative rigor. Both cases demonstrate that over-reliance on self-declarations and inadequately trained Halal Product Process Assistants (PPH), without independent verification or punitive deterrence, erodes the ethical and substantive foundations of halal assurance. To mitigate such risks, structural reforms must prioritize (1) the institutionalization of Shariah-based traceability mechanisms, (2) periodic third-party audits of certification data, and (3) inter-agency collaboration to align administrative processes with MUI's fatwa compliance standards. Only through such measures can Indonesia's halal certification system reconcile operational scalability with the ethical imperatives of transparency and accountability demanded by both domestic and global stakeholders.

These findings align with broader scholarly critiques of Indonesia's halal governance model. While Listiasari et al. (2024) acknowledge the self-declare scheme's success in expanding certification accessibility for MSMEs, they caution against conflating administrative convenience with halal validity, particularly given the absence of verifiable traceability frameworks. Similarly, Munawar & Mugiono (2024) identify traceability and integrity as foundational pillars of the Halal Assurance System (HAS) that remain underdeveloped in current policy, leaving supply chain accountability fragmented. This is compounded by Kharrazi et al.'s (2024) observation that the SiHalal digital platform—touted as a transparency tool—fails to integrate MUI's normative guidelines, creating discrepancies between certified product data and Shariah compliance standards. Collectively, these studies highlight an urgent need for policy harmonization: digital systems must be recalibrated to embed theological compliance checks, while certification protocols should mandate multi-stakeholder audits to preempt ethical laundering. Such reforms would not only address extant governance gaps but also position Indonesia's halal certification framework as a model of integrative governance, balancing market pragmatism with doctrinal

fidelity in the global halal economy.

The self-declare mechanism's shortcomings epitomize a fundamental tension between the state's technocratic prioritization of operational efficiency and MSME inclusivity, and the socio-religious ethos of Indonesia's Muslim majority, for whom halal certification transcends legal compliance to embody moral, symbolic, and spiritual sanctity. The certification of products such as *Nabidz* (fermented wine misrepresented as grape juice) and semantically incongruent labels like "*halal tuak*" has ignited theological dissent, exposing a systemic misalignment between bureaucratic expediency and the doctrinal rigor demanded by religious institutions. In a cultural context where halal labels serve as sacrosanct markers of Islamic integrity, such controversies erode public trust in certification authorities and destabilize the symbiotic relationship between state governance and religious norms. This dissonance underscores the incompatibility of the self-declare framework with Indonesia's holistic halal paradigm, which intertwines legal, ethical, and spiritual dimensions into a collective cultural imperative.

While the self-declare scheme has demonstrably enhanced MSME participation in halal markets by reducing procedural barriers and costs, its trade-offs reveal critical governance deficits. The absence of independent audit protocols, risk-based supervision, and transparent disclosure mechanisms contravenes core tenets of Good Governance Theory—notably transparency, accountability, and legal certainty (Prokomsetda, 2017). Concurrently, the system's reliance on declarative compliance, without enforceable sanctions or answerability structures, weakens its legitimacy under the Public Accountability Framework (Munawar & Mugiono, 2024). These lacunae facilitate regulatory arbitrage, as evidenced by cases where businesses exploit loopholes to obtain certifications for doctrinally non-compliant products. The resultant decline in public trust and inter-institutional conflicts (e.g., BPJPH-MUI jurisdictional tensions) threaten both domestic market cohesion and Indonesia's global halal leadership aspirations. To reconcile efficiency with ethical rigor, policymakers must recalibrate the system to embed independent verification, cross-sectoral oversight, and participatory mechanisms that align administrative processes with the socio-religious values underpinning halal's cultural salience.

To address systemic vulnerabilities in the self-declare halal certification mechanism, five targeted policy interventions are imperative. First, a conditional approval system should be institutionalized, wherein self-declared certifications remain provisional pending third-party field verification by accredited Halal Inspection Bodies (LPH). Second, comprehensive upskilling programs must be mandated for Halal Product Process Assistants (PPH), incorporating rigorous assessments of Sharia jurisprudence competency and ethical integrity as prerequisite criteria for licensure. Third, the Halal Product Assurance Organizing Agency (BPJPH) should operationalize a centralized, real-time public dashboard disclosing granular certification data—including product nomenclature, raw material origins, audit histories, and non-compliance records—to mitigate information asymmetry. Fourth, blockchain-enabled QR code integration should be mandated for all halal labels, ensuring immutable traceability of supply chain data via interoperable digital platforms. Fifth, participatory governance must be strengthened through multi-stakeholder oversight committees, integrating MUI's theological expertise, LPPOM's technical oversight, and civil society monitoring via accessible whistleblowing channels.

The self-declare mechanism must be structurally realigned with the Halal Assurance System (HAS) as its operational backbone, while embedding the normative pillars of Good Governance Theory and the Public Accountability Framework. Absent such integration, the

system risks degenerating into a performative exercise that contravenes the *maqāṣid al-sharī'ah* principles of preserving religious sanctity (*ḥifẓ al-dīn*) and socioeconomic equity (*ḥifẓ al-māl*). Only through harmonizing procedural efficiency with doctrinal rigor, underpinned by transparent accountability mechanisms, can Indonesia's halal certification regime fulfill its dual mandate: fostering MSME inclusivity while safeguarding the spiritual and ethical imperatives of its Muslim-majority society. This recalibration is non-negotiable for maintaining Indonesia's leadership in the global halal economy, where credibility hinges on the symbiosis of regulatory pragmatism and unassailable ethical compliance.

CONCLUSION

This study elucidates systemic vulnerabilities within Indonesia's self-declaration halal certification framework, particularly its failure to institutionalize operational transparency and multilevel accountability. Empirical analysis of the *Nabidz* fermentation scandal and semantically non-compliant product labeling (e.g., "halal beer") reveals a critical schism between codified regulatory ideals (law in books) and their practical enforcement (law in action). The *Nabidz* case epitomizes procedural opacity, with producers exploiting weak verification protocols and Halal Product Process Assistants (PPH) neglecting due diligence, while incongruous product nomenclature underscores jurisdictional dissonance between MUI's theological mandates and BPJPH's administrative priorities. Collectively, these failures expose a governance deficit that undermines public trust and doctrinal legitimacy.

From a governance lens, the self-declare mechanism inadequately operationalizes transparency—defined holistically as procedural openness, supply chain traceability, and auditability of certification decisions. Current practices lack robust safeguards, whether through advanced digital infrastructure (e.g., blockchain-enabled traceability) or competency-driven oversight frameworks. Accountability mechanisms similarly falter, failing to integrate legal, managerial, and Sharia-compliant justification across certification stages, thereby contravening the Public Accountability Framework's enforceability mandates.

Theoretically, this research advances Islamic economic law scholarship by interrogating the nexus between Good Governance paradigms and *maqāṣid al-sharī'ah*-aligned certification systems. By synthesizing legal-textual analysis with sociopolitical implementation contexts, it establishes a diagnostic model for evaluating faith-based policies, emphasizing the imperative to harmonize statutory regulations with religious edicts in pluralistic legal ecosystems. Methodologically, the hybrid juridical-normative and socio-legal approach—interrogating statutory texts, fatwas, institutional reports, and scholarly discourse—exposes structural gaps between normative aspirations and operational realities.

Policy prescriptions prioritize recalibrating the certification framework to balance MSME inclusivity with Sharia compliance. Critical interventions include digitized verification protocols (e.g., blockchain QR codes), competency-based PPH training, and risk-calibrated supervision mechanisms. Institutional synergy between BPJPH and MUI must be fortified to resolve dual-authority inefficiencies, while participatory oversight via civil society engagement ensures ethical accountability. Anchored in *maqāṣid al-sharī'ah* principles—notably *ḥifẓ al-dīn* (religious integrity) and *ḥifẓ al-māl* (wealth protection)—the self-declare mechanism can evolve from a

procedural formality into a catalyst for ethical economic empowerment. Through such integrative reforms, Indonesia's halal certification system can transcend administrative symbolism to embody spiritual, legal, and commercial legitimacy, securing its position as a global benchmark for faith-aligned governance.

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