THE EFFECTIVENESS OF HALAL CERTIFICATION POST-CERTIFICATION SUPERVISION SELF-DECLARED FOR UMKM IN ENSURING THE SUSTAINABILITY OF HALAL PRODUCTS FROM THE PERSPECTIVE OF MAQASHID SYARIAH

(Study of UMKM in Buduran District, Sidoarjo Regency)

THESIS

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MOTTO

"If Allah knows that there is good in your heart, He will surely give you better than what has been taken from you and He will forgive you. Allah is Forgiving, Most Merciful."

(Qs. Al-Anfal : 70)

"What I miss will not be my destiny, and what is destined for me, will never pass me"

(Umar bin Khattab)

"And when I am better tomorrow, I will never forget my hard times. I will tell the world how I turned sweat into a smile."

(Andmesh Kamaleng)

TRANSLITERATION GUIDELINES

In writing scientific papers, the use of foreign terms is often unavoidable. In general, according to the General Guidelines for Indonesian Spelling, foreign words are written (printed) in italics. In the context of Arabic, there are special transliteration guidelines that apply internationally. The following is presented a table of transliteration guidelines as a reference for writing scientific papers.

The Arabic-Indonesian transliteration of the Faculty of Sharia UIN Maulana Malik Ibrahim Malang is guided by the Library of Congress (LC) model of the United States as follows:

Arabic	Indonesia	Arabic	Indonesia
أ	‘	ط	T
ب	b	ظ	ẓ
ت	t	ع	’
ث	th	غ	GH
ج	j	ف	F
ح	h	ق	Q
خ	kh	ك	K
د	d	ل	L
ذ	Düssel	م	M
ر	r	ن	N
ز	Z	و	W
س	S	ه	H
ش	sh	ء	‘
ص	ṣ	ي	Y
ض	ḍ		

To show the sound of long life (madd), the trick is to write horizontal scribbles on top of the letters, such as ā, ī and ū. (أ, ي, و). The Arabic double living sound is transliterated by combining two letters "ay" and "aw" such as layyinah, lawwāmah. Words that end in tā' marbūṭah and function as an attribute or muḍāf ilayh are transliterated with "ah", while those that serve as muḍāf are transliterated as "at".

FOREWORD

Alhamdulillahirabbil'alamin, praise be to Allah SWT for giving grace, health, opportunity, and convenience to the author so that the thesis entitled: "The Effectiveness of Post-Halal Self-Declare Certification Supervision for UMKM in Ensuring the Sustainability of Halal Products from the Perspective of Maqashid Sharia (Study of UMKM in Buduran District, Sidoarjo Regency)" can be completed properly. The process of preparing this thesis is certainly inseparable from prayer, support, guidance, and assistance from various parties which is very meaningful to the author. Prayers and greetings are always poured out to our lord Prophet Muhammad SAW who has given uswatun hasanah in living life in accordance with the guidance of sharia. May we be among the people who receive his intercession on the last day. Amen.

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With the completion of this thesis report, it is hoped that the knowledge that has been obtained during the lecture period can be useful for the author and others so that it can become charity in this world until the hereafter. As a human being who is never spared from mistakes, the author expects criticism and suggestions from all parties in order to strive for improvement in the future.

Malang, 05th of October 2026
Author,



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ABSTRAK

Novita Ayu Domara, 220202110106, 2026, Efektivitas Pengawasan Pasca Sertifikasi Halal *Self-Declare* bagi Umkm dalam Menjamin Keberlanjutan Kehalalan Produk Perspektif Maqashid Syariah (Studi pada Umkm di sidoarjo)

Kata kunci: Pengawasan Pasca-Sertifikasi, Sertifikasi Halal *Self-Declare* , UMKM, Keberlanjutan Kehalalan, Maqashid Syariah

Sertifikasi halal *self-declare* memberikan kemudahan bagi pelaku usaha mikro dan kecil dalam memperoleh sertifikat halal. Namun, keberlakuan sertifikat halal tetap mensyaratkan konsistensi bahan dan Proses Produk Halal (PPH), sehingga pengawasan setelah sertifikat diterbitkan menjadi penting untuk menjamin keberlanjutan kehalalan produk. Penelitian ini berangkat dari adanya kesenjangan antara kewajiban pengawasan dalam regulasi dengan pelaksanaan pengawasan pasca sertifikasi halal *self-declare* pada UMKM di Kabupaten Sidoarjo.

Penelitian ini bertujuan untuk mengetahui efektivitas pengawasan pasca sertifikasi halal *self-declare* pada UMKM di Sidoarjo dalam menjamin konsistensi kehalalan produk secara berkelanjutan serta menganalisisnya dalam perspektif Maqashid Syariah, khususnya dalam menjamin keberlanjutan kehalalan produk dan perlindungan konsumen. Penelitian ini menggunakan metode yuridis empiris dengan pendekatan sosiologis-yuridis dan pendekatan konseptual. Data diperoleh melalui wawancara mendalam, observasi, dan dokumentasi terhadap pelaku UMKM bersertifikat halal *self-declare* dan Pendamping Proses Produk Halal (P3H), kemudian dianalisis secara kualitatif deskriptif dengan model interaktif Miles dan Huberman.

Hasil penelitian menunjukkan bahwa, pertama, pengawasan pasca sertifikasi halal *self-declare* pada UMKM di Sidoarjo belum berjalan efektif dalam menjamin konsistensi kehalalan produk secara berkelanjutan karena secara normatif, BPJPH berwenang melakukan pengawasan JPH, termasuk terhadap produk *self-declare*, namun pelaksanaannya di lapangan belum optimal. Kedua, efektivitas pengawasan dipengaruhi oleh keterbatasan regulasi teknis, sarana pengawasan, serta belum optimalnya mekanisme pengawasan berkala, meskipun PP Nomor 42 Tahun 2024 tentang penyelenggaraan Bidang Jaminan Produk Halal (JPH) telah mengaturnya. Ketiga, dalam perspektif Maqashid Syariah, kondisi tersebut belum sepenuhnya mendukung *hifz al-nafs, hifz al-mal, dan hifz al-din* karena lemahnya pengawasan menyebabkan konsistensi kehalalan produk belum dapat dipastikan secara berkelanjutan. Berdasarkan temuan tersebut, penelitian ini mengusulkan model *dual control* yang memadukan komitmen mandiri UMKM dengan pengawasan dan evaluasi periodik oleh BPJPH, didukung pelaporan berkala melalui SIHALAL dan sarana deteksi yang memadai.

ABSTRACT

Novita Ayu Domara, 220202110106, 2026, The Effectiveness of Post-Halal *Self-Declaration Certification* Supervision for UMKM in Ensuring the Sustainability of Halal Products from the Perspective of Maqashid Syariah (Study on UMKM in Sidoarjo)

Keywords: Post-Certification Supervision, Halal Self-Declared Certification, UMKM, Halal Sustainability, Sharia Maqashid

Halal self-declaration certification provides convenience for micro and small enterprises in obtaining halal certificates. However, the validity of a halal certificate still requires consistency in ingredients and the Halal Product Process (PPH). Therefore, post-certification supervision is important to ensure the sustainability of halal products. This study is based on the gap between the regulatory obligation to conduct supervision and the implementation of post-certification supervision for halal self-declare-certified UMKM in Sidoarjo Regency.

This study aims to determine the effectiveness of post-halal self-declaration certification supervision for UMKM in Sidoarjo in ensuring the continuous consistency of halal products and to analyze it from the perspective of Maqashid Syariah, particularly in relation to the sustainability of halal products and consumer protection. This research employs an empirical juridical method using sociological-juridical and conceptual approaches. Data were collected through in-depth interviews, observation, and documentation involving halal self-declare-certified UMKM actors and Halal Product Process Assistants (P3H), and were analyzed descriptively and qualitatively using the Miles and Huberman interactive model.

The results of the study show that, first, post-halal self-declare supervision of UMKM in Sidoarjo has not been effective in ensuring the consistency of halal products in a sustainable manner because normatively, BPJPH is authorized to supervise JPH, including self-declared products, but its implementation in the field has not been optimal. Second, the effectiveness of supervision is influenced by the limitations of technical regulations, supervision facilities, and the lack of optimal periodic supervision mechanisms, even though Government Regulation Number 42 of 2024 concerning the implementation of the Halal Product Assurance Sector (JPH) has regulated it. Third, from the perspective of Maqashid Syariah, these conditions have not fully supported hifz al-nafs, hifz al-mal, and hifz al-din because weak supervision causes the consistency of halal products to not be ensured in a sustainable manner. Based on these findings, this study proposes a dual control model that combines the independent commitment of UMKM with periodic supervision and evaluation by BPJPH, supported by periodic reporting through SIHALAL and adequate detection facilities.

الملخص

نوفيتا آيو دومارا، ٢٢٠٢٠٢١١٠١٠٦، ٢٠٢٦، فعالية الإشراف على شهادة *الإعلان الذاتي بعد الحلال* للمؤسسات الصغيرة والمتوسطة في ضمان استدامة المنتجات الحلال من منظور المقشد الشرعي (دراسة حول المؤسسات الصغيرة والمتوسطة في سيدوارجو)

الكلمات المفتاحية: الإشراف بعد التصديق، شهادة إعلان حلال ذاتيا، المؤسسات الصغيرة والمتوسطة، الاستدامة الحلالة، الشريعة المقاشد

تُسهم شهادة الحلال بنظام الإقرار الذاتي في تسهيل حصول المؤسسات المتناهية الصغر والصغيرة على شهادة الحلال. ومع ذلك، فإن استم رار صلاحية شهادة الحلال يتطلب المحافظة على ثبات المواد المستخدمة وعمليات .إنتاج المنتجات الحلال، ولذلك فإن الرقابة بعد إصدار الشهادة تعد أمراً مهماً لضمان استدامة حلال المنتجات وينطلق هذا البحث من وجود فجوة بين الالتزام الرقابي المنصوص عليه في الأنظمة وبين تطبيق الرقابة بعد شهادة .الحلال بنظام الإقرار الذاتي لدى المؤسسات الصغيرة والمتوسطة في سيدوارجو

يهدف هذا البحث إلى معرفة فعالية الرقابة بعد شهادة الحلال بنظام الإقرار الذاتي لدى المؤسسات الصغيرة والمتوسطة في سيدوارجو في ضمان استمرارية الالتزام بحلال المنتجات، وتحليلها من منظور مقاصد الشريعة، ولا سيما فيما يتعلق باستدامة حلال المنتجات وحماية المستهلك. واستخدم البحث المنهج القانوني التجريبي بالمدخل الاجتماعي القانوني والمدخل المفاهيمي. وجُمعت البيانات من خلال المقابلات المتعمقة والملاحظة والتوثيق مع أصحاب المؤسسات الحاصلين على شهادة الحلال بنظام الإقرار الذاتي ومرافقي عملية المنتجات الحلال (P3H)، .ثم حُللت البيانات تحليلاً وصفياً نوعياً باستخدام النموذج التفاعلي لمايلز وهوبرمان

تظهر نتائج الدراسة أنه، أولا، لم يكن الإشراف الذاتي بعد الحلال على المؤسسات الصغيرة والمتوسطة في مخولة من الناحية المعتادة BPJPH سيدورجو فعالا في ضمان اتساق المنتجات الحلال بشكل مستدام، لأن بما في ذلك المنتجات المعلنة ذاتيا، لكن تنفيذها في الميدان لم يكن مثاليا. ثانيا، تتأثر فعالية JPH، الإشراف على الإشراف بقيود اللوائح الفنية، ومرافق الإشراف، ونقص آليات الإشراف الدورية المثلى، رغم أن اللائحة الحكومية قد نظمتها. ثالثا، من وجهة نظر (JPH) رقم 42 لعام 2024 المتعلقة بتنفيذ قطاع ضمان المنتجات الحلال المقاشد الوصي، لم تدعم هذه الشروط بشكل كامل حزب النفس وحفظ المال وحزب الدين لأن الإشراف الضعيف يؤدي إلى عدم ضمان اتساق المنتجات الحلال بطريقة مستدامة. استنادا إلى هذه النتائج، تقترح هذه الدراسة نموذج تحكم مزدوج يجمع بين الالتزام المستقل للمؤسسات الصغيرة والمتوسطة مع الإشراف الدوري والتقييم من قبل .ومرافق كشف كافية SIHALAL مدعوما بتقارير دورية عبر BPJPH،

CHAPTER I

INTRODUCTION

A. Background

Indonesia is a country with the largest Muslim population in the world, reaching more than 249.82 million people or around 8.7% of the total national population.[1] This demographic fact makes ensuring the halalness of products circulating in the market a fundamental need, as well as a constitutional responsibility of the state in providing protection to its citizens. Halal is not just meaningful as a label or commercial symbol, but is an integral part of the religious rights of every Muslim citizen guaranteed by the constitution.[2] Public awareness of the halalness of products, both food, beverages, and other products, continues to increase along with increasing religious literacy and consumer awareness of their rights.[3]

On the other hand, Micro, Small, and Medium Enterprises (UMKM) play a strategic role in the national economic structure. Data from the Ministry of Cooperatives and SMEs notes that there are more than 65 million UMKM units that contribute around 61% to Indonesia's Gross Domestic Product (GDP).[4] As a consequence of the mandate of Article 4 of Law Number 33 of 2014 concerning Halal Product Assurance (JPH Law), all products entered,

[1] Badan Pusat Statistik, Hasil Sensus Penduduk 2025 (Jakarta: BPS, 2025), 9.
[2] Pasal 1 ayat (1) Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.
[3] Anton Apriyantono dan Nurbowo, Panduan Belanja dan Konsumsi Halal (Jakarta: Khairul Bayan, 2003), 15.
[4] Kementerian Koperasi dan UKM, Data UMKM Indonesia Tahun 2023 (Jakarta: Kementerian Koperasi dan UKM, 2023), 4.

circulated, and traded in Indonesian territory must be halal certified, including products produced by UMKM actors. [5] In order to accommodate the limited capacity of UMKM to access halal certification through the regular route which is considered to require complex costs, time, and procedures, the government presents a halal certification mechanism through a business actor's statement or commonly called self-declare. This mechanism is regulated in Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector [6] and is further operationalized through BPJPH Regulation Number 10 of 2021. Through this scheme, BPJPH targets to accelerate halal certification for millions of UMKM throughout Indonesia, with the support of the Halal Product Process Companion (P3H) as the spearhead of initial verification.[7]

The ease of access to certification through the self-declaration mechanism needs to be read in conjunction with the provisions of Article 42 paragraph (1) of Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law, which affirms that halal certificates are valid since they are issued by BPJPH and remain valid as long as there is no change in the composition of ingredients and/or the Halal Product Process (PPH). The formulation of these norms contains significant legal implications: the validity

[5] Pasal 4, Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.
[6] Pasal 69 ayat (1), Peraturan Pemerintah Nomor 39 Tahun 2021 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[7] Aqil Irham, "Laporan Kinerja Badan Jaminan Produk Halal (BPJPH) Tahun 2023" (Jakarta: BPJPH, 2024): 22.

of halal certificates is not limited by a mere period of time, but is conditional and depends on the consistency of business actors in maintaining the composition of ingredients and production processes as verified. Thus, halal products are actually an obligation that is sustainable, not just administrative fulfillment at the time of certification submission. This provision directly requires an effective post-certification supervision mechanism to ensure that the conditions on which the issuance of halal certificates are always met as long as the certificate is still valid.[8]

Although the self-declare halal certification program has succeeded in massively expanding the scope of certification to UMKM, there is a fundamental problem that has not received adequate attention, namely the weak post-certification supervision mechanism. The halal certificate issued by BPJPH is valid for four years,[9] but during that time there is no periodic supervision that explicitly and operationally regulates how the halalness of products is ensured to be maintained. Article 53 of the JPH Law does mandate the obligation to supervise Halal Product Assurance,[10] as well as Articles 78 to 80 of Government Regulation Number 39 of 2021 that mention the supervision mechanism.[11] However, these provisions are general and have not been elaborated technically-operationally, especially for self-declare schemes that

[8] Pasal 42 ayat (1), Undang-Undang Nomor 6 Tahun 2023 tentang Pengesahan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Penciptaan Lapangan Kerja menjadi Undang-Undang.
[9] Pasal 3 ayat (2), Peraturan BPJPH Nomor 10 Tahun 2021 tentang Tata Cara Perolehan Sertifikat Halal bagi Pelaku Usaha Mikro dan Kecil dengan Pernyataan Pelaku Usaha.
[10] Pasal 53 ayat (1) dan (2), Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.
[11] Pasal 78–80, Peraturan Pemerintah Nomor 39 Tahun 2021 tentang Pelaksanaan Sektor Jaminan Produk Halal.

have different characteristics from the regular route. This creates a real empirical juridical gap between the legal obligations stipulated by the law and the implementation of supervision in the field.

The inequality between these norms and practices has the potential to have serious impacts. It is impossible for UMKM actors who have obtained halal certificates to make changes to raw materials, suppliers, or production processes without the knowledge of the supervisory authority. From the perspective of legal effectiveness theory, it is not enough for a norm to exist textually, but must be supported by an adequate enforcement structure and culture of compliance.[12] The principle of prudence and the principle of protection that are the spirit of the JPH Law[13] require that halal assurance is continuous, not just a momentary assessment during the certification process. Without effective and systematic post-certification oversight, halal certificates risk losing their substantive value and becoming mere administrative formalities, so that Muslim consumers' rights to truly halal products cannot be guaranteed on an ongoing basis.[14]

Several previous studies have examined aspects related to this theme. Nazriyah examined the implementation of the JPH Law in general and concluded that the regulation has not been fully effective due to weak

[12] Soerjono Soekanto, "Faktor-Faktor yang Mempengaruhi Penegakan Hukum" (Jakarta: Rajawali Press, 2011), 8.
[13] Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal, Penjelasan Umum, ayat ke-3.
[14] Nadia Fatimah dkk., "Penerapan Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal (Studi tentang Penerapan Jaminan Produk Halal di Provinsi Banten)" Jurnal Desentralisasi dan Kebijakan Publik No. 1 (2023) DOI : 10.30656/jdkp.v4i1.6267.

institutional coordination between BPJPH, MUI, and related ministries. Santiago and Djajaputra highlighted the dimension of Muslim consumer protection and found that the available legal protection instruments have not been able to respond to the challenges that arose after the enactment of the JPH Law.[15] Pottag and Junaidi specifically examined the role of P3H in self-declare schemes and found that the capacity of P3H is still very variable, thus affecting the quality of assistance provided to UMKM. [16] Meanwhile, Agung and Rudiana raised the issue of BPJPH supervision in general, but the study is limited to regulatory analysis and has not touched in depth the supervision mechanism on the specific self-declaration scheme.[17] However, these studies have not specifically examined the post-halal self-declaration supervision mechanism for UMKM as an instrument to ensure the halalness of products in a sustainable manner, so this study is present to fill the gap in the study.

Based on the description above, there is a strong academic and practical urgency to research the issue of post-halal self-declaration supervision for UMKM. This research is not only relevant for the development of state administrative law and sharia economic law, but also has practical significance as input material for BPJPH and policy makers in improving the halal product assurance system in Indonesia. Thus, this research is very important and urgent to be conducted.

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[15] Bambang Sugeng dkk., "Perlindungan Konsumen Muslim terhadap Produk Halal" Perspektif Hukum, No. 2 (2020): 59.
[16] Hanil Maulana, "Efektivitas Pendampingan Proses Produk Halal dalam Program Deklarasi Mandiri bagi Pelaku Usaha Kota Surabaya dari Perspektif Maqāṣid Syarīah" (2024): 74.
[17] Agung Cahyo dkk., "Pengawasan Jaminan Produk Halal oleh BPJPH" Jurnal Ilmiah Pendidikan No. 10 (2024): 34.

B. Problem Formulation

1. How effective is the supervision after halal self-declaration certification on UMKM in Sidoarjo in ensuring the consistency of halal products in a sustainable manner?
2. How effective is the supervision after halal self-declaration certification for UMKM in ensuring the sustainability of halal products and consumer protection from the perspective of Maqashid Syariah?

C. Research Objectives

1. To find out the effectiveness of post-halal self-declaration supervision for UMKM in Sidoarjo in ensuring the consistency of halal products in a sustainable manner.
2. To find out the effectiveness of post-halal self-declaration supervision for UMKM in ensuring the sustainability of halal products and consumer protection from the perspective of Maqashid Syariah.

D. Research Benefits

Based on the formulation of the problem and the purpose of the research above, the results of this research are expected to provide benefits both theoretically and practically

1. Theoretical Benefits

a. Filling the gap in the study on post-halal self-declaration supervision for UMKM, which has so far escaped the attention of previous research, which mostly focused on the pre-certification phase.

b. Enriching the application of legal effectiveness theory and the perspective of Sharia Maqashid in the context of empirical halal product assurance regulation.

c. It is a reference for future research that examines the halal supervision system in Indonesia.

2. Practical Benefits

a. For BPJPH and the Government: provide input based on field data to prepare technical regulations for post-certification supervision which have been still general.

b. For UMKM Actors: Increase awareness that halal certificates are conditional and demand consistency of materials and production processes in a sustainable manner.

c. For Muslim Consumers: support the realization of the protection of the right to products that are truly halal substantively, not just administratively.

E. Operational Definition

1. Halal Certification Post-Supervision

Post-halal certification supervision in this study refers to a series of monitoring, examination, and evaluation activities carried out by BPJPH and/or institutions authorized by business actors who have obtained halal certificates, in order to ensure that the composition of ingredients and the Halal Product Process (PPH) on which the issuance of certificates is

maintained consistently as required by Article 42 paragraph (1) of Law No. 6 of 2023.

In the context of this study, post-certification supervision is *post-market* and includes two dimensions: (a) preventive supervision in the form of periodic assistance and coaching to business actors to continue to meet halal standards; and (b) repressive supervision in the form of audits, *market surveillance*, and enforcement if violations of the halal consistency of products are found.[18] This supervision is limited to the period after the halal certificate is issued by BPJPH and before the certificate is renewed or revoked.

2. Self-declared *halal certification*

Self-declared halal certification in this study is a mechanism for obtaining halal certificates for micro and small business actors (MSEs) which is based on halal statements from the business actors themselves, as stipulated in Article 48 paragraph (2) of Law No. 6 of 2023, Article 69 of Government Regulation No. 39 of 2021, and further described in BPJPH Regulation Number 10 of 2021. Halal declarations by business actors require products that are not risky, use ingredients that have been confirmed to be halal, and a simple production process.[19]

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[18] Indah Rahmalia, Yuniar Rahmatiar, dan Muhamad Abas, "Peran Badan Penjaminan Produk Halal (BPJPH) bagi Konsumen dalam Rangka Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen," Rewang Rencang: Jurnal Hukum Lex Generalis 6, no. 2 (2025): 9. https://doi.org/10.56370/jhlg.v6i2.1706

[19] Zulfa Elida Fitri dan Mardiah, "Studi tentang Sertifikasi Halal Gratis (SEHATI) dengan Skema Pernyataan Mandiri di UMKM Dapur Mimi," Jurnal Ilmiah Makanan Halal 5, no. 1 (2023): 7. https://doi.org/10.30997/jiph.v5i1.9996

Unlike the regular certification pathway which requires an inspection by the Halal Inspection Agency (LPH), the *self-declaration mechanism* uses verification and validation by the Halal Product Process Companion (P3H), which is followed by a fatwa hearing of the Fatwa Commission to determine the halalness of the product, before BPJPH issues a halal certificate.[20] In this study, *self-declaration* is limited to UMKM actors who apply for certification through the Free Halal Certification (SEHATI) program or the independent pathway, which is recorded and accompanied through the party in charge.

3. Micro, Small, and Medium Enterprises (UMKM)

UMKM in this study refer to productive economic business actors that meet the criteria as stipulated in Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises, namely businesses owned by individuals or business entities that are not subsidiaries 9of the community or branches of medium or large enterprises.[21]

However, considering that halal *self-declare* certification is specifically intended for micro and small business actors (MSEs) with a maximum turnover of IDR 500,000,000.00 per year as required by BPJPH Regulation Number 10 of 2021, in this study the UMKM in question are

[20] Aulia Rachman dan Maisyarah Rahmi Hasan, "Masalah Penerapan Sertifikasi Halal Berbasis Pernyataan Sendiri di Indonesia dari Perspektif Maqasid Syariah," Al Qalam: Jurnal Ilmiah Agama dan Masyarakat 19, no. 2 (2025): 3. https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam/article/view/4797

[21] Jamil Rifani, "Peran Usaha Mikro, Kecil, dan Menengah (UMKM)," Jurnal Inovatif (2021): 31. https://ejurnal.stiaamuntai.ac.id/index.php/inovatif/article/download/91/98/185

limited to micro and small businesses that have obtained halal certificates through the *self-declare scheme* and are domiciled in the work area.[22]

4. Halal Sustainability of Products

Product Halal Sustainability in this study is defined as a condition in which products that have been certified halal consistently meet halal standards both in terms of ingredient composition and Halal Product Process (PPH) throughout the validity period of the certificate, not only at the time of application for certification for the first time. This concept is based on Article 42 paragraph (1) of Law No. 6 of 2023 which emphasizes that halal certificates remain valid as long as there is no change in the composition of ingredients and/or PPH.

Sustainable halal requires business actors to actively develop, implement, and maintain the Halal Product Assurance System (SJPH).[23] In this study, halal products are continuously operationalized as the ability and consistency of self-declared UMKM actors in maintaining the halal standards of their products after the issuance of certificates, as well as the extent to which the existing supervision mechanisms support the realization of these conditions.

5. Maqashid Syariah

[22] Nur Ariska dkk., "Penerapan Proses Sertifikasi Deklarasi Halal Mandiri dalam Mendukung Pertumbuhan UMKM," Jurnal Pembelajaran Pemberdayaan Masyarakat (JP2M) 4, no. 4 (2023): 807. https://doi.org/10.33474/jp2m.v4i4.21335

[23] Widya Eka dkk., "Analisis Kepatuhan Manajemen Usaha Bersertifikat Halal Berdasarkan Sistem Jaminan Produk Halal (SJPH): Studi Kasus Getuk Goreng 128 di Sumbang, Banyumas" Jurnal Penelitian Mahasiswa Ilmu Pengetahuan, no. 6 (2025): https://doi.org/10.61722/jssr.v3i6.7104

The Maqashid Syariah in this study refers to the main goals that Islamic sharia wants to realize for the benefit of mankind, which is classically formulated by Al-Syatibi in *Al-Muwafaqat* including five fundamental elements (*al-kulliyyat al-khams*): preserving religion (*hifz al-din*), preserving the soul (*hifz al-nafs*), preserving reason (*hifz al-'aql*), preserving posterity (*hifz al-nasl*), and take care of the property (*hifz al-mal*).

In this study, Maqashid Syariah is used operationally as an Islamic normative perspective to assess and formulate an ideal model of supervision after halal self-declaration certification. Of the five elements, the two most relevant are *hifz al-nafs* which demands that the products consumed by Muslims are completely safe and halal substantively and *hifz al-mal* which requires the protection of consumer property from losses due to products that claim to be halal but do not meet the set standards.[24]

F. Writing Systematics

In this study, the researcher will use the following writing systematics:

CHAPTER I: Introduction.

This chapter contains a description of the beginning of the research which contains the Background of the Problem, Problem Formulation, Research Objectives, Research Benefits, Operational Definition, and Writing

[24] Abu Ishaq Ash-Syathibi, *Al-Muwafaqat fi Ushul Ash-Sharia*, (Kairo: Dar Ibn 'Affan, tanpa tahun), Jilid 2, 50.

Systematics, which aims to provide an understanding of the content of this research in general.

CHAPTER II: Literature Review.

This chapter contains a description of Past Research and Theoretical Framework. The Theoretical Framework includes an Overview of Post-Halal Self-Declare Certification Supervision for UMKM in Ensuring Halal Product Sustainability from the Perspective of Maqāṣid al-Sharī'ah (Study on Sidoarjo UMKM actors).

CHAPTER III: Research Methods.

This chapter contains a description of the Type of Research, Research Approach, Research Location, Type and Source of Data, Data Collection Methods, and Data Analysis Techniques used to study Post-Certification Supervision of Halal Self-Declaration for UMKM in Ensuring Halal Product Sustainability from the Perspective of Maqāṣid al-Sharī'ah (Study on UMKM actors in Sidoarjo).

CHAPTER IV: Results of Research and Discussion.

In this chapter, the author tries to describe how effective post-halal self-declaration supervision is in UMKM and the obstacles faced in maintaining the consistency of halal products in a sustainable manner, and how effective post-halal self-declaration supervision for UMKM is in the perspective of Maqāṣid al-Sharī'ah in order to ensure the sustainability of halal products and consumer protection.

CHAPTER V: Conclusion.

This chapter is the final part of this research. In this chapter, the author contains the object of discussion regarding the results of the research which contains Conclusions and Suggestions related to the formulation of the problem being researched.

CHAPTER II

LITERATURE REVIEW

A. Previous Research

Various previous studies have discussed the topic of the Self-Declare halal certification mechanism for UMKM in ensuring the halalness of products.

The first relevant research was conducted by Rila Kusumaningsih entitled "BPJPH's Supervisory Function of Halal Certificates for UMKM-Based Processed Food Products" published in Legality: Scientific Journal of Law in 2023. This study uses a normative juridical method with a legislative approach and aims to analyze the implementation of BPJPH's supervisory function on halal-certified UMKM processed food products in the market. The results of the study show that BPJPH's supervisory function is still partial and has not been regulated technically-operationally in adequate derivative regulations, so that there is a legal vacuum that has the potential to harm Muslim consumers. Furthermore, the study concludes that a special regulation is needed that explicitly regulates the post-certification supervision mechanism so that the Halal Product Assurance system can run effectively. However, Kusumaningsih's study has not specifically discussed the supervision mechanism in the self-declare scheme and is only limited to normative analysis

without examining the implementation in the field, especially in the halal sustainability dimension of post-certification products.[25]

The second research is the work of Aulia Rachman and Maisyarah Rahmi Hasan entitled "Problems of the Implementation of Halal Self Declare Certification in Indonesia in the Perspective of Sharia Maqasid" which was published in *Al Qalam*: Scientific Journal of Religion and Society in 2025. Using empirical research methods and qualitative descriptive approaches, this study examines various problems faced by Halal Product Assurance providers and MSE actors in implementing halal self-declared certification since it was enforced in 2022. The findings of the study identify that the obstacles faced include burdensome requirements, digital-based submission procedures that are not fully understood by business actors, and problems that arise after the halal certificate is issued. This study recommends strengthening regulations and supervision on halal self-declare certification so that the goals of Maqasid Syariah al-khamsah can be met. However, this study focuses more on analysis based on the perspective of Maqasid Syariah and has not in-depth examined the technical mechanism of post-certification supervision and the factors that hinder its effectiveness in the field.[26]

The third research is a thesis written by Nurdinia Rahma from the University of Jambi in 2023 entitled "Analysis of Halal Product Process

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[25] Rila Kusumaningsih, "Fungsi Pengawasan BPJPH terhadap Sertifikat Halal untuk Produk Pangan Olahan Berbasis UMKM," Legality: Jurnal Ilmiah Hukum 8, no. 2 (2023): 9-16, https://doi.org/10.31293/lg.v8i2.7455.

[26] Aulia Rachman dan Maisyarah Rahmi Hasan, "Masalah Penerapan Sertifikasi Halal Self-Declare di Indonesia dari Perspektif Maqasid Syariah," Al Qalam: Jurnal Ilmiah Agama dan Masyarakat 19, no. 2 (2025): 1-8, https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam/article/view/4797.

Assistance Strategies (PPH) Self Declare Pathway for Micro and Small Enterprises (MSEs) in Jambi Province". Using a descriptive qualitative research method with data collection techniques through observation, interviews, and documentation as well as analysis using the SWOT Matrix, this study aims to find out the roles, opportunities, and obstacles of PPH Companions as well as strategies that can be applied in mentoring. The results of the study show that even though PPH companions have performed their roles optimally, the main obstacles in the form of uneven information dissemination and low confidence of PPH companions are significant factors that weaken the quality of mentoring. The study formulated four strategies that can be applied by PPH assistants, namely SO, WO, ST, and WT strategies based on the SWOT analysis conducted. However, Rahma's research only focused on the mentoring phase before and during the certification process, and has not touched on the aspect of supervision after the halal certificate is issued, and does not examine the implications of the absence of post-certification supervision on the assurance of halal products in a sustainable manner.[27]

The fourth research is a thesis by Nurul Faqih from UIN Prof. K.H. Saifuddin Zuhri Purwokerto in 2023, entitled "Self Declare Halal Product Assurance in Micro, Small and Medium Enterprises (UMKM) Maslahah Perspective (Case Study of UMKM in Bantarbarang Village, Rembang, Purbalingga)". This research uses a qualitative approach with a case study that

[27] Nurdinia Rahma, “Analisis Strategi Pendampingan Proses Produk Halal (PPH) untuk Jalur Deklarasi Mandiri di Usaha Mikro dan Kecil (UMK) di Provinsi Jambi” (Skripsi S1, Universitas Jambi, 2023), 45.

aims to analyze the implementation of the self-declare scheme in the perspective of Maslahah theory. The results of the study found that the self-declare scheme provides convenience in line with the Maslahah principle for UMKM in obtaining halal certificates, but this convenience has not been accompanied by a control mechanism that ensures the halalness of products is maintained after the certificate is issued. This study also noted that the awareness of UMKM actors on the obligation to maintain halal standards after certification is still very low. However, this study is limited to one village location and has not examined the institutional aspects of supervision in a juridical-normative manner, so it does not provide an overview of how the supervision system should be designed from a legal perspective.[28]

The fifth research was written by Indah Rahmalia, Yuniar Rahmatiar, and Muhamad Abas with the title "The Role of the Halal Product Assurance Agency (BPJPH) to Consumers Linked to Law Number 8 of 1999 concerning Consumer Protection," which was published in Rewang Rencang: Jurnal Hukum Lex Generalis Volume 6 Number 2 of 2025. This normative juridical research with a case study approach examines the cases of seven halal-certified products that are proven to contain porcine elements, as a reflection of the weak post-market surveillance carried out by BPJPH. The findings of the study confirm that the weakness of post-certification supervision causes real spiritual and material losses for Muslim consumers, as well as has implications for

[28] Nurul Faqih, "Jaminan Produk Halal Berbasis Deklarasi Mandiri pada Usaha Mikro, Kecil, dan Menengah (UMKM) dari Perspektif Maslahah (Studi Kasus UMKM di Desa Bantarbarang, Rembang, Purbalingga)" (Skripsi S1, UIN Prof. K.H. Saifuddin Zuhri Purwokerto, 2023): 58.

declining public trust in halal labels. This study recommends strengthening the preventive and repressive, repressive, and coordinating supervisory functions of BPJPH in order to realize the effectiveness of consumer protection. However, this study is responsive to specific cases and does not offer a systematic and comprehensive supervision model, especially those designed for the unique characteristics of self-declare schemes for UMKM.[29]

The sixth research is a thesis written by Faras Abiyu Ramadhan from UIN KH Achmad Siddiq Jember in 2025, entitled "The Effectiveness of the Role of PPH Companions on Processed Food UMKM (Self Declare) PMA Perspective No. 20 of 2021 concerning Halal Certification for UMKM (Case Study of Business Actors in Labruk Kidul Village, Lumajang Regency)". Using an empirical juridical method, this study evaluates the extent to which the role of PPH companions is effective in helping UMKM obtain halal certification through a self-declare scheme. The results of the study show that there are obstacles at the mentoring stage, including the lack of understanding of business actors related to procedures, limited digital access, and capacity gaps between mentors and each other. This study concludes that the effectiveness of the role of PPH mentors is not optimal and requires capacity standardization and strengthening of institutional support. However, the focus of this research is limited to the pre-certification mentoring phase and does not explore how

[29] Indah Rahmalia, Yuniar Rahmatiar, dan Muhamad Abas, "Peran Badan Penjaminan Produk Halal (BPJPH) bagi Konsumen dalam Rangka Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen," Rewang Rencang: Jurnal Hukum Lex Generalis 6, no. 2 (2025): 4-11, https://ojs.rewangrencang.com/index.php/JHLG/article/view/1706.

UMKM are monitored for halal compliance after the certificate is issued, so that the sustainability aspect of halal assurance escapes analysis.[30]

The seventh research is a literature review conducted by Salihah Khairawati et al entitled "Halal Certification Constraints in UMKM in Indonesia: A Literature Review," published in Jasmien: Journal of Animal Science, Microbiology, and Immunology Education Volume 5 Number 2 of 2025. This study uses a systematic literature review approach to various scientific articles on obstacles to UMKM halal certification in Indonesia. The results identify that the main obstacles include lack of socialization, limited human resources of halal auditors, burdensome certification costs, and the non-optimal role of related stakeholders; while post-certification supervision factors are almost not mentioned in the literature studied. This study confirms that the government's target related to mass halal certification for UMKM will not be achieved without a comprehensive improvement in the institutional and regulatory ecosystem. However, as a literature review, this study does not produce empirical data from the field and does not discuss in depth the post-certification supervision mechanism as a separate variable that is critical in the sustainable halal assurance system.[31]

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[30] Faras Abiyu Ramadhan, "Efektivitas Peran Pendamping PPH bagi UMKM Pangan Olahan (Deklarasi Mandiri) dari Perspektif PMA No. 20 Tahun 2021 tentang Sertifikasi Halal bagi UMKM (Studi Kasus Pelaku Usaha di Desa Labruk Kidul, Kabupaten Lumajang)" (Skripsi S1, UIN KH Achmad Siddiq Jember, 2025), 38.

[31] Salihah Khairawati dkk., "Kendala Sertifikasi Halal pada UMKM di Indonesia: Tinjauan Pustaka," Jasmien: Jurnal Pendidikan Ilmu Peternakan, Mikrobiologi, dan Imunologi 5, no. 2 (2025): 244-252, https://journal.cattleyadf.org/index.php/Jasmien/article/view/1018.

The eighth research was written by Nur Ariska et al. entitled "Implementation of the Halal Self-Declare Certification Process in Supporting the Growth of UMKM," which was published in the Journal of Community Empowerment Learning (JP2M) Volume 4 Number 4 of 2023. This research, which uses a descriptive qualitative method, reported on self-declared halal certification assistance activities for 11 UMKM actors in Bengkulu City and succeeded in issuing 10 halal certificates until the end of October 2023. The results of the study found that the main obstacles for UMKM actors in the certification process are limitations in the issuance of NIB, mastery of digital technology, and filling out the Halal Product Assurance System (SJPH), so intensive assistance is needed. This study recommends increasing the number of PPH assistants in the regions so that the scope of certification can be expanded to more micro business actors. However, this study is a mentoring report that stops at the certificate issuance phase and does not examine what happens after the certificate is received, including how the halalness of the product is ensured to be maintained in daily production practices.[32]

The ninth research was written by Vironika Usmi et al entitled "The Right to Information for Consumers on Halal and Non-Halal Labeling in the Culinary Industry," which was published in the Indonesian Journal of Law and Justice Volume 2 Number 1 of 2024. Using normative juridical methods with conceptual and legislative approaches, this study analyzes consumers' rights to

[32] Nur Ariska dkk., "Penerapan Proses Sertifikasi Deklarasi Halal Mandiri dalam Mendukung Pertumbuhan UMKM," Jurnal Pembelajaran Pemberdayaan Masyarakat (JP2M) 4, no. 4 (2023): 807, https://doi.org/10.33474/jp2m.v4i4.21335.

accurate information related to the halal status of products, including the urgency of transparent and strict labeling arrangements. The results of the study found that the government's efforts through the establishment of BPJPH have not been fully able to ensure the transparency of halal information to consumers, especially due to weak supervision of certified products. This research emphasizes that adequate supervision infrastructure is a prerequisite for the realization of meaningful consumer information rights. However, this study does not specifically discuss the context of self-declare schemes or UMKM as a group of business actors with halal characteristics and risks that are different from large business actors.[33]

The tenth research was written by Zulfa Elida Fitri and Mardiah with the title "Study of Free Halal Certification (SEHATI) with Self Declare Scheme in Dapur Mimi UMKM," which was published in the Scientific Journal of Halal Food Volume 5 Number 1 of 2023. Using a descriptive method based on internship reports, this study documents the process of assisting self-declared halal certification in one UMKM unit in Tanjung Pinang, Riau Islands, starting from socialization, SIHALAL registration, verification and validation by PPH assistants, to the issuance of halal certificates. The findings of the study identified the main problems in the form of the majority of business actors who do not understand the digital registration procedure, the lack of socialization about the SEHATI program, and the limited technological capacity of UMKM

[33] Vironika Usmi dkk., "Hak Konsumen atas Informasi Mengenai Pelabelan Halal dan Non-Halal di Industri Kuliner," Jurnal Hukum dan Keadilan Indonesia 2, no. 1 (2024): 9-15. https://journal.pubmedia.id/index.php/lawjustice/article/view/3173.

in using the SIHALAL platform. This study succeeded in documenting that Dapur Mimi UMKM obtained a halal certificate with an ID number 21110002632250523 issued on May 19, 2023. However, this study is a single case study that is very specific and cannot be generalized; moreover, it does not touch at all on the dimension of post-certification supervision as a mechanism to ensure that the halal standards that have been declared by business actors are consistently maintained throughout the validity period of the certificate.[34]

Table 2. 1 Similarities and Differences from Previous Research

No.	Title	Researcher/Year	Equations	Differences
1	BPJPH's Supervisory Function of Halal Certificates for UMKM Food Products	Rila Kusumaningsih (2023)	Together they reviewed the supervisory function of BPJPH on UMKM halal products and highlighted the void in technical regulations for post-certification supervision	Previous research is normative juridical and does not specifically discuss *self-declare* schemes; while this research is empirical juridical and focuses on *post-certification supervision of self-declare* with the perspective of Sharia Maqashid
2	Problems in the Implementatio	Aulia Rachman & Maisyarah (2025)	Together examine halal *self-declare certification* for	Previous research has focused on the

[34] Zulfa Elida Fitri dan Mardiah, "Studi tentang Sertifikasi Halal Gratis (Sehati) dengan Skema Pernyataan Mandiri di UMKM Dapur Mimi," Jurnal Ilmiah Pangan Halal 5, no. 1 (2023): 6-14. https://doi.org/10.30997/jiph.v5i1.9996.

No.	Title	Researcher/Year	Equations	Differences
	n of Halal Self Declare Certification in Indonesia		UMKM with the perspective of Sharia Maqashid	problems of implementation and administrative constraints of certification; while this study specifically examines the ideal mechanism and model of self-declared post-certification supervision empirically.
3	Assistance Strategy for PPH Self Declare UMKM	Nurdinia Rahma (2023)	Together examine the *self-declare scheme* for UMKM and the role of PPH Assistants in the Halal Product Assurance system	Previous research only focused on the pre-certification phase and mentoring strategies using SWOT analysis; while this study focused on the post-certification phase and the ideal model of continuous supervision in the perspective of Sharia Maqashid
4	Self Declare in Maslahah Perspective	Nurul Faqih (2023)	Both examined the implementation of *the self-declare* scheme for UMKM from the	Previous research was limited to a case study of one village and did

No.	Title	Researcher/Year	Equations	Differences
			perspective of Islamic law (Maslahah/Maqashid Sharia) and found weak post-certification control	not examine institutional supervision in a juridical manner; while this study examined empirically juridically at the Halal Center of UIN Malang with the theory of legal effectiveness and Sharia Maqashid
5	The Role of BPJPH in Consumer Protection	Indah Rahmalia et al (2025)	Both examine the weak supervision of BPJPH post-certification and its impact on the protection of Muslim consumers	Previous research is responsive to specific cases and does not offer a specific supervision model of *self-declare* schemes; whereas this study formulates an ideal model of *post-certification supervision* for UMKM comprehensively
6	The Effectiveness of PPH Companions	Faras Ramadan (2025)	Both use empirical juridical methods and examine the role of institutions in *self-declaration*	Previous research focused on the effectiveness of the role of PPH

No.	Title	Researcher/Year	Equations	Differences
	on Self Declare		schemes for UMKM	Companions in the pre-certification phase; while this study focused on post-certification supervision and its ideal model in the perspective of Sharia Maqashid
7	Obstacles to UMKM Halal Certification	Khairawati et al (2025)	Together identify obstacles in the UMKM halal certification system and highlight the suboptimal role of related institutions	Previous research is a literature review that does not produce empirical data and does not discuss post-certification supervision; while this study is empirical and specifically examines self-declared post-certification supervision
8	Implementation of Halal Certification Self Declare UMKM	Nur Ariska et al (2023)	Together examine the implementation of halal *self-declare* certification for UMKM empirically in the field	The previous researchers stopped at the certificate issuance phase and did not study the post-certification phase; while this research

No.	Title	Researcher/Year	Equations	Differences
				focused on the post-certification dimension and the assurance of halal products in a sustainable manner
9	Halal Consumer Information Rights	Vironika Usmi et al (2024)	Both highlight the weak oversight of halal-certified products and their impact on the rights of Muslim consumers	The previous study did not discuss the context of *self-declare* schemes or UMKM specifically; while this study specifically examined *post-certification supervision* for UMKM from the perspective of Maqashid Syariah
10	SEHATI Free Halal Certification	Zulfa Elida Fitri (2023)	Both examine the self-declared *halal certification scheme* for UMKM empirically and identify problems in the process	The previous research was a single case study that stopped at the certificate issuance phase and did not touch the dimension of post-certification supervision at all; while this study examines in depth the ideal post-

No.	Title	Researcher/Year	Equations	Differences
				certification supervision model

The novelty of this research lies in the focus of a study that specifically analyzes the implementation of post-halal self-declaration supervision for UMKM in ensuring the halalness of products in a sustainable manner. In contrast to previous studies that generally focused on the certification process, assistance of Halal Product Process Companions (PPH), administrative problems, or consumer protection aspects in general, this study empirically examines how the supervision mechanism after a halal certificate is issued, the obstacles faced in its implementation, and formulates an ideal supervision model based on the perspective of Maqashid Syariah. By integrating the theory of legal effectiveness, the theory of supervision in state administrative law, and the Sharia Maqashid, this research is expected to make a conceptual and practical contribution in strengthening the supervision system after halal self-declaration certification to ensure the consistency of halalness of UMKM products in a sustainable manner.

B. Theoretical Framework

1. Legal Effectiveness Theory (Soerjono Soekanto)

The theory of legal effectiveness is a theory used to assess the extent to which a legal provision can be implemented and achieve the expected goals in people's lives. Legal effectiveness cannot be assessed merely by

identifying whether a legal provision exists in written form. A legal rule is expected to guide conduct, provide a standard for the relevant institutions, and produce the legal and social outcomes intended by its formation. Therefore, an assessment of effectiveness requires attention to the relationship between the content of a rule and the way in which the rule is implemented. A regulation may provide a formal basis for supervision, but its effectiveness also depends on whether the responsible institutions understand their duties, possess the capacity to carry them out, and conduct supervision in a manner that can be experienced by the regulated community.[35]

In the context of halal product assurance, the distinction between the existence of supervisory authority and the implementation of supervision is particularly important. The legal framework recognizes BPJPH's role in the administration and supervision of halal product assurance. However, the existence of that authority does not automatically demonstrate that every certified business actor receives monitoring after the certificate is issued. The effectiveness of supervision must therefore be examined through its actual implementation, including the availability of monitoring procedures, the continuity of institutional action, and the response to information concerning changes in materials or production processes.

[35] Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008), 8–9.

This distinction also prevents an inaccurate conclusion that the absence of a visit to a particular business actor necessarily proves that the product is non-halal or that the institution has no legal authority. The research instead examines whether the supervisory arrangements are implemented sufficiently to maintain compliance with halal requirements. In other words, the object of evaluation is the effectiveness of the supervision system, not the halal status of a product based solely on the presence or absence of a supervisory visit. According to Soerjono Soekanto, the law is said to be effective if the legal norms that have been set are able to be complied with and applied by the community and supported by law enforcement officials and adequate facilities. Thus, the effectiveness of the law is not only measured by the existence of a regulation, but also by the level of success in its implementation in creating order, legal certainty, and benefits for the community.

According to Soerjono Soekanto, there are five factors that affect the effectiveness of the law.[36] First, the legal factor (legal substance), namely the quality of the laws and regulations that regulate a field of law. A regulation must have a clear formulation, not give rise to multiple interpretations, and provide certainty regarding its rights, obligations, and implementation mechanisms. In this study, these factors are related to the regulation of post-certification supervision in the Guarantee system.

[36] Soerjono Soekanto, 1983, Faktor-Faktor yang Mempengaruhi Penegakan Hukum, Raja Grafindo Persada, Jakarta : 8.

Second, law enforcement factors, namely parties who have the authority to implement and enforce legal provisions.[37] In this study, these factors are related to the role of BPJPH and related parties in supervising UMKM actors who have obtained halal certificates in order to maintain the consistency of the halal nature of their products.

Third, the factors of facilities and facilities, namely the availability of human resources, budget, technology, and administrative systems that support the implementation of the law. Post-halal certification supervision requires adequate facility support so that the monitoring, evaluation, and coaching process can be carried out optimally.

Fourth, the community factor, namely the level of legal awareness of the community as a subject subject subject to the rules. In the context of this study, this factor is related to the compliance of UMKM actors in maintaining raw materials, production processes, and the Halal Product Assurance System (SJPH) after obtaining a halal certificate.

Fifth, the factor of legal culture, namely values, habits, and attitudes of the community towards the applicable law. A good legal culture will encourage business actors to maintain the halalness of products not only because of legal obligations, but also because of moral awareness and responsibility to consumers.

[37] Soerjono Soekanto, 1983, Faktor-Faktor yang Mempengaruhi Penegakan Hukum, Raja Grafindo Persada, Jakarta : 35.

The five factors are interrelated and should not be treated as separate variables that operate independently. Clear rules may not produce effective supervision if the responsible institutions lack personnel or facilities. Conversely, adequate facilities may not be used effectively if institutional responsibilities are unclear or if business actors do not understand their continuing obligations. The analysis should therefore consider how the factors support or hinder one another in the implementation of post-certification supervision.

For this thesis, the five factors provide an analytical structure for interpreting interview and documentary data. Statements from business actors concerning whether they have received monitoring can be examined in relation to institutional implementation and available supervisory mechanisms. Information about unchanged materials and production processes can be considered in relation to business compliance, but it should not be treated as proof that supervision has been effective. Similarly, a report that no supervisory visit has taken place should be presented as the experience of the relevant informant, not generalized to all certified businesses or interpreted automatically as proof of a legal violation. This approach allows the research to evaluate the implementation of supervision proportionately and in accordance with the limits of its empirical data.

Based on these five factors, the theory of legal effectiveness is used in this study to analyze whether the supervision after halal *self-declaration* certification has been carried out in accordance with the purpose of the

establishment of Law Number 33 of 2014 concerning Halal Product Assurance. This theory is also used to identify the factors that cause supervision to not run optimally so that recommendations for improvement to the existing supervision system can be formulated.

2. The Concept of Halal Product Assurance Regulation in UU CIPTAKER

The Job Creation Law is one of the legal instruments that brings changes to the implementation of halal product assurance in Indonesia. The changes introduced through the Job Creation Law form part of the state's effort to simplify business licensing and expand access to halal certification, particularly for micro and small businesses. In the field of halal product assurance, the amended provisions recognize a certification route based on a halal statement by eligible micro and small business actors. This arrangement is commonly referred to as the self-declare scheme. The scheme is intended to make certification more accessible to businesses whose products and production processes meet the requirements established by the applicable legislation and implementing regulations.[38]

Regulatory simplification, however, should not be understood as the removal of substantive halal standards. The self-declare scheme does not mean that a business actor may determine the halal status of a product without meeting the applicable criteria or without following the prescribed

[38] Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja Menjadi Undang-Undang.

process. The business actor's statement forms one part of the certification mechanism, while assistance, verification, and the determination of halal status remain subject to the roles and procedures established by law. This distinction is important because the legitimacy of the simplified route depends on the continued application of the standards that protect the integrity of halal certification.

The policy of facilitating certification also creates a continuing responsibility after the certificate is issued. The purpose of simplification is to broaden access to halal certification, not to reduce the obligation to maintain the conformity of materials and production processes. A certificate should therefore be understood as recognition that the product has met the applicable requirements through a prescribed process, while the business actor remains responsible for maintaining the relevant conditions during production and distribution.[39]

The change was initially made through Law Number 11 of 2020 concerning Job Creation, which amended a number of provisions in Law Number 33 of 2014 concerning Halal Product Assurance. After going through constitutional developments, the Job Creation regulation was then determined through Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law. Therefore, the discussion of changes in halal product

[39] Pasal 51 dan Pasal 52, Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Penyelenggaraan Bidang Jaminan Produk Halal.

guarantee regulations in this study refers to Law Number 6 of 2023 as the legal basis for the changes that are currently in effect.

Changes in the regulation of halal product assurance through the Job Creation Law are basically directed to provide ease of doing business, including for micro and small business actors. One form of this convenience can be seen in the halal certification arrangement which can be based on the halal declaration of micro and small business actors. This provision is listed in Article 4A of the Halal Product Assurance Law as amended through the Job Creation provision. The halal statement is not a stand-alone statement without requirements, but must meet certain criteria and follow the mechanism set forth in laws and regulations. Thus, the self-declaration scheme is a simplified certification path for micro and small business actors who meet the requirements, not the elimination of the obligation to ensure the halalness of products.

The self-declare arrangement shows that there are efforts by the state to expand access to halal certification for MSEs. However, the ease of the procedure is still accompanied by a mechanism for verification and determination of halal according to the provisions. In this scheme, the statement of business actors is part of the certification process, while assistance and inspection or verification of halal product materials and processes are carried out according to the specified mechanism. The determination of halal is also carried out by the authorities based on the provisions of laws and regulations. Therefore, the term self-declare is

inappropriately interpreted that business actors can unilaterally determine the halal status of their products without a predetermined process.

In addition to regulating the ease of certification for MSEs, the Halal Product Assurance framework also places the responsibility on business actors to maintain the consistency of halal products. These responsibilities are related to the use of materials and the implementation of the Halal Product Process (PPH), including the obligation to maintain that changes in materials or production processes are handled in accordance with applicable regulations. Provisions regarding the validity period of halal certificates and changes in the composition of materials and/or PPH need to be read carefully along with the implementation rules. Thus, halal certificates should not be understood as administrative formalities that are completed after the documents are issued, but rather as a basis for business actors to continue to maintain product conformity with halal requirements.

In relation to supervision, the Job Creation Law needs to be placed as the basis for changes to the halal certification policy, not as the only provision that regulates all technical post-certification supervision. Halal Product Assurance Supervision must still be analyzed by reading the provisions of the JPH Law along with the implementing regulations that regulate the authority of BPJPH, the object of supervision, and supervision procedures. Government Regulation Number 42 of 2024 concerning the Implementation of the Halal Product Assurance Sector is one of the important implementing rules that need to be considered in reading the

applicable legal framework. This distinction is important so that the discussion does not mistakenly conclude that Article 4A on self-declaration is itself an article that specifically regulates supervision after a halal certificate is issued.

The relevance of these regulations to this study lies in the relationship between the ease of obtaining halal certificates and the sustainability of fulfilling halal standards after the certificate is issued. This study not only looks at the process of MSEs in obtaining halal certificates through the self-declare scheme, but specifically examines how supervision after certification is carried out and how business actors maintain the suitability of materials and production processes. Thus, the provisions of Job Creation are used to explain the basis of the self-declare policy and the context of the ease of certification for MSEs, while the effectiveness of supervision is further analyzed based on the provisions of JPH supervision, implementation in the field, Soerjono Soekanto's theory of legal effectiveness, and the perspective of sharia maqashid.

On that basis, the existence of the self-declare scheme needs to be understood in a balanced manner. On the one hand, this scheme provides access and convenience for MSEs to obtain halal certificates. On the other hand, this convenience must be followed by the responsibility of business actors in maintaining the halalness of products and supervision that runs in accordance with the authority and provisions of the law. If post-certification supervision has not been running optimally, this condition

needs to be assessed as a matter of the effectiveness of the implementation of regulations, not directly considered as the absence of a legal basis for supervision. This perspective is in line with the focus of research that tests the effectiveness of self-declared halal post-certification supervision in ensuring the sustainability of halal products and consumer protection.

The wider access created by the self-declare scheme makes the implementation of supervision an important part of maintaining public confidence in halal certification. When more micro and small businesses enter the certification system, supervisory arrangements need to be capable of identifying relevant risks and directing resources proportionately. A risk-based approach may help determine which products or business activities require closer attention, while clear reporting procedures can help authorities obtain information about changes that may affect halal compliance. These approaches should be implemented within the authority and procedures provided by the applicable legal framework.[40]

In this research, the Job Creation Law is used to explain the regulatory context of the self-declare scheme and the policy of facilitating certification for eligible micro and small businesses. It is not treated as the sole or specific legal source for every technical aspect of post-certification supervision. The supervisory authority, scope, and procedures must also be examined through the relevant provisions of the Halal Product Assurance

[40] Pasal 98 dan Pasal 111, Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Penyelenggaraan Bidang Jaminan Produk Halal.

Law and its implementing regulations, including Government Regulation Number 42 of 2024. This distinction is necessary to ensure that the legal analysis identifies the correct provision for each issue.

Accordingly, the relevance of the Job Creation Law to this research lies in the relationship between simplified access to certification and the need to maintain the quality and credibility of the certification system. The research evaluates whether the implementation of supervision is adequate to support continuing compliance after a self-declare certificate has been issued. If supervision is not implemented optimally, the issue should be analyzed as a question of implementation and legal effectiveness by reference to the applicable rules, rather than being described automatically as the absence of all legal authority.

3. Maqashid Syariah Theory

Etymologically, maqashid sharia comes from the word maqashid which means purpose or purpose, and sharia which means Islamic law, so that in terms of sharia maqashid can be understood as the goals that the sharia wants to achieve in every determination of its law for the benefit of humans, both in this world and in the hereafter.[41] Maqashid Syariah provides a framework for understanding the objectives and benefits that Islamic law seeks to realize. In the classical formulation associated with al-Syatibi, the protection of essential human interests is commonly discussed

[41] Asafri Jaya Bakri, Konsep Maqashid Syariah Menurut Al-Syatibi (Jakarta: RajaGrafindo Persada, 1996), 61.

through five fundamental elements: religion (hifz al-din), life or soul (hifz al-nafs), intellect (hifz al-'aql), lineage (hifz al-nasl), and property (hifz al-mal). These elements explain that the application of Islamic law is not limited to formal compliance, but is also directed toward protecting human welfare and preventing harm.

In this research, Maqashid Syariah is used as a normative perspective to assess the purpose and significance of post-certification halal supervision. The discussion does not need to apply all five elements with equal intensity because the research problem is specifically concerned with halal product assurance, continuity of halal compliance, and consumer protection. The most directly relevant elements are hifz al-din, hifz al-nafs, and hifz al-mal. The selection of these elements is based on their close relationship with the rights and interests affected by the reliability of halal certification.Classically, this concept is formulated by ushul fiqh scholars, especially Imam al-Syatibi, into five main elements that must be maintained and become the core of every sharia law, namely maintaining religion (hifz al-din), preserving the soul (hifz al-nafs), preserving reason (hifz al-'aql), preserving posterity (hifz al-nasl), and preserving property (hifz al-mal).[42] These five elements are known as al-daruriyyat al-khams, and are the most commonly used reference by the majority of maqashid thinkers to this day.[43]

[42] Abu Ishaq al-Syatibi, Al-Muwafaqat fi Ushul al-Syari'ah (Beirut: Dar al-Kutub al-Ilmiyah, 2003), Jilid II

[43] Faishal Agil Al Munawar, "'Pandangan 'Abd Al-Majīd Al-Najjār tentang Maqāṣid Al-Sharī'ah," JURIS (Jurnal Ilmiah Syariah) 20, no. 2 (2021): 209-223, https://doi.org/10.31958/juris.v20i2.4281.

However, for this study, the classical framework is expanded with the thoughts of 'Abd Al-Majīd Al-Najjār, a contemporary maqashid thinker from Tunisia, as studied by Faishal Agil Al Munawar in the journal JURIS (Sharia Scientific Journal) volume 20 number 2 of 2021 published by the Mahmud Yunus Batusangkar State Islamic University. According to the study, the majority of maqashid experts (maqashidiyyun) still adhere to the concept of the five al-daruriyyat al-khams, but Al-Najjar has a different idea called maqāṣid al-syarī'ah 'alā dawā'ir al-ḥayāh al-insāniyyah, or maqashid sharia which is based on the circles of human life. Through this idea, Al-Najjar expands the scope of daruriyat that must be maintained to eight main elements, called al-daruriyyat al-thaman, including safeguarding religion, safeguarding humanity, safeguarding the soul, safeguarding reason, safeguarding offspring, maintaining social order (hifz al-kiyan al-ijtima'i), safeguarding property, and safeguarding the environment (hifz al-bi'ah), with the noble goal of realizing human welfare and safety both in this world and in the hereafter. This expansion of Al-Najjar's thought is also in line with other studies that show that Al-Najjar's innovation in his work Maqashid al-Syari'ah bi Ab'ad Jadidah lies in the effort to shift the orientation of maqashid from partial individual benefits to universal social benefits.[44]

[44] Inovasi Pemikiran Al-Najjar dalam Maqasid Al-Syari'ah, Mimbar Agama Budaya, Universitas Islam Negeri Syarif Hidayatullah Jakarta, 2021, mengacu pada 'Abd Al-Majid Al-Najjar, Maqasid al-Syari'ah bi Ab'ad Jadidah (Beirut: Dar al-Garb al-Islami, 2008).

The expansion of this concept is very relevant to be used in this study, because the issue of the sustainability of the halalness of UMKM products is not sufficiently analyzed only in terms of maintaining the halalness of the ingredients or assets of business actors alone, as covered in the elements of hifz al-mal in the classic concept. This issue also concerns the social trust of Muslim consumers in the validity of the circulating halal labels, which is in line with the elements of maintaining social order (hifz al-kiyan al-ijtima'i), as well as concerns the protection of the wider community from products that have the potential to mislead their halalness due to weak supervision after self-declaration certification.

Thus, the theory of sharia maqashid is placed as the last normative benchmark in the framework of this research, to answer the question of whether the effectiveness of supervision after halal self declaration certification for UMKM in Sidoarjo really realizes benefits and prevents harm according to sharia goals, and not just fulfilled formally-administratively.

The three elements discussed above are connected in the context of this research. Hifz al-din emphasizes the protection of Muslim consumers' religious interests through reliable halal information. Hifz al-nafs highlights the importance of protecting consumers from harm and maintaining appropriate production practices, while recognizing that halal compliance and food safety are not interchangeable concepts. Hifz al-mal focuses on the protection of consumers' economic interests and their ability

to make purchasing decisions based on accurate information. Together, these elements show that the value of halal certification extends beyond the issuance of a certificate.

The sustainability of halal products and consumer protection are therefore related but distinct dimensions. Halal sustainability concerns the continued conformity of materials and production processes with halal requirements after certification. Consumer protection concerns the assurance that consumers receive accurate and reliable information and are not exposed to avoidable risks arising from failures in the assurance system. Effective post-certification supervision can connect these dimensions by supporting continued compliance, identifying changes that require attention, and strengthening accountability among business actors and relevant institutions.

CHAPTER III

RESEARCH METHODS

Research methodology is a method or technique used to obtain information and data needed in research and understand the research workflow systematically.

A. Types of Research

This research uses a type of empirical juridical research, which is legal research based on primary data obtained directly from the community or the field as the primary source, supported by secondary data in the form of legal materials.[45] Empirical juridical research relies on empirical evidence taken from human behavior, interview results, direct observation, and documentation, so that this research does not only examine legal norms in abstracto, but examines how these norms are implemented in real practice in the field *(*law in action*)*.

This type of research was chosen because the problems studied, namely the effectiviness of supervision after halal self-declaration certification on UMKM and the accompanying obstacles require factual data from parties directly involved, namely UMKM actors in the food sector in Sidoarjo who have been certified halal as the research location that is the subject of supervision.

B. Research Approach

This study uses two complementary approaches, namely:

[45] S. H. M. H. M. K. M. A. P. Dr. Suyanto dan U. Press, Metode Penelitian Hukum: Pengantar Penelitian Normatif, Empiris, dan Gabungan (UNIGRES PRESS, 2023).

1. Sociological-Juridical Approach This approach is used to study and analyze the implementation of the law in the field, namely how the post-halal self-declaration supervision mechanism runs in practice and what factors hinder its effectiveness. The empirical juridical approach emphasizes the analysis of legal phenomena in society by collecting empirical data through observation and field research to understand the application of the law in practice.[46]
2. Conceptual Approach This approach is used to build legal arguments and formulate an ideal model of post-certification supervision in the perspective of Maqashid Syariah as demanded by the formulation of the second problem. The conceptual approach relies on the study of relevant legal doctrines, theories, and principles, in this case the theory of legal effectiveness, the theory of supervision in state administrative law, and Maqashid Syariah to produce a concept or model that can be operationalized.[47]

C. Research Location

This research was carried out in Buduran District, Sidoarjo Regency, East Java Province. The selection of the research location was based on the consideration that Buduran District has many UMKM actors, especially in the food and beverage sector that have obtained halal certificates through the self-declare scheme. Sugiyono stated that the determination of the location of

[46] Soerjono Soekanto, Pengantar Penelitian Hukum (Jakarta: UI Press, 1986), 10.
[47] Peter Mahmud Marzuki, Penelitian Hukum (Jakarta: Kencana, 2017).

qualitative research should pay attention to the suitability between the characteristics of the location and the focus of the problem being researched, as well as the availability of data sources that allow researchers to obtain in-depth and meaningful information.[48]

Referring to this view, Buduran District was chosen as the research location for three main reasons. First, this region has a relatively high number of self-declared certified UMKM, which is around 153.288 UMKM as of early July 2026, so that the phenomenon of post-certification supervision can be observed in a fairly representative population.[49] Second, the results of the researcher's initial exploration in the field found that UMKM actors who have been certified in general have never been visited or examined by any party after the certificate is issued, so this area is considered appropriate to reveal the problem of post-certification supervision in real terms. Third, the proximity of the researcher's domicile to the Sidoarjo area provides the flexibility to make repeated visits to informants, both UMKM actors and Halal Product Process Assistants, so that the data mining process process can be carried out more intensively and in-depth.

D. Data Types and Sources

This study uses two types of data that complement each other:

1. Primary Data

[48] Sugiyono, Metode Penelitian Kuantitatif, Kualitatif, dan R&D, Bandung: Alfabeta, (2017), 297.
[49] Badan Penjaminan Produk Halal Provinsi Jawa Timur (BPJPH), Laporan Pelaksanaan JPH Jawa Timur (Surabaya: BPJPH Jawa Timur, 2026).

Primary data is data obtained directly from the field through interaction with research subjects.[50] In this study, primary data is sourced from ten UMKM actors in the food and beverage sector who have obtained halal certificates through a self-declare scheme, to find out the reality of halal consistency of products and their experience related to post-certification supervision.

2. Secondary Data

Secondary data was obtained through library research on legal materials consisting of:

a. Primary legal materials: Law Number 33 of 2014 concerning Halal Product Assurance, Law Number 6 of 2023 concerning the Determination of Perppu Job Creation, Government Regulation Number 39 of 2021, BPJPH Regulation Number 10 of 2021, and other related laws and regulations.
b. Secondary legal materials: textbooks, scientific journals, previous research results, and policy documents relevant to the research topic.

E. Data Collection Methods

In accordance with the type of empirical juridical research, data collection is carried out through three main techniques:[51]

1. Interview

[50] Sugiyono. Metode Penelitian Kuantitatif, Kualitatif, dan R&D, Bandung: Alfabeta, (2017), 297.
[51] Muhaimin, Metode Penelitian Hukum, Penerbit Universitas Mataram, 2020, 95.

This study uses in-depth semi-structured interviews to collect primary data. The technique fits empirical juridical research because it shows how the norm on post-certification supervision is experienced by those who live under it (law in action). The semi-structured format gives a fixed set of topics and still leaves room for follow-up questions when an informant mentions a visit, a report, or a change of ingredients. The interview guide was developed by reviewing regulations and previous studies, then drafting and revising the questions before the field work,[52] and it is arranged around the five factors of legal effectiveness by Soerjono Soekanto and the elements of hifz al-nafs, hifz al-mal, and hifz al-din. For business actors, the questions cover the certification process, changes of ingredients or production process after certification, any supervision received and from whom, and their understanding of the obligation to keep halal consistency. For P3H, the questions cover the scope of their duties and their role after the certificate is issued. The interviews were conducted face to face on 12 and 13 September 2026, recorded with the informants' consent, and written with codes to protect their identity. Every statement is checked against observation and documentation before it is accepted.

The informants were selected using purposive sampling, meaning that the researcher chose people with direct experience of the issue under study. They consist of five UMKM actors in the food and beverage sector

[52] Hanna Kallio dkk., "Systematic Methodological Review: Developing a Framework for a Qualitative Semi-Structured Interview Guide," Journal of Advanced Nursing 72, no. 12 (2016): 2954–2965, https://doi.org/10.1111/jan.13031.

who hold a self-declared halal certificate in Sidoarjo Regency, and one Halal Product Process Assistant (P3H) in the same region. The UMKM actors were chosen because they are the parties subject to the post-certification supervision norm, while the P3H informant gives a view from the assistance side. In total, there are six informants, and their identities are written with codes to protect their privacy. The list of informants and the date of each interview is presented in the following table.

Table 3. 1 Business Actor Informant Data

Code	Type of Business	Business Location	Long Certified	Informant Position
UMKM-1	Grasshopper Milk	Buduran	± 7 months	Business owners
UMKM-2	Ketoprak	Pondok Jati	± 1 year	Business owners
UMKM-3	Tofu Bolotot	Siwalan Panji	± 3 years	Business manager
UMKM-4	Padang Cuisine	Buduran	± 2 years	Business manager
UMKM-5	Es Grower	Buduran	± 1 year	Business manager
UMKM-6	Crystal guava	Buduran	± 1 year	Business manager
UMKM-7	Fried chicken	Siwalan Panji	± 1 year	Business manager
UMKM-8	Otak-Otak	Sukorejo	± 2 year	Business owners
UMKM-9	Green banana ice	Buduran	± 3 months	Business owners
UMKM-10	Crispy tofu	Sukorejo	± 2 year	Business owners

Source: Results of interviews with UMKM, (September 12, 2026)

Table 4. 2 P3H Informant Data

Code	Domicile	Long Serving as P3H	Informant Position
P3H-1	Cemandi Pond	± 3 years	Staff

Source: Results of interview with P3H staff, (September 13, 2026)

Based on Table 4.2, the P3H informants involved in this study are domiciled in Tambak Cemandi and have served as Halal Product Process Assistants for approximately 3 years, with a position as accompanying staff. The length of their tenure shows that the informants have sufficient experience to provide an overview of the implementation of assistance and supervision after halal self-declaration certification in the Sidoarjo area, especially as comparative data on the findings of the five business actors' informants.

2. Documentation

Documentation studies are carried out on relevant documents, including laws and regulations, BPJPH performance reports, UMKM halal certification documents, P3H assistance records, and legal literature sources that support normative analysis.[53]

F. Data Analysis Techniques

The collected data was analyzed using descriptive qualitative data analysis techniques with the Miles and Huberman interactive model, which included three components that ran simultaneously and continuously:

1. Data Reduction

Raw data obtained from the field from interviews, observations, and documentation is filtered, selected, and focused on matters relevant to the

[53] Dr. Drs. H. Rifa'i Abubakar, M.A., Pengantar Metodologi Penelitian, Suka-Press UIN Sunan Kalijaga, Yogyakarta, Februari 2021, 114.

formulation of the research problem.[54] This stage aims to simplify complex data into sharper and more meaningful information according to the focus of the research, namely the implementation of post-certification supervision and its ideal model in the perspective of Maqashid Syariah.

In this research, the interview data are categorized based on the main research issues, particularly the supervision received by UMKM actors after obtaining halal certificates, changes in raw materials and suppliers, consistency of production processes, and efforts to maintain halal product standards. Information from the P3H informant is also selected to understand the scope of assistance provided during the halal certification process.

2. Data Display

The reduced data is presented in the form of a descriptive narrative that is arranged systematically, accompanied by tables or charts if necessary, to facilitate understanding of the patterns and relationships between findings in the field and applicable legal norms.[55]

In practice, the researcher presents the interview results by comparing the information obtained from each UMKM informant. The comparison focuses on whether the business actors have received post-certification supervision, whether there have been changes in raw materials or suppliers, and whether their production processes remain consistent. The

[54] Mohammad Ctra Ramadhan, Metode Penelitian Hukum, Yogyakarta, CV. Kaizen Education Facilities, 2021, 157–158.
[55] Sugiyono, Metode Penelitian Pendidikan: Pendekatan Kuantitatif, Kualitatif, dan R&D (Bandung: Alfabeta, 2013), 337.

information obtained from the P3H informant is also presented to complement the findings regarding the role and scope of assistance provided during the certification process. The results are then organized into descriptive narratives and supporting tables to identify similarities, differences, and patterns among the informants' responses.

3. Conclusion Drawing / Verification

At this stage, the researcher draws conclusions based on the results of the data analysis that has been presented, then verifies the conclusion by referring back to the field data and legal materials that have been collected, so that the conclusions produced are valid and can be scientifically accounted for.[56] The entire analysis process is carried out in layers, namely by integrating empirical findings from the field in the form of the practice of self-declaring UMKM actors in Sidoarjo with normative analysis of applicable regulations, which are then evaluated using the perspective of Maqashid Syariah to produce a holistic ideal supervision model.

Furthermore, the findings are analyzed using Soerjono Soekanto's Legal Effectiveness Theory by examining five factors: legal factors, law enforcement factors, facilities and infrastructure, society, and legal culture. The researcher also applies the Maqashid Syariah perspective, particularly hifz al-din, hifz al-nafs, and hifz al-mal, to assess the implications of post-certification supervision for halal product sustainability and consumer

[56] Miles dan Huberman, Analisis Data Kualitatif: Buku Referensi tentang Metode-Metode Baru, ed. Tjetjep Rohendi Rohidi (Jakarta: UI-Press, 1992).

protection. The conclusions are verified by comparing the empirical findings with the relevant legal provisions and supporting documentation.

CHAPTER IV

RESULTS OF RESEARCH AND DISCUSSION

A. Overview of The Implementation of Self-Declare Halal Certification in Buduran District, Sidoarjo Regency

1. Brief Profile and Business Context of the Research Subject

Sidoarjo Regency is one of the regions with the largest Micro, Small, and Medium Enterprises (UMKM) base in East Java Province. Based on data from the Sidoarjo Regency Cooperatives and Micro Enterprises Office, the number of UMKM in this region was recorded at 153,288 business units, with as many as 2,121 UMKM successfully upgraded as part of the target of 4,000 UMKM to be upgraded.[57] The importance of halal certification for UMKM in Sidoarjo was strengthened by the statement of the Regent of Sidoarjo, Subandi, who emphasized that as an area with a majority Muslim population, clarity and assurance of the halalness of local food products is a priority for regional policies.[58] The achievement of halal certification in Sidoarjo has reached around 38,000 UMKM, which is supported by the Free Halal Certification (SEHATI) program from the Halal Product Assurance Agency (BPJPH).[59]

[57] Dinas Koperasi dan Usaha Mikro Kabupaten Sidoarjo, Data Pengembangan UMKM Kabupaten Sidoarjo (Sidoarjo: Dinas Koperasi dan UM, 2026).
[58] Pemerintah Kabupaten Sidoarjo, 'Mempercepat Sertifikasi Halal UMKM Sidoarjo,' Siaran Pers Pemerintah Kabupaten Sidoarjo, 2026.
[59] Badan Penjaminan Produk Halal (BPJPH) Provinsi Jawa Timur, Laporan Pelaksanaan JPH Jawa Timur (Surabaya: BPJPH Jawa Timur, 2026).

The significance of halal certification for UMKM in Sidoarjo is inseparable from the demographic characteristics of the area with a majority Muslim population. The Regent of Sidoarjo, Subandi, emphasized that as an area with a majority Muslim population, UMKM products circulating in Sidoarjo must have clarity and halal guarantees, so that the acceleration of halal certification is one of the priorities of regional policies.[60] This is in line with the coordination requested by the Sidoarjo Regency Government to the Cooperatives and Micro Enterprises Office, the Food and Agriculture Office, and the Department of Industry and Trade to record in detail UMKM that have and do not have halal certificates.

In terms of achievements, the representative of the Halal Product Assurance Agency (BPJPH) of East Java Province, Muhammad Fauzi, stated that the number of UMKM in Sidoarjo that have been halal certified as of early March 2026 reached around 38,000 UMKM. BPJPH itself in that period prepared 1,350,000 free halal certificate quotas nationally, with a special allocation for East Java of 216,986 quotas. This acceleration is driven by the provision that starting October 18, 2026, all products entered, circulated, and traded in Indonesia, including UMKM products, must be halal certified.[61]

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[60] Portal Resmi Pemerintah Kabupaten Sidoarjo, "Bupati Sidoarjo Mendorong Percepatan Sertifikasi Halal bagi UMKM Sidoarjo," diakses pada 20 September 2026, https://www.sidoarjokab.go.id/berita/detail/1772518481/0.

[61] East Java Flash, "Pemerintah Kabupaten Sidoarjo Mempercepat Sertifikasi Halal UMKM Menjelang Kewajiban Oktober 2026," diakses pada 20 September 2026, https://kilasjatim.com/2026/03/03/pemkab-sidoarjo-percepat-sertifikasi-halal-umkm-jelang-kewajiban-oktober-2026-4/.

Mechanically, self-declared halal certification for UMKM actors in Sidoarjo follows the Free Halal Certification (SEHATI) scheme organized by BPJPH, with the latest membership criteria regulated in the Decree of the Head of BPJPH Number 146 of 2025 concerning Technical Instructions for Halal Certification Services for Micro and Small Business Actors Based on Halal Statements.[62] This scheme is only open to micro and small business actors whose products are classified as non-risky, using raw materials that have been confirmed to be halal, and through a simple production process. The registration flow starts from creating an account and submitting an application through the ptsp.halal.go.id page (SIHALAL), followed by verification and validation by the Halal Product Process Companion (P3H), before BPJPH issues a Document Receipt Letter and forwards it to the Fatwa Committee for the determination of product halal.

The above illustration shows that the growth in the number of UMKM certified halal self declaration in Sidoarjo is quite rapid in a short period. However, as described in the background of this study, the acceleration in terms of the quantity of certification is not necessarily followed by the strengthening of post-certification supervision, so it is a starting point for this study to further examine the effectiveness of the

[62] UKM Indonesia, "15 Kriteria bagi Usaha Mikro, Kecil, dan Menengah (UMKM) yang Dapat Mengajukan Sertifikasi Halal Gratis dalam Program SEHATI 2026," diakses pada 20 September 2026, https://ukmindonesia.id/baca-deskripsi-posts/15-kriteria-umk-yang-bisa-ajukan-sertifikasi-halal-gratis-di-program-sehati-2026.

supervision that runs on UMKM that have pocketed the halal self-declaration certificate .

2. Research Informant Profile

This study involved 6 (six) informants consisting of 5 (five) UMKM actors in the food and processed beverage sector who have obtained halal certificates through the self-declaration scheme in Sidoarjo Regency, and 1 (one) Halal Product Process Companion (P3H) who handles the process of assisting halal self-declaration certification in the region. The involvement of informants from the accompanying elements is intended to obtain a more complete picture of the implementation of post-certification supervision, not only from the point of view of the supervised business actors, but also from the perspective of those who normatively play a role in the process of assisting and verifying halal products.

To maintain the confidentiality of the informant's identity, the author uses codes in the form of initials and numbers, namely "UMKM-1" to "UMKM-5" for business actor informants, and "P3H-1" for accompanying informants. The profiles of each informant are presented in the following table.

Based on Table 4.1, the business actor informants who have been recorded show a variety of halal-certified durations, ranging from those

who have only been certified for about 7 months to those who have been certified for approximately 3 years. In terms of roles, most of the informants have the status of business managers who are trusted by the owners, while some others are direct business owners. The business locations of informants are spread across various areas in Sidoarjo Regency, such as Suko, Jalan Pondok Jati, Jalan Siwalan Panji, to Buduran, which shows that the practice of halal-certified self-declared UMKM in this district is not concentrated in one specific area, but is spread across home business centers in various sub-districts.

3. Implementation of the Halal Self-Declare Certification Process in the Field

The registration procedure for halal certification for the self-declare scheme begins with information and assistance. UMKM-1 actors obtained program information from the Baking Center community in front of Sidoarjo Station. Administrative requirements in the form of NIB and KTP were prepared and uploaded to the PTSP SIHALAL system with the help of the Halal Product Process Companion (P3H). Business actors had experienced registration failure due to limited registration quotas at the end of 2024 / early 2025, before finally succeeding in re-registration.[63]

In the pre-publication stage, the P3H Companion (P3H-1) conducted an onsite inspection visit to the location of the production kitchen. Verification included checking the cleanliness of the kitchen,

[63] Umkm1, interview, (Sidoarjo, September 12, 2026)

equipment, production process flow, and tracing the halal status of raw materials. P3H-1 confirmed that the role of the companion includes document verification and registration facilitation until business actors pledge their halal commitments.

After the halal certificate is officially issued by BPJPH, UMKM actors include the halal logo and registration number on the packaging and social media to build consumer trust. However, empirical facts in the field show that there are no physical supervision activities, periodic audits, or follow-up field inspections carried out by authorities or companions after the issuance of the certificate.

B. Implementation and Supervision of Halal *Self-Declare* Certification for UMKM in Sidoarjo Regency

1. Implementation of P3H Assistance in Halal *Self-Declare Certification*

Halal Product Process Assistants, hereinafter abbreviated as P3H, are actors in the implementation of halal certification of self-declare schemes for Micro and Small Businesses. The position of P3H is regulated in Article 80 of Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector, which assigns PPH assistants, both from Islamic community organizations, Islamic religious institutions with legal entities, universities, as well as government agencies and business entities that partner with the Halal Product Assurance Agency

(BPJPH), to verify and validate halal declarations submitted by business actors as a condition for the issuance of halal self-declaration certificates.[64]

More technical provisions regarding the terms and mechanisms of this assistance work are regulated in Article 2 paragraph (3) and Article 4 paragraph (1) and paragraph (2) of the Regulation of the Minister of Religion Number 20 of 2021 concerning Halal Certification for Micro and Small Business Actors.[65] More operationally, BPJPH issued the Decree of the Head of BPJPH Number 150 of 2022 concerning Technical Instructions for Halal Product Process Companions in the Determination of Halal Certified Obligations for Micro and Small Business Actors Based on Business Actors' Statements, as amended by the Decree of the Head of BPJPH Number 22 of 2023 challenging the technical procedures for the implementation of verification and validation by P3H. Institutional development of the Halal Product Process Assistance Institution (LP3H) and P3H itself is further regulated in the Decree of the Head of BPJPH Number 8 of 2024 concerning Guidelines for the Development of Halal Product Process Assistance Institutions and Halal Product Process Assistants.[66] Normatively, all of these provisions place P3H as a verifier and validator at the pre-certification stage, which acts on behalf of the state

[64] Pasal 80 Peraturan Pemerintah Nomor 39 Tahun 2021 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[65] Pasal 2 ayat (3) serta Pasal 4 ayat (1) dan ayat (2) Peraturan Menteri Agama Nomor 20 Tahun 2021 tentang Sertifikasi Halal bagi Pelaku Usaha Mikro dan Kecil.
[66] Keputusan Kepala Badan Jaminan Produk Halal Nomor 8 Tahun 2024 tentang Pedoman Pengembangan Lembaga Pendamping Proses Produk Halal dan Pendamping Proses Produk Halal.

to ensure the correctness of the halal declaration of business actors before BPJPH issues halal certificates.

In its implementation, P3H is recruited and fostered by LP3H who has been registered with BPJPH, with relatively simple requirements, namely Muslim, at least high school education or equivalent, and between 18 and 65 years old, before participating in training in the form of modules that can be completed within one to two days.[67] The P3H work pattern is on-site: the facilitator visits the business location, asks and observes the production process, and ensures that all raw materials and additional materials used are halal status, before then input the verification results into the BPJPH electronic information system as the basis for submitting an application for a halal self-declaration certificate. [68] The scale of the implementation of this assistance is quite massive, with the number of P3H recorded reaching around 20,000 people spread throughout Indonesia, considering that the self-declare program is indeed designed to reach a large number of MSEs without the need for an audit by the Halal Inspection Agency.

In practice, the pattern of implementing this assistance is illustrated by the statement of a P3H informant who explained that the assistance he provides to UMKM actors includes field visits, interviews about the

[67] CNN Indonesia, "BPJPH: Penyandang Disabilitas Dapat Terlibat dalam Pengawasan Proses Produk Halal," 21 Juni 2025, https://www.cnnindonesia.com/ekonomi/20250621151920-92-1242249/bpjph-sebut-kaum-difabel-bisa-dilibatkan-kawal-proses-produk-halal.
[68] Tazkiah Ashfia, "Tujuan Hukum dalam Pengaturan Deklarasi Mandiri pada Sertifikasi Halal bagi Pelaku UMKM," Jurnal Ilmu Pengetahuan Terpadu, Vol. 1 No. 5 (2022): 1019-1020.

production process, and tracing the halal status of raw materials before the certificate is issued.[69]

However, if you look back, the entire authority of P3H as stipulated in Article 80 of Government Regulation Number 39 of 2021 only includes the verification and validation stage during the pre-certification period, namely before BPJPH issues halal certificates self-declared.[70] Neither the Regulation of the Minister of Religion Number 20 of 2021 nor the Decree of the Head of BPJPH Number 150 of 2022 and Number 8 of 2024 also contain provisions that explicitly mandate P3H to monitor, evaluate, or re-verify the consistency of halal products after the certificate is issued. Thus, normatively, the duties and responsibilities of P3H to a business actor basically end at the same time as the issuance of a halal certificate, without continuing with further involvement in overseeing the sustainability of halal products after certification. Regarding the limits of companion duties, the interview data to P3H-1 confirmed in its statement: "After these UMKM declare their commitment in the form of self-declaration, then this P3H has their obligations severed. So it is disconnected until the halal certification has been issued."[71]

The statement shows that in practice, the working relationship between P3H and UMKM ends when the halal certificate is issued. The

[69] Hanil Maulana, "Efektivitas Pendampingan Proses Produk Halal dalam Program Deklarasi Mandiri bagi Pelaku Usaha Kota Surabaya dari Perspektif Maqāṣid Syarīah" (2024): 74.
[70] Pasal 80 Peraturan Pemerintah Nomor 39 Tahun 2021 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[71] P3H-1, interview, (Sidoarjo, September 13, 2026)

word "disconnected" used by P3H-1 does not mean that the involvement of the companion is reduced, but stops altogether after the business actor pledges his halal commitment. This information is in line with the way the rules formulate the duties of the companion. PPH assistance is carried out by the PPH companion institution at the application stage, while the supervision of halal product assurance is in BPJPH, and the companion himself is actually one of the objects of supervision.

2. Post-Halal Certification Supervision by BPJPH

The Halal Product Assurance Agency, hereinafter abbreviated as BPJPH, was established by the Government to administer Halal Product Assurance (JPH) and is located under and responsible to the Minister of Religion. In this position, BPJPH is given broad authority in the implementation of JPH, one of which is the authority to supervise JPH as a whole. This supervisory authority was initially affirmed in Article 6 letter h of Law Number 33 of 2014 concerning Halal Product Assurance, which was then further elaborated technically in the implementing regulations under it. Thus, BPJPH is positioned as the main authority (leading sector) who is responsible for ensuring that the halalness of a product is not only guaranteed at the time the certificate is issued, but also as long as the product is circulating in the community.

Regulations regarding the supervision of Halal Product Assurance (JPH) are specifically contained in Chapter VIII of Government Regulation Number 42 of 2024 concerning the Implementation of the Halal Product

Assurance Sector, namely Articles 111 to 122. This provision expressly places the Halal Product Assurance Agency (BPJPH) as an institution that supervises the implementation of JPH. Article 111 paragraph (1) states that BPJPH supervises JPH, while the objects of supervision include the Halal Inspection Agency (LPH), product halalness, the inclusion of Halal Labels, the inclusion of non-halal information, the separation of locations, places and tools between halal and non-halal products, the existence of Halal Supervisors, and other activities related to JPH.[72] The provision also explicitly includes PPH companion institutions and Halal Product Process Companions (P3H) as part of BPJPH's supervisory objects. In addition, the implementation of supervision can involve ministries, related institutions, and/or local governments in accordance with their duties and authorities.[73]

Furthermore, Articles 112 to 119 regulate the implementation and supervision resources of JPH. Supervision can involve related parties to provide input, considerations, and other activities that support supervision.[74] The implementation of supervision is carried out by JPH Supervisors from BPJPH which also applies to halal post-certification supervision through the self-declaration mechanism as we discussed in this study.

[72] Pasal 111 ayat (2) Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[73] Pasal 111 ayat (6) Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[74] Pasal 112 Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

Technically, the form of JPH supervision is regulated in Article 120 paragraph (1) of Government Regulation Number 42 of 2024, which divides JPH supervision into two types, namely periodic supervision and periodic supervision. [75] Supervision at any time, as stipulated in Article 120 paragraph (3), is carried out based on the existence of suspected violations of the provisions of laws and regulations, so that it is incidental and responsive to certain reports or findings, not routinely scheduled.[76] The division of these two types of supervision indicates that the state, through BPJPH, has basically designed a supervisory mechanism that is preventive (periodic) as well as repressive (at any time) on the implementation of JPH, including for products that have been certified halal.

Furthermore, Article 120 paragraph (2) of Government Regulation Number 42 of 2024 stipulates that JPH supervision is periodically carried out 1 (one) time every 6 (six) months.[77] This provision is a new norm that was not explicitly regulated in the previous Government Regulation Number 39 of 2021, and therefore becomes an important legal basis for research that discusses halal certification post-supervision, including certified UMKM products self-declared.

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[75] Pasal 120 ayat (1) Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

[76] Pasal 120 ayat (3) Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

[77] Pasal 120 ayat (2) Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

However, a number of studies show that the provisions of periodic supervision have not been fully implemented consistently in the field in practice. Research on the implementation of JPH supervision of UMKM products in Samarinda City, for example, found that the supervision carried out is still reactive and more focused on modern retail, while supervision of processed UMKM products in vulnerable points has not been carried out adequately. [78] Another study also concluded that the technical implementation of periodic supervision of halal-certified products has not been optimally regulated in its derivative regulations, so that the absence of clear technical rules has the potential to weaken legal certainty in the halal product assurance system as a whole.[79] The gap between the norm that requires periodic supervision every 6 (six) months and the actual supervision practices that occur in the field is relevant to be studied further, including through the findings of interviews with parties directly involved in the certification and assistance process of UMKM.

3. Implementation of Post-Certification Supervision on Self-Declare UMKM

After the halal certificate is issued, business actors still have an obligation to maintain the consistency of the halal product in accordance

[78] Ayu Yolanda Sari, Irma Suryani, dan Amsari Damanik, "Pengawasan Jaminan Produk Halal bagi UMKM di Kota Samarinda Pasca Perubahan Ketentuan Sertifikat Halal dalam Undang-Undang Nomor 6 Tahun 2023," Jurnal Hukum dan Keadilan Indonesia 3, no. 3 (2026): 14.

[79] Karimatul Difanti, "Kepastian Hukum dalam Pelaksanaan Pengawasan Produk Bersertifikat Halal," El-Hisbah: Jurnal Hukum Ekonomi Syariah.

with the provisions of the Halal Product Guarantee. Therefore, the existence of halal certificates is not only related to the process of obtaining a certificate, but also to how the halalness of the product is maintained after the certificate is issued. In this study, the researcher explored these conditions through interviews with five UMKM actors who have obtained halal certificates through a self-declare mechanism in Sidoarjo Regency. The discussion focused on the experiences of business actors after the halal certificate was issued, especially regarding the existence or absence of supervision, the form of supervision received, the party conducting supervision, communication with related parties, and the understanding of business actors of obligations after obtaining a halal certificate. The data from the five UMKM were then compared with the provisions regarding the supervision of Halal Product Assurance to see the suitability between normative provisions and their implementation in the field.

Based on the results of interviews with five UMKM actors who have obtained halal certificates through the self-declaration mechanism in Sidoarjo Regency, almost all informants stated that after the halal certificate was issued, there were no significant changes to the raw materials or suppliers used in the production process. Business actors in general still maintain the same materials and suppliers as used when the halal certification process was carried out. This condition shows that business actors are trying to maintain the composition of ingredients and production processes that have been verified at the time of submission of halal

certification. This is also in line with the principle of Halal Product Assurance which requires business actors to maintain the halalness of products in a sustainable manner after obtaining a halal certificate.

However, efforts to maintain the halalness of products carried out by business actors are not only related to the halal status of ingredients, but also to the quality and cleanliness of the materials used in the production process. One of the informants, namely UMKM-1, explained that in order to maintain the quality of the ingredients while maintaining cleanliness in the processing process, the informants chose to make their own grasshopper ingredients used in their products.[80] This action was carried out as a form of prudence in maintaining the quality of the ingredients to be used. Meanwhile, UMKM-2 also stated that all the ingredients and ketoprak seasoning are still the same as the ingredients registered for halal certification.[81] Other UMKM in general also stated that the materials and suppliers used are still the same and there have been no significant changes in the production process. Thus, based on the information of the informants, there has been no change in raw materials, suppliers, or production processes carried out after the halal certificate is issued.

This condition shows that the sustainability of halal products in the five UMKM is temporarily still largely maintained through internal practices of business actors, namely by maintaining previously used

[80] UMKM 1, interview, (Sidoarjo, September 12, 2026)
[81] UMKM 2, interview, (Sidoarjo, September 12, 2026)

materials and maintaining the production process as when the certification process is carried out. This practice is important because the implementation of the halal product assurance system does not stop at the time the certificate is issued, but must be applied consistently in the management of halal product ingredients and processes. Research on the application of SJPH in halal-certified MSEs also shows that ensuring raw materials, equipment cleanliness, and production processes are an important part of maintaining halal standards, although external monitoring and evaluation are still challenges in their sustainability.

In the supervision, it can be seen in the results of the interview, starting from UMKM-1 to UMKM-5 that there is not a single visit or inspection after the certificate is issued. In another part, the researcher summarizes that it means that there has never been a visit and the informant justifies it.[82] When the researcher reiterated whether there was supervision after the certificate was issued, the informant replied that after the certificate was issued, it had never received supervision from any party.[83]

The only check told by UMKM-1 occurred before the certificate was issued. The companion came to the place of business once, and during that visit the process of making products was also checked. This check is verification as a condition for issuing certificates, not post-certification supervision. After the certificate is issued, there is no form of supervision

[82]UMKM-3, interview, (Sidoarjo, September 12, 2026).

[83]UMKM-1, interview, (Sidoarjo, September 12, 2026).

received by UMKM-1, either in the form of visits, material inspections, or report requests.[84]

If the above findings are compared with the provisions, it appears that there is a gap between norms and practices. Article 111 of Government Regulation Number 42 of 2024 concerning the authority of the Halal Product Assurance Agency states that BPJPH supervises JPH, and Article 120 of Government Regulation Number 42 of 2024 states that supervision is carried out periodically once every six months and/or at any time based on alleged violations. In UMKM-1 that are certified for about seven months, no visits or inspections from BPJPH or JPH Supervisors have been found. This finding cannot be called a violation of norms, because Article 120 mentions the frequency of JPH supervision in general and does not state that every business actor must be visited every six months. However, the absence of supervision at all for approximately seven months shows that periodic supervision has not reached these UMKM.

From the side of business actors, displaying halal logos on their packaging and social media is in line with the obligation of certified business actors to include halal labels and maintain the halalness of products. This is important because in self-declared UMKM, daily supervision is carried out by halal supervisors who can come from the business actors themselves.

4. Analysis of the Effectiveness of Halal Post-Certification Supervision

[84] UMKM-1, interview, (Sidoarjo, September 12, 2026).

The analysis of the effectiveness of halal post-certification supervision of the self-declare scheme was tested using Soerjono Soekanto's law enforcement theory through five main factors:

a. Legal Substance Factors

Legal factors in Soerjono Soekanto's framework are not enough to judge from the existence or absence of a regulation, but also from the quality of the norms contained in it.[85] A legal norm is said to be good if it meets the principles of good formation of laws and regulations as stipulated in Article 5 of Law Number 12 of 2011 concerning the Formation of Laws and Regulations, which includes the principle of clarity of objectives, appropriate institutions or forming organs, suitability between types, hierarchies, and content materials, feasible, usefulness and usefulness, clarity of formulation, and openness.[86]

Clarity of formulation is an important element because legal norms that are clearly written and do not cause multiple interpretations will produce legal certainty, as Gustav Radbruch emphasized that positive law must be formulated in a clear way to avoid misinterpretations while facilitating its implementation.[87] In addition to the clarity of the formulation, the authority of the supervisory institution

[85]Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008): 8.
[86] Pasal 5 Undang-Undang Nomor 12 Tahun 2011 tentang Pembentukan Peraturan Perundang-undangan; lihat juga Maria Farida Indrati Soeprapto, Undang-Undang dan Peraturan: Jenis, Fungsi, dan Isi Materi (Yogyakarta: Kanisius, 2007).
[87] Gustav Radbruch, sebagaimana dikutip dalam Satjipto Rahardjo, Hukum dalam Alam Semesta Ketertiban (Jakarta: UKI Press, 2006): 85.

must also be formulated in detail, because the clarity of the hierarchy and the authority of the institution that forms and implements the norm will determine whether or not it is legal, as well as binding or not, the implementation of the norm in the field. Good legal norms must also be accompanied by sanctions that can be enforced, because the application of sanctions is a real indicator that a law is really effective, not just normatively applicable on paper.[88]

To see the completeness of the norms that govern supervision after halal self-declaration certification, the applicable legal basis needs to be inventoried hierarchically, from the most common norms to the most technical and operational norms (species).[89] At the genus level, the obligation to be halal certified and the authority to supervise are regulated in Article 4 and Article 6 letter h of Law Number 33 of 2014 concerning Halal Product Assurance, which states that products entering, circulating, and trading in Indonesian territory must be halal certified, and that BPJPH is authorized to supervise JPH as a whole. [90] Then it is affirmed in Article 48 of the Job Creation Law regarding the legal basis of the self-declare scheme, which provides ease of halal certification for Micro and Small Business actors based on the

[88]Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008): 8.
[89] Maria Farida Indrati Soeprapto, Ilmu Hukum: Jenis, Fungsi, dan Materi Isi (Yogyakarta: Kanisius, 2007).
[90] Pasal 4 dan Pasal 6 huruf h Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.

statements of the business actors themselves.[91] At a more operational level, the provisions regarding self-declaration are regulated in more detail in Articles 79 to 81 of Government Regulation Number 39 of 2021 concerning Halal Certification for Micro and Small Enterprises (MSEs) through the self-declare mechanism, while the JPH supervision mechanism in general, including the scope, supervisory requirements, and types and stages of supervision, are regulated in Articles 95 to 103 of the same Government Regulation. [92] At the most technical level, the provisions for the implementation of halal certification for Micro and Small Business Actors are regulated in the Regulation of the Minister of Religion Number 20 of 2021 concerning Halal Certification for Micro and Small Business Actors.[93]

Based on the inventory, it appears that Articles 95 to 103 of Government Regulation Number 39 of 2021 regulate the JPH supervision mechanism in general and apply uniformly to all certification schemes, both regular and self-declared, without distinguishing the form and intensity of supervision based on the risk characteristics of each scheme. The norm is still macro and has not been lowered into a technical operational norm that specifically binds periodic audit or self-reporting obligations for certified UMKM through

[91] Pasal 48 Undang-Undang Nomor 11 Tahun 2020 tentang Penciptaan Lapangan Kerja.
[92] Pasal 79–81 dan Pasal 95–103, Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.
[93] Peraturan Menteri Agama Nomor 20 Tahun 2021 tentang Sertifikasi Halal bagi Pelaku Usaha Mikro dan Kecil.

the self-declaration scheme, considering that this scheme basically only relies on the statements of business actors without an audit by the Halal Inspection Agency as per the regular scheme. The gap between the general genus norm and the absence of species norms that specifically regulate post-certification self-declaration supervision indicates the existence of a regulatory void, which is one of the important findings to answer the formulation of problems in this study regarding the effectiveness of post-halal self-declaration supervision for UMKM in Sidoarjo.

The gap in technical norms found in the study is not a problem that stands alone in Sidoarjo Regency, but a pattern that has also been identified in research on the implementation of Halal Product Assurance in other regions. Nadia Fatimah et al., in their study of the implementation of JPH in Banten Province, found that the implementation of Law Number 33 of 2014 concerning Halal Product Assurance (JPH) at the regional level still faces obstacles in coordination between institutions and the lack of operational technical instructions that translate central norms into field supervision practices.[94]

Similar findings were also put forward by Agung Cahyo et al, who highlighted that the supervision of Halal Product Assurance by BPJPH nationally still relies on a general regulatory framework, without

[94] Nadia Fatimah dkk., "Penerapan Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal (Studi tentang Penerapan Jaminan Produk Halal di Provinsi Banten)," Jurnal Desentralisasi dan Kebijakan Publik, No. 1 (2023), https://doi.org/10.30656/jdkp.v4i1.6267.

technical guidelines that are detailed enough to accommodate the different risk characteristics between the regular certification scheme and the self-declare scheme. [95] The similarity between the findings of this study and the conditions in Banten and the national study strengthens the suspicion that the lack of technical norms is not just a local weakness in Sidoarjo, but a structural gap in the regulatory architecture of Halal Product Assurance as a whole, so that the effectiveness of post-halal self-declaration certification supervision for UMKM in ensuring the sustainability of halal products, as the focus of this study, cannot be separated from the problem of national regulatory design.

Lingga Abi Rahman et al emphasized that an effective supervisory system in state administrative governance requires a clear division of preventive and repressive supervisory authority between institutions, accompanied by a periodic evaluation mechanism that is integrated into the supervisory cycle itself.[96] This principle is relevant to read the emptiness of technical norms in supervision after self-declaration certification, because the absence of periodic supervision authority between BPJPH and P3H after the issuance of the certificate,

[95] Agung Cahyo dkk., "Pengawasan Jaminan Produk Halal oleh BPJPH," Jurnal Ilmiah Pendidikan, no. 10 (2024): 34.
[96] Lingga Abi Rahman dkk., "Sistem Pengawasan dan Perlindungan Hukum dalam Tata Kelola Administrasi Negara," Presidential: Jurnal Hukum, Administrasi Negara, dan Kebijakan Publik 1, no. 4 (2024): 308, https://doi.org/10.62383/presidensial.v1i4.401.

as previously described, basically reflects the absence of one of the main prerequisites for a good administrative supervision system.

b. Law Enforcement Apparatus Factors (BPJPH and P3H)

BPJPH's authority to supervise the implementation of Halal Product Assurance is affirmed in Article 6 letter h of Law Number 33 of 2014 concerning Halal Product Assurance, and further described in Articles 95 to 98 of Government Regulation Number 39 of 2021, which also regulates the requirements for the appointment of JPH supervisors. [97] Meanwhile, in Article 80 of Government Regulation Number 39 of 2021 concerning the position of Halal Product Process Companions (P3H), which assigns PPH assistants, both from Islamic community organizations, Islamic religious institutions with legal entities, universities, as well as government agencies and business entities that partner with them, to verify and validate halal statements submitted by business actors as a condition for the issuance of self-declared halal certificates. [98] More technical provisions regarding this assistance, including training and work mechanisms for PPH assistants, are further regulated in the Regulation of the Minister of Religion Number 20 of

[97] Pasal 6 huruf h Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal; Pasal 95 sampai dengan 98 Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

[98] Pasal 80 Peraturan Pemerintah Nomor 42 Tahun 2024 tentang Pelaksanaan Sektor Jaminan Produk Halal.

2021 concerning Halal Certification for Micro and Small Business Actors.

The normative provision places P3H only as a verifier at the pre-certification stage, without providing an explicit legal mandate for P3H to conduct post-certificate monitoring after the issuance of the certificate. This void of mandate is confirmed in the findings of this research's field. Based on the results of the interview with P3H-1, the duties and responsibilities of PPH companions to an UMKM are completely cut off once the self-declared halal certificate is issued, without any follow-up monitoring mechanism that binds P3H to continue to oversee the consistency of the halalness of the UMKM products concerned.[99]

This finding is the most fundamental weak point in the overall supervision chain, because both BPJPH and P3H do not have active and continuous involvement after the issuance of certificates, so that the apparatus factor is the most vulnerable and most easily questionable link in explaining why post-certification supervision has not been effective.

To fill the void of the mandate, this study proposes the idea of dual control, which is a supervisory model that combines the independent commitment of UMKM actors with periodic evaluations carried out by P3H and BPJPH after the issuance of the certificate, not only at the application submission stage. This idea is in line with the

[99] P3H-1, interview, (September 13, 2026)

concept of enforced self-regulation developed by Ian Ayres and John Braithwaite, which emphasizes that the most effective regulation does not stop at full confidence in the self-compliance of business actors, but also does not rely entirely on repressive supervision by the state, but rather combines the two through a tiered supervision mechanism that is responsive to the level of compliance of business actors.[100] Thus, the dual control model proposed in this study places UMKM self-declaration as the first layer, and periodic evaluation by P3H or BPJPH as the second layer that is legally binding, so that the post-certification mandate void that has been occurring so far can be minimized without eliminating the convenience that is characteristic of the self-declaration scheme itself.

The issue of not the authority of P3H after the certificate is issued, as confirmed by the P3H-1 informant in this study, turns out to be a recurring finding in a number of similar studies in various regions of Indonesia, which indicates that this problem is systemic and not just a deviant practice in one region. Faras Abiyu Ramadhan, in his research on business actors in Labruk Kidul Village, Lumajang Regency, found that the role of the Halal Product Process Facilitator is normatively designed to stop at the pre-certification verification stage as stipulated in the Regulation of the Minister of Religion Number 20 of 2021

[100] Ian Ayres and John Braithwaite, Responsive Regulation: Transcending the Deregulation Debate (New York: Oxford University Press, 1992).

concerning Halal Certification for Micro and Small Business Actors (MSEs**),** so that the effectiveness of post-certification assistance is highly dependent on the initiative of the business actors themselves, not on the active obligations of the companions.[101] Nurdinia Rahma, in her study of P3H assistance strategies for Micro and Small Enterprises in Jambi Province, also found the same pattern, where the mentoring strategy applied in practice is more oriented towards accelerating the issuance of certificates rather than ensuring the sustainability of halal products after the certificate is obtained.[102]

Meanwhile, Hanil Maulana, who specifically examined the effectiveness of P3H assistance for self-declare scheme business actors in the city of Surabaya from the perspective of sharia maqashid, concluded that the disconnection of the post-certification assistance mandate has the potential to reduce the benefits that should be maintained by the halal certification mechanism itself, because the purpose of mentoring that ideally maintains sustainable benefits actually stops at one administrative point in time.[103] The consistency of the findings between the research in Lumajang, Jambi, Surabaya, and Sidoarjo confirms that the idea of dual control proposed in this study is

[101] Faras Abiyu Ramadhan, "Efektivitas Peran Pendamping PPH bagi UMKM Pangan Olahan (Deklarasi Mandiri) dari Perspektif PMA No. 20 Tahun 2021 tentang Sertifikasi Halal bagi UMKM (Studi Kasus Pelaku Usaha di Desa Labruk Kidul, Kabupaten Lumajang)" (Skripsi S1, UIN KH Achmad Siddiq Jember, 2025), 38.
[102] Nurdinia Rahma, "Analisis Strategi Pendampingan Proses Produk Halal (PPH) untuk Jalur Self-Declare pada Usaha Mikro dan Kecil (UMK) di Provinsi Jambi" (Skripsi S1, Universitas Jambi, 2023), 67.
[103] Hanil Maulana, "Efektivitas Bantuan Proses Produk Halal untuk Program Deklarasi Mandiri bagi Pelaku Usaha Kota Surabaya dari Perspektif Maqāṣid Syarīah" (2024): 74.

not just a response to local conditions, but a broader solution offer to fill the void of post-certification supervision mandates that seem to be common in self-declare schemes in various regions, as well as strengthening the urgency of this research in answering the issue of the effectiveness of supervision in order to ensure the sustainability of the halal of UMKM products nationally, not limited to the context of Sidoarjo alone.

c. Facilities and Facilities Factor

The factor of facilities and facilities in the framework of Soerjono Soekanto emphasized that law enforcement will not run optimally without the support of skilled personnel, an organized organization, and adequate equipment.[104] In the context of post-halal certification supervision, the most decisive means is the availability of rapid detection technology or rapid test kits in the field, which allows supervisors to verify product content directly at UMKM locations without having to bring samples one by one to the laboratory to be tested using conventional methods such as Polymerase Chain Reaction (PCR) or Enzyme-Linked Immunosorbent Assay (ELISA).[105] Rapid test methods based on immunochromatographic or lateral flow, such as the Pork Detection Kit, only require a test time of about 10 to 25 minutes

[104] Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008): 8-9.
[105] Elisa Andriyani, Nor Lutfi Fais, dan Siti Muarifah, "Pengembangan Penelitian Metode Deteksi Kandungan Daging Babi untuk Menjamin Kehalalan Produk Pangan Olahan," Jurnal Studi Islam dan Humaniora 4, no. 1 (2019): 108-109, https://doi.org/10.21580/jish.41.4888.

with a simple way of working, making it much more efficient than laboratory methods that require longer time, higher costs, and specialized technical expertise.[106] Without the availability of such facilities at the field level, post-certification supervision will be difficult to carry out regularly and thoroughly, considering the number of self-declared certified UMKM that continues to grow every year.

In addition to the limitations of physical detection facilities, the digital facilities currently available also do not fully support post-certification supervision. The Halal Information System or SIHALAL, which can be accessed through the ptsp.halal.go.id page, based on official guidelines issued by BPJPH, is currently used for account creation, application submission, selection of PPH companions, and the issuance of halal certificates electronically. In other words, this system is designed and optimized to serve the process at the pre-certificate stage, but it is not equipped with periodic self-reporting instruments that allow UMKM actors to routinely report the condition of raw materials and production processes to BPJPH and P3H after the certificate is issued. The absence of this periodic reporting feature is one of the weaknesses of the facility which also explains why post-certification self-declaration supervision has not been able to run systematically and sustainably.

[106] Andriyani, Fais, dan Muarifah, "Pengembangan Metode Deteksi Kandungan Daging Babi," 109–110.

The limitations of detection facilities and digital reporting facilities found in this study are in line with the results of Rila Kusumaningsih's study on BPJPH's supervision function on halal certificates of UMKM-based processed food products, which concluded that BPJPH's supervisory function in practice is still more dominant in administrative and document-based, compared to substantive supervision that involves direct and periodic physical verification of products in the field.[107] The dominance of administrative supervision is consistent with the findings of this study that the SIHALAL system is optimized to process application documents at the pre-publication stage, but has not provided a sustainable substantive verification mechanism after the certificate is issued. Thus, the limitations of the facilities found in this study are not only administrative technical weaknesses, but reflect the orientation of the supervisory function of BPJPH institutionally which in general has not shifted from a document-based approach to a risk-based approach and sustainable field verification, so that the strengthening of facilities alone without a change in institutional orientation is not necessarily enough to ensure the sustainability of the halalness of self-declared UMKM products as a whole.

d. Community Factors (Business Actors and Consumers)

[107] Rila Kusumaningsih, "Fungsi Pengawasan BPJPH Terhadap Sertifikat Halal untuk Produk Pangan Olahan Berbasis UMKM," Legality: Jurnal Ilmiah Hukum 8, no. 2 (2023): 14, https://doi.org/10.31293/lg.v8i2.7455.

Community factors highlight how parties regulated by the law, in this case business actors and consumers, respond and comply with applicable norms, because law enforcement basically comes from the community and aims to achieve peace within the community itself.[108] This study involves five UMKM actors in Sidoarjo Regency who have obtained halal certificates through a self-declare scheme, with various types of businesses as presented in the following table.

Table 4. 1 UMKM Actor Data

Informants	Type of Business	Products
UMKM 1	Traditional drinks	Grasshopper Milk
UMKM 2	Heavy food	Ketoprak
UMKM 3	Processed foods	Tofu Bolotot
UMKM 4	Heavy food	Padang Cuisine
UMKM 5	Drinks/desserts	Es Grower
UMKM 6	Fruit	Crystal Guava
UMKM 7	Heavy food	Fried Chicken
UMKM 8	Processed foods	Otak-Otak
UMKM 9	Drinks	Green Banana Ice
UMKM 10	Processed foods	Tofu Crispy

Source: Primary data, processed by researchers, 2026.

The five informants showed varying levels of self-compliance or self-regulation in maintaining the composition of raw materials, where compliance was entirely based on the awareness and good faith of their respective business actors, without any binding external verification mechanism after the issuance of the certificate.

[108] Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008), 8.

On the other hand, consumers as protected parties have the right to comfort, security, and safety in consuming products, as well as the right to true, clear, and honest information about the condition and guarantees of the products consumed, as stipulated in Article 4 of Law Number 8 of 1999 concerning Consumer Protection.[109] These consumer rights are the main bets if the consistency of the halalness of self-declared UMKM products is not maintained after the certificate is issued, because the halal label listed on the product is basically a guarantee of the condition and safety of the product promised to consumers. The sustainability of halal and product hygiene in UMKM that are currently being studied relies heavily on internal awareness (self-regulation) and ethical commitment of business actors, in line with the principle that the halalness of food products should ideally be maintained throughout the production chain, not just at the initial inspection point.[110]

The vulnerability of consumer rights that has been described earlier is strengthened by the study by Vironika Usmi et al on the right to consumer information on halal and non-halal labeling in the culinary industry, which emphasizes that halal labels basically function as a representation of information that must continue to be valid as long as the product is circulating, not only valid at the momentum of its

[109] Pasal 4 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen.
[110] Anton Apriyantono dan Nurbowo, Panduan Belanja dan Konsumsi Halal (Jakarta: Khairul Bayan, 2003), 15.

publication, so that the absence of halal status updates after certification has the potential to make halal labels misleading information for consumers.[111] In line with this, Indah Rahmalia et al., in their study of the role of BPJPH in relation to consumers linked to Law Number 8 of 1999 concerning Consumer Protection, concluded that the supervisory role of BPJPH should ideally not stop at the issuance of certificates, but should also be directed at consumer protection in a sustainable manner, considering that the two regulations basically have complementary objectives in protecting consumers' rights to products that are safe and in accordance with the promised information.[112] These two studies strengthen the argument of this study that the issue of post-certification supervision is not only a technical administrative issue of BPJPH and P3H, but also directly intersects with the fulfillment of consumer rights guaranteed by the Consumer Protection Law, so it is relevant to be discussed in depth as part of efforts to ensure the sustainability of halal products and consumer protection as one of the main variables in the title of this study.

e. Cultural and Legal Factors

[111] Vironika Usmi dkk., "Hak Konsumen atas Informasi mengenai Pelabelan Halal dan Non-Halal di Industri Kuliner," Jurnal Hukum dan Keadilan Indonesia 2, no. 1 (2024): 9-15, https://journal.pubmedia.id/index.php/lawjustice/article/view/3173.

[112] Indah Rahmalia, Yuniar Rahmatiar, dan Muhamad Abas, "Peran Badan Penjaminan Produk Halal (BPJPH) bagi Konsumen dalam Rangka Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen," Rewang Rencang: Jurnal Hukum Lex Generalis 6, no. 2 (2025): 9, https://doi.org/10.56370/jhlg.v6i2.1706.

Cultural factors are related to the values and perspectives that live in society towards the applicable laws, including good and bad concepts that affect how society responds to a rule.[113] In the context of this study, it was found that some business actors view halal self-declaration certificates more as a marketing tool to increase the competitiveness of their products in the market, rather than as a substantive commitment to consistently maintain the halalness of their products in the long term. This kind of perception has the potential to pose a moral hazard risk, namely opportunities for business actors to unilaterally replace raw materials without reporting them back to P3H or BPJPH, due to the absence of a binding post-certification supervision mechanism, as described in the previous facility and apparatus factors. Therefore, strengthening the legal culture in the form of the moral integrity of business actors is an element that is no less important than strengthening norms and institutions, because in the end the sustainability of halalness of self-declared products is highly dependent on the honesty of the business actors themselves in carrying out their commitments.

Fast-paced, free self-declare schemes risk creating a legal culture where halal certification is only seen as an administrative formality to obtain free legality and increase sales competitiveness,

[113] Soerjono Soekanto, Faktor-Faktor yang Mempengaruhi Penegakan Hukum (Jakarta: RajaGrafindo Persada, 2008): 8.

rather than as a substantive commitment to maintain halal in a sustainable manner. [114] In the absence of strict post-publication supervision, sustainable legal compliance is highly dependent on the individual integrity of business actors. If business actors do not have a strong legal culture and moral integrity, this loophole in the absence of supervision is prone to be exploited to replace raw materials with cheaper alternatives regardless of their halal status.

The tendency of some business actors to view halal self-declaration certificates as a marketing tool, as found in this study, is also confirmed by the literature review by Salihah Khairawati et al regarding halal certification obstacles in UMKM in Indonesia, which concluded that the low understanding of UMKM actors on the substantive essence of halal certification, rather than simply fulfilling legal-formal requirements for marketing purposes, is one of the legal cultural obstacles that have been repeatedly found in various studies on UMKM halal certification in Indonesia. [115] As a comparison of good practices, Zulfa Elida Fitri and Mardiah, in their study on the implementation of the Free Halal Certification (SEHATI) scheme in Dapur Mimi UMKM, showed that the success of maintaining the consistency of halal products after certification in the case was largely

[114] Nadia Fatimah dkk., "Penerapan Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal (Studi tentang Penerapan Jaminan Produk Halal di Provinsi Banten)," Jurnal Desentralisasi dan Kebijakan Publik, No. 1 (2023), DOI: 10.30656/jdkp.v4i1.6267.
[115] Salihah Khairawati dkk., "Kendala Sertifikasi Halal pada UMKM di Indonesia: Tinjauan Pustaka," Jasmien: Jurnal Pendidikan Ilmu Peternakan, Mikrobiologi, dan Imunologi 5, no. 2 (2025): 244, https://journal.cattleyadf.org/index.php/Jasmien/article/view/1018.

determined by the high awareness and personal commitment of the business owner, not by a binding external supervision mechanism, a pattern consistent with the findings of this study that the sustainability of the halalness of self-declared UMKM products in Sidoarjo is currently still completely dependent on the individual legal cultural factors of business actors.[116]

The similarity in the Dapur Mimi case study also confirms that the problem of weak legal culture in maintaining the sustainability of halal products is not a unique phenomenon in Sidoarjo, but a general pattern that has the potential to occur in every UMKM that undertakes a self-declaration scheme without being accompanied by the strengthening of adequate post-certification supervision mechanisms.

Widya Eka through a case study on the compliance of halal-certified business management based on the Halal Product Assurance System at the Getuk Goreng 128 business in Banyumas, also emphasized that managerial compliance with sustainable halal principles is highly determined by the consistency of the implementation of the Halal Product Assurance System internally by business actors, not solely by the existence of the halal certificate itself.[117]

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[116] Zulfa Elida Fitri dan Mardiah, "Studi tentang Sertifikasi Halal Gratis (Sehati) dengan Skema Pernyataan Mandiri di UMKM Dapur Mimi," Jurnal Ilmiah Pangan Halal 5, no. 1 (2023): 6-14, https://doi.org/10.30997/jiph.v5i1.9996

[117] Widya Eka dkk., "Analisis Kepatuhan Manajemen Usaha Bersertifikat Halal Berdasarkan Sistem Jaminan Produk Halal (SJPH): Studi Kasus Getuk Goreng 128 di Sumbang, Banyumas," Jurnal Penelitian Mahasiswa Ilmu Pengetahuan, no. 6 (2025), https://doi.org/10.61722/jssr.v3i6.7104.

The implication is that the strengthening of the legal culture of self-declaring UMKM actors in Sidoarjo cannot be separated from efforts to encourage the implementation of the Halal Product Assurance System internally and independently, as a complement to the weak external supervision after certification which is the main finding of this research.

C. Post-Halal Self-Declare Certification Supervision for UMKM in the Perspective of Sharia Maqashid to Ensure Product Halal Sustainability and Consumer Protection

1. Halal Sustainability of Products

The sustainability of halal products in this study is limited as a condition of consistency in meeting halal standards, both in terms of ingredient composition and the Halal Product Process (PPH), throughout the validity period of the certificate, and not only at the point in time when the certificate is first issued. This limitation is important to affirm, because halal sustainability is different from halal itself: halal is a status inherent in the product at a given moment, while halal sustainability is a guarantee that it is maintained over time even though there is no longer binding external verification. The Halal Product Process (PPH) itself is defined by Law Number 33 of 2014 concerning Halal Product Assurance as a series of activities to ensure the halalness of products which includes the provision of ingredients, processing, storage, packaging, distribution, sales, and

product presentation,[118] so that the consistency of halal a product is not solely determined by the composition of raw materials at one point in time, but by the entire PPH chain which must be maintained consistently from the time the ingredients are received until the product is presented to consumers.

The relationship between halal sustainability and the obligations of UMKM after the issuance of the certificate is affirmed in Article 42 paragraph (1) of Law Number 6 of 2023 concerning Job Creation (which amends Law No. 33/2014 concerning Halal Product Assurance), which states that halal certificates are valid since they are issued by BPJPH and remain valid as long as there is no change in the composition of ingredients and/or income tax. [119] The formulation of the norm places halal sustainability not as a mere moral recommendation, but as a legal requirement that determines the validity of the certificate itself: once UMKM actors change the composition of ingredients or PPH without reporting it, the halal certificate they hold has substantially lost its validity, even though administratively there has been no action to revoke it from BPJPH. This legal consequence requires business actors to establish, implement, and maintain the Halal Product Assurance System (SJPH) actively and continuously, not only at the application submission stage.[120] This obligation becomes increasingly crucial considering that the self-

[118] Faishal Agil Al Munawar, "'Pandangan 'Abd Al-Majīd Al-Najjār tentang Maqāṣid Al-Sharī'ah'," JURIS (Jurnal Ilmiah Syariah) 20, no. 2 (2021): 218-220, https://doi.org/10.31958/juris.v20i2.4281.
[119] Asafri Jaya Bakri, Konsep Maqashid Syariah Menurut Al-Syatibi (Jakarta: RajaGrafindo Persada, 1996): 61.
[120] Anton Apriyantono dan Nurbowo, Panduan Belanja dan Konsumsi Halal (Jakarta: Khairul Bayan, 2003), 15.

declare program is basically designed to accelerate access to certification without an audit by the Halal Inspection Agency, so that the responsibility for maintaining halal consistency after publication completely shifts to the business actors themselves.[121]

Empirical findings in the field show that the sustainability of halal in the five UMKM studied in Sidoarjo is currently entirely based on the awareness and good faith of business actors independently, without being accompanied by external verification instruments that ensure the consistency of materials and PPH after the certificate is issued.[122] Some informants admitted that they have consistently maintained the same raw materials and processing methods since the beginning of the certification application, but this consistency can only be proven through the informant's oral statements, not through a documented audit or periodic reporting mechanism. This condition confirms that the sustainability of halal self-declared products in Sidoarjo, although factually still maintained in the five informants studied, is in a structurally vulnerable position because it is not supported by an institutional mechanism that ensures that sustainability applies systemically to all self-declared certified UMKM.

2. Consumer Protection and Rights in Halal Product Assurance

[121] UMKM-1, interview, (Sidoarjo, September 12, 2026).
[122] Aulia Rachman dan Maisyarah Rahmi Hasan, "Masalah Penerapan Sertifikasi Halal Berbasis Pernyataan Sendiri di Indonesia dari Perspektif Maqasid Syariah," Al Qalam: Jurnal Ilmiah Agama dan Masyarakat 19, no. 2 (2025): 1, https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam/article/view/4797.

Consumer protection in the context of self-declare halal certification rests on the consumer's right to true, clear, and honest information about the condition and guarantee of the products consumed, as stipulated in Article 4 letter c of Law Number 8 of 1999 concerning Consumer Protection. The halal label listed on the product packaging is basically a representation of the right to the information, because the label conveys to consumers that the purchased product has gone through a halal verification process by the state through BPJPH. When the sustainability of halal is no longer guaranteed after the certificate is issued, the information conveyed through the halal label has the potential to no longer reflect the actual condition of the product, so that consumers' rights to honest information are also violated even though the label listed formally is still valid.

Halal labels also have a close relationship with consumer trust. Research on Muslim consumers shows that halal labels have a significant effect on customer trust, which in turn becomes the main link between halal labels and Muslim consumer purchasing decisions. This trust is basically born from consumers' belief that halal-labeled products have gone through a valid verification process by the competent authorities, so that once the sustainability of halal is no longer guaranteed after the certificate is issued, the trust that has been built is basically based on assumptions that are no longer valid.

For Muslim consumers, the protection of the halalness of products cannot be reduced to economic rights, but is a spiritual right that is directly

related to the implementation of worship and religious beliefs. Consuming products that are truly halal is part of efforts to maintain the sanctity of worship, so that uncertainty about the sustainability of halal post-certification basically puts Muslim consumers in a position that is not only materially harmed, but also disturbed by their inner peace and religious beliefs in carrying out daily consumption.

The right that is disturbed when post-certification supervision does not run is the right of consumers. The Consumer Protection Law mentions the three rights that are closest to this issue. First, the right to comfort, security, and safety in consuming goods and/or services. Second, the right to true, clear, and honest information about the conditions and guarantees of goods and/or services. Third, the right to choose and obtain goods according to the promised exchange rates, conditions, and guarantees.[123] The same keywords, namely comfort, security, and safety, also emerged as the purpose of implementing halal product guarantees.[124] Thus, product halalness is not just a matter of labels, but part of consumer rights that must be maintained.

In self-declared UMKM, the halal label remains attached to the packaging as long as the certificate is still valid. If the ingredient or supplier changes without being reported, consumers continue to read the same label even though the condition of the product may be different. This is where the

[123] Pasal 4 huruf b Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen.
[124] Pasal 3 huruf a Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.

right to correct information and the right to the promised guarantee are not fulfilled, while the consumer's sense of security relies on the label and not on inspection.

For Muslim consumers, there is one more right that cannot be waived, namely spiritual rights. The 1945 Constitution guarantees the freedom of every citizen to worship according to his religion.[125] The General Explanation of the Halal Product Guarantee Law states that to ensure that every religious believer worships and practices his religious teachings, the state is obliged to provide protection and guarantees about the halalness of products consumed and used by the public.[126] The Consumer Protection Law also makes the balance of interests, both material and spiritual, as one of its principles,[127] and opens up space for consumer rights regulated in other laws and regulations.[128]

Previous studies also emphasized that the state is obliged to provide legal protection and halal product guarantees for Muslim consumers as a consequence of guaranteeing freedom of worship.[129] Based on this basic series, spiritual rights are understood as the right of Muslim consumers to consume products that are truly halal so that their worship and beliefs are not harmed. This right is most threatened when the halalness of products

[125] Pasal 29 ayat (2) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
[126] Penjelasan Umum Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal.
[127] Penjelasan Pasal 2 angka 3 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen.
[128] Pasal 4 huruf i Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen.
[129] Syafrida dan Ralang Hartati, "Mewujudkan Perlindungan Hukum dan Jaminan Hak Konsumen Muslim atas Produk Halal (Sebuah Kajian atas Ajaran Gustav Radbruch)," Jurnal Replica Law 7, no. 1 (2019): 37, https://jurnal.umt.ac.id/index.php/replik/en/article/download/2416/1542.

stops being checked after the certificate is issued, because the losses are not only material.

The three groups of rights can be directly related to the three elements of maqashid used in this study. The right to comfort, security, and safety is related to hifz al-nafs. The right to correct information and the right to the promised exchange rate is related to hifz al-mal. Spiritual rights are related to hifz al-din.

3. Analysis of the Effectiveness of Supervision in the Perspective of Sharia Maqashid

The analysis of the effectiveness of self-declared halal post-certification supervision is reviewed through the framework of Maqashid Syariah Majid Al-Najjar,[130] focusing on three key elements that are most relevant to the field findings:

a. Hifz al-Nafs (Safeguarding the Soul and Health of Consumers)

Hifdz al-nafs is one of the classic dharuriyat elements in maqashid sharia which demands the protection of human life and safety from all forms of danger.[131] In the context of this study, the elements of hifdz al-nafs are directed at the physical protection and health of consumers from the possibility of mixing harmful ingredients or ingredients that have not been verified for their halal in UMKM products

[130] Faishal Agil Al Munawar, "Pandangan 'Abd Al-Majīd Al-Najjār tentang Maqāṣid Al-Sharī'ah," JURIS (Jurnal Ilmiah Syariah) 20, no. 2 (2021): 218-220, https://doi.org/10.31958/juris.v20i2.4281.

[131] Asafri Jaya Bakri, Konsep Maqashid Syariah Menurut Al-Syatibi (Jakarta: RajaGrafindo Persada, 1996): 61.

after certification, considering that unilateral changes in the composition of raw materials without supervision have the potential to endanger the health of consumers who consume the product assuming that the product remains as safe as when it was first certified.

Protection of life and health (hifz al-nafs) is a fundamental principle in the consumption of halal and thayyib food.[132] The absence of post-certification supervision has the potential to threaten the safety of Muslim consumers in the event of quality degradation or unverified changes in raw materials, such as the use of harmful preservatives or unhygienic processed materials. In the UMKM studied, the element of hifz al-nafs is relatively still maintained thanks to the internal commitment of business actors who produce their own complementary ingredients and refuse the use of synthetic preservatives.[133] However, systemically, the weakness of post-publication supervision still puts physical safety and consumer health in a vulnerable position, considering that this commitment has only been proven by one informant and does not necessarily apply equally to all self-declared certified UMKM in Sidoarjo.

The analysis of the elements of hifz al-nafs and hifz al-mal in this study is supported by the study of Aulia Rachman and Maisyarah Rahmi Hasan regarding the problem of the implementation of halal self-declare

[132] Anton Apriyantono dan Nurbowo, Panduan Belanja dan Konsumsi Halal (Jakarta: Khairul Bayan, 2003), 15.
[133] UMKM-1, interview, (Sidoarjo, September 12, 2026).

certification in Indonesia from the perspective of sharia maqashid, which explicitly concludes that the ease of the self-declaration scheme has the potential to create tension between the purpose of sharia to facilitate business actors (raf'u al-haraj) and the purpose of sharia to protect the lives and property of the wider community (hifz al-nafs and hifz al-mal), if it is not balanced with an adequate supervision mechanism after certification.[134] The tension between convenience and protection is in line with the main issue raised in this study, where the effectiveness of post-certification supervision is the determining variable whether the convenience of the self-declaration scheme is really in line with the purpose of sharia as a whole, or rather sacrifices some of these goals for the sake of administrative convenience alone. Regarding the elements of hifz al-mal more specifically, Nuhbatul Basyariah, through a study of thematic economic hadith on the prohibition of buying and selling gharar, emphasized that transactions that contain the ambiguity of the object of the contract are prohibited precisely because they have the potential to harm parties who do not have full information about the object of the transaction, a relevant principle explains why changes in the composition of raw materials without post-certification notification,

[134] Aulia Rachman dan Maisyarah Rahmi Hasan, "Masalah Penerapan Sertifikasi Halal Berbasis Pernyataan Sendiri di Indonesia dari Perspektif Maqasid Syariah," Al Qalam: Jurnal Ilmiah Agama dan Masyarakat 19, no. 2 (2025): 1, https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam/article/view/4797.

as found in this study, can be categorized as a form of transaction that is problematic according to sharia.[135]

b. Hifz al-Mal (Safeguarding Consumers' Property and Economic Rights)

Hifdz al-mal demands the protection of human assets from all forms of adverse transactions, including transactions that contain elements of gharar, namely the ambiguity of the object of the contract, and tadlis, which is fraud that hides the defects or true condition of the object being traded.[136] When consumers buy products labeled halal assuming that their composition remains consistent as when they are certified, but in reality the raw materials have changed without notice, then the transaction substantially contains elements of tadlis, because consumers are economically disadvantaged due to information that is no longer in accordance with the actual condition of the product. This economic loss becomes real when consumers are willing to pay a certain price on the basis of halal guarantees that in practice can no longer be accounted for after the certificate of issuance.

Economically, consumers spend a certain amount of money (al-mal) to buy halal-labeled products with the expectation of obtaining halal and thayyib goods substantially. In the rules of fiqh muamalah, transactions that contain ambiguity in the object of the contract (gharar) and concealment of defects in goods (tadlis) are prohibited forms of

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[135] Nuhbatul Basyariah, "Larangan Jual Beli Gharar: Studi Hadis Ekonomi Tematik untuk Bisnis di Era Digital," Mukaddimah: Jurnal Studi Islam 7, no. 1 (2022): 40-58, https://doi.org/10.14421/mjsi.71.2902.

[136] Imam Mustofa, Fiqh Muamalah Kontemporer (Jakarta: PT RajaGrafindo Persada, 2016): 21.

transactions because they have the potential to harm one of the parties to the transaction.[137] If post-publication supervision does not run and the business actor changes raw materials to become non-halal or doubtful (syubhat) without notification to the authorities or consumers, the buying and selling transaction has the potential to contain elements of gharar and tadlis as referred to in the rules. The absence of periodic verification thus has the potential to harm consumers materially, because consumers pay a premium price for halal labels on products whose substantial halal legality is no longer legally guaranteed.

c. Hifz ad-Din (Safeguarding Religion and the Constitutional Rights of Consumer Worship)

The third element used in this study is hifdz ad-din, which is the most basic element in the sharia maqashid which places religious maintenance as the highest goal of the entire sharia.[138] For Muslim consumers, consuming food that is truly guaranteed halal is not just a lifestyle choice, but an integral part of the implementation of worship and efforts to maintain the religion itself, so that the guarantee of halal products that are not sustainable after certification basically interferes with the fulfillment of the elements of hifdz ad-din. This element also has a strong constitutional footing, as affirmed in Article 29 paragraph

[137] Nuhbatul Basyariah, "Larangan Jual Beli Gharar: Kajian Hadis tentang Ekonomi Tematik Bisnis di Era Digital," Mukaddimah: Jurnal Studi Islam 7, no. 1 (2022): 40-58, https://doi.org/10.14421/mjsi.71.2902.

[138] Asafri Jaya Bakri, Konsep Maqashid Syariah Menurut Al-Syatibi (Jakarta: RajaGrafindo Persada, 1996): 61.

(2) of the 1945 Constitution of the Republic of Indonesia, which states that the state guarantees the freedom of each citizen to embrace their own religion and to worship according to their religion and belief.[139]

This constitutional provision puts the state in a position that is not only passive, but has an active obligation to be present to provide security and certainty guarantees, including in terms of halal product guarantees, because the religious practice of Muslims in consuming halal food cannot be separated from the state's protection of the right to worship.[140] Thus, the absence of an adequate post-certification supervision mechanism for self-declare UMKM is not just an administrative technical problem, but has injured the constitutional right of Muslims to carry out their worship in its entirety through the consumption of products that are truly guaranteed halal in a sustainable manner, so that the state through BPJPH and P3H should be present further to fulfill this constitutional obligation.

The argument about hifz ad-din as the most basic element of maqashid in this study is also strengthened by Paryadi, who in his study of the definition of sharia maqashid according to scholars emphasizes that hifz ad-din is always placed as the first and main element in the hierarchy of dharuriyat, because religious maintenance is a prerequisite for the implementation of all other elements of dharuriyat.[141] Widiawati

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[139] Pasal 29 ayat (2) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
[140] May Lim Charity, "Jaminan Produk Halal di Indonesia," Jurnal Legislasi Indonesia 14, no. 1 (2017): 99-108.
[141] Paryadi, "Maqashid Al-Syariah: Definisi dan Pendapat Para Ulama," Cross-Border: Jurnal Studi Hukum Islam 4, no. 2 (2021): 205, https://journal.iaisambas.ac.id/index.php/Cross-Border/article/download/742/586.

et al., in their study on the selection of food and beverages that do not have halal certificates from the perspective of maqashid asy-sharia, also emphasized that the consumption of food that is not guaranteed to be halal substantially has the potential to interfere with the validity of a Muslim's worship, considering that the halalness of food is one of the prerequisites for the acceptance of deeds of worship in Islamic teachings.[142] Meanwhile, Herman et al., through the study of the integration of maqashid al-sharia in consumer protection regulations, and May Lim Charity in its study on the guarantee of halal products in Indonesia, both emphasized that the presence of the state in guaranteeing halal products is a concrete manifestation of the state's constitutional obligation to protect the religious rights of its citizens, as mandated by Article 29 paragraph (2) of the 1945 Constitution of the Republic of Indonesia.[143] The convergence of views from these various studies confirms that this research's argument regarding hifz ad-din as the element of maqashid that is most affected by weak supervision after self-declaration certification is not a stand-alone argument, but in line with a broader academic current of thought regarding the relationship between halal product assurance, consumer protection, and constitutional religious rights in Indonesia.

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[142] Widiawati dkk., "Pemilihan Makanan dan Minuman yang Tidak Memiliki Sertifikat Halal: Sebuah Studi tentang Maqashid Ash-Sharia'ah," Al-Mazaahib: Jurnal Hukum Perbandingan 11, no. 1 (2023): 96, https://doi.org/10.14421/al-mazaahib.v11i1.3079.

[143] Herman dkk., "Integrasi Maqashid al-Syariah dalam Peraturan Perlindungan Konsumen," Qisthosia: Jurnal Syariah & Hukum 6, no. 1 (2025): 52, https://doi.org/10.46870/jhki.v6i1.1552;

CHAPTER V

CLOSING

A. Conclusion

Based on the results of the research and the discussion that has been described in the previous chapter, two conclusions can be drawn that answer the formulation of this research problem.

1. Post-certification supervision of self-declared halal certification for UMKM in Sidoarjo Regency has not been effective in ensuring the consistency of halal products in a sustainable manner when measured using the five factors of legal effectiveness of Soerjono Soekanto. In terms of legal substance factors, there is a regulatory void, because the norms governing post-certification supervision are still general and apply uniformly to all schemes, without being reduced to operational provisions that specifically bind periodic audit obligations or self-reporting for self-declaring UMKM. In terms of apparatus factors, neither BPJPH nor the Halal Product Process Assistant (P3H) have an explicit legal mandate to conduct post-certificate monitoring after the issuance of the certificate, as confirmed directly by the P3H-1 informant that the obligation of the companion is completely severed once the halal certificate is issued. In terms of means factors, there is no rapid detection technology at the field level as well as periodic self-reporting instruments in the SIHALAL system, so it is difficult to carry out follow-up verification regularly. In

terms of community factors, the sustainability of halal products fully relies on the awareness and good faith of business actors without a binding external verification mechanism. In terms of legal cultural factors, it is found that some business actors tend to view halal self-declaration certificates as a marketing tool, rather than as a substantive commitment to maintain the halalness of products consistently, thus posing a risk of moral hazard in the form of unilateral replacement of raw materials without reporting.

2. Viewed from the perspective of maqashid sharia, the current post-halal self-declare supervision has not been fully able to ensure the sustainability of halal products and consumer protection. In the element of hifz al-nafs, the protection of life and consumer health is still systemic because it only relies on the internal commitment of individual business actors, not on a binding supervision mechanism. In the element of hifz al-mal, the absence of periodic verification opens up the potential for transactions that contain elements of gharar and tadlis, because consumers have the potential to pay a certain price for halal guarantees that in practice can no longer be accounted for after the certificate is issued. In the element of hifz ad-din, the absence of adequate post-certification supervision has implications for the disruption of the fulfillment of the constitutional right of Muslim consumers to carry out their worship in its entirety through the consumption of products that are truly guaranteed halal, as guaranteed in Article 29 paragraph (2) of the Constitution of the Republic of Indonesia of 1945.

Thus, overall, the effectiveness of post-certification supervision of halal self-declaration for UMKM in Sidoarjo still leaves a fairly fundamental gap, both in terms of empirical juridical and in terms of the purpose of the sharia to be protected.

B. Suggestions

Based on these conclusions, the author proposes the following suggestions.

1. For the Halal Product Assurance Agency (BPJPH), it is recommended to develop operational technical norms that specifically regulate post-certification supervision mechanisms for self-declared certified UMKM, which distinguish the form and intensity of supervision from regular schemes, considering that the risk characteristics and verification mechanisms of the two schemes are different.
2. For BPJPH and Halal Product Process Companions (P3H), it is recommended to consider the application of the idea of dual control, which is a supervision model that combines the independent commitment of UMKM actors with periodic evaluations by P3H and BPJPH after the certificate is issued, so that the mentoring mandate is no longer interrupted once the certificate is issued.
3. For BPJPH, it is recommended to develop periodic self-reporting instruments or digital self-reporting in the SIHALAL system, as well as consider the provision of rapid detection technology at the field level, to

support more efficient halal verification of products after the issuance of certificates.

4. For UMKM actors with self-declared halal certification, it is recommended to continue to strengthen awareness and moral integrity in maintaining the consistency of raw materials and production processes, as well as understanding halal certificates as a sustainable substantive commitment, not solely as a marketing tool to increase product competitiveness.
5. For the next researcher, it is recommended to expand the scope of research to a wider number of informants and areas, as well as conduct further studies on the effectiveness of the implementation of the idea of dual control if it is officially adopted in the regulation of supervision after halal self-declaration certification.

BIBLIOGRAPHY

Laws and Regulations

Undang-Undang Nomor 6 tahun 2023 tentang Penetapan Peraturan Pemerintah sebagai Pengganti Undang-Undang Nomor 2 tahun 2022 tentang Penciptaan Lapangan Kerja menjadi Undang-Undang.

Undang-Undang Nomor 8 tahun 1999 tentang Perlindungan Konsumen.

Peraturan BPJPH Nomor 10 tahun 2021 tentang Prosedur Memperoleh Sertifikat Halal untuk Pelaku Usaha Mikro dan Kecil dengan Pernyataan Pelaku Usaha, Pasal 3 ayat (2).

Undang-Undang Nomor 11 tahun 2020 tentang Penciptaan Lapangan Kerja, Pasal 48.

Undang-Undang Nomor 12 tahun 2011 tentang Pembentukan Undang-Undang dan Peraturan, Pasal 5.

Peraturan Menteri Agama Nomor 20 tahun 2021 mengenai Sertifikasi Halal untuk Pelaku Usaha Mikro dan Kecil.

Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal, Penjelasan Umum, paragraf ke-3.

Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal, Pasal 1 nomor 1.

Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal, Pasal 4.

Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal, Pasal 53 ayat (1) dan (2).

Peraturan Pemerintah Nomor 39 tahun 2021 tentang Pelaksanaan Sektor Jaminan Produk Halal, Pasal 69 ayat (1).

Peraturan Pemerintah Nomor 39 tahun 2021 mengenai Pelaksanaan Sektor Jaminan Produk Halal, Pasal 78-80.

Books

Abu Ishaq, al-Syatibi, Al-Muwafaqat fi Ushul al-Syari'ah. Beirut: Dar al-Kutub al-Ilmiyah, 2003.

Abu Ishaq, Ash-Syathibi. Al-Muwafaqat untuk Ushul Ash-Syariah. Kairo: Dar Ibn 'Affan, t.t.

Abubakar, Rifa'i. Introduction to Research Methodology. Yogyakarta: Suka-Press UIN Sunan Kalijaga, 2021.

Anton Apriyantono and Nurbowo, Jakarta Halal Shopping and Consumption Guide: Khairul Bayan, 2003.

Ctra Ramadhan, Mohammad. Legal Research Methods. Yogyakarta: CV. Kaizen Sarana Edukasi, 2021.

Huberman, Miles. Analisis Data Kualitatif: Buku Sumber tentang Metode Baru, ed. Tjetjep Rohendi Rohidi. Jakarta: UI-Press, 1992.

Indrati Soeprapto, Maria Farida. Ilmu Hukum: Jenis, Fungsi, dan Materi Konten. Yogyakarta: Kanisius, 2007.

Irham, Aqil. Halal Product Assurance Agency, BPJPH Performance Report 2023. Jakarta: BPJPH, 2024.

Jaya Bakri, Asafri. Konsep Syariah Maqashid menurut Al-Syatibi. Jakarta: RajaGrafindo Persada, 1996.

John Braithwaite, Ian Ayres. Regulasi Responsif: Melampaui Perdebatan Deregulasi. New York: Oxford University Press, 1992.

Marzuki, Peter Mahmud. Legal Research. Jakarta: Kencana, 2017.

Maulana, Hanil. Efektivitas Bantuan Proses Produk Halal untuk Program Deklarasi Mandiri bagi Pelaku Bisnis Kota Surabaya dalam Perspektif Maqāṣid Syarīah, 2024.

Mustofa, Imam. Contemporary Fiqh Muamalah Theory. Jakarta: PT RajaGrafindo Persada, 2016.

Normatif, Empiris, dan Gabungan. UNIGRES PRESS, 2023.

Rahardjo, Satjipto. Hukum di Alam Semesta Ketertiban. Jakarta: UKI Press, 2006.

Soekanto, Soerjono. Factors Influencing Law Enforcement. Jakarta: RajaGrafindo Persada, 2008.

Soekanto, Soerjono. Introduction to Legal Research. Jakarta: UI Press, 1986.

Sugiyono, Metode Riset Kuantitatif, Kualitatif dan R&D. Bandung: Alfabeta, 2013.

Sugiyono, Metode Riset Kuantitatif, Kualitatif, dan R&D. Bandung: Alfabeta, 2017.

Suyanto, dan U. Press. Metode Riset Hukum: Pengantar Riset

Zainal Asikin, Amiruddin. Pengantar Metode Penelitian Hukum Depok: RajaGrafindo, 2018.

Journals and Theses

Agil Al Munawar, Faishal. Perspektif Abd al-Majīd al-Najjār tentang Maqāṣid al-Sharī'ah,. JURIS, 20, no. 2 (2021): 209-223. https://doi.org/10.31958/juris.v20i2.4281.

Agung Cahyo., "Pengawasan Jaminan Produk Halal oleh BPJPH" Jurnal Ilmiah Pendidikan No. 10 (2024): 34.

Ahmad Rijali, "Analisis Data Kualitatif," *Alhadharah: Jurnal Ilmu Da'wah* 17, no. 33 (2019): 84. https://doi.org/10.18592/alhadharah.v17i33.2374

Ahmad Rosidi, M. Zainuddin, dan Ismi Arifiana, "Metode dalam Penelitian Hukum Normatif dan Sosiologis (Riset Lapangan)," *Journal of Law and Government* 2, no. 1 (2024): 51. https://jurnal.um-tapsel.ac.id/index.php/nusantara/article/view/19560

Andriyani, Elisa., Pengembangan Penelitian Metode Deteksi Kandungan Daging Babi untuk Menjamin Halalitas Produk Makanan Olahan, Jurnal Studi Islam dan Humaniora 4, no. 1 (2019): 108-109. https://doi.org/10.21580/jish.41.4888.

Ashfia, Tazkiah. "Tujuan Hukum dalam Pengaturan Deklarasi Mandiri dalam Sertifikasi Halal untuk Aktor MSE," Journal of Comprehensive Science, No. 5 (2022): 1019-1020.

Aulia Rachman dan Maisyarah Rahmi Hasan, "Masalah Implementasi Sertifikasi Halal Self Declare di Indonesia dalam Perspektif Syariah Maqasid," Al Qalam: Jurnal Ilmiah Agama dan Masyarakat 19, no. 2 (2025): 1, https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam/article/view/4797.

Bambang Sugeng et al., "Perlindungan Konsumen Muslim terhadap Produk Halal" Perspektif Hukum, No. 2 (2020):59.

Basyariah, Nuhbatul. "Larangan Membeli dan Menjual Gharar: Studi Hadits Ekonomi Tematik Bisnis di Era Digital," Mukaddimah: Journal of Islamic Studies 7, no. 1 (2022): 40-58. https://doi.org/10.14421/mjsi.71.2902.

Faras Abiyu Ramadhan, "Efektivitas Peran Pendamping PPH untuk UMKM Makanan Olahan (Self Declare) Perspektif PMA No. 20 tahun 2021 mengenai Sertifikasi Halal untuk UMKM (Studi Kasus Pelaku Bisnis di Desa Labruk Kidul, Kabupaten Lumajang)" (S1 Tesis, UIN KH Achmad Siddiq Jember, 2025), 38.

Fatimah, Nadia. "Pelaksanaan Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal (Studi tentang Pelaksanaan Produk Halal Jaminan di Provinsi Banten)," Journal of Decentralization and Public Policy, no. 1 (2023), https://doi.org/10.30656/jdkp.v4i1.6267.

Herman et al., "Integrasi Maqashid al-Syariah dalam Regulasi Perlindungan Konsumen," *Qisthosia: Jurnal Syariah & Hukum* 6, no. 1 (2025): 52. DOI:10.46870/jhki.v6i1.1552.

Indah Rahmalia, Yuniar Rahmatiar, dan Muhamad Abas, "Peran Badan Jaminan Produk Halal (BPJPH) untuk Konsumen yang Terkait dengan Undang-Undang Nomor 8 tahun 1999 tentang Perlindungan Konsumen," *Rewang Rencang: Lex Generalis 6 Legal Journal* , no. 2 (2025): 9. https://doi.org/10.56370/jhlg.v6i2.1706

Lim Charity, Mei. "Jaminan Produk Halal di Indonesia," Jurnal Perundang-undangan Indonesia 14, no. 1 (2017): 99-108.

Lingga Abi Rahman et al., "Sistem Pengawasan dan Perlindungan Hukum dalam Tata Kelola Administrasi Negara," *Presidential Journal: Journal of Law, State Administration, and Public Policy* 1, no. 4 (2024): 308. https://doi.org/10.62383/presidensial.v1i4.401

Maulana, Hanil "Efektivitas Bantuan Proses Produk Halal untuk Program Deklarasi Mandiri bagi Pelaku Bisnis Kota Surabaya dalam Perspektif Maqāṣid Syarīah" (2024): 74.

Muhaimin, *Metode Riset Hukum* (West Nusa Tenggara: Mataram University Press, 2020), hlm. 95. Dikutip dalam: Esai Deskriptif tentang Metodologi Riset Hukum, *Serambi Hukum* Journal 16, no. 2 (2023): 47. https://journal.uniba.ac.id/index.php/SH/article/download/730/510

Nur Ariska., "Implementasi Proses Sertifikasi Halal Self Declare dalam Mendukung Pertumbuhan UMKM," Journal of Community Empowerment Learning (JP2M) 4, no. 4 (2023): 807, https://doi.org/10.33474/jp2m.v4i4.21335.

Nurul Faqih, "Self Declare Halal Product Assurance in Micro, Small and Medium Enterprises (UMKM) Maslahah Perspective (Case Study of UMKM in Bantarbarang Village, Rembang, Purbalingga)" (S1 Thesis, UIN Prof. K.H. Saifuddin Zuhri Purwokerto, 2023): 58.

Paryadi, "Maqashid Al-Syariah: Definisi dan Pendapat Para Ulama," *Lintas Batas: Journal of* Islamic Law Studies 4, no. 2 (2021): 205. https://journal.iaisambas.ac.id/index.php/Cross-Border/article/download/742/586

Qomaruddin, "Studi Teoretis Teknik Analisis Data dalam Penelitian Kualitatif: Perspektif Spradley, Miles, dan Huberman" Jurnal Manajemen, Akuntansi dan Administrasi, (2024): 78-80. https://doi.org/10.52620/jomaa.v1i2.93

Rahma, Nurdinia "Analisis Strategi Bantuan Proses Produk Halal (PPH) untuk Jalur Deklarasi Mandiri di Usaha Mikro dan Kecil (UKM) di Provinsi Jambi" (Tesis S1, Universitas Jambi, 2023), 67.

Ridwan HR, *Hukum Administrasi Negara (* Jakarta: PT. Raja Grafindo Persada, 2016), hlm. 105–107. Dikutip dalam: Firmansyah Marasabessy, "Akuntabilitas Hukum MUI dan BPJPH dalam Penerbitan Sertifikat Halal untuk Produk Haram yang Sudah Beredar," *Islamic Banking & Economic Law Studies (I-BEST)* 1, no. 2 (2022): 120. https://doi.org/10.36769/ibest.v1i2.253

Rila Kusumaningsih, "Fungsi Pengawasan BPJPH atas Sertifikat Halal untuk Produk Makanan Olahan Berbasis UMKM," Legalitas: Jurnal Ilmiah Hukum 8, no. 2 (2023): 14. https://doi.org/10.31293/lg.v8i2.7455.

Salihah Khairawati, "Kendala Sertifikasi Halal pada UMKM di Indonesia: Tinjauan Pustaka," Jasmien: Journal of Animal Science, Microbiology, and Immunology Education 5, no. 2 (2025): 244, https://journal.cattleyadf.org/index.php/Jasmien/article/view/1018.

Sidi Ahyar Wiraguna, "Metode Normatif dan Empiris dalam Penelitian Hukum," *Public Sphere: Journal of Socio-Politics, Government and Law* 3, no. 3 (2024): 56. https://jurnal.penerbitwidina.com/index.php/JPS/article/view/1390

Soekanto, Soerjono, *Faktor-faktor yang Memengaruhi Penegakan Hukum* (Jakarta: Rajawali Press, 2011), pp. 8–10. Quoted in: Reza Banapon Lubis, "No Viral No Justice Perspective of the Theory of Legal Effectiveness of Soerjono Soekanto," *Widya Yuridika: Jurnal Hukum* 7, no. 3 (2024): 623. https://publishing-widyagama.ac.id/ejournal-v2/index.php/yuridika/article/view/5076

Vironika Usmi et al., "Hak atas Informasi bagi Konsumen tentang Pelabelan Halal dan Non-Halal di Industri Kuliner," Indonesian Journal of Law and Justice 2, no. 1 (2024): 9-15. https://journal.pubmedia.id/index.php/lawjustice/article/view/3173.

Widelia Andiani Nadiffa dan Beni Ahmad Saebani, "Perbandingan Yuidis Empiris dengan Yurisial Normatif dalam Sosiologi," *Causa: Journal of Law and Citizenship 9* , no. 2 (2024): 3. https://ejournal.warunayama.org/index.php/causa/article/view/8263

Widiawati, "Pemilihan Makanan dan Minuman yang Tidak Memiliki Sertifikat Halal: Studi Maqashid Ash-Sharia'ah," *Al-Mazaahib: Journal of Comparative Law* 11, no. 1 (2023): 96. https://doi.org/10.14421/al-mazaahib.v11i1.3079

Widya Eka., "Analisis Kepatuhan Manajemen Bisnis Bersertifikat Halal berdasarkan Sistem Jaminan Produk Halal (SJPH): Studi Kasus Getuk

Goreng 128 di Sumbang, Banyumas" Journal of Science Student Research, no.6 (2025): https://doi.org/10.61722/jssr.v3i6.7104

Yati Nurhayati, Ifrani, and M. Yasir Said, "Metodologi Normatif dan Empiris dalam Perspektif Hukum," *Indonesian Law Enforcement Journal* 2, no. 1 (2021): 12. https://doi.org/10.51749/jphi.v2i1.14

Zulfa Elida Fitri and Mardiah, "Studi Sertifikasi Halal Gratis (Sehati) dengan Skema Deklarasi Mandiri di Dapur Mimi UMKM," Jurnal Ilmiah Makanan Halal 5, no. 1 (2023): 6-14. https://doi.org/10.30997/jiph.v5i1.9996

Website

Badan Audit Keuangan Indonesia, "Ringkasan Undang-Undang Nomor 33 tahun 2014 tentang Jaminan Produk Halal," dalam basis data peraturan.bpk.go.id, https://peraturan.bpk.go.id/Details/38709/uu-no-33-tahun-2014.

Badan Statistik Pusat, Hasil Sensus Penduduk 2025 (Jakarta: BPS, 2025), 9.

Kantor Koperasi dan Usaha Mikro Kabupaten Sidoarjo, Data Pengembangan UMKM Kabupaten Sidoarjo (Sidoarjo: Koperasi dan Kantor UM, 2026).

Kementerian Koperasi dan UKM, Data UMKM Indonesia tahun 2023 (Jakarta: Kementerian Koperasi dan UKM, 2023). 4.

East Java Kilas, "Pemerintah Kabupaten Sidoarjo Mempercepat Sertifikasi Halal UMKM Menjelang Kewajiban Oktober 2026," diakses 20 September 2026, https://kilasjatim.com/2026/03/03/pemkab-sidoarjo-percepat-sertifikasi-halal-umkm-jelang-kewajiban-oktober-2026-4/.

Portal Resmi Pemerintah Kabupaten Sidoarjo, "Bupati Sidoarjo Mendorong Percepatan Sertifikasi Halal untuk UMKM Sidoarjo," diakses pada 20 September 2026 https://www.sidoarjokab.go.id/berita/detail/1772518481/0.

UKM Indonesia, "15 Kriteria untuk MSE yang Dapat Mengajukan Sertifikasi Halal Gratis dalam Program SEHATI 2026," diakses 20 September 2026, https://ukmindonesia.id/baca-deskripsi-posts/15-kriteria-umk-yang-bisa-ajukan-sertifikasi-halal-gratis-di-program-sehati-2026.

APPENDICES

Appendices 1 Application for Research Permit

KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: http://syariah.uin-malang.ac.id E-mail: syariah@uin-malang.ac.id

Nomor : 703 /F.Sy.1/TL.01/09/2026 Malang, 25 September 2026
Hal : **Permohonan Izin Penelitian**

Kepada Yth.
Pemilik Pelaku Usaha Mikro, Kecil dan Menengah
Jl.Villa Jasmine 3 Blok A/5, Kec. Suko, Kab. Sidoarjo, Jawa Timur 61224

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama	:	Novita Ayu Domara
NIM	:	220202110106
Program Studi	:	Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan penelitian dengan judul :
Efektivitas Pengawasan Pasca Sertifikasi Halal Self-Declare bagi UMKM Dalam Menjamin Keberlanjutan Kehalalan Produk Perspektif Maqashid Syariah (Studi Pada UMKM Di Sidoarjo), pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi

Dekan,

Umi Sumbulah

Tembusan :
1.Dekan
2.Ketua Prodi Hukum Ekonomi Syariah
3.Kabag. Tata Usaha

Appendices 2

Appendices 3 Interview with Halal Certified UMKM Actors Self Declare











Appendices 4 Interview with the Halal Product Process Companion (PPPH)



Appendices 5 Question List

LIST OF QUESTIONS

HALAL PRODUCT PROCESS COMPANION (PPPH) FROM LPPPH WAQF EDUCATION INDONESIA

1. What is the role of P3H in the halal self-declaration certification process for UMKM, and does this role continue after the halal certificate is issued?
2. After the halal certificate is issued, are there monitoring or supervision activities for UMKM that have been accompanied? If so, what is the form of supervision?
3. Does P3H conduct a repeat visit, raw material inspection, production process, or other form of monitoring after the halal certificate is issued?
4. How to ensure that UMKM continue to use raw materials and implement production processes that are in accordance with the conditions when halal certification is given?
5. Have UMKM ever been found to have made changes to raw materials, suppliers, composition, or production processes after obtaining a halal certificate? If so, what is the follow-up?
6. According to your experience, what is the level of compliance and awareness of UMKM in maintaining the halalness of products after obtaining a halal certificate?
7. What are the obstacles faced by P3H in monitoring or supervising UMKM after the halal certificate is issued?
8. According to you, is the post-halal self-declare supervision that is currently running effective in ensuring the consistency of the halal of UMKM products? What is the reason?

9. What do you think still needs to be improved in the supervision system after halal self-declaration certification so that the halalness of UMKM products can be guaranteed in a sustainable manner?
10. According to you, what kind of supervision is ideal to be applied after the halal certificate is issued to ensure consumer protection and halal sustainability of UMKM products?

LIST OF QUESTIONS

MICRO, SMALL, AND MEDIUM ENTERPRISES

1. Can you tell us a little about the business you are running, how long has the business been running, and what products are sold?
2. What motivates you to apply for halal self-declaration certification? Is it because of self-awareness, consumer demand, government programs, or other reasons?
3. After the halal certificate is issued, do you know the obligations that must continue to be fulfilled to maintain the halalness of the product? If you know, what do you do?
4. In daily production activities, are the raw materials and production process still the same as when applying for halal certification? If there has been a change in materials or processes, how do you respond to them?
5. Do you have any specific records, procedures, or systems to ensure that materials and production processes remain in accordance with halal standards after the certificate is issued?
6. After the halal certificate is issued, has there ever been an inspection, visit, monitoring, or communication from BPJPH, the Ministry of Religious Affairs, or the PPH Assistant? If so, what is the form and frequency?
7. After the halal certificate is issued, does the PPH Companion still provide assistance or communication? In your opinion, is follow-up assistance after certification still necessary?

8. What obstacles do you experience in maintaining the halalness of the product, for example related to raw materials, time, cost, labor, information, or supplier changes?
9. Do you know the consequences or sanctions if there is a violation of halal regulations or changes in materials and processes that are not reported? If there is a change in products or ingredients, do you know how to report it?
10. According to you, what is the ideal form of post-halal certification supervision so that the halalness of products is guaranteed, but not too burdensome for UMKM actors?