



## Questioning State Supervision in Guaranteeing Halal Products in Indonesia

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### Abstract.

This article examines the state's responsibility in ensuring the halal status of products in Indonesia by highlighting the weaknesses in the implementation of the Halal Product Assurance Law. The formation of Government Regulation No. 42/2024 has created an illusory authority for the BPJPH and reinforced the fragmentation of authority between the BPJPH and related ministries in the supervision of halal products. As a result, legal uncertainty and the emergence of double standards have weakened BPJPH's role in supervisory implementation. This study uses a doctrinal legal analysis approach to halal product assurance legislation, focusing on text interpretation, identification of ambiguities, and disclosure of normative conflicts between the Halal Product Assurance Law, the Job Creation Law, and Government Regulation No. 42/2024. The analysis shows that institutional fragmentation in the supervision of the Halal Product Assurance has weakened BPJPH's authority. Instead of enforcing adequate supervision, the disharmonious institutional distribution design has created legal uncertainty, sectoral ego, and the risk of abuse of discretion, so that the substantive supervisory function has not been achieved and has legal implications for the state's failure to fulfill the objectives of Sharia law. A comparison with Malaysia shows that the centralization of authority under JAKIM, reinforced by criminal regulations, has resulted in a more integrated and consistent halal supervision system. This article emphasizes the need for institutional reform that affirms BPJPH's centralization as the sole authority and strengthens legal instruments by revising the Halal Product Assurance Law.

### Kata Kunci:

*Dualisme  
Regulasi; BPJPH;  
JAKIM; Undang-  
Undang  
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Halal*

### Abstrak

Artikel ini mengkaji tanggung jawab negara dalam menjamin kehalalan produk di Indonesia dengan menyoroti kelemahan implementasi Undang-Undang Jaminan Produk Halal. Terbentuknya PP Nomor 42/2024 justru menciptakan otoritas yang ilusif bagi BPJPH dan memperkuat fragmentasi kewenangan antara BPJPH dan kementerian terkait dalam pengawasan produk halal. Akibatnya terjadinya ketidakpastian hukum serta munculnya standar ganda yang melemahkan peran BPJPH dalam implementasi pengawasan. Penelitian ini menggunakan pendekatan analisis hukum doktrinal terhadap peraturan perundang-undangan jaminan produk halal, dengan fokus pada interpretasi teks, identifikasi ambiguitas serta pengungkapan konflik normatif antara Undang-Undang Jaminan Produk Halal, Undang-Undang Cipta Kerja dan GOVERNMENT REGULATION NO. 42/2024. Hasil analisis menunjukkan fragmentasi institusional dalam pengawasan Jaminan Produk Halal telah melemahkan otoritas BPJPH. Alih-alih menegakkan pengawasan yang efektif, desain distribusi kelembagaan yang tidak harmonis justru menciptakan ketidakpastian hukum, ego sektoral dan risiko abuse of discretion, sehingga fungsi pengawasan secara substantif tidak tercapai dan berimplikasi hukum pada kegagalan negara dalam memenuhi tujuan syariat. Perbandingan dengan Malaysia memperlihatkan sentralisasi kewenangan di bawah JAKIM, diperkuat regulasi pidana, menghasilkan sistem pengawasan halal yang lebih terintegrasi dan konsisten. Artikel ini menegaskan perlunya reformasi kelembagaan yang menegaskan sentralisasi BPJPH sebagai otoritas tunggal dan penguatan instrumen hukum dengan merevisi Undang-Undang Jaminan Produk Halal.

## INTRODUCTION

In Indonesia's constitutional framework, religion holds a pivotal role that cannot be disregarded in the nation's governance and societal life. While Indonesia is not a theocratic state, it does not subscribe to secularism, which confines religion to the private domain. The dynamic between religion and the state in ensuring the availability of halal products exemplifies an adaptive synergy within a pluralistic society. Religion serves as the foundation for the values and standards that define what is halal. Concurrently, the state plays a crucial role in regulating, supervising, and providing legal protection to ensure that religious practices are conducted in accordance with principles of justice and diversity. Thus, the state not only guarantees the fulfillment of Muslims' needs for halal products but also ensures the safety and quality of these products for all consumers.<sup>1</sup>

Although Islamic law is not formally enforced in Indonesia, the country continues to incorporate Sharia values in certain domains to address the religious needs of Muslims, while striving to maintain a balance of rights among adherents of various faiths. Law No. 33/2014 on Halal Product Assurance exemplifies the integration of Islamic values into national legislation, which remains grounded in the principles of inclusiveness, non-discrimination, and social harmony. In this regard, Islamic teachings are not reduced to mere symbolism or ceremonial observance within the framework of national law; rather, they are viewed as a source of moral values that inform and guide public policy. The state, through legal and institutional mechanisms, has an obligation to protect religious rights, including ensuring the availability of halal products, as part of its constitutional duty to uphold religious freedom and safeguard human rights.<sup>2</sup>

Halal products are not only regarded as a spiritual necessity for the Muslim community, but also as integral to the fulfillment of citizens' fundamental and constitutional rights. Ensuring legal certainty regarding the halal status of products is a responsibility of the state, rather than a mere policy choice. The state is obligated to safeguard the protection and safety of its citizens in relation to halal products, as outlined in Article 28G, paragraph (1) of the 1945 Constitution, which guarantees the right of every individual to protection of their personal safety, family, honor, dignity, and property. In the absence of such a guarantee, the state risks failing to meet its constitutional duty to provide legal certainty and protection for its citizens.<sup>3</sup>

The significance of halal product certification is underscored in Article 4 of the Halal Product Assurance Law, which mandates that all products distributed or traded within Indonesia must possess a Halal Certificate.<sup>4</sup> The use of the term "mandatory" in this provision establishes a legal obligation for businesses to obtain halal certificates, display halal labels, and maintain ongoing compliance with halal standards. Consequently, adherence to

<sup>1</sup> Ahmad Hamidi, Asasriwarni Asasriwarni, and Ikhwan Matondang, "The Relationship Between Religion and The State in Indonesia, and Its Relation to Islamic Law," *NEGRI: Academic Journal of Law and Governance* 2, no. 1 (2022): 1–22, <https://doi.org/10.29240/negrei.v2i1.3783>.

<sup>2</sup> Ahmad Saupi, "Konsepsi Halal Dalam Bernegaraa," *An Nawawi* 2, no. 2 (2022): 91–96, <https://doi.org/10.55252/annawawi.v2i1.16>.

<sup>3</sup> Widyawati Widyawati, "Konfigurasi Politik Legislasi Jaminan Produk Halal Perspektif Fiqh Siyasah," *Ayy-Syari'ah* 24, no. 1 (2022): 121–40, <https://doi.org/10.15575/as.v24i1.18724>.

<sup>4</sup> Zulham, *Hukum Perlindungan Konsumen* (Jakarta: Prenada Media Group, 2013). 177

halal requirements is not merely a moral or ethical consideration for businesses, but a binding legal responsibility.<sup>5</sup> This obligation serves not only to protect individuals' constitutional rights but also to ensure that products in circulation meet halal standards officially recognized by the state.

Normatively, violations of halal obligations are subject to administrative sanctions; however, these penalties have proven ineffective due to weak supervision and a lack of decisive action by the government.<sup>6</sup> As a result, public trust in the state's commitment to safeguarding Muslim consumers' right to halal products has been undermined.<sup>7</sup> The case of the Ayam Goreng Widuran restaurant in Surakarta, which sold non-halal products without transparency, serves as a clear example of structural and functional deficiencies in oversight. This incident directly violated consumers' rights to access accurate information, as outlined in both the Consumer Protection Law and the Halal Product Assurance Law, highlighting the urgent need for enhanced supervision and law enforcement.<sup>8</sup> Furthermore, the findings by Indonesian Food and Drug Authority (*Badan Pengawas Obat dan Makanan* - BPOM) and the Indonesian Halal Product Assurance Organizing Agency (*Badan Penyelenggara Jaminan Produk Halal* - BPJPH), which identified nine processed products containing pig DNA—seven of which had been certified as halal—reveal significant flaws in the certification and supervision processes. Weak internal audits, unreported ingredient changes, and a lack of post-certification oversight expose critical gaps in regulatory and halal product monitoring systems. Therefore, the state must not only establish formal regulations but also ensure that supervision and law enforcement are executed consistently and effectively. This series of cases illustrates the structural and regulatory vulnerabilities in the halal product assurance system, which this article systematically examines.<sup>9</sup>

The weakness of legal norms and the inadequate implementation of supervision suggest that BPJPH, in collaboration with ministries, relevant institutions, and local governments, has been unable to effectively integrate early detection systems, coordination, and the enforcement of sanctions. As a result, the state has not fully fulfilled its obligation to ensure the halal status of products through preventive measures, oversight, and enforcement. This failure compromises the protection of the public's constitutional rights and poses a significant risk of eroding public trust in the national halal assurance system.

This study examines state supervision of halal products under the Halal Product Assurance Law and evaluates its effectiveness from the perspective of state responsibility. While previous research has primarily concentrated on normative and institutional aspects, there has been a lack of exploration regarding the constitutionality of halal supervision

<sup>5</sup> Bashir Ammar Hakim Hakim, Anisa Syahidah Mujahidah, and Aam Slamet Rusydiana, "Sentiment Analysis on Halal Certification," *Harmoni* 21, no. 1 (2022): 78–93, <https://doi.org/10.32488/harmoni.v21i1.609>.

<sup>6</sup> Sitta Saraya et al., "Perspektif Hukum Pidana Terhadap Produk Belum Bersertifikat Halal Dalam Usaha Perdagangan," *Innovative Journal Of Social Science Research* 5, no. 1 (2025): 2739–54.

<sup>7</sup> Muh. Daud Ali, *Hukum Islam Pengantar Ilmu Hukum Dan Tata Hukum Islam Di Indonesia* (Jakarta: Raja Grafindo Perkasa, 1999).

<sup>8</sup> LPH LPPOM, "Kasus Ayam Goreng Widuran, LPH LPPOM Soroti Pentingnya Transparansi Informasi Produk Nonhalal," *Halalmui.Org*, 2025, <https://halalmui.org/kasus-ayam-goreng-widuran-lph-lppom-soroti-pentingnya-transparansi-informasi-produk-nonhalal/>.

<sup>9</sup> Admin LPH UB, "9 Produk Mengandung Babi, 7 Bersertifikat Halal! Kok Bisa?," *Lphub.Ub.Ac.Id*, 2025, <https://lphub.ub.ac.id/publication/details/9-produk-mengandung-babi-7-bersertifikat-halal-kok-bisa>.

following the enactment of Government Regulation No. 42/2024. First, research by Amalia & Mariani highlights the regulatory gap that existed in the supervision of halal products before the establishment of BPJPH. The absence of a clearly responsible institution resulted in fragmented supervision and weak legal certainty for consumers. The JPH Law and the establishment of BPJPH are seen as efforts to fill this void, but the effectiveness of supervision still depends on the state's ability to build a solid institutional design.<sup>10</sup> Second, research by Mohammad confirms that JPH supervision is a multi-layered process involving BPJPH, LPH, and MUI. Supervision includes inspection of raw materials, production processes, distribution, and labeling. The main challenges are the lack of halal auditors and uneven supervision infrastructure, making inter-ministerial coordination an important factor in ensuring business compliance.<sup>11</sup>

Third, research by Widodo et al. directly examined the performance of BPJPH supervision. The results showed that supervision through inspections, audits, and laboratory tests improved industry compliance. However, obstacles remained, such as limitations in human resources, technology, and institutional coordination. This study emphasizes the need to strengthen regulations, transparency, and public education to support the effectiveness of supervision.<sup>12</sup> Consequently, this study investigates the extent to which these regulations provide legal protection for the Muslim community, while making both academic and practical contributions to strengthen the halal assurance system across regulatory, institutional, and supervisory dimensions.

## RESEARCH METHODS

This study adopts a normative legal approach, employing doctrinal legal analysis to examine the laws and regulations governing Halal Product Assurance. The analysis is conducted through textual interpretation (statutory interpretation), identification of normative ambiguities, and an assessment of potential disharmony and conflict between Law No. 33/2014 on Halal Product Assurance, Law No. 6/2023 on Job Creation, and Government Regulation No. 42/2024. This formulation confirms that the study explicitly applies doctrinal-normative legal analysis to assess the consistency, coherence, and applicability of legal norms within the positive legal system.<sup>13</sup> This method was selected to investigate the state's constitutional obligation to guarantee halal products while evaluating the alignment of applicable regulations with human rights protection principles and state responsibility. The study employs three main approaches:

1. A conceptual approach to explore the perspectives of experts, theories, and legal doctrines regarding state responsibility and the principle of Muslim consumer protection. This approach aims to clarify the underlying principles that guide the

<sup>10</sup> Maya Rezka Amalia and Mariani Mariani, "Pengaturan Jaminan Produk Halal Di Indonesia," *Al-Banjari: Jurnal Ilmiah Ilmu-Ilmu Keislaman* 21, no. 1 (2022): 1–11, <https://doi.org/10.18592/al-banjari.v21i1.7706>.

<sup>11</sup> Mutiara Fajrin Maulidya Mohammad, "The Pengaturan Sertifikasi Jaminan Produk Halal Di Indonesia," *Kertha Wicaksana* 15, no. 2 (2021): 149–57, <https://doi.org/10.22225/kw.15.2.2021.149-157>.

<sup>12</sup> Agung Cahyo Widodo, Rudiana Rudiana, and Yayan Nuryanto, "Pengawasan Jaminan Produk Halal (JPH) Oleh Badan Penyelenggara Jaminan Produk Halal (BPJPH)," *JIIIP - Jurnal Ilmiah Ilmu Pendidikan* 7, no. 10 (2024): 12368–77, <https://doi.org/10.54371/jiip.v7i10.6186>.

<sup>13</sup> Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Prenada Media, 2005). 54

- state's duty to protect halal consumers within the legal framework.
2. A statute approach to analyze the relevant regulations in Indonesia, including the 1945 Constitution, Halal Product Assurance, Job Creation Law, and Government Regulation No. 42/2024 on the Implementation of Halal Product Assurance. This approach evaluates how these laws interact and their effectiveness in ensuring the halal status of products.
  3. A comparative legal approach, comparing Indonesia's halal product assurance system with that of Malaysia. Given their geographical, historical, and cultural similarities, Malaysia provides a relevant case for policy adaptation and analysis of institutional structures. Malaysia's halal certification system, centralized under the Department of Islamic Development Malaysia (*Jabatan Kemajuan Islam Malaysia* - JAKIM), is internationally recognized, more consistent, and includes strict criminal sanctions. By examining Malaysia's system, this study aims to identify strengths and weaknesses in Indonesia's regulatory framework and to propose a functional model for strengthening Indonesia's halal product assurance system. This comparative analysis also facilitates conceptual learning and assesses the integration of halal product assurance in Indonesia.

The sources of legal materials for this study comprise both primary and secondary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Halal Product Assurance Law, Job Creation Law, and Government Regulation No. 42/2024 on the Implementation of Halal Product Assurance. Additionally, primary sources extend to relevant Malaysian regulations, including the Trade Descriptions Act (TDA) 2011, the Trade Descriptions (Definition of Halal) Order 2011, and the Trade Descriptions (Certification and Marking of Halal) Order 2011.

Secondary legal materials comprise a range of resources that support the analysis of primary legal texts. These include books on administrative law, consumer protection law, and Islamic law that offer theoretical and doctrinal perspectives. The study also draws on scientific journals and research on halal certification and the state's responsibility for ensuring the halal status of products. Doctrines from legal experts on supervision, consumer protection, and administrative law are also part of the secondary materials, as they offer valuable insights into the application of the laws. In addition, official publications from relevant institutions, such as BPJPH, JAKIM, Indonesian Ulama Council (*Majelis Ulama Indonesia* - MUI), and BPOM, are used to understand the institutional and practical aspects of halal certification and supervision—the literature review for gathering these legal materials involved consulting academic works, regulations, and institutional publications. The analysis was carried out using systematic interpretation, focusing on the relationships between articles within the laws and across different regulations. A comparative study of Malaysia's halal assurance practices further enriches the study by offering potential solutions to Indonesia's regulatory challenges. This approach helps to assess how the Malaysian model can inform improvements in Indonesia's regulatory framework for halal product assurance.

## RESULT AND DISCUSSION

### The State and Religion Dimensions in Guaranteeing Halal Products in Indonesia

MUI holds a central position as the religious authority responsible for setting halal standards in Indonesia. Doctrinally, the ulema, or Islamic scholars, serve as the key reference point for the Muslim community in matters of religious law, guiding them on various issues, including those related to halal products. Fatwas, Islamic legal responses to societal needs, particularly regarding halal matters, are issued by the MUI through its Fatwa Commission. This commission represents a broad spectrum of Islamic organizations in Indonesia, ensuring that the halal certification process is both comprehensive and representative of Islamic teachings. The halal declarations issued by MUI are essentially fatwas that confer religious legitimacy on products, thereby enhancing their value and competitiveness in both domestic and international markets.<sup>14</sup>

Thus, the religious dimension of halal product assurance in Indonesia can be understood through two key aspects. The first is the normative aspect, rooted in Islamic jurisprudence specifically the *Qur'an*, *hadith*, *ijma'* (consensus), and *qiyas* (analogical reasoning), that defines what halal and haram (forbidden) are. The second aspect is the institutional dimension, represented by MUI's role as the religious authority that sets halal standards through the fatwa process. These dual aspects—normative and institutional—work together to ensure that halal certification not only adheres to religious principles but also functions effectively within the broader regulatory framework of the state.

On the other hand, the state and religious dimensions of halal product assurance in Indonesia are reflected in the Halal Product Assurance Law, which implements Articles 28J paragraph (1) and 29 of the 1945 Constitution. This regulation affirms the state's constitutional obligation to protect the religious rights of its citizens, thereby confirming the state's political role as a guarantor of legal certainty and protection for Muslims, the majority of consumers.<sup>15</sup> This is in line with the Halal Product Assurance Law, which is based on the principles of protection, justice, legal certainty, accountability, effectiveness, and professionalism, thus affirming the state's obligation to guarantee the safety of public consumption.<sup>16</sup> Moreover, the Halal Product Assurance Law serves as a meeting point between religious norms and state regulations, as Islamic legal principles, previously expressed only in MUI fatwas, have now gained legitimacy through positive law.<sup>17</sup> The MUI retains its religious authority, while the BPJPH acts as an administrative regulator, creating synergy between religious and state officials in the implementation of halal certification.

The MUI is regarded as the most competent authority in providing legal certainty regarding sharia law and halal status. Meanwhile, the BPJPH is tasked with ensuring the halal status of products circulating in Indonesia. As stipulated in Article 6 of the Halal Product

<sup>14</sup> Diky Faqih Maulana, "Penerapan Regulasi Jaminan Produk Halal Di Indonesia: Tinjauan Kemaslahatan Dalam Negara Kebhinnekaan," *IN RIGHT Jurnal Agama Dan Hak Asasi Manusia* 13, no. 2 (2024): 325–49.

<sup>15</sup> Saupi, "Konsepsi Halal Dalam Bernegara."

<sup>16</sup> Istianah and Gemala Dewi, "Analisis Masalah Pada Konsep Halal Self-Declare Sebelum Dan Pasca Enactment Undang-Undang Cipta Kerja," *Al'Adl Jurnal Hukum* 14, no. 1 (2022): 84–109.

<sup>17</sup> Musataklima, "Self-Declare Halal Products for Small and Micro Enterprises: Between Ease of Doing Business and Assurance of Consumer Spiritual Rights," *De Jure: Jurnal Hukum Dan Syar'iah* 13, no. 1 (2021): 32–52, <https://doi.org/10.18860/j-fsh.v13i1.11308>.

Assurance Law, the BPJPH has the authority to formulate policies, establish norms and standards, issue and revoke halal certificates, register foreign certificates, accredit Halal Examination Agency (*Lembaga Pemeriksa Halal* - LPH), and train halal auditors.<sup>18</sup> Meanwhile, the MUI retains substantial authority in determining the halal status of products through halal fatwa hearings.

However, the implementation of this institutional cooperation policy has raised issues. There is an inherent overlap in authority and structural tension between BPJPH and MUI, a direct consequence of the shift in institutional roles following the enactment of the Halal Product Assurance Law. Before the passage of the Halal Product Assurance Law, MUI had complete authority over the halal certification process, including auditing, issuing fatwas, and issuing halal certificates. After the enactment of the Halal Product Assurance Law, some administrative functions were transferred to BPJPH, the state institution responsible for administering the Halal Product Assurance. This shift created a duality of authority that has not been fully resolved, as MUI still retains authority to issue halal fatwas as a theological matter that underpins certificate issuance. As a result, the certification bureaucratic chain has become long and layered, because each stage must undergo double verification: an audit by the LPH under BPJPH accreditation, then a fatwa issued by the MUI, before the BPJPH finally issues a halal certificate. This tiered process often creates coordination difficulties among institutions, mainly when interpretations of audit results differ. Ultimately, the ideal cooperation system has been reduced to a bureaucratic mechanism that has the potential to hinder JPH's substantive objectives, namely to ensure the ease, certainty, and speed of halal certification services.

Within the framework of *maqāṣid al-sharī'ah*, the halal supervision system should be directed towards realizing benefits and preventing harm by safeguarding the five main objectives of sharia: religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-'aql*), progeny (*ḥifẓ al-nasl*), and wealth (*ḥifẓ al-māl*). However, the duality of authority between BPJPH and MUI shows that these values have not been implemented. From the perspective of *ḥifẓ al-dīn*, the overlapping roles of halal certification reduce the spiritual legitimacy of the halal system. From the standpoint of *ḥifẓ al-māl* and *ḥifẓ al-naḥs*, the multi-layered certification procedure results in high costs, long processing times, and administrative burdens for business actors, thereby hindering the economic welfare of the people. Meanwhile, from the perspective of *ḥifẓ al-'aql*, differences in interpretation among institutions can confuse the public and undermine trust in the national halal system. Therefore, clarity of authority and simplification of mechanisms are needed to ensure that the Halal Product Assurance system runs effectively and fairly, thereby enabling a balance between theological validity and bureaucratic efficiency.<sup>19</sup>

In addition, limited human resources, minimal budgets, and contradictions between

<sup>18</sup> Mega Novita Syafitri, Rania Salsabila, and Fitri Nur Latifah, "Urgensi Sertifikasi Halal Food Dalam Tinjauan Etika Bisnis Islam," *Al Iqtishod: Jurnal Pemikiran Dan Penelitian Ekonomi Islam* 10, no. 1 (2022): 16–42, <https://doi.org/10.37812/aliktishod.v10i1.305>.

<sup>19</sup> Rahmat A Khadijatul, Marliyah, T Anggraini, "Peranan Perspektif Maqashid Al Syariah Dan Berlakunya Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal Terhadap Produk Kosmetik Halal Di Panyabungan Kabupaten Mandailing Natal," *Jurnal Syarikah* 8, no. 2 (2022): 297–311, <https://doi.org/10.30997/jsei.v8i2.6224>.

derivative regulations have worsened the effectiveness of halal product certification. Political and economic interests have also contributed to slowing the restructuring of the certification system, particularly regarding the recognition of halal auditors and the role of Islamic organizations in product inspection mechanisms. Thus, the relationship between the state and religion in halal product certification tends to be symbiotic. In fact, this symbiotic relationship seeks to ensure that halal certification not only has legal force but also enjoys religious legitimacy recognized by the Muslim community. The state needs religious legitimacy to issue halal certificates based on MUI fatwas. Conversely, the MUI needs formal legitimacy from the state through legislation that recognizes its authority. However, some view this relationship as not entirely harmonious, but rather dualistic. Halal is seen as a matter of religious law, so religious authorities, especially the MUI, are considered the main determinants of halal product status, with the state playing only an administrative and regulatory supervisory role to protect consumers. Ultimately, the relationship between the state and religion in the implementation of halal product certification in Indonesia can be understood as a symbiotic partnership that is occasionally marked by dualistic tensions, particularly over authority, bureaucracy, and political interests.

### **Problems with Halal Product Regulation in Indonesia**

In administrative law, supervision is an essential instrument for ensuring that norms and regulations are consistently implemented. Its function is to serve as a state control mechanism to prevent irregularities, ensure the legality of policies, and protect the public's interests through administrative sanctions.<sup>20</sup> This concept is relevant to the issue of halal product certification because it relates to religious norms, state administration, consumer protection, and legal certainty for business actors. Therefore, halal supervision requires the active involvement of the state as both a regulator and controller of national halal certification.

Since the enactment of Law No. 33/2014, halal supervision in Indonesia has undergone fundamental changes, with halal certification shifting from voluntary to mandatory. BPJPH has been appointed as the primary implementing agency, but the certification process still involves MUI, LPH, and community halal auditors, resulting in a complex distribution of authority. The BPJPH functions as a regulator and supervisor, mandated to oversee LPHs, product halalness, labeling, and the separation of halal and non-halal production chains. The effectiveness of this function depends on synergy with the MUI and relevant ministries/institutions.

In Indonesia, halal product supervision still faces four main issues: infrastructure, technicalities, regulations, and inter-agency relations. Limited facilities, infrastructure, and human resources weaken coordination, while disharmony between agencies reduces the effectiveness of supervision. From a regulatory perspective, the administrative sanctions in the Job Creation Law prioritize ease of doing business over legal certainty, thereby creating loopholes for violations that could undermine the authority of sharia as the philosophical

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<sup>20</sup> HR Ridwan, *Hukum Administrasi Negara* (Jakarta: PT. Raja Grafindo Persada, 2013).

basis of the Halal Product Assurance Law. Another challenge arises at the regional level, as many local governments do not yet have adequate derivative regulations in place. Therefore, strategic steps are needed, such as establishing regional regulations on halal guarantees to ensure proper supervision and the full implementation of the Halal Product Assurance Law's mandate.<sup>21</sup>

The revision of 22 articles of the Halal Product Assurance Law through the Job Creation Law and the confirmation in Government Regulation No. 42/2024 bring changes to the management of halal certification. This new regulation clarifies the distribution of authority, placing BPJPH as the main organizer and coordinator across ministries, MUI, and LPH. Meanwhile, the MUI's authority is limited to issuing halal fatwas, thereby reducing the risk of dual authority. This change marks a shift towards a more integrated institutional model with the BPJPH as the center of coordination and supervision.<sup>22</sup> On the one hand, this step appears to be an effort by the state to strengthen halal supervision governance, close the gap in dual authority, and increase legal certainty for both producers and consumers.

In fact, substantively, this regulation has not addressed the root of the structural problem. Although Government Regulation No. 42/2024 clarifies the formal roles of each institution, it does not resolve the fundamental dualism in coordination between BPJPH and related ministries, such as the Ministry of Health, the Ministry of Agriculture, the Ministry of Industry, and others. In practice, each ministry continues to maintain its supervisory function over aspects of product safety, quality, and suitability, while BPJPH focuses on aspects of halal certification. As a result, the risk of authority fragmentation has not decreased; instead, it has shifted from the religious-administrative dualism between BPJPH and MUI to fragmentation between BPJPH and related ministries and institutions. This shift indicates that institutional reform through Government Regulation No. 42/2024 does not resolve the issue, as it lacks a clear institutional design specifying who has sole authority in the national halal supervision system. This has the potential to cause policy fragmentation and disharmony in the implementation of supervision, especially when there are differences in standards or interpretations among ministries and the BPJPH in determining the eligibility of products certified as halal. Thus, Government Regulation No. 42/2024 does not guarantee hierarchical and functional consolidation of authority, but instead expands the field of cross-sector coordination that is inefficient and unintegrated. This issue clearly weakens the principle of single authority, which should be the spirit of the Halal Product Assurance Law's implementation.

The distribution of authority across many ministries has resulted in fragmented authority and reinforced sectoral egos. Although Government Regulation No. 42 of 2024 designates BPJPH as the leading authority, it still allows ministries, technical agencies, and local governments to participate in supervision. This issue clearly creates legal consequences, including the dispersion of supervisory functions across various institutions without a hierarchical, integrated coordination mechanism and overlapping authority that weakens

<sup>21</sup> Indah Fitriani Sukri, "Implementasi Undang-Undang Cipta Kerja Terhadap Penyelenggaraan Sertifikasi Halal Dan Produk Halal Di Indonesia," *Majalah Hukum Nasional* 51, no. 1 (2021): 73–94, <https://doi.org/10.33331/mhn.v51i1.139>.

<sup>22</sup> Sukri.

legal certainty and enforcement effectiveness, thereby preventing the objective of the Halal Product Assurance Law to provide an integrated supervisory system from being fully achieved. BPJPH is normatively designated as the sole authority for halal product certification, but supervisory authority is still spread across various ministries. The absence of clear rules governing the hierarchy of authority increases the potential for overlap in standards, procedures, and sanctions. For example, the supervision of medicines can create a conflict of standards between the Ministry of Health, which assesses safety and quality, and BPJPH, which assesses halal status. This creates a bureaucratic burden for business actors and creates the risk of double sanctions and legal vacuums. The weak regulatory design of halal product supervision actually threatens the effectiveness of supervision and legal certainty, which should be the objectives of the Halal Product Assurance Law.

In addition, even though the regulatory framework has been updated, the implementation of halal supervision in Indonesia still leaves various other issues. The halal certification process is still considered lengthy, complicated, and prone to conflicts of interest. Certification costs remain a burden for business actors, especially for economically weaker MSMEs. In addition, the accountability and transparency of the supervisory agency's performance remain suboptimal.<sup>23</sup> This is evidence that the formulation of technical regulations in the implementation of halal product certification has not been balanced with structural and institutional issues, focusing more on procedural aspects and the division of administrative tasks, but neglecting the need for systemic institutional reform. As a result, the substance of the regulations tends to be reactive and partial, rather than a strategic response to the root cause of the dualism of authority that has hampered the effectiveness of the Halal Product Assurance system. Therefore, institutionally, BPJPH faces structural constraints, including a shortage of competent human resources. Not all supervisory officials and business actors have a good understanding of halal certification standards. The lack of socialization has led to an information gap, with many business actors still unaware of the urgency and benefits of halal certification. This problem is exacerbated by limited laboratory facilities and testing equipment, which makes supervision inefficient.<sup>24</sup>

Based on oversight theory, the primary function of oversight is to prevent abuse of power and maintain checks and balances.<sup>25</sup> However, in the context of halal oversight, there is fragmentation of authority, leading to overlapping authority. Although BPJPH is normatively recognized as the primary authority, supervisory authority remains scattered across various ministries, agencies, and local governments. As a result, rather than ensuring adequate supervision, the disharmonious institutional design creates legal uncertainty, sectoral egoism, and the risk of abuse of discretion, thereby preventing the substantive function of supervision from being achieved. From an administrative law perspective, this fragmentation of authority undermines the legal certainty that the state should protect.

<sup>23</sup> Nurul Wahida Hidayat Siti Ena Aisyah Simbolon, "Prosedur Dan Problematika Sertifikasi Halal Di Indonesia," *Masyrif: Jurnal Ekonomi, Bisnis Dan Manajemen* 2, no. 1 (2021): 118–32, <https://doi.org/10.28944/masyrif.v2i1.874>.

<sup>24</sup> Widodo, Rudiana, and Nuryanto, "Pengawasan Jaminan Produk Halal (JPH) Oleh Badan Penyelenggara Jaminan Produk Halal (BPJPH)."

<sup>25</sup> Lourenço de Deus Mau Lulo Amiruddin, Mustakim La Dee, Salha Marasaoly, *Hukum Tata Negara Dan Pengawasan Terhadap Kekuasaan Eksekutif* (Medan: PT Media Penerbit Indonesia, 2024).

Government Regulation No. 42/2024 requires coordination between BPJPH and related ministries, but it remains normative and lacks rigid procedures. Without precise operational mechanisms, coordination tends to depend on daily administrative practices, which are prone to conflicts of interest and policy differences. As a result, the effectiveness of JPH supervision may weaken, the credibility of the halal assurance system may decline, and business actors may face regulatory uncertainty. In administrative law theory, fragmentation of authority can lead to bureaucratic inefficiency and reduce the effectiveness of regulations. This contradicts the principle of legal certainty as stipulated in Article 28D, paragraph (1), of the 1945 Constitution, as well as the principles of efficiency and effectiveness in government administration outlined in Law No. 30/2014 on Government Administration.

From an Islamic legal perspective, weak halal supervision has legal implications for the state's failure to fulfill *maqāṣid al-sharī'ah*, particularly in *ḥifẓ al-dīn* and *ḥifẓ al-naḥs*. The lack of clarity regarding authority threatens *ḥifẓ al-dīn*, as halal standards can be debated and the certainty of halal disrupted. Weak coordination hinders *ḥifẓ al-naḥs* and *ḥifẓ al-'aql*, because it opens up opportunities for the circulation of non-halal or dangerous products. On the other hand, fragmentation of authority adds to the bureaucratic burden on businesses and harms consumers, thereby disrupting *ḥifẓ al-māl*. This issue confirms that Halal Product Assurance Law's objective of protecting religion, life, intellect, and property has not been achieved, thereby reducing the effectiveness and legitimacy of halal supervision both legally and under Sharia.

### Comparison with Malaysia's Halal Product Assurance Surveillance System

The legal framework for halal certification in Malaysia has undergone a significant evolution. Initially, halal regulations were limited to preventing consumer misunderstanding. Still, since the enactment of the Trade Descriptions Act 1972 and its derivatives in 1975, the country has begun to establish a more robust legal basis.<sup>26</sup> This development was reinforced by the Food Act 1983, which explicitly prohibits deceptive practices, including the use of fake halal labels, and the Food Regulations 1985, which require transparency about the content of certain meats. These dynamics show that the Malaysian government is responding to the needs of Muslim consumers, while also seeking to establish legal legitimacy that protects halal certainty and reinforces the state's role as a guarantor of fairness and certainty in food trade practices.<sup>27</sup>

The legal framework for halal certification in Malaysia stipulates that halal claims are valid only if they have been officially certified. This means that even though certification is not mandatory for all products, the law strictly prohibits the use of the term halal without legal legitimacy. This differs from Indonesia, because from the outset, Malaysia has delegated certification authority to religious institutions and then placed JAKIM as the sole authority. Ultimately, the Trade Descriptions Act 2011 and its derivative regulations make

<sup>26</sup> Midori Kirihaara, "The Dual Nature of Syariah Compliance and the Diversity of Halal Standardisation: A Comparative Study of Malaysia and Japan," in *The Halal Industry in Asia* (Singapore: Springer, 2025), 41–55.

<sup>27</sup> Madihatun Zainuddin Sharifah Hayaati Syed Ismail al-Qudsy, Aiedah Abdul Khalek, "Governing Halal in Malaysia: Innovation towards Customer Interests and Satisfaction," in *The Halal Industry in Asia* (Singapore: Springer, 2025), 223–42.

halal certification a criminal law instrument that focuses on punishing unscrupulous businesses, rather than directly protecting consumer rights.<sup>28</sup> This regulation affirms the state's role in maintaining halal legitimacy by emphasizing criminal penalties to prevent the use of fake halal logos or the distribution of non-halal products. This position demonstrates Malaysia's regulatory orientation, which emphasizes certainty and halal legitimacy as public norms but relatively neglects comprehensive consumer protection.<sup>29</sup> The definition of halal in TDA 2011 affirms Sharia standards as a strong legal basis for halal claims. Halal certification is optional, but it becomes an absolute obligation when producers claim their products are halal. Without an official certificate, such claims are considered a violation of the law, so the focus is more on ensuring halal's legality.<sup>30</sup>

The 2011 TDA regulation subjects halal certification to criminal law by imposing strict sanctions for invalid halal claims, including license revocation or criminal fraud charges. This provision does indeed guarantee legal certainty and prevent consumer harm, but it falls short by not providing direct compensation to consumers who are victims of violations.<sup>31</sup> Meanwhile, the advantage of the Malaysian halal certification system lies in the centralization of authority in JAKIM, which functions as the sole authority for certification, supervision, and law enforcement. This model strengthens the legitimacy and credibility of halal standards, and also gives Malaysia a strategic position in controlling the global halal market. However, the concentration of authority in a single institution can also create excessive dependence and reduce the space for other actors to participate in halal governance.<sup>32</sup>

The legal framework for halal certification in Malaysia demonstrates regulatory integration with a single authority through the TDA 2011, which affirms JAKIM's full authority in halal certification. The synergy between this regulation and the national standard MS1500:2009, as well as international food safety standards, makes Malaysia's halal system legally consistent and globally legitimate.<sup>33</sup> Unlike Indonesia, which requires halal certification following the enactment of the Halal Product Assurance Law, Malaysia treats halal certification as voluntary. However, market demand has encouraged producers to seek halal certification as a means of legitimacy and market access. The fundamental difference between mandatory certification in Indonesia and voluntary certification in Malaysia shows that Malaysia's success is not solely due to institutional centralization, but

<sup>28</sup> Nasihah Naimat and Elistina Abu Bakar, "Rights of Redress on Supply of Goods under Consumer Protection Act 1999: The Issue of Halal Logo," *Malaysian Journal of Social Sciences and Humanities (MJSSH)* 6, no. 10 (2021): 437–42, <https://doi.org/10.47405/mjssh.v6i10.1044>.

<sup>29</sup> Naimat and Abu Bakar.

<sup>30</sup> Nurul Najla' Athirah Muhamad Nazari, Elistina Abu Bakar, and Afida Mastura Muhammad Arif, "Consumer Protection Against the False Description of Halal in E-Commerce," *UUM Journal of Legal Studies* 14, no. 2 (2023): 657–75, <https://doi.org/10.32890/uujls2023.14.2.10>.

<sup>31</sup> Diana Wijayanti & Nurul Fatmah, "Comparative Analysis and Development of the Indonesian and Malaysian Halal Industries Reviewed Based on The Global Islamic Economy," *Al Iqtishod: Jurnal Pemikiran Dan Penelitian Ekonomi Islam* 13, no. 2 (2025): 145–67, <https://doi.org/10.37812/aliqtishod.v13i2.1802>.

<sup>32</sup> Afin Mahdini Putra Jibrani, "Sertifikasi Halal Indonesia Ditolak Negara Muslim," *Journal of Integrative International Relations* 7, no. 2 (2022): 148–55, <https://doi.org/10.15642/jiir.2022.7.2.148-155>.

<sup>33</sup> Ahmad Zamri Mohd Idris, Aminudin Hehsan, and Sakinah Ab. Rahim, "Compliance Level of Malaysian Halal Certification among Fast Food Restaurant Managers in Johor," *UMRAN - International Journal of Islamic and Civilizational Studies* 9, no. 3 (2022): 41–52, <https://doi.org/10.11113/umran2022.9n3.560>.

also to differences in regulatory philosophy. In Malaysia, JAKIM's authority focuses on monitoring halal claims submitted by businesses, while BPJPH in Indonesia has a broader mandate to manage universal halal certification requirements. Ultimately, JAKIM can perform a central function in controlling the certification process, from standardization to product testing, thereby maintaining the consistency and credibility of halal in Malaysia.<sup>34</sup> This regulatory system demonstrates Malaysia's excellence through a centralized, consistent, internationally recognized certification system, reinforced by global promotion that makes halal part of the country's branding in the world market.<sup>35</sup>

The halal product monitoring system in Malaysia demonstrates strong institutional consistency, as the government fully oversees it through JAKIM. The placement of this institution ensures regulatory consistency and eliminates overlapping authority between institutions, such as halal monitoring in Indonesia. The advantages of this system are evident in the integration of certification, supervision, and law enforcement, which ensures legitimacy and public trust and demonstrates the state's ability to fulfill *maqāṣid al-sharī'ah*.

1. The Halal Oversight Institutional System in Malaysia has a strong system because it is handled directly by the government through official authorities. Since 1965, halal certification has been managed by the Selangor Islamic Religious Department (*Jabatan Agama Islam Negeri Selangor* - JAIS), and in 1974, it was transferred entirely to the JAKIM. This agency has a special Halal Management Division that manages all aspects of halal certification, from issuing certificates to monitoring producer compliance.<sup>36</sup> The existence of JAKIM as the sole authority has led to Malaysian halal products being widely recognized in the international market, thanks to consistent, credible halal standards.<sup>37</sup>
2. Halal supervision in Malaysia is strengthened by post-certification monitoring to ensure compliance. This step is essential because misuse of the halal logo will continue even with regulations in place. Therefore, JAKIM is strengthening its role alongside the State Islamic Religious Department (*Jabatan Agama Islam Negeri* - JAIN) and the Ministry of Domestic Trade and Consumer Affairs (*Kementerian Perdagangan Dalam Negeri dan Hal Ehwal Pengguna* - KPDNHEP) to conduct inspections and enforce the law. However, research shows that there are still initial challenges, particularly in terms of coordination and effectiveness of implementation in the field.<sup>38</sup>

<sup>34</sup> Aisha Rahmawati and Nurul Fatma Hasan, "Standarisasi Proses Sertifikasi Halal Produk Farmasi Dalam Memenuhi Kewajiban Bersertifikat Halal Indonesia: Perbandingan Dengan Malaysia," *Krigan: Journal of Management and Sharia Business* 2, no. 2 (2024): 140–55, <https://doi.org/10.30983/krigan.v2i2.8766>.

<sup>35</sup> Fatmah, "Comparative Analysis and Development of the Indonesian and Malaysian Halal Industries Reviewed Based on The Global Islamic Economy."

<sup>36</sup> Supriyadi Supriyadi et al., "Legal Effectiveness of Halal Product Certification in Improving Business Economics in Indonesia and Malaysia," *Al-Ahkam* 34, no. 1 (2024): 193–220, <https://doi.org/10.21580/ahkam.2024.34.1.20546>.

<sup>37</sup> Johari Ab Latiff, "Halal Certification Procedure In Malaysia And Indonesia: A Study On Criteria For Determination Of Halal Pharmaceutical Products," *PETITA: Jurnal Kajian Ilmu Hukum Dan Syariah* 5, no. 2 (2020): 121–32, <https://doi.org/10.22373/petita.v5i2.102>.

<sup>38</sup> Nursyakirah Hazban and Zaini Nasohah, "Law Enforcement of Teh Halal Status in Malaysia Food Premises," *Malaysian Journal of Social Sciences and Humanities (MJSSH)* 8, no. 2 (2023): 1–12, <https://doi.org/10.47405/mjssh.v8i2.2099>.

3. The legal framework for halal supervision in Malaysia is firmly established through the TDA 2011 and its derivative regulations, which require the use of the official halal logo from JAKIM.<sup>39</sup> JAKIM serves as the central authority for certification, supervision, and law enforcement, thereby giving halal standards strong legitimacy. This centralization of authority makes Malaysia's halal system more credible and widely recognized globally.<sup>40</sup>
4. The halal supervision structure in Malaysia is getting stronger because JAKIM handles it through the Halal Management Division, which is divided into special units, ranging from submission, audit, certification, to post-certification monitoring. This division of functions emphasizes that supervision does not end at the administrative level; it continues through ongoing monitoring to ensure industry compliance. This model demonstrates the importance of systematic institutional design for halal supervision to be truly effective and credible.<sup>41</sup>
5. The halal dimension in Malaysia goes beyond sharia aspects because it is positioned as an economic instrument and a global competitiveness strategy. The involvement of the federal and state governments shows that halal is placed on the national strategic agenda. Malaysia is also expanding its halal influence through international cooperation with Brunei, Singapore, Australia, and Indonesia. This step is a tool of economic diplomacy to strengthen global recognition of its standards.<sup>42</sup>
6. Law enforcement in Malaysia's halal system is effective because it involves JAKIM, JAIN, and KPDNHEP, which are authorized to conduct inspections, take action, and initiate legal proceedings. The Trade Descriptions Act 2011 regulates criminal sanctions for misuse of the halal logo, and the Consumer Protection Act 1999 gives consumers the right to sue.<sup>43</sup> Meanwhile, the Food Act 1983 reinforces fines and criminal penalties related to halal label violations. This combination of regulations shows that halal consumer protection in Malaysia remains normative, but is enforced through comprehensive legal mechanisms.<sup>44</sup>
7. Halal certificates in Malaysia are valid for two years and must be renewed through a re-verification process. The Malaysian Halal Certification Procedure Manual (MPPHM) also stipulates eight main principles, including hygiene, the use of raw materials, equipment, and waste management. Certificate holders are required to document the entire production process to enable verification during inspections. If

<sup>39</sup> Naimat and Abu Bakar, "Rights of Redress on Supply of Goods under Consumer Protection Act 1999: The Issue of Halal Logo."

<sup>40</sup> Jibrani, "Sertifikasi Halal Indonesia Ditolak Negara Muslim."

<sup>41</sup> Sharifah Hayaati Syed Ismail al-Qudsy, Aiedah Abdul Khalek, "Governing Halal in Malaysia: Innovation towards Customer Interests and Satisfaction."

<sup>42</sup> Nazari, Bakar, and Arif, "Consumer Protection Against the False Description of Halal in E-Commerce."

<sup>43</sup> Naimat and Abu Bakar, "Rights of Redress on Supply of Goods under Consumer Protection Act 1999: The Issue of Halal Logo."

<sup>44</sup> Salma Utia Hikmah, Muhamad Ali Hisyam, and Zainuddin Zainuddin, "Analysis of Halal Assurance System Implementation and Maslahah on Processed Products in Gus Dur Cemetery," *Al-Mustashfa: Jurnal Penelitian Hukum Ekonomi Syariah* 9, no. 2 (2024): 251–67, <https://doi.org/10.24235/jm.v9i2.17611>.

violations are found, JAKIM has the authority to revoke certificates, suspend licenses, and even recall products from the market.<sup>45</sup>

With a centralized system, comprehensive regulatory support, and multi-layered oversight mechanisms, Malaysia has successfully established a credible, progressive, and adaptive halal oversight model. These strengths position Malaysia as one of the global halal centers capable of maintaining public trust, while also making halal an instrument of international economics and diplomacy. In contrast, Indonesia still faces fragmentation of authority, overlapping regulations, and weak coordination between institutions, resulting in ineffective post-certification supervision and frequent damage to the credibility of halal products. This comparison confirms that the effectiveness of halal supervision is determined by clear regulations and institutional structures as well as strong supervisory authorities. Without these, the halal product assurance system is merely a symbolic and formalistic legal obligation.

Within the framework of *maqāṣid al-sharī'ah*, halal supervision is not merely administrative; it also aims to protect the interests of the people through five basic principles: religion, life, intellect, lineage, and property. *Ḥifẓ al-Dīn*, Malaysia, with its centralized system through JAKIM, maintains the purity of halal standards and the clarity of fatwas, thereby protecting the faith and obedience of the people—*Ḥifẓ al-Nafs*. Strict supervision in Malaysia ensures the safety and cleanliness of products, in line with the protection of life. In Indonesia, weak post-certification monitoring means that this principle is not yet being optimally implemented. *Ḥifẓ al-'Aql*, Malaysia actively develops halal literacy and research, thereby strengthening society's rational and spiritual awareness. *Ḥifẓ al-Nasl*, Malaysia's consistent system supports the sustainability of halal values across generations. *Ḥifẓ al-Māl*, Malaysia makes halal a transparent and fair economic instrument, protecting consumers from fraud. Thus, the effectiveness of the halal monitoring system is not solely determined by the existence of regulations and institutional structures, but also by the state's ability to internalize values such as *maqāṣid al-sharī'ah*: protection of religion, life, reason, offspring, and wealth in every aspect of its policies and supervision. If these principles are consistently implemented, the halal product assurance system will serve as a formal legal instrument and a means of realizing public benefit and strengthening Islamic economic ethics.

## CONCLUSION

The halal monitoring system in Indonesia is still mired in institutional complexity and dualism of authority, which weakens the effectiveness of regulations and legal certainty. The sole jurisdiction of BPJPH mandated by law appears illusory, as Government Regulation No. 42 /2024 opens the door for ministries, technical agencies, and local governments to participate in JPH supervision. This arrangement has legal consequences that give rise to overlapping authority in the implementation of supervision. The expansion of halal product oversight

<sup>45</sup> Mohd Idris, Hehsan, and Ab. Rahim, "Compliance Level of Malaysian Halal Certification among Fast Food Restaurant Managers in Johor."

authority to ministries and related institutions will only weaken the sole role of BPJPH, as it is inefficient and ineffective, and has the potential to undermine the sharia dimension in the implementation of JPH, because they do not have the normative or epistemic capacity to assess aspects of halal based on sharia principles. The absence of a hierarchy of authority and the limited capacity of supervisors actually worsen the national halal product oversight system. In contrast, Malaysia has demonstrated success through an integrated halal supervision model, centralizing authority under JAKIM to achieve a simpler, more consistent certification and supervision process with a single source of legitimacy. The Malaysian system also makes halal a national economic strategy that promotes the competitiveness of halal products in the global market while strengthening the country's branding as a worldwide halal center. This study recommends affirming BPJPH as the sole authority for JPH supervision to prevent abuse of power, enforce sharia principles, and provide regulatory certainty for business actors. Meanwhile, related ministries and institutions should play only a technical supporting role, without taking over the substantive supervision of Sharia matters. Revising the Halal Product Assurance Law is key to upholding the principle of centralization, preventing overlapping authorities, ensuring legal certainty, and adequate supervision. The limitations of this study focus on public law and institutional aspects, so it has not yet conducted an in-depth assessment of the microeconomic sector, particularly MSMEs.

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The authors declare no conflict of interest.

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