



# Sharia Economic Law Review on Minimum Work Tenure for Lecturer Certification at West Java PTKIs

Ulummudin<sup>\*1</sup>, Habibi<sup>2</sup>, Andrey V. Kotyazhov<sup>3</sup>

<sup>1</sup>STISA Ash-Shofa Manonjaya, Tasikmalaya, West Java, Indonesia

<sup>2</sup>Institut Nahdlatul Ulama (INU) Tasikmalaya, Indonesia

<sup>3</sup>Moscow State University of Technologies and Management, Moscow, Russian Federation

Corresponding author E-mail: [ulummudin.shofa@gmail.com](mailto:ulummudin.shofa@gmail.com)

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## Abstract

**Introduction:** Lecturer Certification (Serdos) is a professional legitimacy mechanism governed by Government Regulation No. 37 of 2009 and Ministerial Regulation No. 44 of 2024, requiring at least two years of service and the academic rank of Assistant Expert as prerequisites. However, various deviations from these requirements have been identified at several Islamic Religious Higher Education Institutions (PTKI) in West Java.

**Methods:** This study uses a qualitative descriptive approach by analyzing primary documents, relevant legal frameworks, and conducting interviews with lecturers at PTKI institutions who experienced inconsistencies in the certification process.

**Results:** The findings indicate that some lecturers were certified despite not fulfilling the two-year tenure requirement or submitting their Workload Reports (BKD). These discrepancies suggest irregularities in administrative control and potential violations of the regulatory framework.

**Discussion:** In the perspective of Sharia Economic Law, such practices contradict the principles of *'adl* (justice), *amanah* (trust), and *maslahah* (public benefit). Misallocation of certification funds undermines the integrity of public finance governance and erodes the ethical foundations of Islamic higher education.

**Conclusion:** The study calls for a reassessment of Serdos policies, particularly regarding tenure requirements and monitoring mechanisms. It also emphasizes the importance of aligning implementation with Sharia-based ethical governance.

**Novelty:** This research introduces a Sharia Economic Law perspective to evaluate Serdos implementation, and recommends affirmative policies prioritizing lecturers who hold doctoral degrees or academic ranks of *Lektor*, recognizing their academic merit without being bound strictly by tenure length.

**Keywords:** Lecturer Certification, Sharia Economic Law, Work Tenure, PTKI, Public Fund Accountability

## INTRODUCTION

Lecturer Certification (Sertifikasi Dosen/Serdos) is a crucial mechanism within Indonesia's higher education system, designed to ensure the quality, professionalism, and accountability of university teaching staff (Ahyani et al., 2024; Harahap et al., 2024). This certification process serves as a formal recognition by the state of a lecturer's competence in fulfilling the tridharma of higher education—namely teaching, research, and community service. As stipulated in the prevailing regulations, particularly Government Regulation (PP) No. 37 of 2009 on Lecturers and the Ministry of Education, Culture, Research, and Technology Regulation (Permendikbudristek) No. 44 of 2024, one of the key eligibility requirements to participate in Serdos is a minimum of two years of continuous service as a permanent lecturer, along with holding at least the academic rank of Assistant Expert (Asisten Ahli). These requirements are not merely administrative checklists; rather, they aim to ensure that lecturers have acquired sufficient and consistent experience in academic responsibilities before being granted state recognition.

In practice, however, the implementation of these regulations often deviates from the ideal standards established by law (Abdurrahman, 2016; Adela and Ritonga, 2023; Adiyono et al., 2024). Empirical findings from several Islamic Religious Higher Education Institutions (Perguruan Tinggi Keagamaan Islam or PTKI) in West Java reveal a number of cases where lecturers who have not yet fulfilled the two-year tenure requirement have still been allowed to participate in the Early-Career Lecturer Capacity Strengthening Program (Program Penguatan Kapasitas Dosen Pemula/PKDP), and even obtained lecturer certification. Furthermore, some of these individuals had not submitted their annual Workload Reports (Beban Kerja Dosen/BKD) consistently for two consecutive years, as required by regulation, yet they were still declared as having passed the certification and received financial benefits. Such practices raise critical questions about the consistency of policy implementation and the robustness of oversight mechanisms in enforcing Serdos requirements. These cases also suggest the possibility of administrative violations that could compromise the integrity of the certification system and create perceptions of injustice among lecturers who strictly comply with all regulations.

This issue becomes even more complex when examined from the perspective of Sharia Economic Law (Abdulahanaa, 2021; Ahyani et al., 2021b, 2021a; Acosta-Henao, 2023). In Islamic legal and ethical frameworks, the allocation of public funds must adhere to several foundational principles, including *'adl* (justice), *amanah* (trustworthiness), *maslahah* (public interest), and *istiqamah* (consistency in legal implementation). When certification mechanisms are implemented in ways that ignore established criteria or allow for uneven application of the rules, the result is an imbalance in resource distribution that may be regarded as a form of *ghulul*—the misuse of public trust. Given that Serdos funding originates from the national budget (APBN), it constitutes a form of public wealth (*al-mal al-'am*), which in Islamic jurisprudence must be managed with transparency, justice, and accountability. Any inaccuracy or carelessness in distributing these incentives risks undermining the *barakah* (divine blessing) associated with the responsible use of public funds, while also reducing the effectiveness of programs aimed at enhancing the quality of Islamic higher education.

In light of this, there is a growing need to explore the potential for affirmative policy approaches, particularly for lecturers who have completed doctoral studies (Ph.D./S3) and/or have attained the academic rank of *Lektor*. Many among this group possess advanced academic qualifications and contribute meaningfully to the university environment, yet are unable to access *Serdos* due to not having completed the required two years in their current position. When examined through the lens of *maqashid syariah* (the higher objectives of Islamic law), particularly the goal of preserving and nurturing intellect (*hifzh al-‘aql*) and upholding academic dignity, it becomes evident that the state should consider recognizing and rewarding such contributions. Therefore, affirmative policies that prioritize or facilitate the certification process for doctoral-level lecturers and those in the *Lektor* rank—without being bound by rigid tenure limits—deserve serious consideration. Such a move would reflect an appreciation of scholarly merit while also supporting the broader aim of improving human resource quality in Indonesia’s Islamic higher education sector (Anam et al., 2023; Ahyani, 2025).

Against this backdrop, the present study seeks to examine the implementation of the minimum work tenure requirement in the lecturer certification program at PTKIs in West Java, through the lens of Sharia Economic Law. This study does not only focus on the normative and administrative dimensions of the current regulatory framework but also incorporates Islamic ethical and legal values to develop a more equitable, transparent, and benefit-oriented policy approach. The inquiry aims to illuminate how principles derived from Islamic economic jurisprudence—such as distributive justice, accountability, and public interest—can serve as a basis for refining lecturer certification policies and enhancing governance systems in the education sector.

By integrating legal analysis with empirical field data, this research aspires to offer constructive recommendations for policymakers, especially within the Ministry of Religious Affairs, which supervises Islamic higher education institutions in Indonesia. The study advocates for a comprehensive reevaluation of existing procedures, particularly concerning monitoring and eligibility standards, to ensure that the certification system aligns more closely with both the legal mandates and the ethical imperatives of Islamic governance. Ultimately, the findings are expected to contribute to the development of a more trustworthy, just, and effective certification framework—one that supports the professional development of lecturers while safeguarding the integrity of public funds in accordance with Islamic economic principles.

## LITERATURE REVIEW

Lecturer certification (commonly known as *Serdos*) is a strategic policy aimed at enhancing the quality and professionalism of higher education teaching staff (Nurdin et al., 2024). It serves as a benchmark indicating that a lecturer has met pedagogical, professional, social, and personal competencies as mandated by the government (Adnan Subekti, 2022; Airaoje et al., 2025). Government Regulation No. 37 of 2009 on Lecturers explicitly states that eligible candidates for certification must have a minimum of two years of service and hold at least the rank of Assistant Expert (*Asisten Ahli*). This requirement is reaffirmed by the Ministry of

Education, Culture, Research, and Technology Regulation No. 44 of 2024, which, despite simplifying administrative procedures, maintains the essential conditions of two years of service and fulfillment of workload requirements (*BKD*) as non-negotiable prerequisites.

According to Silm Oktapani (2019), the main issue surrounding the possession of educator certificates in Indonesia is often not the lecturers' qualifications themselves, but the complexity of administrative processes and weak oversight. Various regulatory loopholes allow for procedural violations, including discrepancies between written rules and actual practice. Oktapani highlights that some lecturers have been certified despite not fully meeting the formal requirements, which has led to jealousy among academic peers and eroded perceptions of fairness within the higher education system. In a 2024 study by (Mujib, 2024), which explored lecturers' perceptions of implementing sharia values in curricula, it was found that perceptions of integrity, justice, and responsibility are heavily influenced by institutional policy and its real-world implementation. When there is a misalignment between stated norms and policy practices, lecturers' trust in the system tends to deteriorate. This mirrors the situation in the Serdos process, where policies designed to reflect procedural fairness may be perceived as discriminatory or inconsistent when not implemented in line with the applicable regulations.

In several Islamic Higher Education Institutions (*PTKI*) in West Java, cases have emerged where lecturers who had not yet served two full years in the position of Assistant Expert were still allowed to join the Beginner Lecturer Capacity Development Program (*PKDP*) and even received certification stipends. For instance, Dodo Suhada from STAI Miftahul Huda Al Azhar Banjar and Pa Mumad from STAIPI Garut were found to have participated in PKDP despite not meeting the required duration in their academic roles. Other lecturers had never filled out *BKD* documentation yet still received Serdos stipends. Such inconsistencies contribute to perceptions of injustice and legal uncertainty in lecturer governance within PTKI environments. Several regulatory instruments govern the implementation of lecturer certification in Indonesia. Government Regulation No. 37 of 2009 emphasizes two years of work experience and a minimum rank of Assistant Expert as key prerequisites. The 2024 ministerial regulation reaffirms these essentials while streamlining technical procedures. However, technical regulations within the Ministry of Religious Affairs—such as Circular No. B-376/DJ.I/Dt.I.III/HM.00/07/2025 and Director General of Islamic Education Decree No. 2131 of 2025—require candidates to hold the rank of Assistant Expert but do not explicitly state the two-year tenure requirement. This regulatory ambiguity creates a normative vacuum that can lead to administrative irregularities and breaches of justice in the distribution of professional allowances. Moreover, the *BKD* system plays a crucial role in lecturer accountability. *BKD* documentation, which must be submitted for two consecutive years, serves as proof of performance. However, in some instances, *BKD* data has not been reported at all, yet stipends continue to be disbursed. This undermines the credibility of performance evaluations and raises serious concerns regarding transparency and public accountability.

Within the framework of Sharia Economic Law, any policy involving the distribution of public funds must uphold the principles of *'adl* (justice), *amanah* (trust), and *maslahah* (public benefit). Certification stipends sourced from the national or regional budget constitute public funds (*al-mal al-'am*) and must be managed in a fair and accountable manner. Disbursement

of these funds without adherence to legal procedures, or to individuals who do not meet eligibility criteria, constitutes a breach of *amanah* and can be classified as *ghulul* (embezzlement of public resources) in Islamic jurisprudence.

The principle of *‘adl* is central to Islamic public finance management. When implementation deviates from regulation, compliant lecturers may feel disadvantaged due to delayed eligibility, while others benefit prematurely without meeting formal requirements. This disparity contradicts the foundational principle of distributive justice in Islam. Furthermore, the principle of *maslahah* guides that the ultimate goal of certification should be improving lecturer quality and higher education, not merely providing financial incentives. Improperly managed disbursement risks turning public benefit into *mafsadah* (harm), damaging the merit-based academic system and public trust in state institutions (Achmad et al., 2020). In this context, there is an urgent need to reformulate certification policies to be more adaptive, just, and aligned with the *maqashid shariah* (higher objectives of Islamic law). One possible approach is to offer affirmative policies for lecturers who have earned doctoral degrees or attained the rank of *Lektor*, even if they have not yet completed two years of service. These individuals have demonstrated academic competence and should not be constrained by rigid administrative timelines. Such a policy aligns with the principle of *al-istihsan* in Islamic jurisprudence, which allows for legal leniency to promote broader benefit. Adopting sharia values in lecturer certification governance can enhance the integrity of higher education and strengthen public confidence in the government’s commitment to developing quality human resources. Harmonizing positive law with sharia norms is not only relevant but also necessary to ensure that the certification system serves as a genuine tool for quality improvement rather than a mere bureaucratic formality (Furqani et al., 2024).

Despite a growing body of literature addressing various aspects of lecturer certification in Indonesia, several critical gaps remain unaddressed. First, there is a notable lack of research that frames lecturer certification—particularly the distribution of certification stipends—as a matter of Sharia Economic Law (Ahyani et al., 2021a; Alfano, 2022; Asmarini and Rahmatullah, 2024). Most existing studies tend to focus on policy analysis or administrative procedures, without incorporating the ethical and legal foundations provided by Islamic jurisprudence. This oversight is significant, given that the funds allocated for certification are sourced from public finances and, within an Islamic framework, must be managed in accordance with the principles of justice (*‘adl*), trustworthiness (*amanah*), and public benefit (*maslahah*). The absence of this perspective leaves an ethical vacuum in the analysis of policy implementation, particularly when public resources are at stake (Aebissa et al., 2023; Ahyani et al., 2024).

Second, there is limited empirical research that investigates the inconsistencies and irregularities in the implementation of certification policies within Islamic Higher Education Institutions (*PTKI*), especially in specific regions such as West Java. Field data suggests that certification has occasionally been granted to lecturers who do not meet the formal requirements, such as the mandatory two-year tenure or the proper completion of BKD documentation. However, these inconsistencies have rarely been scrutinized in detail, nor have they been analyzed in terms of their broader implications for transparency, governance, and



institutional trust. This lack of evaluation hinders a comprehensive understanding of how policy deviations affect the integrity of higher education systems in religious institutions.

Lastly, there has been no significant attempt to formulate affirmative policy recommendations grounded in the principles of *maqashid syariah*. While some lecturers—particularly those holding doctoral degrees or academic ranks such as *Lektor*—have demonstrated clear academic merit, current certification procedures continue to prioritize rigid administrative timelines over academic capability. Existing studies have not proposed concrete alternatives that balance procedural requirements with academic fairness, such as granting certification eligibility to highly qualified individuals regardless of time-based limitations. Integrating *maqashid syariah* into policy reform would not only align the certification process with Islamic ethical principles but also enhance the effectiveness and legitimacy of the system by promoting substantive justice and meritocracy.

## RESEARCH METHODOLOGY

This study employs a qualitative approach using a case study method to explore the implementation practices of lecturer certification (*Serdos*) at several Islamic Higher Education Institutions (*PTKI*) in West Java. Data were collected through in-depth interviews with selected lecturers, certification program coordinators at the respective institutions, and officials responsible for managing lecturer workload documentation (*BKD*). In addition, secondary data were obtained from official regulations, *BKD* reports, and circular letters related to lecturer certification. The data analysis was conducted thematically by linking field findings to relevant legal frameworks, including Government Regulation No. 37 of 2009, Ministry of Education Regulation No. 44 of 2024, as well as Circular Letter of the Ministry of Religious Affairs No. B-376/DJ.I/Dt.I.III/HM.00/07/2025 and Decree of the Director General of Islamic Education No. 2131 of 2025. The main analytical framework used in this study is Sharia Economic Law, which emphasizes the principles of *‘adl* (justice), *amanah* (trust), and *maslahah* (public benefit), along with the ethical management of public funds from an Islamic perspective. Data validity was strengthened through triangulation of interview findings, document analysis, and regulatory review. Using this method, the research aims to reveal inconsistencies in field practices—particularly regarding the required length of service and the fulfillment of *BKD* obligations—and to analyze their implications through the lens of Sharia Economic Law. The findings are expected to serve as a basis for recommendations to the Ministry of Religious Affairs and other relevant institutions in formulating a more just, transparent, and Sharia-compliant lecturer certification policy, especially with regard to ensuring the legitimacy and professionalism of lecturers within *PTKI* environments.

## RESULTS

The findings of this study reveal several significant discrepancies between the formal regulations governing lecturer certification (*Serdos*) and their actual implementation across various Islamic Higher Education Institutions (*PTKI*) in West Java. One of the most prominent

discrepancies pertains to the requirement for a minimum of two years of service as an Assistant Expert—an essential criterion under Government Regulation No. 37 of 2009 and reinforced by Ministry of Education Regulation No. 44 of 2024. However, our field data indicates that some lecturers have been certified and received allowances despite not fulfilling this mandatory service duration. For instance, one lecturer at a well-known Islamic institution in Banjar passed the certification process in 2024, yet had not completed the required two-year tenure in the Assistant Expert position. Another colleague from the same university participated in the Beginner Lecturer Capacity Development Program (*PKDP*) and received the certification allowance, even though they, too, had not served in the qualifying position for the full two years. As a result, these lecturers received certification benefits well before legally permissible, suggesting a considerable divergence between official policy and institutional reality.

This issue extends beyond isolated cases; it reflects a broader pattern of flexible interpretation or outright neglect of formal eligibility criteria. Whereas regulations strictly mandate a two-year minimum service, the implementation at institutional levels appears more accommodating, sometimes even favoring lecturers with notable academic qualifications or connections. Although such flexibility might expedite career advancement for some individuals, it simultaneously undermines the principle of fairness and uniform application of regulations—particularly disadvantaging early-career lecturers who adhere strictly to the rules but face delays due to bureaucratic lag or variance in interpretation. Another area of administrative inconsistency involves the recording and verification of lecturer workload documentation (*BKD*), which is critical for substantiating claims for certification stipends. Formal regulations stipulate that *BKD* reports must be submitted consistently for two consecutive years, serving as tangible proof of teaching, research, and community service performance. However, in practice, some lecturers accepted into the *Serdos* program in 2023 and 2024 had never systematically completed their *BKD* entries in the coordinating agency's system.

Despite the absence of documented workload performance, these lecturers nevertheless received certification allowances. Up to five individuals in one institution were flagged as recipients—none of whom had complied with the documentation requirement—yet financial disbursements proceeded without any apparent delay or follow-up. These findings highlight significant deficiencies in administrative oversight and raise concerns about internal accountability mechanisms within these institutions. When compliance can be bypassed without consequence, the integrity of the system is called into question. Further complicating matters is the ambiguity surrounding eligibility for the *PKDP*, a preparatory program for novice lecturers that often serves as a prerequisite for certification approval. One lecturer from Garut participated in *PKDP* in 2025, despite not meeting the two-year service requirement for the Assistant Expert role. The regulations that govern *PKDP*—such as the Ministry of Religious Affairs Circular No. B-376 of 2025—state only that participants must hold at least the rank of Assistant Expert, without specifying minimum tenure. The Director General of Islamic Education's decree No. 2131 of 2025, which outlines operational guidance for *PKDP*, similarly omits explicit reference to the two-year service criterion.

This lack of clarity has led to diverse interpretations at the institutional level. In some cases, local administrators granted access to PKDP for lecturers based solely on academic rank or competency, even when the duration of service was shorter than stipulated. While such flexibility might aim to acknowledge academic potential, it results in inconsistent application of eligibility requirements and poses risks to procedural fairness. Institutions may adopt relaxed standards to accelerate lecturer development, but they do so at the expense of standardization and national cohesion in policy enforcement. Adding complexity to the situation are cases involving lecturers who have achieved the rank of *Lektor* and hold a doctoral degree, yet have not completed the two-year tenure in that position. One lecturer from a Tasikmalaya-based Islamic educational institution exemplifies this phenomenon. Despite lacking the full required duration in rank, this individual was still permitted to participate in PKDP and ultimately received certification benefits. This special treatment suggests that higher academic qualifications may sometimes outweigh formal service requirements in practice.

It appears that institutional leaders may be inclined to prioritize academic credentials such as doctoral degrees or higher academic ranks over rigid timelines. While this approach recognizes scholarly merit, it also raises concerns about favoritism and inconsistent application of regulations. Highly qualified lecturers—though they have not yet served the mandated two years—receive certification privileges even before meeting the formal tenure requirement, thereby reflecting an ad hoc approach that privileges exceptional cases and ultimately sets a flawed precedent. Institutions themselves play a crucial role in shaping how regulations are interpreted and executed. As higher education entities, they are responsible for establishing performance indicators aligned with ministerial guidelines, while also aligning with their own institutional vision and mission. However, the findings of our observations show that institutional oversight mechanisms exhibit substantial variability and, in many cases, remain insufficiently robust. This lack of consistency contributes directly to the administrative irregularities observed in Serdos implementation.

Incomplete BKD reporting, for example, is tolerated or overlooked in certain institutions, revealing gaps in monitoring and verification processes. Some institutions have no clear policy for follow-up when documentation is missing; rather, they accept oral assurances or unverified claims. In other cases, financial disbursements proceed before documentation is confirmed, relying on expected future compliance or internal trust. Such lapses not only risk financial mismanagement but also erode system reliability. The implications of these practices for the legality and ethics of public fund allocation are profound. Certification stipends are sourced from the state budget and, by extension, from taxpayer contributions. When these funds are distributed to lecturers who have not met formal requirements—or without necessary administrative documentation—questions arise regarding adherence to public accountability norms. From the perspective of Sharia Economic Law, such disbursement to ineligible recipients constitutes a breach of *amanah* (trust) and *‘adl* (justice). The failure to enforce documented proof of service also undermines the principle of accountability that must govern public finance. Moreover, such practices risk delegitimizing the lecturer certification program itself. Rather than serving as a tool for enhancing lecturer professionalism and higher education quality, it becomes a politically expedient mechanism that rewards a select few, often without



transparent or objective justification. This compromises both its credibility and its long-term impact on academic standards.

The credibility gap extends to the higher education institutions themselves. Practices that privilege better-connected or more academically recognized lecturers at the expense of procedural uniformity foster perceptions of favoritism. This, in turn, diminishes trust among faculty members who are diligent in following regulations yet see their peers benefit from leeway. Such erosion of trust can damage institutional cohesion and morale—and calls into question institutional commitment to integrity. These irregularities also generate administrative liability for university leaders and program managers. If documentation is not maintained consistently, or eligibility criteria are applied selectively, institutional leaders risk being held accountable for misuse of public funds. This places their administrative leadership under scrutiny and may expose institutions to audit findings or administrative sanctions under higher education or state financial statutes.

Overall, the findings underscore the critical importance of reinforcing monitoring mechanisms, clarifying ambiguous regulations, and ensuring equitable application of certification procedures. Without such measures, the Serdos program risks being reduced to a procedural formality rather than fulfilling its intended purpose of professional development. From a Sharia-based perspective, the ethics of public fund management demand that certification stipends be distributed only to those who demonstrably meet eligibility criteria and have fulfilled their workload duties. The findings point toward a pressing need for policy reformation. One recommendation is the explicit integration of tenure requirements into institutional and circular documents governing PKDP and Serdos. By removing ambiguity regarding the required service duration and documentation obligations, institutions can better align practice with regulation. Strengthening internal audit and compliance units within PTKIs, as well as training administrative officers in regulatory interpretation, would also address oversight deficits.

Additionally, introducing a transparent verification protocol for BKD submissions—such as periodic audits, digital submission platforms, and cross-institutional sharing of compliance data—could help ensure BGK documentation is accurate and up to date prior to financial disbursement. These measures would not only uphold public fund integrity but also reinforce confidence in the certification process. Ultimately, addressing the observed misalignments between Serdos implementation and formal regulations is essential to safeguarding both academic professionalism and ethical public finance. Lecturers should be certified on the basis of verifiable credentials and documented work performance, not discretionary decisions. From both statutory and Sharia-economic perspectives, certifications granted outside of legal requirements undermine the legitimacy of the program and threaten its capacity to drive qualitative improvements in higher education. As this study highlights, the gap between policy and practice remains wide. Without sustained reform efforts—particularly around tenure enforcement, documentation accountability, and equitable treatment—the lecturer certification system may continue to fall short of its stated goals. The long-term credibility and ethical foundation of higher education hinge on the consistent, transparent, and rule-based application



of certification standards, ensuring that all lecturers receive recognition based on merit rather than ambiguous or favor-driven mechanisms.

## DISCUSSION

The findings of this study reveal critical insights into the complex interplay between formal regulations and their implementation in the context of lecturer certification in Islamic Higher Education Institutions (PTKIs) in West Java. Specifically, the results indicate a recurring divergence between what the regulations prescribe and how certification practices are applied on the ground. Government Regulation No. 37 of 2009 and the Ministry of Education, Culture, Research, and Technology Regulation No. 44 of 2024 establish clear criteria for lecturers to be eligible for certification, most notably a minimum of two years of service as an Assistant Expert. However, evidence from this study confirms that in several institutions, lecturers were certified and received benefits even though they had not fulfilled this basic requirement. This reveals a pattern of flexible or lenient interpretation at the institutional level, suggesting that regulatory intent is often subordinated to local judgment or practical considerations. This inconsistency is not merely administrative; it reflects deeper issues in governance and the institutional culture surrounding higher education accountability in Indonesia. One key observation is that institutional leaders and administrators may prioritize academic credentials or strategic interests over procedural compliance. For instance, lecturers with doctoral degrees or advanced academic ranks are sometimes granted expedited access to certification pathways, even if their tenure does not align with regulatory mandates. While this may be done with the intention of recognizing academic merit, it effectively bypasses the principles of equity and legal adherence that are foundational to public policy. When regulations are selectively applied or interpreted, the standardization of academic career progression becomes compromised, and a system originally designed to ensure professionalism risks becoming politicized or subjective.

These findings resonate with previous academic studies, particularly the work of Silm Oktapani, who in 2019 examined the challenges surrounding the ownership of educator certification in Indonesia. Oktapani highlighted administrative inefficiencies, regulatory ambiguities, and a general lack of synchronized implementation as major contributors to inconsistencies in the certification system. Similarly, Muhammad Abdul Mujib's 2024 study on Islamic values in higher education underscores the importance of aligning formal policy frameworks with actual practices in the field. According to Mujib, when institutions fail to implement policies in a consistent and transparent manner, trust erodes among stakeholders, and the effectiveness of those policies is significantly diminished. The current study aligns with these perspectives and confirms that discrepancies between regulation and implementation are not isolated incidents but reflect systemic issues in higher education governance, particularly in faith-based or religious educational settings. The implications of these discrepancies become more profound when viewed through the lens of Islamic Economic Law. This perspective emphasizes that all financial practices involving public resources must adhere to the principles of *'adl* (justice), *amanah* (trust), and *maslahah* (public benefit). Public funds allocated for lecturer certification programs—especially those disbursed as allowances or incentives—must

be managed with the utmost care, transparency, and fairness. When such funds are allocated to individuals who do not meet the formal requirements, this constitutes a breach of public trust and may fall into the category of *ghulul*, or misappropriation of public resources, as defined in Islamic jurisprudence. More than a technical violation, it becomes an ethical and moral failure that undermines the credibility of the institutions involved and challenges the moral legitimacy of the entire certification framework.

From the standpoint of distributive justice, awarding certification stipends to unqualified recipients not only distorts the purpose of the program but also marginalizes those who follow procedures diligently. Many lecturers adhere strictly to the established protocols, ensuring that their tenure, workload documentation, and academic contributions are all verifiable. Yet, these individuals may be left behind or forced to wait longer for certification, while others with more flexible institutional interpretations move ahead more rapidly. This creates a perception of unfairness that weakens solidarity among faculty and may even lead to institutional cynicism, where adherence to rules is viewed as optional or disadvantageous. It is in this context that affirmative policy proposals become both relevant and necessary. The study's findings suggest that there is a growing need for regulatory bodies, especially the Ministry of Religious Affairs, to consider alternative certification pathways for lecturers who possess strong academic qualifications but lack the formal tenure stipulated by existing regulations. These include lecturers who have completed doctoral degrees or who have achieved the academic rank of *Lektor*, even if they have not completed the two-year service requirement. From a *maqashid syariah* (objectives of Islamic law) perspective, such a policy would serve the broader purpose of enhancing the quality of higher education by recognizing and fast-tracking lecturers who clearly meet the academic standards, even if they fall short on administrative technicalities.

This approach does not negate the importance of rules; rather, it reflects the principle of *al-istihsan*, which in Islamic legal theory allows for discretionary judgment in order to achieve a greater public good. By affirming qualified lecturers earlier in their careers, the higher education system can encourage academic excellence, support capacity building, and reduce bottlenecks that often hinder institutional development. More importantly, such a policy would restore faith in the system's ability to reward merit while still preserving the integrity of regulatory oversight. Nevertheless, for affirmative policies to be effective, they must be transparently designed, explicitly regulated, and equitably enforced. Ad hoc decisions or case-by-case exceptions—such as those observed in the field—only further erode trust and foster suspicion. Institutions must work closely with the Ministry of Religious Affairs and other regulatory bodies to formulate clear guidelines that outline conditions for early certification, procedures for verification, and mechanisms for appeal. These guidelines should also incorporate ethical frameworks rooted in Islamic values to ensure that affirmative policies are not exploited for personal or institutional gain. Beyond affirmative measures, the study also calls for stronger institutional oversight and more coherent regulatory frameworks. Institutions must implement more rigorous internal monitoring mechanisms to ensure that all administrative requirements—such as the submission of workload documentation (*BKD*)—are strictly fulfilled before certification benefits are disbursed. As the findings show, the absence of such documentation has not always prevented financial disbursement, which reflects systemic weaknesses in accountability. To address this, institutions could adopt digital

platforms for BKD tracking, implement real-time verification systems, and establish dedicated audit teams to oversee compliance. Such reforms would reduce the incidence of oversight and increase transparency in fund management.

Furthermore, ministries and regulators must provide clearer, unambiguous guidance on service duration requirements and other eligibility criteria. Ambiguities—such as those found in the circulars governing the PKDP—create room for multiple interpretations, often leading to inconsistent implementation across institutions. These inconsistencies not only confuse administrators and faculty members but also undermine the principle of equality before the law. By standardizing language, harmonizing documentation, and offering training sessions for institutional administrators, the government can foster a culture of regulatory discipline and shared understanding. The need for reform is urgent not only from a procedural standpoint but also from an ethical and philosophical one. In Islamic tradition, the trust placed in educators—especially those in religious institutions—carries immense weight. When that trust is violated, whether through negligence or opportunism, the damage is not limited to budgets or policies but extends to the spiritual and moral fabric of the institution. If higher education in Islamic contexts is to serve as a model of ethical leadership and moral clarity, it must begin by ensuring that its own governance structures embody these very principles.

The credibility of the lecturer certification system hinges on its ability to balance procedural rigor with substantive fairness. Lecturers who comply with every requirement, submit their documentation faithfully, and build their careers steadily over time must not be penalized simply because others have found more flexible paths to advancement. Equally, academically distinguished lecturers should not be held back purely due to administrative technicalities if their qualifications are otherwise sound and verifiable. Striking this balance will require not only regulatory reforms but also a cultural shift within institutions—toward transparency, accountability, and shared responsibility. In conclusion, the study highlights both the challenges and the possibilities that lie ahead for the lecturer certification process in Islamic higher education institutions. On the one hand, it exposes systemic weaknesses in implementation, oversight, and regulation. On the other, it offers a pathway forward rooted in Islamic legal and ethical traditions that value justice, trust, and the public good. Through reform, transparency, and ethical alignment, the Serdos system can be transformed into a genuinely merit-based, equitable, and spiritually grounded mechanism for academic recognition and professional development. This transformation is not merely desirable; it is essential for the long-term integrity and sustainability of higher education in Indonesia.

## CONCLUSION

This study reveals a significant discrepancy between the actual implementation of the Lecturer Certification Program (*Sertifikasi Dosen* or *Serdos*) at several Islamic Higher Education Institutions (PTKIs) in West Java and the applicable regulations, particularly regarding the minimum two-year service requirement as an Assistant Expert (*Asisten Ahli*). The fact that lecturers such as those referenced in the study were able to participate in certification despite not meeting this requirement reflects procedural leniency that risks undermining the integrity

of the certification system. This issue is of critical concern as it relates directly to the legitimacy and professionalism of lecturers serving in higher education institutions.

The inconsistent documentation and reporting of lecturers' workload (*Beban Kerja Dosen* or *BKD*) further illustrate the weaknesses in administrative oversight within the certification process. Although *BKD* submission is a core administrative requirement, it is frequently neglected, and yet certification allowances continue to be disbursed. From the perspective of Islamic economic law, such practices violate the principle of *amanah* (trust), as certification funds are sourced from the national budget and therefore constitute a public trust that must be managed with accountability and transparency. In terms of *'adl* (justice), these regulatory inconsistencies disadvantage other lecturers who comply fully with the requirements and may create inequities in the distribution of public resources. The certification program should be aimed at enhancing educational quality through a meritocratic and equitable approach, not merely fulfilling administrative formalities without regard to ethical principles or the program's ultimate goals. As such, stricter regulatory enforcement and stronger oversight mechanisms are urgently needed to safeguard the fairness and integrity of the certification system.

This study also highlights the importance of affirmative policy measures by the Ministry of Religious Affairs to prioritize or require certification for lecturers who already possess doctoral degrees (Ph.D.) and/or hold the academic rank of *Lektor*, without obliging them to complete the two-year minimum service period. Such a policy would represent appropriate recognition of their academic qualifications and contributions and would serve as an effective driver for improving the quality of Islamic higher education. Moreover, this approach aligns with the principles of *maqashid syariah*, which emphasize public benefit (*maslahah*) and fairness in the distribution of resources. Therefore, the lecturer certification process within PTKIs must be reformed to ensure greater transparency, fairness, and alignment with the values of Islamic economic law, including the principles of *'adl*, *amanah*, and *maslahah*. Strengthening regulations and oversight—alongside the implementation of well-designed affirmative policies—is essential to ensuring the sustainability and legitimacy of the lecturer certification program, while also preserving public trust in the management of state funds and the quality of Islamic higher education in Indonesia.

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