

# SUAR CAHAYA GLOBAL BARU DI NUSANTARA: PELEMBAGAAN UNDANG-UNDANG PANGAN HALAL-THAYYIB INDONESIA

(The New Global Beacon of Light in Nusantara: Institutionalization of Indonesia's Halal-Thayyib Food Laws)

Ikomatussuniah<sup>1\*</sup>, Mohammad Reevany Bustami<sup>2</sup>

<sup>1</sup> Fakultas Hukum, Universitas Sultan Ageng Tirtayasa, Banten, 42118

<sup>2</sup> Centre for Policy Research and International Studies, Universiti Sains Malaysia, Pulau Pinang, 11800

\*Penulis korespondensi: [iko@untirta.ac.id](mailto:iko@untirta.ac.id).

---

## ABSTRACT

*Informasi Naskah:*  
Diterima: Januari 2022  
Direvisi:  
Februari 2022  
Disetujui:  
Maret 2022

---

*Keywords:*  
Halal-Thayyib  
Food Laws  
Institutionalisation  
Indonesia  
Nusantara

---

*Kata kunci:*  
Halal-Thayyib  
Hukum Pangan  
Pelembagaan  
Indonesia  
Nusantara

*In examining the institutionalization of halal-thayyib (HT) and its enhancements, the aim of this article is to three-fold: (1) to deliberate on the ontological components of HT and to formulate an integrated Nusantara framework of halal-thayyib as guiding foundational pillars of institutionalization, (2) to examine insights, issues and social constructs of institutionalization of HT in Indonesia based on social actors' own perspectives as well as legal and structural realities in Indonesia and (3) to provide an analysis of constraints, gaps and potentialities of institutionalization based the findings in relation to the integrated Nusantara framework of HT. This article is based on a case study in Banten, as Indonesian government has already identified it to be developed as the largest landmass of halal food-hub in Southeast Asia. The research employs deductive logic in the formulation of framework and abductive research strategy in obtaining the informants' own insights and constructs vis-à-vis the subject matter. From the analysis, early indications in the empirical field show that the problems are arguably deep and wide-ranging. These issues become obvious with the incorporation of 'thayyib' (roughly means wholesomeness) into the halal concept especially when the entire food production process and its institutionalization practices are called into question. The overwhelming challenge is the rich prospects of the institutionalization of this enhancement in the halal food laws and certification. With the transformation into and adoption of halal-thayyib food laws, Indonesia will be well-placed as the leader not only in ASEAN but also regionally in Asia and beyond.*

## ABTSRAK

Dalam mengkaji pelebagaan halal-thayyib (HT) dan pengembangannya, artikel ini bertujuan untuk tiga hal: (1) membahas komponen ontologis HT dan merumuskan kerangka Nusantara terpadu tentang halal-thayyib sebagai pilar-pilar dasar pelebagaan, (2) mengkaji wawasan, isu dan konstruksi sosial pelebagaan HT di Indonesia berdasarkan perspektif aktor sosial sendiri serta realitas hukum dan struktural di Indonesia, dan (3) memberikan analisis kendala, kesenjangan dan potensi pelebagaan berdasarkan temuan terkait dengan kerangka Nusantara terintegrasi HT. Artikel ini didasarkan pada studi kasus di Banten, karena pemerintah Indonesia telah mengidentifikasinya untuk dikembangkan sebagai pusat makanan halal terbesar di Asia Tenggara. Penelitian ini menggunakan logika deduktif dalam perumusan kerangka kerja dan strategi penelitian abduktif dalam memperoleh wawasan dan konstruksi informan sendiri. Dari analisis tersebut, indikasi awal di lapangan empiris menunjukkan bahwa permasalahan tersebut dapat dikategorikan dalam dan luas. Isu-isu ini menjadi jelas dengan penggabungan 'thayyib' (kira-kira berarti kebaikan) ke dalam konsep halal terutama ketika seluruh proses produksi makanan dan praktik pelebagaannya dipertanyakan. Tantangan yang luar biasa adalah prospek yang beragam dari pelebagaan peningkatan ini dalam undang-undang dan sertifikasi makanan halal. Dengan transformasi dan adopsi undang-undang makanan halal-thayyib, Indonesia akan ditempatkan dengan baik sebagai pemimpin tidak hanya di ASEAN tetapi juga secara regional di Asia dan sekitarnya.

---

## Introduction

From the Islamic law or *syariah* perspective (Zulham 2018), Indonesia also has the advantage of being seen as moderate society with a substantial number of practising followers; hence, theologically more acceptable. Indonesia has all the prospects of being a new global beacon of light. Projecting into the future, there are four main scenario trajectories: plateau, reformative, transformative and regressive. Based on the present realities, unless there is a major strengthening of transformative institutional forces, at best, the halal food laws will plateau and quite possibly moving backward to a regressive scenario. The regressive scenario can mean a great lost for Indonesia to bring '*rahmat*' or goodness not only to its own people, but also to Nusantara and the rest of humanity. Through the local government studies, the research presenting an idea on grabbing the social actors' insights and experience to construct the framework of halal-thayyib products, especially food, on the ontological components, in Banten Province, Indonesia.

Indonesia is one of the countries in ASEAN (Association of Southeast Asian Nation) which has the largest Muslim population. Furthermore, 87% of inhabitants of Indonesia are Muslims that recognised as one of largest Muslim-majority countries in the world (Fazira *et al.* 2018). This is supported by abundant natural resources which can be a source of production of halal-thayyib products. In terms of value, halal-thayyib products, especially food, are regulated in Islamic law for the benefit of humans. As Hudaefi (2019) stated that, "of which Indonesia has a target to lead halal industry worldwide; therefore, a comprehensive systematic discussion on halal governance in the country is critical".

The concept of halal-thayyib foods stated in QS. Al-Baqarah:168, "O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy".

The concept is an intertwine concept, that ideally the halal and the thayyib paradigm is a unison. However, the construction of the concept still found in various standards, as described by Marin Neio Demirci, et.al (Demirci *et al.* 2016) that, "the variation of halal requirements' interpretation and different standards used for halal certification". Furthermore, it is explained that the aim of halal certificate is to make sure that the food which consumed by the Muslims costumers are based on the halal concepts or not.

The labels of halal attached on the packaging after the food business apply the halal certification based on the halal standards and passed the all the requirements. So, the halal label is an assurance for Muslim to get premium quality products, and there is no doubt on it. In addition, the Muslims costumers have to make sure that the food are halal and thayyib, which are safe to consume, and the haram and doubtful things should be avoided. Fatmawati (2019) said, "thayyib can be interpreted as foods that are not dirty or damaged in terms of substances which is not mixed with unclean objects with good understanding". In addition, food safety issue becomes complex related to the various food technology development nowadays, and the issue of food non-certification and untrusted certificate comes up as other issues (Sharifah Zannierah *et.al.*, 2011, pp. 47-58). Subsequently, a halal product must include a thayyib concept in it, so the premium quality can be reach for the costumers' sake. Eventually, the halal-thayyib framework conception is conducting through this study to fill the gap of halal-thayyib framework in the literature.

Institutionalization of halal food laws is carried out by issuing halal certificates, but institutionalization will be perfect if halal-thayyib food certificates are issued in a legal provision. Integrated institutionalization has not been carried out, so that the halal-thayyib food certification process is spread in various departments. This is a problem when

employers cannot access it because of the long bureaucracy. By using institutional theory (Headley et al. 2020), the formation of the institutionalization of halal-thayyib food laws is examined based on the reality in society from the opinions of social actors. The institutional pillars are used as the basic theory to construct the institutionalization of halal-thayyib certificates based on Islamic principles. This research was conducted to fill the void of scientific literature about the institutionalization of halal-thayyib food laws, the possible obstacles that occur from the process of formulating the institutionalization of halal-thayyib food certification, and suggestions.

### Research Methods

The research strategy is a scientific way by researchers to find the data and analyse it to answer the research questions (Blaikie 2000), and generate new knowledge for solving an intellectual puzzles (Blaikie 2007). Then, providing a positive contribution to science, as well as advice to the parties concerned.

Abductive research strategy used in this study using the data qualitative analysis and in-depth interview method.

### Data Collection

In-depth interviews conducted with a director of the center of the halal of *Mathla'ul Anwar* (R1) and a policymaker from the agriculture and animal husbandry department of Banten province (R2), with a duration of 2 hours discussion-session at the husbandry department's office. The guidance-lists of questions compiled, then in-depth discussion taken its place to answer the research questions. The lists are:

1. How is the implementation of the halal food certification process??
2. Does the term thayyib already attached in a halal certificate or logo?
3. Has halal certification been applied based on regulations?
4. Is it possible to institutionalize halal-thayyib food certificates?

5. Are there any barriers to implementing a halal certificate?
6. Have the halal-thayyib food laws been applied?.

### Data Analysis

The interview session recorded, and the transcription process done by verbatim. The analysis done by coding the initial terms and insights for answering the research questions. Furthermore, the extracting ideas from the respondents are examined and assessing to looking the possibility related regarding the institutionalization of halal-thayyib food certification. The research location was Banten province because it is the first local government that chosen as the first and the largest halal industry valley in Indonesia.

### Result

#### The importance of the halal-thayyib logo

The halal-thayyib is intertwined, it cannot be separated. The concept of halal and thayyib is vice versa.

“Halal is thayyib (wholesomeness). Halal is wholesome, *vice versa*. Like two sides of a coin, both must stand upright. Less of understanding results in deviations (R2), and the principle of two labels, namely halal and thayyib must be side by side.” (R1)

#### Constrain on implementing halal-thayyib food certification

The authorities constrain of halal-thayyib certification found in the policy makers. However, the certification of halal and thayyib established in various authority,

“The concept of *rahmatallil'alamiin* will be applied, there must be solutions related to constraints arising from the nation state that has their respective territories and rules.” (R1)

Furthermore, the implementation of halal-thayyib food laws spread in different regulation, namely, Act No. 41/2014 on husbandry and animal health, Act No. 18/2012 on Food, and Act No.33/2014 on Halal Products Assurance.

“The department of agriculture and husbandry do the task of referring to the Act No. 41/2014 change of Act No. 18/2009 on husbandry and animal health. Animal products are required to be safe, healthy, intact, and halal. Halal guarantees on it and the devices used in ensuring the halal are auditors of NKV and various laboratories. For agriculture, the arrangement is in food laws. Indonesia's halal products assurance Act is the world's renown, and this is the only law of halal products in the world.” (R2)

Food safety assurance means thayyib, in addition to halal. The guarantee of food safety is governed by the Ministry of Agriculture, namely regulation of the Minister of Agriculture No. 381. In addition, in the food laws are also regulated.

### **The certification authority of halal-thayyib food is scattered in various departments.**

The authority in conducting supervision and enforcement of sanitation, hygiene, and the menu of a food product is located not only in one department. Regarding the thayyib concept it should be limited first in what form of thayyib, whether it is thayyib of processing or benefits. Furthermore, the departments that related on halal-thayyib food certification are as follows,

#### a. The health department

There are some cases found that meatballs products were having borax, formalin, and pork. There was a chance that flesh of the earlier costumers -who grind their meat in the same place- leftovers. Subsequently, it contaminated the rest of the flesh. Supervision of the agriculture and husbandry department is part of the direct

task. One of investigation found an adulteration case in the Ciruas market. However, the health issues and the ingredients are part of the health department's authority,

“The husbandry and animal health department handle animal origin products, not non-animal ones. For the processing, how to cook, and the nutrition of that food is the health department's authority.” (R2)

#### b. The BPOM department

Supervision on the packaging product is by checking the label of BPOM. Regarding halal, it has listed in the Food Act. Then, for food and medicine is under BPOM.

“The drug and food regulatory bodies (*Badan Pengawas Obat dan Makanan*/BPOM) is related to thayyib, those who issue a distribution permit.” (R1)

#### c. Agriculture and Husbandry department

For animal origin products, there must be an NKV logo, an NKV certificate is a thayyib assurance for husbandry products.

“Returning to the halalan-thayyiban, we do not categorize diseases and others. As an auditor of NKV (*Nomor Kontrol Veteriner*/Veterinary Control Number), we oversee whether the processing is in accordance with hygiene-sanitation or not. If the packaging has been printed halal logo and logo NKV, then the food of origin of animal guarantee as halal-thayyib food. Supervision of raw materials, warehousing systems, and sanitation systems are the duty of agriculture and livestock service.” (R2)

However, the cooking process is health service affairs. Certificates of fresh food from animal origin that have been issued by the agriculture and husbandry service are the processing of meat, meat industry, egg

storage, dairy products, and several related fields. The three levels of prime limitation - that have been published- are thayyib in horticultural of food. This is an indication that the authorities are fragmented.

d. The laboratories

The laboratories used for checking the halal products should be the accredited one, "Advised laboratories to check food products must be accredited" (R2).

e. The MUI

Discussing about halal logo, it relates to existing regulations. Halal product is described by halal *fatwa*, and the distribution's permit is on other related institution that responsible for it. However, both labels describe halal-thayyib.

"Halal legalization is a MUI (*Majelis Ulama Indonesia/Indonesian Ulama Council*) with a halal certificate as a trademark. The distribution permit, because the goods must be traded, supervised by other agencies. With the issuance of NKV certificates, the products are already thayyib, and safe. MUI is not authorized to say that something is safe and thayyib. The thayyib requirements have different criteria based on the type of commodity that related to science, technical, health, and policy. MUI only decides about halal." (R1, R2)

f. The distribution services

Distribution system are not the MUI's authority,

"Regarding distribution, it is subject to regulation, and MUI has no right to issue the distribution of goods, other institutions regulate it" (R1).

## Discussion

### Theory of Institution on halal-thayyib food certification

Richard Scott (Scott 2014) stated that "institutions comprise regulative, normative, and cultural-cognitive elements that, together with associated activities and resources, provide stability and meaning to social life." It can be defined that the social constructs can be done to build an institutionalization of society's norms that has not been established yet. The gap of institution of halal-thayyib food certificate has not described by any scholars. That is way toward it, a social constructs' study done to grab the society insights for describing, explaining their thoughts, and experiences regarding the theme based on their lay activities.

The pillars, -which are regulative, normative, and cultural cognitive- might apply to construct an institution form to provide stability and meaning to social life. The establishment of halal-thayyib food laws, especially the institutionalization of the certification, might be constructed. Based on the finding(s), the flow of three pillars can describe the issue from pillars of cultural-cognitive, normative, to regulative.

The research done to grab the insights of social actors regarding their insights to construct a unison concept of halal-thayyib food laws in social constructs. Their experience, thoughts and action based their everyday activities are assessed and analysed. The possible various point of view is to get constructive concept from downward to upward of society's local wisdom in implementing halal-thayyib food laws.

The ontological components that established in the study to deliberating the institutionalization of halal-thayyib framework found three layers of institutionalizations steps of halal-thayyib in the community. Subsequently, the institutionalization of halal-thayyib extracted in the findings that in the first layer, it is a religious norm in the beginning of values, which is in the pillars of cultural-cognitive is applied. On the basis of compliance, taken-for-grantedness of Islamic principles about halal-haram, and the thayyibah paradigm are stated in Al-Quran, especially part of halal-

thayyib food. It is stated in QS. Al-Baqarah: 168, “O mankind, eat from whatever is on earth (that is) lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy.” The principles are thoughts in daily activities of social actors by sharing the understanding through formal and informal education systems. Furthermore, Scott (2014) states, “the shared conceptions that constitute the nature of social reality and create the frames through which meaning is made.” The halal food conception has a clear description, but the thayyib paradigm is still general. Subsequently, the paradigm of thayyib should be constructed by the knowledge through the scholars’ thoughts. The values of halal-thayyib food implement through mimetic mechanisms from generation to generation by using the logic of Islamic principles. The common belief becomes the indicator of halal-thayyib food application in the daily life of the Muslims’ community. Subsequently, they feel sure to purchase and consume the food.

The second layer of the development process of the institutionalization of halal-thayyib food that emerge in society is the pillar of normative. Religious worship turn becomes a social obligation in society. Non-Muslims in the Muslims’ neighborhoods have understood about halal food for Muslims. If they organize a party with various food, they will make sure that a Muslim guest gets the halal one as a binding expectation that implement in daily life. The appropriateness of the food is obliged by the Islamic teachings. Non-Muslim will feel sorry if they do not serve it for Muslims. There has no certain rule, but it has morally governed in society.

Finally, the regulative pillar might push the establishment of the institutionalization of halal-thayyib food. It brings the expediencies of mankind's body and soul health. It is just not about no pork, no khamr and the slaughtering based on Islamic principles. However, it is about the wholesomeness of the raw material, the processing, the plating, and the delivery system that might occur in producing the food. With the coercive

mechanism, the values can be spread to the entire world to implement the values. The guiltiness appears when someone serving non-halal, and non-thayyib dietary for Muslims. The instruments for regulating it -in logic- should be conducted in the form of rules, laws, and sanction -that it applies if there someone breaks the law. The finding(s) found that the institutionalization of halal-thayyib food laws can be shown based on the everyday activities of the social actors.

The respondents said that the halal-thayyib logo should side by side. It means the institutionalization of the logo and certification of it recommend being set up in regulative one. Furthermore, the halal-thayyib framework that extracted in the community based on the findings come up in various insights. It can be described in a framework of halal-thayyib food laws that found based on the everyday activities of the social actors. The integrated halal-thayyib food laws framework in Nusantara is as follow,



Figure 1. The framework of the integrated halal-thayyib food laws in Nusantara.

The figure described the ontological components of the integrated halal-thayyib food laws in Nusantara, namely, organizational citizenship, environmental stewardship, oversight & governance, financing, human resource leadership, site of production & working condition, purchasing & storage, the process of production, product information & packaging, marketing, sales & customer relations, displays & counters, and delivery.

## **1. Organizational citizenship**

Halal-thayyib food is the concept of quality food based on Islamic principles. The terms of halal and haram foods described in the Quran and the ummah understood it as in a form of the premium quality foods and the way of slaughtering. Subsequently, the food considers as halal even though there might many problems found that the hygiene and sanitation of those foods are bad.

Zulham (2018) described that, based on Abdul Halim Hasan Binjai in *Tafsir Al-Ahkam*, p. 347, it is obvious that the foods that are prohibited -although it is interesting, favours and aroused appetite- cannot be said thayyib. This reflected that the relationship between halal and thayyib are not separated, because every thayyib should also be halal for consumption. If explored more deeply, then "halal for you that which is good" means that every halal food certainly brings good to man. Furthermore, the relevant factor of thayyib should point out in the premium quality that supervised by the organization and the community or government.

## **2. Environmental stewardship**

The quality of the relationship between the environment and the organization that producers the goods/services. The product/service bringing a positive or negative impact on the environment, for instance, how does it impact to the surrounding air, water quality/pollution, carbon emission, biodiversity. Are there good practices of waste management of the organization? Is the product environmentally friendly?

Regarding environmental stewardship, the organization should obey the rules on how to treat the environment as it should be. When they took the raw materials from nature as pure food and halal, the wholesomeness of the way of handling it should consider too. The wholesomeness of treating the environment affect the wholesomeness of the crops as an excellent quality one. For example, when the villagers take their staple food by harvesting their crops, the handling, and the procedures

from seeding, planting to harvesting should not harm the environment. So, the result of crops will in premium quality and value to consume.

## **3. Oversight & governance**

The quality of governance of the organization, which includes how it shows trust with the people inside and outside of the organization, is crucial. The issues also include accountability, transparency, and fairness. Indeed, halal certification helps solve the problems of halalness but what about the thayyib part of the governance. Was the certification obtained through bribery? If it happens, the certificate cannot be trusted. How do people know that there is oversight to ensure halal-thayyib products and services?

Nowadays, the halal certification is under the Ministry of Religion based on the Majelis Ulama Council's fatwa. Furthermore, the thayyib certification, which guarantees food safety, scattered in various authorities and departments. Namely, the health department, BPOM, LPPOM MUI, the agriculture and husbandry department, and the trade and industrial department. The oversight and governance of halal-thayyib food laws should organize under an integrated institution for the assurance of halal-thayyib food. Subsequently, the halal certification and the thayyib certification can integrate under one institution, so it accessible to apply the certification of halal-thayyib for the product which requires it. The oversight and governance of the certification are easier if the departments related integrate under one department.

## **4. Financing**

The point of view of financing is where the source of it comes to buy the foods. The raw materials of food might be halal, however, when it purchases with money from stealing, the food becomes haram to consume. The relevant factor of halal finance is the product financed through halal processes and halal sources of funding. The halalness of a product is affected if the financing source is haram. For instance, a stolen date (kurma) is

not halal to be eaten. Even though a date is halal and a sunnah to be consumed. However, because the dates are from stealing, the law becomes haram to consume.

Based on Zulham (2018) explained that the urgency of halal food for humans was explained by Al-Ghazali in his book entitled *The Secret of Halal-Haram; The Inner Nature of God's Commandments and Prohibitions (Rahasia Halal-Haram; Hakikat Batin Perintah dan Larangan Allah)*, translation of Iwan Kurniawan, 2007:

“Al-Ghazali reveals a chronicle; That Abu Bakr Al-Shiddiq R.A., had drunk milk from his slave work. Then, he asked his slave about the origin of the milk. He replied, "I have predicted something for a people, and they gave me that milk." Hearing the answer, Abu Bakar immediately put a finger into his mouth until he vomited, so as though his soul would come out. Then, he prayed, "O God, I pray for Your Forgiveness for what the vessels of the blood have brought and mixed up in the stomach."

This explains that the source from which halal food is obtained, including the financial resources, must also be halal.

## **5. Human resource leadership**

The quality of human resource management and leadership towards the employees of the organization that produces food is another initial aspect of the halal-thayyib framework. The extraction of labour should implement properly, and the labour's welfare considers as a priority in a manpower system. The system regulates wages, social assurance, child labour, and other aspects related to the industrial relationship between the businesses and the employees, including their families. These are some of the thayyib dimensions related to the process of halal-thayyib production, especially in foods.

Human resource leadership is the ability of humans to act and to manage their own lives in everyday activities, including in processing, purchasing, serving, and consuming foods for their health's sake of

own, family, and society. Every person must understand and to implement a healthy lifestyle by consuming halal-thayyib food as described in the Quran. Self-awareness ability becomes the first step for purchasing and consuming foods, whether it is halal-thayyib food or not. For increasing this ability, society's knowledge should improve by educating them through formal and informal education programs. It can be held by the government and the non-government organization. Education system on halal-thayyib food educates community to getting knowledge and understanding, namely eat the food in proper portion, as stated that,

“Children of Adam, take your adornment at every masjid, and eat and drink, but be not excessive. Indeed, He likes not those who commit excess.” (QS. Al-A'raf: 31)

Zulham (2018) explained that extravagance referred to in the verse is beyond the limit, so this verse prohibits the deed from exceeding the limit because something that is lawful if consumed exceeds the limit, then the ruling turns into a haram.

Furthermore, the awareness and the understanding of Muslims in Banten has increased by up to 72.5 percent in the last three years. They obliged themselves to consume certified halal food, it means they do understand that the product needs to be certified.

## **6. Site of production & working conditions**

The quality of the production site and working condition is another framework that described. In processing halal certification, the thayyib terms should be one of the points in the requirement. The standard of halal and thayyib is intertwined, including on the condition of the site of production & working conditions. For example, for fresh produce from animal origin, the production location & working conditions are assessed as one of the requirements of the establishment of veterinary certificates. The hygiene and sanitation of the site of production and the working condition are supervised by the



department of husbandry in the local government to assure that the product complies with quality standards. The end goal is to protect the community to access good and quality food based on their beliefs, especially for Muslims in accessing halal-thayyib foods.

In halal dimension, for instance, in the “Samak” -the way to cleansing the extreme najis (Kassim 2014), the place used must not be contaminated by some non-halal activities or non-halal materials. In addition, the thayyib dimension, -cleanliness, hygiene, and sanitation of production- should fulfill the standards.

### **7. Purchasing & storage**

The quality of purchasing and storage practices and system. The purchasing and storing done in a way that halal standards have fulfilled. The transportation system, namely the truck or the vehicle is free from unclean elements. Furthermore, the thayyib aspects are the considerations of green purchasing and environmentally friendly storage, and good hygiene-sanitation.

The stakeholders -are the government, food business, and society- must be aware of the halal-thayyib purchasing & storage system based on the standard requirements. For example, the veterinary certificate in Banten established by the department of husbandry by checking the warehouses, the storage, and the factories. They analyse the hygiene & sanitation of those circumstances on how the business tackles the purchasing and storage system based on halal-thayyib foods standard.

### **8. Process of production**

The halal-thayyib process of production is one of the important aspects to assure whether the process is based on Syariah compliance or not. The process supervised on how raw materials turn into food products. In Banten, the supervision of halal-thayyib fresh products of animal origin, for instance, done with oversights in detail of the process of meat processor, meat industry, egg storages, dairy products, and other related processes. The veterinary auditors check and supervise

the processes of production to assure the tranquillity of Muslim society in purchasing and consuming food products based on the halal-thayyib food standards.

### **9. Product information & packaging**

The product information and packaging are necessary to guarantee the halalness and the wholesomeness of the food products itself. The list of ingredients, the nutrition, the laminated wrap, and the how-to prepare and consume the foods should be attached clearly. Furthermore, the food product must have already passed the requirements standard of the halalness and the wholesomeness of the product from the responsible departments, namely LPPOM MUI, BPOM, health department, and other related departments.

### **10. Promotion/pricing (Marketing)**

Promotion and pricing in the marketing system are initial for food businesses in selling their products to increase their economic margin. The food entrepreneur must understand that the logo halal or halal certificate must attach for those products which require it, especially, when the end-users of the food products are Muslims, they oblige to understand how to produce halal-thayyib food based on Syariah compliance. The standard that has already established in rules on assessing the halalness and the wholesomeness (thayyib) of the product. Furthermore, the certificate of halal-thayyib food can convince the costumers, especially Muslims, to purchase and consume their products.

### **11. Sales & costumer relations**

Halal-thayyib sales and customer relations might be built directly and indirectly in the advertisement system. Direct advertisements can be done with an opening stall in department stores and educate the customer face to face about the products, especially the halal-thayyib foods. Then, indirect advertisements can be done through media, such as billboards, radio, social media, television, and the internet.

## 12. Displays & counters

The displays and counters of food products must meet the Syariah compliance. When displaying the foods at the counters, the halal food should separate from the non-halal ones. Furthermore, how-to display and the cleanliness of the counter should be done based on the hygiene and sanitation standards. Subsequently, the grouping of halal and non-halal foods should be done and supervised by the food business, the local government, and the community.

## 13. Delivery

The halal-thayyib delivery system is crucial about the halal-thayyib foods delivered to the end-user. The guarantee of halalness and wholesomeness of transportation is important to assess and to oversight for deliberating a tranquillity assurance for communities, especially Muslims. It can be done by the food entrepreneur, then the government and the community are over watching it.

The system of halal-thayyib delivery is from upstream to downstream, which is from the source of the raw materials to the hand of end-users who consume it. For instance, in the instant-noodle delivery system, the aspects that oversights are the sources of the raw materials come from, how-to the products transported - do the vehicles free from non-halal products? How the hygiene sanitation of the truck? -, and how it arrives and distributes to the costumers. All those aspects assess in a halal-thayyib delivery system for guaranteeing the premium quality products based on the halal-thayyib standard.

### *The challenges of institutionalization of halal-thayyib food laws*

The challenges arise in the establishment of halal-thayyib food laws institutions are seen in various aspects, namely financing, quality of raw materials and production and storage, monitoring and certification, marketing and packaging, premises, and delivery, as well as the participation of the community as customers, and reporting and disclosure. The readiness of

halal-thayyib institutions is the duty of government and stakeholders when the constraints that displayed on findings have occurred.

## Conclusion

Indonesia's potential as a halal-thayyib center -in the Nusantara even in the world- is very extraordinary. The concept of halal-thayyib food laws that applies alongside the cognitive-cultural can be instituted. Thus, it can be implemented regulative-with the ability to force, and legally sanctioned for legal certainty. However, some of the obstacles that arise are:

- a. Constrain on implementing halal-thayyib food certification; different territories are different rules.
- b. Implementation of halal-thayyib regulation spread in different regulation: the certification of thayyib's concept spreading in various regulation and authorities.
- c. The certification authority of halal-thayyib food is scattered in various departments: the certification process of either halal or thayyib established in different department.

When nation countries have their own sovereign rules, to form an international institution of halal-thayyib food laws would be challenging. The possibility of it can be done with engaging into an international agreement by looking at the greater benefits, at least for ASEAN in Nusantara. This circumstance embodied in the political process through international of legalization with characteristics three long dimensional processes:

- a. Obligation; states or other parties are bound by a rule or commitment or a set of rules or commitments. This means they are legally bound by international and domestic law to comply with the general rules, procedures, and discourse.
- b. Precision; the extent to which the rules unambiguously specify the required conduct rule is clearly spelled out

about the required behavior, authorization, or proscribe.

- c. Delegation; delegation of authority to third parties to implement, interpret, and enforce the rules; to resolve the dispute; and make further rules if possible (Abbot *et al.* 2000)

The halal-thayyib integrated system on food laws held by various departments under one of the Memorandum of Understanding and establishing an institution that supervises all related departments on establishing halal-thayyib certificate for the products which require to attach it. The representative of the officers from each department joins under the halal-thayyib certificate institution. The described halal-thayyib framework that extracted might be established under one institution with various authorities regarding halal-thayyib food products certification for simplifying the bureaucracy.

## References

- Abbott, K. W., Keohane, R. O., Moravcsik, A., Slaughter, A.-M., & Snidal, D. 2000. The Concept of Legalization. *International Organization*. <https://doi.org/10.1162/002081800551271>
- Blaikie, N. 2000. *Designing Social Research: The Logic of Anticipation* (1st ed.). UK: Polity Press in association with Blackwell Publishing Ltd.
- Blaikie, N. 2007. *Approaches to Social Enquiry* (2nd ed.). Cambridge, UK: Polity Press.
- Fahmi Ali Hudaefi, Irwandi Jaswir. 2019. Halal Governance in Indonesia: Theory, Current Practices, and Related Issues. *Journal of Islamic Monetary Economics and Finance*, 5(1), 89-116.
- Headley, M. G., & Plano Clark, V. L. 2020. Multilevel Mixed Methods Research Designs: Advancing a Refined Definition. *Journal of Mixed Methods Research*, 14(2), 145–163. <https://doi.org/10.1177/1558689819844417>
- Ira Fazira, et al. 2018. Benchmarking of Malaysia Certified Halal Warehouse to Implement Certified Halal Warehouse in Indonesia. *Grostlog 2018*, 139-149. ISSN: 2622-5778 (Online). <http://proceedings.itltrisakti.ac.id/index.php/altr>
- Irma Fatmawati. 2019. The Halalan Toyiybah Concept In The Al-Qur'an Perspective and Its Application with Food Products In Indonesia. *1<sup>st</sup> International Halal Conference & Exhibition 2019*, 397-405.
- Marin Neo Demirci, et.al. 2016. Positioning Food Safety in Halal Assurance. *Food Control*, 70, 257-270. [www.elsevier.com/locate/foodcont](http://www.elsevier.com/locate/foodcont).
- Norrahimah Kassim, Puziah Hashim, et.al. 2014. New Approach of Samak Clay Usage for Halal Industry Requirement. International Halal Conference, PWTC, Kuala Lumpur, Malaysia, 4-5 September 2012. *Procedia Social and Behavioral Sciences*, 121, 186-192.
- Scott, W. R. 2014. *Institutions and Organizations: Ideas, Interests, and Identities*. (P. Quinlin, K. Guarino, D. C. Felts, & S. J. Duffy, Eds.), SAGE Publication. Inc (Fourth Edi, Vol. 53). Washington DC: SAGE Publication, Inc.
- Syarifah Zannierah, Syed Marzuki. 2012. Restaurant managers' perspectives on halal certification. *Journal of Islamic Marketing*, 3(1), 47-58.
- Zulham. 2018. *Peran Negara dalam Perlindungan Konsumen Muslim Terhadap Produk Halal* (1st ed.). Jakarta Timur: Kencana.