

HALAL LABELISATION OF HARAM FOOD IN MAKALE TORAJA

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Abstract

Halal is the eligibility status of food for the Muslims to consume. This research is intended to prove the practice of halal label manipulation in the target restaurants and to find out the factors supporting to this practice. The research methods are in line with MUI (Majelis Ulama Indonesia) the Board of Indonesian Muslim Scholars which has the authority to issue the halal-labeled food for business. The study has discovered the practice of halal labeling of illicit products in food stalls. The study found some problems: 1) fake halal label and basmalah (to mention the name of Allah) on the shop, 2) the cooking process mixed with unlawful raw materials, 3) the meats are unlawful to consume since they were slaughtered beyond Islamic way, 4) weak supervision regarding haram (unlawful) products with phony halal-label. 5) weak supervision of halal-labeled food on the market displays, 6) omission of halal food labeling, 7) complicated halal certification process.

Keywords: Halal Labeling, Haram Food, Toraja

INTRODUCTION

Tana Toraja is domestic and international tourist destination in South Sulawesi (Celebes) where Muslims are minority; the population is around 34275. They cast a doubt that the available meat products in this region are unlawful to consume. The main reason is the majority of Toraja tribe are Christians

adhering animism which is known as *Aluk To Dolo* who do not know how to prepare meat products which lawful for minority Muslims. As a popular tourist destination, Tana Toraja is famous with *Tongkonan* the traditional house characterized by its distinctive carvings. Tana Toraja is also known with traditional ritual such as the *Rambu Solo* (the death ceremony),

baby graves planted in an era tree (*baby crafts*), and sarcophagus. The other tourism objects are hot springs located in Sangalla ', *pango* natural tourism overgrown with pine trees, the highest tourist statue in the world (Buntu Burake).

The main concern in this research is Toraja's special dish prepared from raw pork, which is available for sale on food displays in every restaurant while it is unlawful for Muslim to consume. This common practice in turn puts the domestic Muslim tourists in doubt over the eligibility and lawful status of the available meat products in Tana Toraja while the vendors put the halal labels and *basmalah* stickers on their meat products. The halal label and *basmalah* sticker are the basis for the Muslim tourists to buy and consume the meat product while their eligibility and lawful status have not been established yet. The urgency of halal label on every meat product in Tana Toraja is crucial since recently a lot of Muslim tourists from local government and religious institutions to visit Tana Toraja. The local government should have to regulate the distribution of *halal* meat products in Tana Toraja; and on the other hand the vendors should have been aware and cautious before they put their meat products for sale. This is the basis of *halal* tourism. Halal tourism consists of two syllables namely, first, Tourism is traveling together (to expand knowledge, have fun, tourists the person on the trip; travelers; tourist. While halal is permitted, not prohibited by sharia law. Halal Tourism is a tourism industry that has contributed to economic growth in Indonesia, so halal tourism has become part of the

national tourism industry. The development of Islamic tourism-oriented halal standards, Shariah compliant became the basis for halal tourism management; such as alcohol free, gambling free, and the availability of halal food. Tana Toraja should be able to apply all tourism components to accommodate the needs of Muslim tourists visiting Tana Toraja.

To guarantee halal products, the MUI forms LPPOM MUI, in charge of carrying out the function of protecting Muslim Consumers. Halal Certification would be issued after going through the SJH audit process twice with a status declared Good (Value A). Consumer protection is also regulated under State Law Number 8 of 1999 explaining that certainty to provide protection to consumers includes increasing the dignity of consumers and opening access up to information about goods and/or services for them, and fostering honest and responsible business behavior. This study aims to 1) Describe the behavior of private consumption in Tana Toraja, 2) to prove the existence of manipulation practices of halal label in restaurant 3) to explain why the manipulation of halal labelisation happened, 4) to give an input in arranging the rules of halal labels in an effort to develop halal labeling at food stalls in order to improving Muslim tourism in Makale City, Tana Toraja Regency.

The type of this research is a descriptive analysis using a qualitative approach. This research was conducted in Tana Toraja, precisely in the city of Makale. The processing of data collection using several techniques as follows: observation, and Interview and documentation.

LITERATURE REVIEW

Halal Tourism Concept

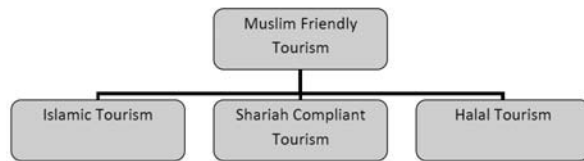
The term halal tourism in the literature is generally equated with several terms such as Islamic tourism, syari'ah tourism, halal travel, halal friendly tourism destinations, Muslim-friendly travel destinations, halal lifestyle, and others. From the industry side, sharia tourism is a complementary product and does not eliminate the type of conventional tourism. Sharia tourism is tourism that upholds culture and Islamic values without eliminating the uniqueness and originality of the region. Religious tourism that is meant can also mean a pilgrimage tour. Etymologically, a pilgrimage can mean a visit, both to people who are still alive and those who have passed away, but in the activities of understanding the community visits to the deceased through his grave. The activity is also commonly called the tomb pilgrimage.

Halal tourism is an object or action that is allowed to be used or involved in the tourism industry in accordance with Islamic teachings Yusuf al-Qaradawi defines halal as permissible, and acts justified by God's law Therefore, the term halal means 'allowed' according to Islamic teachings (sharia law). Halal is also one of the five actions (*al-ahkam al-khamsah*) which categorize the morality of human actions in Islam, others are *Fard* (obligatory), *Mustahabb* (recommended), *Makruh* (disliked), and *Haram* (forbidden) From an Islamic perspective, Halal as defined above refers to any practice or activity in tourism that is 'permissible' according to Islamic teachings . Related to illicit

food contained in QS Al-Mulk / 67: 1 5, QS Al-Ankabut / 29: 20 . The Islamic view of tourism as follows first, travel is considered as a part of worship, as is the case with fulfilling the pillars of Islam, namely the pilgrimage to Baitullah. Second, tourism is also connected with the concept of knowledge and learning as in QS al-Taubah: 112. Third, the tourist destination in Islam is to study science and think as in and al-Naml: 69-70. Fourth, the biggest goal of travel in Islamic tourism is to invite others to God, namely to do *da'wah* as has been done by the prophet Muhammad Rasulullah. Therefore in the concept of Islam, Islamic tourism also includes travel activities to reflect on the miracle of Allah's creation and enjoy the beauty of the universe, so that it will make the human soul develop a strong faith in the oneness of Allah and will help someone fulfill their obligations.

To talking about sharia tourism is not only tourism to religious sites or pilgrimage, but also to the implementation of promoting Muslim-based halal standards, such as providing halal food and places of worship. The information should be available on the local mosque, and the absence of alcoholic drinks at the hotel where tourists stay. Sharia compliant is the basis for measuring halal tourism. The success of the development and marketing of Halal tourism destinations must be guided by the application of Islamic teachings and principles in all aspects of tourism activities. The motivation and selection process of Muslim tourist destinations are also taken into account among them: shared value, availability

of worship facilities and mosques, and facilities for women. To create the tourist destination that pro against Muslim:



Picture 1. Muslim Friendly Tourism

The above scheme illustrates that in order to realize tourist attractions that are friendly to Muslim tourism, what must be done is to have tourist attractions to have excellent infrastructure for Muslim tourism, then Muslim tourists adhere to sharia and implement the concept of halal tourism. There are many attributes of Islam that can be indicators of halal tourism, na

1. The existence of a mosque as a place of worship
2. Halal food for Muslims
3. The existence of a local Muslim community
4. Stability and security for Muslim tourists

Halal and the prohibition of food have also become a necessity, and are related to the comfort and safety of Muslims as the biggest consumers in Indonesia that need to be upheld by halal industrial producers. Every halal food producer must have an understanding and awareness to guarantee the lawful and eligibility of its products which are circulated by implementing the Halal Assurance System (SJH) as the implementation of the Islamic conception of halal and haram methods on food and beverages. The act of violation of

SJH by producers will be able to apply product liability both legally and morally.

There are a number of verses related to food consumption which are granted in Islam, among others: Qs.al-Baqarah [2]: 168., 172., QS. Al-Maidah [5]: 88., and QS. An-Nahl [16]: 114. God's Word about the halal nature of God's creatures in general, among others: QS. Al-Baqarah [2]: 29., QS.al-A'raf [7]: 32., QS. Al-Jasiyah [45]: 13., The word of Allah SWT about several types of foods and drinks which are forbidden among others: QS. Al-Baqarah [2]: 173. QS. Al-Maidah [5]: 3., QS. Al-An'am [6]: 145., QS. Al-a'raf [7]: 157

Hidayat and Djatna (2015) explained that the awareness to consume halal food grew significantly. Halal is not only free from prohibited components, it is also about the whole concept of the principle of good and cleansing called *Thayyib*. Attention to the principle of good and clean throughout the production process. The halal principle addresses various cultural, economic and political issues, especially those related to food, banking, and contemporary lifestyles. For Muslims, halal is embedded in everyday life. Halal is also related to spirituality for Muslims. To ensure halal, halal standards and halal certification are needed from trusted Islamic organizations (in Indonesia by LPPOM-MUI). Several techniques have been developed to helping consumers to choose food products. In Islam, the emphasis is on cleanliness both spiritually and especially on food law.

Halal certification, with a simple definition, is an investigation to prove that the status of a

particular product is halal, from raw materials, processing to packaging and distribution, including how the company's internal system can guarantee the consistency of the status of halal products. The guide is pure sharia, from the direction of the Qur'an and references to the hadith of the Prophet Muhammad SAW. The term of *Halalan toyyiban* must cover all production chains; from raw materials and raw materials to planning, manufacturing, packaging, logistics and shipping, warehouse, marketing and consumption.

The clean and pure foods and drinks in line with the halal guidelines should fulfill several characteristics, namely (1) Products does not contain the parts or animal objects which are prohibited by the sharia to consume, or the animal that is not slaughtered according the *sharia* law; (2) Products does not contain unclean as stipulated in the legal provisions of sharia such as pork oil, carcass fat or the type of alcohol or *khamr* or *arak*; (3) In the production process the equipment used is free from unclean; (4) The product does not mix with objects that are unclean during the process such as providing, or storing it; (5) Workers in the company must be healthy, clean, and practice a code of ethics for hygiene and health; (6) The equipment used has been washed and pure. The cleaning process should be applying clean and flowing water; (7) Cleanliness of equipment, transportation and factory environment and or implementing good manufacturing practice; (8) Packaging and transfer of products apply ethical hygiene and do not contain ingredients that are not

halal as stipulated in *syara*. As for the Principles regarding halal and haram law as follows:

- a. Basically everything is lawful.
- b. Calm and forgiveness are merely the authority of Allah SWT.
- c. to forbid the lawful and justify the forbidden, including polytheism (*shirk*) behavior towards Allah SWT.
- d. Something that is forbidden because it is bad and dangerous.
- e. In something that is halal there is something that with it no longer requires the unlawful.
- f. Something that delivers to the unlawful is the law.
- g. Dealing with the illegitimate, unlawful.
- h. Good intentions do not abolish illegitimate laws.
- i. Be careful of those who are grateful so that they do not fall into the unclean.
- j. Something that is haram is haram for all.

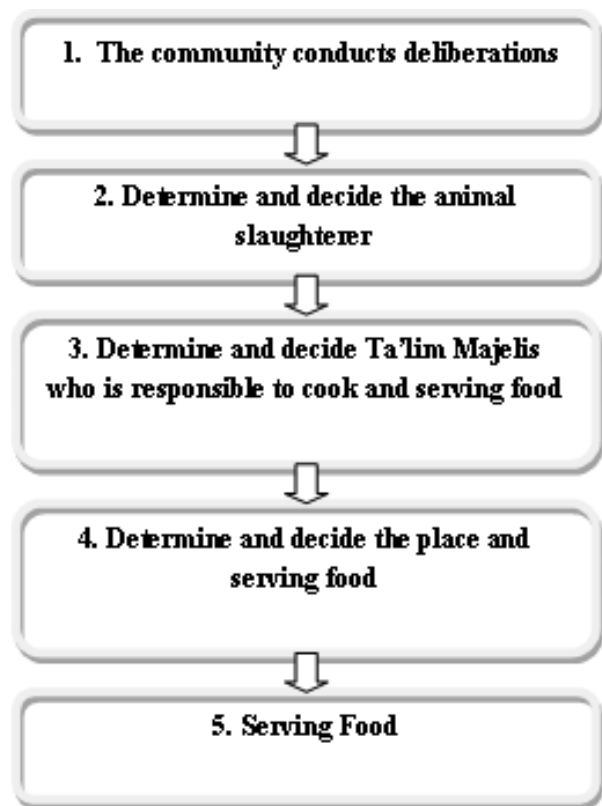
Muslims and Consumption Behaviour in Tana Toraja

Consumption is based on the consideration that humans have 1) limitations, 2) needs to shape one's consumption patterns, 4) consumption related to social relations. Consumption Behavior in Islam is based on the values contained in the Qur'an and Hadith, as in QS Al-Maidah: 88 which explains that Muslims food consumption must be based on halal and good. Allah explained the concept of consumption in Islam, namely limited human needs, consumption at a reasonable and not excessive level, the level of satisfaction described in an indifference curve for a Muslim

interpreted as a need not as a desire, satisfaction level not based on the number, and consumer goods must be halal. The Muslims in Tana Toraja is a minority community that lives side by side with Christians who are still nationally considered as minority; they live in different religious values, norms and rules. On the other hand the Muslim community is encouraged to respect the culture and traditions or values adopted by other religions such as *solo signs*. Amin, as a religious leader and Muslim community leader Tana Toraja explained that:

Muslim community being careful about eating at solo or thanksgiving events. So, we cook the utensils ourselves from home, the Muslim community appoints an animal slaughterer from local Muslim, then the Muslim community determines the Majlis ta'lim who is responsible for cooking and serving food.

For the Muslim community of Tana Toraja, halal and unlawful food is a consideration in consuming food, it is seen when Muslim communities are involved in *rambu solo* events, their involvement does not reduce the sharia values adopted. Their adherence to religious rules includes the rules regarding how to consume the halal food. Obedience is defined as obedience which is characterized by obedience or obedience, which then has the same meaning as loyalty and piety. The piety is characterized by the nature and behavior that is reflected in obedience, sincerity in carrying out religion which leads to piety. Every member of Muslim community in Toraja consume halal and thoyib food. Muslims as consumers must have understanding and awareness to ensure the halal of products consumed both legally and morally. The concept of prudence in the Muslim community of Tana Toraja can be described as follows:



Picture 2. Stages of Communities Consuming Food at the Solo and Thanksgiving Signs

The Muslim community of Tana Toraja is not only careful about consuming food when celebrating solo signs or other thanksgiving events held by local Christian communities, but Muslim communities also show prudent behavior when fulfilling their daily needs, explained as follows :

Haji Idaman explained that halal raw materials are more expensive such as halal beef priced at IDR 115 thousand / kilo while non-halal meat costs IDR 45 thousand / kilo. On the market sometimes it is unclear and may be mixed. The concern is the mixing of raw materials and tools used. Usadz. Amin explained that Muslim communities were full of caution in buying food raw materials. The price of halal raw materials was higher than non-halal raw materials. Illegal raw materials were usually obtained from solo signs, where the event is to slaughter animals such as buffalo, pigs, and cattle but not in accordance with Islamic sharia, which is large in number and the remaining meat is traded.

The information above explains the phenomenon that raw materials are twice as cheap as halal raw materials, these conditions will form consumption behaviors that are not sharia compliant so that the Muslim community of Tana Toraja is demanded not only to exercise caution but also must be accompanied by obedience in practicing religion. Halal food and beverages depend on the substance which is halal, does not mix with something that is prohibited, does not contain unclean as well as the production process that is protected from unclean or unclean ingredients.

Phenomenon of Halal Labialization of Haram Food

The other side of the population of Tana Toraja is that the majority of the population adheres to Christianity, and as a tourist destination in South Sulawesi which is visited by many domestic and foreign tourists. A number of domestic tourists in 2016 was recorded at 1,056,592 and increased to 1,173,183 in 2017, the number of foreign tourists in 2016 was 20,271 and increased to 25,452 in 2017. The number of domestic tourists is dominated by tourists from the area around the Toraja Land, the majority of whom are Muslims, which requires an environment that provides comfort to domestic visitors such as eating halal guarantees. There are 4 food stalls that have obtained halal certificates, namely *Warung Solo Toraja*, *Ideal Toraja RM*, *Dapur Rumahan Sukses*, and *Dapur Hotel Pantan Toraja*. While the Lovely Committee in December 2016 released 21 lists of public and special restaurants for Muslims in the Land of

Toraja who use the halal label or the *basmalah* on the door to the place to eat.

The data above explains that the stall owner gives a halal sign or basmalah writing as a sign/symbol that the stall is mostly consecrated for adherents of Islam. So that it can be understood that the writing of halal and basmalah as a form of strategy carried out to improve the image of the product and as a promotion that the product offered is a product that is suitable for consumption for adherents of Islam. Yanna a local person explained that:

I often visit Toraja, when I go to Toraja I usually bring food from my home, because it's hard to looking for a halal restaurant, there are a lot of halal writing in restaurant but I am afraid of eating that food because it's not known, usually I often eat in Idaman Stall, because its known of its halal food.

The condition explained that assurance halal product really affect the decision of consumer to consume the product. The statement above is also in line with Ustadz Amin that: (The aforementioned condition may explain the Muslim's decision to consume food if they are convnced that the product has halal assurance. The statement above is also in line with Ustadz Amin that:)

The people usually bring food when visiting Toraja, but actually there are many food stalls that are halal-labeled, maybe because they are still worried, that they will bring their own food, or there are always get instructions from their families for halal-guaranteed food stalls.

Halal food stall guarantees are needed by tourists who are Muslim, this condition is used by food stall owners to label food stalls with halal logos or Arabic inscriptions written on basmalah. Thus, labeling food stalls is one of the strategies of stall owners to

attract tourists, because labeling of food stalls is a form of enhancing product image and promotion. Jonathan Gunawan explained that in order to increase revenue, the company establishes business strategies such as fostering good relations with suppliers and customers, as well as improving good relations with new customers and suppliers and improving product image and promotion in anticipation of the entry of new competitors. For this reason, business people take steps, namely: *Cost Leadership* (producing products with a low cost per unit), *Differentiation* (different and unique products), and *Focus* (production that meets consumer needs at the lowest price). Halal food stalls can be identified in the following ways:

Table 1. Warung Muslim I

No	Name	Status	Statement
1	Ust. Amin, S.Pd	Religion Shop	Halal RM usually has halal or Arabic writing like basmalah
2	Drs. Sampe Baralangi, M.Sc	General Secretary of MUI Tana Toraja	There is a Halal certificate posted on the wall, a food stall wall
3	Arifuddin, S.Ag	Islamic Community of Tana Toraja	There is certificate on the Halal food stall and usually writing in basmalah
4	Ideal	Owner of Warung Makan	There are obvious halal certificates, if its just halal label, the owner cannot guarantee, because the unclean meat is only IDR 45 thousand/kilo while the meat product from Islamic slaughter is IDR 110 rb/kilo

The table above provides information regarding halal food stalls. However, the halal label in food stalls does not guarantee the halal foods, because researchers through observation

found that the practice of labeling halal food stalls is unclear, arguing that the stall sells illegitimate food. The following table can explain the practice as follows:

Table 2. Identification of Halal Labels for Haram Warung

Restaurant Identity	Break Practice
The food stall has a halal logo	Label halal without legal halal certificates In one shop there are 3 menus : 1) drink menu, 2) Halal menu, 3) menu made from pork Processing process mixed with haram (having one kitchen)

Factors Affecting Halal Label Manipulation

The principle of production is how production can run so that it reaches the maximum and efficient level by: 1) Maximizing output by using fixed inputs. 2) Minimizing the use of inputs to achieve the same level of output. In economic criteria, the production system is said to be more efficient if it meets one of these criteria: 1) Minimizing production costs in the same amount. 2) Maximizing production with the same amount of costs. Economic theory is the reason for business actors who want to achieve maximum production by reducing production costs including suppressing the price of raw materials by buying cheap raw materials. The following factors support the practice of applying halal label on the prohibited products as follows:

1. The understanding of food stall owners is very low regarding halal products.

Halal products have standards that become a benchmark for product halal as explained by Muchtar Ali, namely: a) The product does

not consist of parts or objects prohibited by sharia. b) Products is not mixed with raw materials such as pork oil, carcass fat or any type of yeast or wine; c) equipment used is free from unclean substance; d) Products is not mixed with prohibited objects during the process e) Workers in the company must be healthy, clean and practice a code of hygiene and health; g) Cleanliness of equipment, transportation and factory environment and or applying good manufacturing practices; h) Packaging and transfer of products to apply hygienic ethics and do not contain ingredients that are not halal as regulated in syara.

The owners of halal food stores merely understand that halal products are products which the raw materials are not originated from pigs only; they do not understand that halal products have their own criteria as explained by Muchtar Ali. The fact is that there are halal food stalls because they sell food that does not have pork ingredients, and one side also sells food made from raw material which is forbidden. His practice is common especially among the Christian vendors who misunderstand that halal products are foods that are not made from raw pork.

2. Raw Materials are Cheaper than Halal Raw Materials.

The Toraja Muslim community has a precautionary principle in fulfilling their daily needs, including by buying raw materials from meat, due to the possibility of mixing of meats prepared under Islamic law with the meat prepared beyond Islamic way. The culture of the local Toraja community, such as a solo sign

event, is a concern for the Muslim community regarding the sale and purchase of meat for the rest of the solo signs. The remaining meat from the celebration of solo signs is sold at a price of IDR 45,000 / kilo, while Islamic-bought meat is sold at a price of IDR 110,000 / kilo. Breaking the price triggers the emergence of behavior to maximize production with low production costs.

3. Weak Supervision Regarding Halal-Labeled Illegitimate Products.

The supervision of halal labeling on unclean food stalls is very weak, this is because the institution that has the authority, only supervise food stalls that have obtained halal certificates, and not supervise food stalls that are only halal-labeled and only rely on reports from the public. These conditions are explained in the table below:

Table 3. The Halal Labeled Warung Supervision Model

Description	Informant
The Ministry of Religious monitoring associated with food stalls that have obtained the certificate halal	Ustadz Amin (Religious and Community Leader)
The Ministry accepts complaints related to illegitimate products at halal labeled food stalls	Arifuddin (Islamic Bimas Ministry of Religion Tana Toraja)
The MUI supervises only food stalls that are halal certified from the MUI and receives complaints regarding the practice of halal labeling	Drs. Sampe Baralangi, M.Sc (Secretary of the MUI Tana Tora as well as the Halal Survey Team)

4. Illegal Raw Materials are Easily Obtained.

The majority of the people of Tana Toraja embrace Christianity, whose habit of consuming food is not permissible in Islam. This condition has the potential to be legally trading raw

materials such as pork and other livestock meat that are not bought in Islamic trading. As stated by civil stall owners that raw materials traded on the market are unclear, such as meat. This explains the market conditions that may mix halal and haram raw materials.

5. Weak Supervision of Illegitimate Products at Halal-Labeled Food Stalls

JPH dualism between LPPOM and MUI occurred before the Act JPH, the dualism resulting in weak oversight of halal products. The organization does not have the authority to force producers to certify, because halal certification is voluntary, not mandatory. Likewise, the supervision and enforcement function is weak because there are no legal provisions that require companies to certify their products. After the issuance of the JPH Law eliminates the dualism of halal certification institutions and is handled by BPJPH under the authority of the Ministry of Religious Affairs, the JPH Law also has a weakness in monitoring halal label products that are not halal certified, because there is no authority to regulate products that are only halal labels and do not sanction for business. The Regulation of the Republic of Indonesia Number 33 of 2014 concerning Halal Product Guarantee Article 51 explains that BPJPH (Halal Product Guarantee Agency) and related ministries and/or institutions that have JPH supervision authority and can supervise themselves or jointly. According to Drs. Sampe Baralangi, M.Sc. (Secretary General of the MUI Tana Toraja and the halal survey team) stated that the halal certificate authority was at the province level, there was no MUI authority at the district

level. This explains that this condition will have an impact on the weak supervision related to halal products labeled halal.

6. Leaving Halal Labeling in Food Stalls Without The Basis of Product Labeling.

The supervision of halal-labeled food stalls conducted by the Ministry of Religious Affairs and MUI of Tana Toraja is only occasional event; it does mean that complaints and reports of the community are the basis of supervision, and are only a moral obligation. This condition resulted in the omission of halal labeling in Tana Toraja. The condition is based on the JPH Act only regulating companies whose products have been certified while business actors who only attach halal labels or *basmalah* inscriptions are not regulated in the Act, there is no provision for businesses that only label their products, but article 56 in the JPH Law explains that a business that does not maintain the halal product which has a halal certificate shall be punished with a maximum of 5 (five) years of imprisonment or a maximum fine of Rp. 2,000,000,000.00 (two billion rupiahs).

7. Halal Certification Process

Halal certification is an acknowledgment of the eligibility and lawful status of a product issued by BPJPH UU JPH has raised the pros and cons of various parties, including the cost of the halal certification process for micro-entrepreneurs. MSMEs have difficulties related to the cost of halal certification. Small businesses with business capital of IDR 2-5 million must pay halal certification for 2-3 million. This condition directs business people to label halal products without halal certification.

CONCLUSION

The halal labeling of illegal food stalls in Makale City has patterns, namely; 1) Halal labeling without halal certificate from MUI, 2) Labeling halal food stalls that still serve food made from unclean raw materials and the occurrence of halal and haram. The factors that cause the labeling are; 1) Very low understanding of food stall owners regarding halal products, 2) Illegal raw materials are cheaper than halal raw materials, 3) Weak supervision regarding halal-labeled haram products, 4) Illegal raw materials are easily obtained 5) Weak supervision of illicit products at food stalls halal label, 6) Letting the labeling of halal available at food stalls without the basis for product labeling is permissible 7) Halal certification process that is complicated and expensive

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