



## CORRELATION BETWEEN CORRUPTION CRIMES AND THE PARTICIPATION OF CIVIL SERVANTS IN POLITICAL PARTIES

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**Abstract:** Law on the Civil Servant regulates the neutrality of civil servants as free from the influence of interference from all groups and political parties. The participation of a civil servant as a member and/or administrator of a political party is one of a reason for imposing disciplinary punishment, i.e., dishonorable dismissal. In 2013 Bantul, it was found a civil servant in the Education Office had become the Chairman of the Branch Leadership Council of the Bulan Bintang Party Branch. Meanwhile, all rights a civil servant receives are paid from the taxes paid by citizens based on the State Revenue and Expenditure Budget. This research is doctrinal research using a conceptual approach. The results of this study indicate that civil servants who are members and/or administrators of political parties meet the elements of corruption because it is detrimental to state finances. A civil servant who wants to participate in a political party, must first apply for dismissal or be threatened with the most severe disciplinary punishment, i.e., dishonorably discharged. Provisions governing threats and punishments are an indication that a person may no longer obtain the inherent rights of civil servant status such as salary and benefits if he wants to participate in a political party. Thus, civil servants who are found to be members and/or administrators should be subject to administrative sanctions not only dishonorably dismissal but also the obligation to compensate for the loss of the state's finances or economy and imposed with criminal sanctions

**Keywords:** Civil Servant; political party; corruption.

## INTRODUCTION

In an effort to build public welfare and educate the nation's life, a government system is needed that supports the creation of excellent public service delivery. This service aims to meet the needs of every citizen through fulfilling the basic needs and civil rights of every citizen over public goods, public services, and administrative services. Excellent public service is the embodiment of the vision of Bureaucratic Reform, namely world-class government marked by quality public services.

Referring to Law Number 25 of 2009 concerning Public Services (hereinafter referred to as the Public Service Law) which explains that public service providers are any state administration institutions, corporations, independent institutions established by law for public service activities, and agencies other laws that are formed solely for public service activities. Thus, as executors of government duties, civil servants are one of the professions that are part of public service providers. This has also been explicitly regulated in Law Number 5 of 2014 concerning the State Civil Apparatus (hereinafter referred to as the State Civil Apparatus Law), which states that one of the functions of a Civil Servant is as a public servant.

In order to create excellent service, the Public Service Law has outlined the principles of public service delivery, namely:

- a. public interest;
- b. legal certainty;
- c. equal rights;
- d. balance of rights and obligations;
- e. professionalism;
- f. participative;

- g. equality of treatment/non-discrimination;
- h. openness;
- i. accountability;
- j. special facilities and treatment for vulnerable groups;
- k. punctuality; And
- l. speed, convenience, and affordability.

In general, public services are provided by taxes paid by citizens. That is, it needs to be understood that the facilities and rights enjoyed by civil servants such as buildings, equipment, and even salaries are sourced from taxes paid by citizens. Based on this framework, public services must be oriented towards meeting the satisfaction of service users, in this case citizens or the community. So neutrality is one of the issues or problems that often becomes a discourse on the implementation of civil servants' duties.

The State Civil Apparatus Law regulates neutrality in that civil servants must be free from the influence of interference from all groups and political parties. Even the participation of a civil servant as a member and/or administrator of a political party can be used as a reason for imposing disciplinary punishment in the form of dishonorable dismissal. To avoid this, it has been explained in Government Regulation Number 37 of 2004 concerning the Prohibition of Civil Servants to Become Members of Political Parties that a civil servant who wishes to become a member and/or administrator of a political party must first submit his resignation so that he can still obtain his rights in the form of honorable dismissal.

Looking at some reports such as those carried out in the Riau Islands (Adha and Rahmat, 2022), Wonogiri (Munannandar, 2022), and Bantul (Pangribo, 2022) it was found that civil servants were registered as members of political parties. Even so, based on the results of the actual verification process from the General Elections Commission, it was found that these civil servants had in fact never been members of a political party, but it was suspected that the registration of their membership was caused by filling out membership identity data carried out by the political party without the knowledge of the person concerned.

Reflecting on this phenomenon, a scenario is still possible where the membership of a civil servant is indeed something that is wanted and hidden by the party concerned. As happened in Bantul in 2013, based on the findings of the Bantul Election Supervisory Committee, a person who was still a civil servant at the Education Office had become Chair of the Executive Board of the Crescent Star Party Branch. (Ruslan, 2013)

In connection with the fact that all rights received by a person originate from taxes paid by citizens based on the State Revenue and Expenditure Budget. So that in this paper we will discuss the criminal aspects of a civil servant who intentionally becomes a member and/or administrator of a political party without resigning first.

In Indonesia, regulations regarding the prohibition of civil servants from participating in political parties can be found since the Old Order era. Entering the period known as Guided Democracy, President Soekarno initiated a doctrine that combined Nationalism, Religion and

Communism (known as Nasakom). (Vickers, 2005)

One of the legal products issued at that time to unite civil servants who were divided as a result of the political dynamics that occurred, in particular which prohibited civil servants from participating in political parties, namely Presidential Regulation No. 2 of 1959 and Circular Letter of the President of the Republic of Indonesia No. 2 of 1959. (Hartini, 2009) Furthermore, in 1958 the government formed a committee chaired by Prajudi Atmosudirdjo to compile a draft law that could become the legal basis for addressing personnel issues, (Satoto, 2004) which led to the promulgation of the Law Law Number 18 of 1961 concerning Basic Civil Service Provisions which is structured as. Entering the New Order era, the sentiment to restrict civil servants from becoming members of political parties seems to still exist, especially by looking at the issuance of Permendagri No. 12 of 1968 which obliges government officials to be loyal to the nation and state and is prohibited from becoming a member of a political party. (Sarnawa, 2018) However, entering 1976, the government suddenly changed this view by issuing Government Regulation No. 20 of 1976 concerning Membership of Civil Servants in Political Parties or Groups of Work. The prohibition to become a member of a political party for civil servants is still mentioned, but it can be waived if there is written permission from a civil servant authorized official. New problems have arisen, particularly with regard to transparency and consistency in the issuance of written permits which tend to be used only to support certain parties. (Hartini, 2009)

Entering the reform period, there was a political shift from previously centralized government, where control of development was in the hands of the central government, (Syaukani and Ryasid, 2002) to regional autonomy, namely the decentralization of tasks and authorities from the central government to regional governments so that, like during the Old Order, various kinds of political parties began to emerge again. (Sarnawa, 2018) This condition has revived sentiment that the neutrality of civil servants can be significantly affected.

To overcome these potential problems, several legal products have been drafted which focus on regulating the neutrality of civil servants. Law Number 43 of 1999 concerning Amendments to Law Number 8 of 1974 concerning Principles of Civil Service and Civil Servant Government Regulation Number 5 of 1999 concerning Civil Servants who are Members of Political Parties which emphasizes the necessity for civil servants to maintain neutrality and non-discrimination in carrying out their duties. As a transition from political conditions during the New Order era, civil servants who had previously been members and/or administrators of political parties were deemed to have relinquished their membership and/or management and civil servants who still wished to maintain their membership and/or management would be dismissed from their positions. and given the right in the form of waiting money equal to the last basic salary. Government Regulation Number 5 of 1999 was then amended by Government Regulation Number 12 of 1999

concerning Amendments to Government Regulation Number 5 of 1999 concerning Civil Servants Who Become Members of Political Parties where the release of membership and/or management is no longer considered but is automatically released.

During its development, the government issued implementing regulations in the form of Government Regulation Number 37 of 2004 concerning the Prohibition of Civil Servants from Becoming Members of Political Parties. Different from previous Government Regulations, this regulation regulates provisions for civil servants who will become members and/or administrators of political parties. To retain the right to honorable dismissal, civil servants who wish to become members and/or administrators of political parties must submit their resignation in writing to their Civil Service Supervisory Officer. The new thing regulated in this regulation is that a resignation application can be postponed for several reasons, including being under investigation for committing a disciplinary violation which has the potential to be punished with disciplinary action in the form of dishonorable dismissal or being under legal action (administrative appeal) to the Personnel Advisory Board because of being sentenced. disciplinary punishment in the form of dishonorable dismissal as.

Analyzing the two formulations in Government Regulation Number 37 of 2004, it can be understood that the suspension of submissions for resignation is intended to prevent civil servants who submit their resignations not in good faith from obeying statutory orders but simply

because they were caught violating statutory orders. and try to avoid the consequences of disciplinary punishment.

Furthermore, the promulgation of Law Number 10 of 2008 concerning the Election of Members of the DPR, DPD and DPRD and Law Number 42 of 2008 concerning the Election of the President and Vice President for the implementation of campaigns is prohibited from involving civil servants. In fact, civil servants are also prohibited from giving their support to pairs of candidates who are contesting elections. Even so, the neutrality of civil servants is still not fully protected. Based on Government Regulation Number 9 of 2003 concerning the Authority to Appoint, Transfer and Dismiss Civil Servants, personnel development officers give very broad authority over the management of civil servants including planning, procurement, quality development, placement, promotion, payroll, welfare and dismissal. Thus, there is still the possibility for regional heads, as civil service development officials, to politicize the bureaucracy to influence civil servants in their environment to provide support to the political parties to which they are affiliated. (Sarnawa, 2018)

In response to this problem, the government in 2014 promulgated Law Number 5 of 2014 concerning State Civil Apparatus which transferred the authority for management of civil servants to the Ministry of PANRB with consideration from the Ministry of Finance, and was technically regulated by the State Civil Service Agency (BKN). In substance, regarding the neutrality of civil servants, the ASN Law still maintains

that the position of civil servants must be free from influence and intervention from all groups and political parties.

In Indonesia, this crime is specifically in Law Number 31 of 1999 which has been amended by Law no. 20 of 2001 concerning the Eradication of Corruption (hereinafter referred to as the Corruption Law). In general, the internationally accepted definition of corruption as a criminal act is the abuse of public office for private gain. From this understanding it can be understood that the term corruption is an umbrella term used to categorize various kinds of acts. This can also be seen from the systematic structure of the Corruption Law which, rather than providing a general definition of criminal acts of corruption, explains element by element the acts that fall into the category of criminal acts of corruption. Looking at the article formulations, in total we can find thirty forms/types of criminal acts of corruption which can be grouped into: (KPK, 2006)

1. State financial losses, which consist of two actions, namely:
  - a. Against the law to enrich oneself and can be detrimental to state finances (Article 2);
  - b. Abusing authority to benefit oneself and can harm state finances.
2. Bribery, which consists of twelve acts, namely:
  - a. Bribing civil servants (Article 5 paragraph (1) letters a and b);
  - b. Giving gifts to civil servants because of their position (Article 13);
  - c. Civil servants accept bribes (Article 5 paragraph (2) & Article 12 letters a and b);
  - d. Civil servants receive gifts related to their position (Article 11);

e. Bribing judges (Article 6 paragraph (1) letter a);

f. Bribing advocates (Article 6 paragraph (1) letter b);

g. Judges & lawyers accept bribes (Article 6 paragraph (2), Article 12 letters c and d).

3. Embezzlement, which consists of five acts, namely:

a. Civil servants embezzle money or allow embezzlement (Article 8);

b. Civil servants falsify books for administrative checks (Article 9);

c. Civil servants tamper with evidence (Article 10 letter a);

d. Civil servants let other people destroy evidence (Article 10 letter b);

e. Civil servants help other people destroy evidence (Article 10 letter c).

4. The act of extortion, which consists of 3 acts:

a. Civil servants extort (Article 12 letters e and g);

b. Civil servants blackmail other civil servants (Article 12 letter f).

5. Fraudulent acts, which consist of 6 acts:

a. The contractor cheats (Article 7 paragraph (1) letter a);

b. The project supervisor allows fraudulent acts (Article 7 paragraph (1) letter b);

c. TNI/Polri partners cheat (Article 7 paragraph (1) letter c);

d. TNI/Polri partner supervisors cheat (Article 7 paragraph (1) letter d);

e. Recipients of TNI/Polri goods allow fraudulent acts (Article 7 paragraph (2))

f. Civil servants take over state land to the detriment of other people (Article 12 letter h).

6. Conflict of interest in court, which consists of one act:

a. Civil servants participate in the procurement they manage (Article 12 letter i).

7. Gratification, which consists of 1 action:

a. Civil servants received gratuities and did not report to the KPK (Article 12B in conjunction with Article 12C).

## MAIN PROBLEM

Therefore, then the problem of *Halal ṭayyib* will further explained in a next few exposure. Where this journal will focus on the essence of the concept of the Halal ṭayyib at some products. Anything has revealed from *al-Quran*, *Hadiş* or at the ethics of Islam and the halal ṭayyib effect on human kindness.

## METHOD OF RESEARCH

This research included in the qualitative study based on research literature (library research)[5]. This research using means descriptive data dissemination and use mode of semiotic analysis method which is content analysis, where this research attempts to develop the information and used to deepen and enlarge existing knowledge. This research use the sociological approach, where this approach used to know and understand social trend pertaining to the existence of the concept of halal ṭayyib and how to solving the problem. The primary data from Indonesian Ulama's instructions about the halal terms of a product and *Qur'an Hadiş* as the main source of halal ṭayyib law. As for secondary data used are a few other literature which relate to halal ṭayyib terms, just like some journals and research about *halal ṭayyib*, some government regulations, and all the other several

references that deals with this research

## RESEARCH RESULT AND DISCUSSION

### 1. Terminology of Halal Tayyib

The term *haram* and *halal*, was found in al-Quran, *Hadiş* and used in various aspects. However, term *halal* and *haram* more used to the definition concerning food and drink. The word *halal*, according to languages derived from a root word (الحل), that means (الاباحة) that means all things allowed according to about the manner of *syari'at*. Abu Muhammad al-Husayn ibn Mas'ud al-baghawi رحمه الله (436-510 H) from *mażhab* Syafi'i argues that '*hala*' word means something is allowed because it is good. Muhammad ibn 'Ali al-Syawkani (1759-1834 H) said, expressed as *halal* because dissolve a noose of cord or ties you as the prevent it. Same with al-Syawkani opinion, from among Ulama' contemporary namely Yusuf al-Qardawi define *halal* as a by which breaks down end that endangers and Allah allow to do.[6]

In other side, there was define them as food allowed to meet the principles of food Muslim society and maintain quality, covering; aspects (hygienics), cleanliness, safety, preparation storage and purification.[7]

While *ṭayyib*, contained in Q.S. al-Baqarah 168;

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ

"People, eat the *halal* and better than what is in the earth, and do not follow the devil steps; because he is your sworn enemy"

In al-Miṣbah interpretation mentioned, that such verse applies for

all human (both believe in God and who do not). Next, disclosed that not all *halal* things is valued good. Because, what is called *halal* meals consisting of four types; compulsory law, *sunah*, *mubah* (everythings that allowed) and *makruh* (approaching *haram*). Then, not all food that would be *halal* have always in accordance with the condition of someone else. As well as in some cases, that certain foods *halal* and good for the other, but not for those who have anything against for his health condition. Those some of the things but not nutritive, then the food is not *ṭayyib*. [8]

As for the definition of *ṭayyib* according to the Jawad Alzeer in his journal which "Rational and Practical Aspects of Halal and Tayyib in the Context of Food Safety", in Arabic means clean and natural. Definition of *ṭayyib* more often associated with the food represents as a process must go through drink or food products to reach the *ṭayyib* value, like; cleanliness and minimum contamination (purity) which for without the potential toxic ingredients, unclean and *khabith*. [9]

### 2. Standardization of Halal

Standardization food said over and eligible to receive *halal* certification, derived from some terms of the approach [10];

#### a) Approach of Islamic Syari'at

This approach is based on the two major sources of Islamic law, namely *Al-Quran* and *sunnah* Rasulullah.

#### b) Approach of Knowledge and Technology

#### c) Approach of Indonesian Culture

### 3. Standardization of *Ṭayyib*

Food has a *ṭayyib* value, is food has some of the properties of nature is made clear in al-Qur'an as follows:

- a) Healthy food, having enough nutrients and balanced.

Type of Food	Quran Verse
Animal Substance	<p>اللَّهُ الَّذِي جَعَلَ لَكُمْ الْأَنْعَامَ لِتَرْكَبُوا مِنْهَا وَمِنْهَا تَأْكُلُونَ</p> <p>"It is god who provides cattle for you , some for riding and some of them you eat" (Quran Ghafir: 79)</p>
Fish	<p>وَهُوَ الَّذِي سَخَّرَ الْبَحْرَ لِتَأْكُلُوا مِنْهُ لَحْمًا طَرِيًّا</p> <p>"And He is, God who made the sea (for you), so that you can eat fresh fish from it..." (Quran an-Nahl: 14)</p>
Fruits	<p>فِيهَا فَوْكِهَ كَثِيرَةٌ وَمِنْهَا ... تَأْكُلُونَ</p> <p>"..... in it and you have abundant fruit and some fruit for you to eat" (Quran, al-Mu'minun: 19)</p>
Grease and Oil	<p>.... نَسْقِيكُمْ مِمَّا فِي بُطُونِهَا... ..</p> <p>"....we give you to drink of what is in their bellies (milk)...." (Quran, al-Mu'minun: 21)</p>
Honey	<p>يَخْرُجُ مِنْ بُطُونِهَا شَرَابٌ ... مُخْتَلَفٌ أَلْوَانُهُ فِيهِ شِفَاءٌ لِلنَّاسِ</p> <p>".. of out of bee bellies comes a drink (honey) of many colours , in which there is a cure for the human being...." (Quran, an-Nahl: 69)</p>

- b) Proportionate, where the food as required by consumers, moderation and also no lack of other things.
- c) Safe, where the food that contains no danger in it. As described in Quran al-Maidah: 88;

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ

"And eat what is halal and better from what God has bestowed on you, and fear Him who you believe"

In the concept of *ṭayyib* value, there is a difference of opinion among the priests *maḥab*[10] as follows;

- a) *Maḥab* Hanafi

In Quran al-Maidah: 4, Imam Abu Bakr al-Jaṣṣaṣ interpret, that the term *ṭayyib*, containing two meanings;

- 1) Good food and delicious food
- 2) Halal food. Because it's use for opposite word of al-khabaiṣ (unclean or najis), which mean haram.

- b) *Maḥab* Maliki

*Maḥab* Maliki thought , that al-*ṭayyibat* is everything that has sentenced to halal, because halal is *ṭayyib* and opposite with all just a matter of al-khabaiṣ and forbidden based on syari'at.

- c) *Maḥab* Syafi'i

At *ṭayyib* case, this *Maḥab* Inclined to follow what set in the Arabs. It is the word of God as saying;

وَيَجْلُ لُهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

"...and then the Prophet made for them all the good and forbidden for their poor"

- d) *Maḥab* Hambali

Priest ibn Qudamah, one of a sect of the opinion of the *Maḥab* Hambali is similar to a *Maḥab* Syafi'i, provisions where the problems of *ṭayyib* and al-khabaiṣ a food substances, following what was forbidden or sentenced to halal for the Arab population basically, it is they who first exposed to Islam Syari'. [11]

#### 4. The Process of Halal Certification in Indonesia



As the fulfillment of the rights of consumers, including muslim consumers in Indonesia, then formed the halal assurance system (Sistem Jaminan Halal). The halal assurance system (SJH) is a developed management system, applied and maintained by a halal certificate holding company to sustain production process allowed in accordance with the provisions LPPOM MUI (assessment of food, cosmetics and drugs) MUI.[12]

As for halal certification is a process of acquiring a halal certificate through some stages, as evidence that the ingredients, production and process as well as meet the standard LPPOM MUI.

In Halal assurance system of a product, then there is the following factors:

- a) Audits  
The investigation process independent, systematic and functional which useful to determine whether the activity and the outer part consistent with the objectives of planned.
- b) Auditor's LPPOM MUI  
The auditors are appointed by LPPOM MUI after passing through the selection process, competence the quality and the integration, where's this auditor assigned to carry out an audit lawful. In addition, the auditor also has role as the representative of the Ulama' and witnesses to see and find the fact halal products activities in a company.[13]
- c) Audit's Products  
Made of products investigating production process, facilities various materials used in production process.
- d) Audit's SJH  
Do with '*Halal Assurance System*' (SJH) implementation in company which have halal certificate.
- e) Halal Certificate  
A written fatwa issued by MUI stating halal label a product as the court decision MUI Fatwa Commission based on the process of an audit conducted by LPPOM MUI.[14]
- f) SJH Certificate  
A written statement from LPPOM MUI that firm halal certificate from MUI and implemented halal assurance system in accordance with the LPPOM MUI. The certificates issued after through an audit of SJH twice, which expressed with a good value (Grade A).
- g) Audit's Memorandum  
Is a letter or communication tools between LPPOM MUI with the section where have been audited, about the result of audit which need to follow up.
- h) The Evaluation of The Audit  
Is an assessment of audit by the mechanisms of meeting the auditor.
- i) Halal Internal Audit  
Is a staff or several staff the company's internal appointed an official by company management as a staff that coordinates the halal assurance system based on the monitoring.
- j) Fatwa  
Is the result of ijtihad[15] Ulama' on the legal status of an object or act as an islamic law product, where in the halal

certification process, fatwa is halal status for a product.[16]

About halal standardization, it is in the MUI's fatwa number 4 in 2003, about halal for standardization which contain law on the determination of some matter;

- 1) Khamr (Alcohol)
  - 2) Ethanol, Fuse Oil, Yeast and Vinegar.
  - 3) Slaughtering animals
  - 4) Problem the use of names and materials
  - 5) Growth media
  - 6) Frog's problem
  - 7) Another problems, as the case with a problem a halal certificate that expires, foreign institutions that have problems of a halal certificate and the problem of wash pig or dog.[17]
- k) LPPOM MUI  
An agency formed by MUI in charge of running function of MUI to protect Moslem consumers when consumes food, drink, medicines and cosmetics.[18]
- l) The Commission of Fatwa MUI  
Is one of the commission in MUI that responsible to provide advice Islamic law and ijthad to produce an Islamic law, against various problems that are faced by the Moslems. The membership represents an entire the Islamic organisation in Indonesia
- m) Corporate Status  
New: Companies still not having halal sertificate from MUI.

1) Transition: Company have a Halal sertificate. But the implementation of the halal assurance system audit has not been carried out

2) Extension: A company that has get *halal* assurance system status (at least grade B) and will add to the validity period for halal certificates

n) Maklon

Is an enterprise service production by the (I) to the other companies (II) who all of materials be supplied by the II, their products belong to the II.[19]

## 5. Legal Basis of Halal Ṭayyib

Legal Basis of halal ṭayyib, derived from two sources:

a) Positive Law

Before the establishment of the lawful, coverage act of there are some rules that have governed consumer protection for Moslem Indonesian citizens. Some of them are:

1) Of the act no.8 / 1999 about consumer protection

One of them is, as is the case that is listed in paragraph 3 of case 4 on the rights of consumers, that consumers is entitled to the right information, clear and honest about the condition of and assurance goods and / or services.[20]

For from the case, so he made by MUI, halal certification as a form of protection and legal certainty for the rights of consumers to products that are not allowed.[21]

2) Of the act no.41 / 2014 about animal husbandry and animal health.

3) Of the act no.18 / 2012 about food

The country holds, food security through ensuring the halal for required.[22]

Assurance products permissible done under the government and regional government as well as conducted in accordance with the provisions of the legislations.[23]

Therefore, the government and regional governments create synergy, availability affordability and meeting the food consumption, adequate food, safe nutritious food and quality. Balanced. This is meant to ensure the availability of food, remain stable, hygienic high-quality and do not conflict with religious, beliefs and culture community. So, related to the guarantee food for halal values, food so that is the responsibility of the central government and the regions to monitor the application of social security schemes and products.[24]

Then regarding the halal labeling, food producers must include halal label with the provisions of written or printed use Indonesian.[25] The statement contained information in it.[26] Every food manufacturer that promotes (advertise) their food products with a halal statement, they must take responsibility for it.[27]

- 4) Government regulation no 95/2012 about veteriner public health and welfare of animals.

In which there is a variety of provisions on how pace process, sacrifice up to gives certification lawful on processed animal.[28]

- 5) In this effort to ensure a source of feed the state material in the requirements of various infectious diseases are caused by the presence of animal of importation, so set 'Raw

Procedure of Importation of Animals'.

It is the procedures that issued the results of the evaluation carried out by the directorate general of livestock production and the lawful by MUI. In addition, medical certificate about animals (and other documents), issued by veterinarians in authority and a halal certificate from MUI.[29]

- 6) The resolution of a minister of religion republic of Indonesia, Number 519 / 2001, stated that the Indonesian Ulama' council (MUI) as the fuselage of the institutions the implementation of an examiner halal food.[30] A number of things including halal food inspectors by MUI, one of them is processing and set a halal certificate on a product.[31]

- b) Coverage act of halal products (Jaminan Produk Halal)

Act of halal products formed at 17 October 2014 by the Minister of Justice and Human Rights, Amir Syamsudin.

This is a form of protection obligations and a guarantee of health problems a product, that is independence every inhabitant of to each and he or she drives the in accordance with religion followed.[32]

As for JPH, authority and duty has listed in Case 5 and 6 act No.33 / 2014. While the mechanisms are:

- 1) BPJPH set the examiner over to conduct the inspection and / or testing halal value of the products.[33]
- 2) Examination was carried out by halal value auditors.[34]

- 3) When in terms of checking the halal values of products being doubtful, it can be done in a laboratory tests.[35]
- 4) Lawful to the religious advices commission of the MUI, that included experts, the ministry of element or state institutions and related agencies.[36]
- 5) If there is a product expressed not allow, then BPJPH return for a certificate over to the entrepreneurs accompanied by reasons.[37]

If in the certification process has been obtained, so entrepreneurs must include halal label positions set and is easily seen and read.[38]

#### c) Consideration Religious Law (Nas)

Concerning the halal *ṭayyib*, have been described in *al-Quran*:

- 1) al-Baqarah: 168

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ

“People , eat the lawful and better than what is on earth , and do not follow the **devil** steps; because he is clearly your enemy”

Qurais̄ Siḥab explain in his interpret al-Miṣbah, that paragraph of this suggests that this order applies for all human (for Moslem and not). The careful of an attitude in the sorting groceries indispensable, because not all the food created by God is Halal. Meanwhile, a meal has halal value, not entirely having *ṭayyib* value (well as nutritious).[39]

Definition of ‘*halal*’ of ‘*halalan ṭayyiban*’ in paragraph, according to

at-Ṭhabari interpretation is part explanation in Mekah citizens mistakes who has forbidden a variety of foods that is not actually having legal the forbidden.

It is then annual some certain foods they forbade their own. Though of *ṭayyiban*, in exegesis *Kemenag* (The Ministry of Religion) mentioned that those words have meaning food is allowed by God is the food that is useful for the body, no destructive (disgusting to did not deserve to be eaten), so that nothing at all its nature as opposed to God command.

Even, of the nature of this *ṭayyib* become an ‘*illah*’[40] to allow a food has halal value.[41]

- 2) al-Maidah: 88

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ

“And eat lawful and good things which god has given you, fear god you believe on God”

In interpretation of al-Miṣbah explained, that it is the command to the Moslems, to consume all things which are lawful and good. In halal food, there are four laws contained in it, *wajib*, *sunah*, *mubah* (allowed) and *makruh*.

Halal food, when containing material which we abstain with self, so in the end that’s not have a *ṭayyib* value. So, we are ordered to take food right and also have a *ṭayyib* value for ourselves.[42]

- 3) an-Nahl: 114.

فَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَأَشْكُرُوا نِعْمَتَ اللَّهِ إِنْ كُنْتُمْ إِيَّاهُ تَعْبُدُونَ

“Then eat again all of what God has bestowed upon you; and be

grateful for God's blessings, If you only serve to His side"

According to Hamka al-Azhar interpretation, paragraph 114 in surah an-Nahl is seen as a reminder from for as a hunger (both in the future and in the after the hunger). This is in paragraph before paragraph 113, explained about *azab* has come to them only who's not grateful with put them with hunger. In this case, men recommended to the sorting of food which halal and *ṭayyib*.<sup>[43]</sup>

Cases Halal *ṭayyib* can be found on the broiler chicken. In broiler chicken, there was no doubt for halal value of food problems, but there are several opinions and the results of research and attention that the existence of some excess content in it. So it needs to reassess the about it. Like if in husbandry broiler chicken, so in which there is some procedure who do not executed in accordance with applicable regulations and SOP who is not applied as should.

As is the case, the process that is not right, so it would lead to create road access to the city for microorganisms as was the case with bacteria to break into in the fibers of meat that is open. In addition, a temperature that is not adjusted as it should to the meat locker, then it will expedite the growth of bacteria. It is stated that, bacterial population will be quickly developing doubly in temperature 25°C-30°C every minute. In addition, broiler chicken also has a few weaknesses, which it makes broiler chicken farmers must be extra careful and painstaking. These broiler chicken farmers are required to be more vulnerable to an infectious disease. Creating conducive for broiler chicken is also prioritized, for the type of chicken difficult to be able

to adapt, but various opinions is contradicted by the research sustainable, that if all these problems can be overcome when to apply the principle of halal *ṭayyib* and also comply with existing SOP.

Some things that can be done is as follows (it is the result has been done against broiler chickens with a different variable condition enclosure);

- 1) Control of the condition of the cage.

A condition that must be considered starts from cage lighting conditions, and air circulation can in-out at cage. Laundering home as well as equipment feed also need to be considered.

- 2) Administering vaccine at regular intervals to livestock.

Type of Vaccine given during the research is, vaccines and antibiotics for broiler chicken. The vaccine is Gumboro vaccine.

- 3) Control of the temperature around cage.

In this research, use special variable different conditions of temperature on the environment broiler chicken cage.

- a) First cage, placed on condition room temperature, where there are of light bulbs arranged as parameter of temperature in cage.
- b) Second cage, are in surroundings having temperature at around 24°C with air humidity at 70%.
- c) Third cage, are in surroundings having temperature at around 31°C with air humidity at 80%.

- d) Fourth cage, are in surroundings having temperature at around 25°C with air humidity at 70%.

The result of some variable, is this different that absolute enclosure in the range 24°C-25°C with optimal level of growth, an enclosure that is gets warmer compared to 30°C-31°C. It is because of the increase in performance breathing apparatus used in chicken to overcome the increase of temperature in cage.

If the performance of respiratory has increased, then the energy used has been improving. But, increased use of energy was not is directly proportional to the level of consumption in their feedstock. This caused by the factors that said, that high temperature would slow down chicken production, where indirectly that led to the consumption of feed there was deficiency various food substances.

#### 4) Variation of Feed

Variable different degree, there is several species of feed given (type feed is also adapted to age development chicken):

- a) First cage, the chicken was 1-20 day feed given is MS-42. Next, at the age of ke-21 then feed given MS-44.
- b) Second cage, a kind of food given at cocks who is 1-7 day is S-10. As for the age of 7-20 feed given S-11. In this phase the last 21 up age, feed given S-12 is the type. There is special note, where in rainy day and feed given is S-12GL which feed the drug is contained.
- c) Third cage, at the age of 0-14 day feed MS-40, for

chicken was 14-28 day feed MS-42. And when days until age 28 harvest, so feed given is the type ms-44.

The provision of feed in accordance with their needs and energy protein content, will is directly proportional to the level of consumption feed. When the energy in the feed high, then consumption will feed down, but otherwise, then consumption will feed high to fulfill energy less.

At this point, we can see that when we fulfill standards in husbandry broiler chicken in accordance with the and are sprouting poultry the chickens, then all ill effects which is in broiler chicken can be handled well.

And value halal *ṭayyib* in this case, can be found at how the manner of the livestock owners treats animals their flocks (the broiler chickens) in a good way. So, cattle produced to reach Halal *ṭayyib* value, which safe for consumed by society.

In all this research, exposure it can be seen that this concept of halal *ṭayyib* having broad. Study. The concept of halal *ṭayyib* not only centered on matters relating to food or drink, but also could be applied to people how to process everything was halal and having the better values (*ṭayyib*). As is the case in consumed the food and drink, so in the interest of human life better have to take all aspects of a whole the products . Start of how a product are, the processing, until the products are ready to be consumed .So when a the products to be consumed and all are could be more accounted for. The community can guaranteed his health, security and all their rights as the

consumer will be protected. Because the products have been guaranteed in nutritional content until they are hygienic. Therefore, the products could be described as a product that is worth halal *ṭayyib*.

## CONCLUSION

Based on the ranges of exposure, it can be concluded that:

- 1) Not all of the halal products are good (*ṭayyib*). Because, the definition of halal is not limited to an opponent's view of laws that are forbidden (*haram*).
- 2) The definition of Halal *ṭayyib* refers to the same reality but is different in significance. The intention of this statement is, that's not all halal food or products which are over and ultimately *ṭayyib*. Instead, if the products are *ṭayyib* it can be ascertained also having the value of the halal.
- 3) Standardization of Halal values by MUI has been based on what is imprinted on the Quran and Prophet Muhammad's *sunah*. In addition, standardization of halal from MUI has also been based on some legislation and several other government regulations that are legal in the eyes of a state law. For that reason, all the products intended for the consumer (generally) and Muslims (in particular) must follow that the religious advice of the commission of the sharia that has been set by Ulama' from the Institute of Majelis Ulama Indonesia (MUI).

- 4) The concept of halal and *ṭayyib*, very much has a tremendous impact on sustainability consumerism to the community. All this to be well as guaranteed quality, so will bring everything in values a better life.

As is the case, in a case study of broiler chicken on exposure as mentioned above, where when the animal is treated as well as it should and will produce a product that is worth halal and good (*ṭayyib*). So far, many people still think the concept of the halal would have something which is good (*ṭayyib*). And should be, about the kindness of a product are required to pass all the validation from the appropriate authorities in the field.

When a product has been declared halal and *ṭayyib*, so the society as the consumer will be avoided many of *maḍarat* (bad things). The state as the guardian of the citizens, would fulfill their obligations to give the best for its citizens and generations of his people.

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