

EXPLORING THE LEGAL DIMENSIONS OF CULINARY DIPLOMACY: PERSPECTIVES FROM INDONESIA'S GASTRO DIPLOMACY INITIATIVES

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Abstract - *The study emphasizes the importance of gastro diplomacy within Indonesia's legal dimensions and its potential benefits for global relations. It examines how food is socially constructed, as well as how it affects Indonesia's international relations through the role of gastro diplomacy in Indonesia's legal frameworks, drawing on the constructivism theoretical framework. The literature study explores the developing topic of gastro diplomacy and emphasizes its expanding significance in modern international relations. However, this qualitative study also identifies obstacles that Indonesia must overcome, such as the need for effective cooperation among relevant government entities and the preservation of authenticity amidst commercialization. The findings contribute to the existing knowledge on culinary diplomacy and provide insights into the effective use of gastro diplomacy in a multicultural and culturally rich country like Indonesia.*

Keywords: *gastro diplomacy; gastronomy; identity; branding; legal frameworks.*

INTRODUCTION

The idea of gastro diplomacy has attracted more attention as a distinct and useful instrument in international relations and foreign policy. Gastro diplomacy is the intersection of public diplomacy, foreign policy, and gastronomy. In the theoretical framework, gastro diplomacy differs from culinary diplomacy or food diplomacy. Culinary diplomacy is defined as the use of food for diplomatic purposes, specifically the use of gastronomy in conjunction with more formal diplomatic protocols. In this sense, culinary diplomacy refers to the use of food as a tool to promote formal diplomacy during official diplomatic events, including visits by heads of state, ambassadors, and other dignitaries. Through the use of food and dining occasions as a way to engage visiting dignitaries, culinary diplomacy aims to establish connections and strengthen bilateral ties.¹

Food diplomacy is utilizing food aid and relief during a crisis or natural disaster. While food diplomacy can help a country's public diplomacy image, it is not a comprehensive use of gastronomy as a means of expressing culture through public diplomacy. Gastro diplomacy, on the other hand, emphasizes the use of a more comprehensive and instructive strategy, as a means of promoting a nation's gastronomic and cultural legacy abroad. Gastro diplomacy is not an international public relations campaign by a private corporation marketing a particular national food product. When food products like national meals and culinary specialties from other countries are advertised at international food exhibitions overseas, it is not always regarded as gastro diplomacy. So, rather than targeting high levels of affluent, gastro diplomacy aims to influence broader audiences by communicating gastronomic culture to foreign publics in a more dispersed manner. Gastro diplomacy is more related to a cultural diplomacy tool for nation branding that aims to increase overseas audiences' knowledge of and appreciation for a country's gastronomic traditions.

Food turns into a nonverbal communication tool that influences the perception of the global public and promotes a nation internationally since it is an evident link to each of our histories and serves as a vehicle to share our various cultures. The foods and the symbols they stand for can be used to transmit concepts, beliefs, identities, and behavior as well as to identify various social classes. As a result, food has grown to be a significant component of earlier conventional diplomacy.

¹Rockower. (2014). The State of Gastrodiplomacy. *PublicDiplomacy Magazine*, pp. 13-16.



The government's engagement in the implementation of legal measures to safeguard and preserve these cultural assets is crucial to reinforcing identity and promoting cultural variety in order to sustain the authenticity and distinctiveness of the country's cuisine. In order to promote creativity and innovation as well as stop the unauthorized use of culinary knowledge and cultural assets, safeguarding intellectual creations and innovations connected to a country's culinary heritage should also be included in the framework for intellectual property protection.

A nation can develop a favorable and alluring reputation that is recognizable to people all over the world by promoting its culinary heritage. An increase in a country's branding and identity as a result of this soft power projection may have an impact on how that country is viewed internationally. Examining how Indonesia uses its rich culinary legacy as a tool and promotes its national interests on a worldwide scale to strengthen nation branding is the goal of this study. Utilizing food to represent a country's soft power can be effective.

The significance of regulatory clarity and the complex interaction between law and culture have a substantial impact on how effectively a nation's gastro diplomacy programs are implemented. Law should be written in a way that gives people a clear understanding of what to expect from their country and the possible consequences for breaching the law, since law is a reflection of the cultural and social environment in which it is effective. Comprehensive cultural understanding is required to facilitate the smooth incorporation of new legislation.

PROBLEM

In order to promote Indonesia's culinary culture, improve its international reputation, and nurture diplomatic connections, the study intends to address the major problem of objectively measuring the accomplishments and barriers of the country's gastro diplomacy efforts. It is essential to build a strong regulatory framework that offers precise instructions and frameworks for these programs' execution in order to implement them efficiently. This legislative framework will provide a strong basis for assessing the results and effects of Indonesia's endeavors in gastro diplomacy.

With its rich and varied culinary legacy, Indonesia has made an effort to promote its gastronomic traditions on a worldwide scale. Gastro diplomacy recognizes the potential of food as a cultural ambassador. It is still unclear, though, how successful these campaigns have been in drawing attention to Indonesian cuisine's distinctive flavors, preparation methods, and ingredients, which form the basis of the nation's culinary identity.

Moreover, to ensure sustainable gastro diplomacy, a country's culinary customs and cultural legacy must be preserved. This study also attempts to examine the legal frameworks and factors that support Indonesia's efforts to secure its culinary traditions and preserve its intangible cultural legacy, as well as the protection of traditional knowledge for culinary recipes and history.

However, the sample size and representativeness of the participants or cases investigated could have an impact on the study's conclusions. It might not be possible to include a sizable and diverse sample due to time and resource limitations, which could restrict the generalizability of the findings to the larger population of gastro diplomacy activities in Indonesia.

RESEARCH GAP

Despite the growing recognition of the significance of gastro diplomacy and its potential to advance cross-cultural dialogue and international relations, research on the particular difficulties and opportunities of putting holistic gastro diplomacy initiatives into practice in the context of Indonesia is lacking. While there have been generic studies on gastro diplomacy as well as some studies on the experiences of particular nations, such as Thailand and South Korea, there has not been much thorough research concentrating specifically on Indonesia's efforts in this area.

The effectiveness, difficulties, and results of Indonesia's attempts at gastro diplomacy should be thoroughly investigated to fill this study gap. Such research would add to the corpus of knowledge by providing insights into the distinctive cultural and geopolitical elements that affect Indonesia's gastro diplomacy strategies and their effects on the country's culinary promotion, international reputation, and diplomatic relations.



THEORETICAL FRAMEWORK

Constructivism is a theory of international relations that places a strong emphasis on the influence of ideas, norms, and social interactions on international conduct and results. The constructivist theory of Alexander Wendt contends that social interactions and processes help states and other international actors create their identities and interests. This paradigm can be used in the context of branding a country through gastro diplomacy since it acknowledges the social creation of a country's identity and the importance of cultural interchange in forming foreign perceptions.²

By highlighting the strategic communication efforts carried out by nations to define their reputation and image, Simon Anholt's nation branding enhances the constructivist framework. Embracing a variety of strategies, including cultural diplomacy, Anholt's method acknowledges the agency of states in maintaining their brands. A nation can strategically promote its culinary customs, cultural history, and values in the context of gastro diplomacy to generate favorable perceptions and set itself apart from other nations.³

By emphasizing the importance of food as a tool for bridging cultural gaps and fostering intercultural dialogue, Paul Rockower's work on gastro diplomacy strengthens the constructivist viewpoint even more. The importance of cuisine and culinary traditions in forming a country's identity and image is emphasized by Rockower. Nations may promote understanding, arouse emotions, and forge connections on a deeper level through the exchange of food and culinary experiences, which helps to build their brand on a social level.⁴

Friedman defines regulatory certainty as the requirement for precise and foreseeable legal rules governing the implementation of initiatives and activities. It emphasizes how crucial it is to make sure people and organizations know exactly what is expected of them and what kind of penalties they could encounter if they do not follow the rules as set forth. Legal endeavors might lose their effectiveness when rules and regulations are unclear, conflicting, or susceptible to frequent revisions.⁵

Just laws uphold moral principles and encourage fairness and equality. A higher law or natural law should take precedence over positive law in extreme circumstances where positive laws result in outcomes that are blatantly unfair or immoral. This suggests that moral concerns should take precedence in situations where positive law and morality are incompatible, commonly known as the Radbruch Formula. It implies that judicial systems ought to work to uphold moral ideals that are universal and should not enforce laws that do so.⁶

The issue of intellectual property rights and their judicial enforcement for traditional heritage food is also briefly brought up by this research, such as patents, trademarks, and copyright laws play important roles in safeguarding various aspects of products and their ownership.⁷ By providing this protection, businesses hope to encourage fair competition, uphold consumer confidence, and avoid creating misunderstanding or deceiving customers.

The study explores how sharing culinary experiences and promoting a country's culinary heritage help to create a nation's brand identity by incorporating the theoretical frameworks of constructivism as exemplified by Alexander Wendt, nation branding as promoted by Simon Anholt, and Paul Rockower's insights on gastro diplomacy. The dynamics of gastro diplomacy as a tool for nation branding are revealed by this integrated framework, which offers a thorough grasp of the intricate interactions between cultural diplomacy, branding, and international relations. In addition, the study also touches on the necessity for regulatory certainty, as well as the relationship between law and culture, as suggested by Friedman, for initiatives to be implemented following the just laws to encourage fairness and equality, as recommended by Radbruch.

²Wendt, A. (1999). *Social theory of international politics*. Cambridge University Press.

³Anholt, S. (2006). Why brand? Some practical considerations for nation branding. *Place branding*, pp. 97-107.

⁴Rockower, (2014). The State of Gastrodiplomacy. *PublicDiplomacy Magazine*, pp. 13-16.

⁵Friedman, L. M. (2016). *Impact: How law affects behavior*. Harvard University Press.

⁶Radbruch, G. (2006). Five minutes of legal philosophy (1945). *Oxford Journal of Legal Studies*, 26(1), 13-15.

⁷Halabi, S. F. (2018). *Intellectual property and the new international economic order: Oligopoly, regulation, and wealth redistribution in the global knowledge economy*. Cambridge University Press.



LITERATURE REVIEW

The purpose of the literature review is to draw attention to the major theories, findings, and knowledge gaps that form the basis of the present study.

Numerous academics have studied the idea of gastro diplomacy and how it might promote cross-cultural dialogue and international relations. Paul Rockower underlines the importance of food as a tool for bridging cultural gaps and a facilitator of cross-cultural interaction.⁸ His writings shed light on how gastronomy and culinary customs may influence a country's character and image, encouraging favorable opinions from audiences around the world.

Significant attention has been given to the idea of nation branding and how it affects international relations and foreign policy. The works of Simon Anholt explore how branding might influence a country's reputation and strengthen its soft power.⁹ Anholt highlights the importance of a holistic strategy that extends beyond marketing, emphasizing the relevance of shared values, cultural influence, and responsible brand practices.

The constructivist viewpoint, advanced by scholars like Alexander Wendt, provides important insights into how identity functions in international relations. According to Wendt,¹⁰ common values and societal identities influence state conduct and the international order. His writings place a strong emphasis on how power politics are socially constructed as well as how identity affects how states cooperate and interact.

The idea of "gastro diplomacy" is frequently linked to "cultural diplomacy," which aims to promote cooperation and understanding via cultural exchanges. Sam Chapple-Sokol investigates how cultural diplomacy, particularly culinary endeavors¹¹, might strengthen a country's public diplomacy efforts in line with Paul Rockower. His research illuminates how gastro diplomacy may be used to fortify diplomatic ties and enhance cross-cultural understanding.

The interests and power relationships in a society influence the legal systems therein. The ideals, beliefs, and goals of those in authority are frequently reflected in laws, which can be utilized to uphold or undermine preexisting social institutions.¹² The idea of regulatory certainty is supported by Radbruch's emphasis on how the law should be in line with moral standards and the pursuit of justice. He supports clear, consistent legal rules that give people and social confidence and fairness because laws should follow moral principles. He also emphasizes the importance of justice as a core component of the law, highlighting the value of legal systems that promote consistency, predictability, and openness in the administration of justice. This would probably involve the requirement for precise and well-defined laws that permit the efficient implementation of projects while preserving legal norms and safeguarding the rights and interests of people.

The collective perception and understanding of law in society are referred to as legal culture, which entails common viewpoints on the function and goal of the law, as well as expectations and conduct concerning legal procedures and attitudes toward the legal system as a whole.¹³ The concept of legal culture is dynamic and ever-evolving, influenced by a wide range of elements, including historical occurrences, cultural traditions, societal standards, and political views. It forms the way people view their rights and obligations, seek justice, and engage in legal processes. With the advancement of the times, the law's understanding and application have changed in the modern era as a result of changes in society's ideals, technological improvements, and globalization.

The literature study highlights the importance of gastro diplomacy in international relations, the function of nation branding and soft power, the constructivist perspective on identity construction, and the pre-existing qualitative studies on gastro diplomacy. However, it also highlights a study void about

⁸Rockower. (2012). Recipes for gastrodiplomacy. *Place Branding and Public Diplomacy*, 235-246.

⁹Anholt, S. (2011). Beyond the nation brand: The role of image and identity in international relations. In *Brands and branding geographies*. Edward Elgar Publishing.

¹⁰Wendt, A. (1999). *Social theory of international politics*. Cambridge University Press.

¹¹Chapple-Sokol. (2013). Culinary diplomacy: Breaking bread to win hearts and minds. *The Hague Journal of Diplomacy*, 161-183.

¹²Radbruch, G. (2006). Five minutes of legal philosophy (1945). *Oxford Journal of Legal Studies*, 26(1), 13-15.

¹³Friedman, L. M. (1994). Is there a modern legal culture? *Ratio juris*, 117-131.



the particular instance of Indonesia's gastro diplomacy initiatives, their efficacy, difficulties, and impact on the country's branding and legal dimensions surrounding the strategy. By analyzing the difficulties and opportunities faced by Indonesia's gastro diplomacy in promoting the country's culinary tradition, increasing its international reputation, and establishing diplomatic connections, the current study aims to close this gap.

RESEARCH METHODOLOGY

The methodology provides a strong basis for the inquiry and a framework for the examination of the results. The optimal methodology is chosen when the researcher has developed the study questions and identified the data needed to answer them. Things like the necessary data type and the presentation of the results are taken into account. With the aim of comprehending a phenomenon or investigating the behaviors and experiences of a particular group, an exploratory approach is applied in this study.

This study takes a phenomenological approach that focuses on the experiences of people who come across this phenomenon, collecting their feelings, experiences, and opinions to give a general grasp of the informants' reflections as participants. The foundation for developing the phenomenon's structure is the combination of information that these informants have shared. The inquiry starts off by giving participants the chance to learn more about the study and indicate whether or not they would be willing to serve as informants. In-depth analysis procedures are used to define the "phenomenon" under research, highlighting the breadth and excellence of knowledge governed by phenomenological philosophical principles. The results of this study, which were collected through an analytical procedure, express the experiences and circumstances of the participants, serving as a summary and a cause for reflection throughout the research process.¹⁴

According to Creswell, the typical aim of qualitative research questions is to examine problems without taking into account already established hypotheses. The objective of qualitative research is in-depth knowledge, not population-level empirical generalizations. Qualitative research designs are distinguished by being both emergent (allowing the researcher to modify research questions and techniques to investigate new possibilities of inquiry as they develop) and naturalistic (observing real-world situations as they unfold naturally without predetermined limitations on findings). It is well established in qualitative research that the gathering of data and its processing necessitate subjective value judgments.

The respondents selected for this study are thought to be subject matter experts or special actors, and the research questions that were produced from the initial investigation and the study's objectives help set boundaries for sampling. It is crucial to remember that information, not the number of participants, is the key component in qualitative sampling. The interviewees were chosen based on the context of the research, including the backgrounds of current or former diplomats or spouses of diplomats who had been interviewed. Purposive sampling will be used to select the interviewees who will be interviewed. To better comprehend or acquire insight into the phenomenon being studied, it is crucial to attract people with the necessary knowledge and skills. This strategy is utilized to do this.

DISCUSSION

1. The Link between Food and Diplomacy

Gastronomy encompasses more than simply demonstrating how a culture's culinary prowess and nutritional priorities reflect its people's aspirations and cultural values. The "art of life" that has an equal relationship with other nations has given rise to gastronomy as a means of introducing and preserving cultural heritage. Eating is a common practice at large gathering of people, whether to celebrate an accomplishment or to reach consensus on a group activity as a way to connect. A growing number of foreign visitors are traveling more widely, which among other things increases the importance of the diaspora community and develops diplomatic practice through cuisine. Naturally, the level of enjoyment supplied by the food has a significant impact on how well we were able to agree as a group.

¹⁴Creswell, J.W. and Poth, J. (2018) *Qualitative Inquiry & Research Design—Choosing among Five Approaches*. 4th Edition, Sage Publications, London.



It is possible to investigate cultural trends, social interactions, and the construction of collective identities through the intricate connections between identity, food, and culture. Beyond its simple nutritional purpose, food has symbolic meaning. It has a key role in determining social relationships and expressing group identities since it is intricately entwined with cultural practices, traditions, and rituals. Different food preferences, methods of preparation, and dining customs are strong markers of cultural identity in different societies.¹⁵

In addition, as it frequently acts as a tool for community building and interaction, food can also have a social dimension. It serves as a means of passing down cultural norms, values, and ideologies from one generation to the next, reflecting the historical, geographic, and environmental influences that have an impact on a society's culinary traditions.

A hierarchy or perceived quality is frequently present in the cultural and culinary landscapes that is connected to particular cuisines, ingredients, culinary techniques, or dining experiences. Aspiring to identify with and share in culinary traditions that are viewed as superior or idealized, people may work to align themselves with these conceptions of excellence. The process by which people and societies strive to embody or identify themselves with particular culinary standards, practices, or representations that are regarded as highly esteemed or prestigious, marks the transition from identity to identification with the best or the ideal in culinary or gastronomy.

This transition from self-identity to identification with the finest or ideal in culinary or gastronomy is a reflection of the dynamic nature of food culture and the manner in which people and communities interact with and project their values and preferences in this area. It emphasizes the social and cultural aspects of food, where people try to emulate culinary ideals, they regard to be the height of culinary excellence.

Consequently, it starts to reflect a nation's or a country's ideals, traditions, and customs. People indirectly tie themselves with the larger brand or image of the country or nation when they recognize and adopt specific culinary traditions or practices that are connected to excellence or status. A particular cuisine or culinary heritage becomes entangled with the identity and perception of the country or nation from which it originates when it receives recognition and acclaim on a worldwide scale. Countries can use their food culture as a potent tool for branding and influencing attitudes abroad by promoting and highlighting their distinctive culinary traditions.

The concept of gastro diplomacy recognizes that making emotional connections overtly rather than rationally is the way to win people over, as the term put by Rockower "the act of winning hearts and minds through the stomach."¹⁶ As a result, in order to indirectly engage in public diplomacy through cultural links, a relationship with audiences is formed through concrete sensory encounters. Food has certain intimate, and emotional properties because we experience it through our senses (touch, sight, specifically taste and smell), and as a result, we remember the food we eat and the feelings we had while eating it. Food acts as the tangible embodiment of the moment, building a deep connection between place and memory through the senses.¹⁷

Promoting culture is a way in which gastro diplomacy helps a country's identity and branding. Gastro diplomacy gives nations the chance to showcase their distinctive ingredients and culinary prowess, which can help them establish a reputation as a center of gourmet excellence. Sharing a country's culinary delights can foster a sense of familiarity and connection among individuals from all backgrounds because food is an essential component of a nation's culture. Talented chefs have the potential to create a memorable experience for tourists and leave a lasting impression of the country's cultural identity. Gastro diplomacy can also help the country establish itself as a leader in the culinary industry and draw attention from around the world.

¹⁵Boutaud, J. J. (2016). Food and culture. Cultural patterns and practices related to food in everyday life. Introduction. *International Review of Social Research*, 1-3.

¹⁶Rockower. (2014). The State of Gastrodiplomacy. *PublicDiplomacy Magazine*, pp. 13-16.

¹⁷Wilson, R. (2011). Cocina Peruana Para El Mundo: Gastrodiplomacy, the culinary nation brand, and the context of national cuisine in Peru. *Exchange: the journal of public diplomacy*, 13-20.



2. Culinary Subsectors in Indonesia's Creative Economy

The definition of the creative economy is an evolving idea that relies on the interaction between human creativity and ideas, intellectual property, information, and technology. The 'creative industries' are fundamentally built on knowledge-based economic activities, which include creative goods (art crafts; audio-visuals; design; new media; performing arts; publishing; visual arts) and creative services (research and development licenses and services; software licenses and services; audio-visual licenses and services; information services; advertising, market research and architecture; cultural, recreational and heritages services, as a significant source of cultural and commercial value.¹⁸

Following the global economic crisis of 2008-2009, Indonesia formed the Ministry of Tourism and Creative Economy (MoTCE) in 2011 in an effort to strengthen its resilience and promote economic diversification. This was the country's first recognition of the potential of the creative economy, as a response to the national and regional development strategies, which have been updated by the Indonesian government. From 2014 to 2019, the Agency for Creative Economy (BEKRAF/Badan Ekonomi Kreatif) was in charge of managing issues relating to the creative economy before handing those responsibilities back to the MoTCE in 2020.¹⁹

As one of the most dynamic sectors of the global economy, the creative industry opens new doors for Indonesia to enter a rapidly growing market. Creative economy is highlighted to be a crucial component of Indonesia Vision 2045, with desire to "become one of the world's best centers of digital and creative economy by 2045." According to Law No. 24 Year 2019, which was passed by the Indonesian Parliament in 2019, a creative economy is an "embodiment of the added value of intellectual property generated from human creativity, cultural heritage, science, and technology." The greatest assets to Indonesia's creative economy are its rich tradition, multicultural environment, vibrant population, and dynamic economy. Culinary is included in the Indonesian creative economy's 17 subsectors, along with fashion; craft; games; film, animation, and video; advertisement; architecture; fine arts; performing arts; music; application; photography; publishing; product design; interior design; TV and radio; and visual communication.

In achieving the goals, Indonesia sets out three main phases as follows. In the years of 2016 to 2025, the creative economy and the digital economy will grow as new sources of economic growth, focusing on winning the industry's pillar segments, such as fashion, culinary arts, application and gaming, film, animation, and video. The second phase is 2036-2045, during which it is expected that Indonesia will emerge as a premier hub for the technology and creative industries. The third phase is the innovation-based economy, from 2026 to 2035, which is driven by the creative and digital economies. This final phase will be marked by certain achievements, such as an increment in the value added by the industry, an increase in its competitiveness, and the development of digitally oriented new subsectors, like artificial intelligence.

Numerous regional specialties and age-old recipes illustrate the country's culinary heritage and capture the beliefs, customs, and values of different communities in Indonesia, where food is a crucial part of the national identity. In local gastronomy, food and drink items are made with originality, attractiveness, tradition, and local wisdom. It is a crucial component in raising the quality and worth of goods to attract people to spend and provide them an enjoyable experience. It is also an element of a nation's culture that works effectively to promote the nation.

Moreover, around 39% of the GDP from the entire Creative Economy in Indonesia goes to the country's food industry. In comparison to other Indonesian Creative Economy sub-sectors during the COVID-19 epidemic, it created the most job prospects (almost 55% of total creative economy employment) to help small and medium-sized businesses (SMEs) flourish by promoting both domestic and international tourism.²⁰ The thriving food and beverage industry, which includes food vendors, restaurants, cafes, and

¹⁸UNCTAD. (2022). *Creative Economy Outlook 2022*. United Nations Publications.

¹⁹Ministry of Foreign Affairs Republic of Indonesia. (2022). *Projecting Indonesia's Creative Economy Potential on the Global Stage*. Directorate General of Multilateral Cooperation.

²⁰Ministry of Tourism and Creative Economy Republic of Indonesia. (2022). *Indonesia Tourism and Creative Economy Outlook 2021/2022*.



catering services, may be seen to have a positive multiplier effect on the economy by bringing in revenue and income.

Indonesia's culinary sector also offers a venue for entrepreneurialism and creative innovation. Chefs and culinary entrepreneurs' experiment with novel flavors, presentation techniques, and dining experiences to help promote Indonesian cuisine as a vibrant and forward-thinking culinary destination. Fusion cuisine and modern adaptations of traditional dishes are a few instances of approach. The first F&B education platform in Indonesia, the Culinary Business School in Bandung, West Java, is an example. It was formally established in 2017 as a location to share knowledge with other culinary entrepreneurs in the hopes that more culinary entrepreneurs who can continue to create new jobs will emerge.

The variety of food available in Indonesia is a major draw for culinary tourists, who help to develop the hotel industry, support the local economy in tourist areas, and improve Indonesia's reputation as a culinary destination. By boosting the number of domestic visitors as part of the government's initiatives to support the recovery of the tourism sector, the sector contributes 4.2% to the country's GDP. The government's incentive assistance and government assistance for tourism businesses, the Proud of Made in Indonesia (*Bangga Buatan Indonesia*) stimulus, and CHSE (Cleanliness, Health, Safety, Environment Sustainability) certification across Indonesia are some of the ways that the Ministry of Tourism and Creative Economy supports business actors in the tourism sector.

Setting up marketing campaigns for foods, aiding culinary learning institutions, and arranging partnerships between regional chefs and foreign culinary authorities to promote national cuisine by promoting popular restaurants, well-known street food cultures, and regional food markets. In this way, foreign policy can entice travelers who are eager to experience the local culinary scene by promoting the nation as a gourmet hotspot.

Culinary strategy serves as a soft power tool to sway people's opinions and affect them through enticement and persuasion. Soft power develops from culture, internal values and programs, and foreign policy. For better or worse, the government has little control over a significant portion of our culture's consequences. However, the government still has a great deal of power. It is possible to do so through enhancing broadcast capabilities and expanding online coverage based on improved listening.²¹

The principles that a nation represents through the content and presentation of its foreign policy have a significant impact on how appealing that nation is. In terms of foreign policy, all nations pursue their national interests; nevertheless, decisions must be made regarding how broadly or narrowly to define these interests, as well as the methods by which they should be pursued. After all, the goal of soft power is to elicit cooperation from others without using coercion or monetary resources. Soft power depends in part on how one frames their own goals because it relies on the currency of attraction rather than force or rewards. It is simpler to persuade people to support policies based on inclusive and long-term definitions of the national interest than it is to persuade people to support policies with a limited viewpoint. Similar to this, when values are shared, policies that communicate essential values are more likely to be appealing.

Thailand is Indonesia's neighbor that has benefited from soft power through its food, and its government has set a goal to increase the number of Thai restaurants abroad as a way to gradually help to develop connections with other nations. Therefore, all nations have access to soft power, and many invest in strategies to utilize it to influence international politics in ways that go above and beyond expectations.

Indonesia's rich cultural legacy, which includes thriving culinary customs, offers a strong platform for the projection of its soft power. However, authenticity plays a crucial role in successfully capturing Indonesian food and cultural history. Making sure that the depiction of Indonesian culinary traditions stays authentic to their sources, flavors, and preparation methods is essential. In addition to maintaining the integrity of the culture, this authenticity raises the attraction and legitimacy of Indonesia's efforts in gastro diplomacy.

²¹Nye, J. S. (2004). *Soft power: The means to success in world politics*. Public affairs.



In gastro diplomacy, sustainability is yet another important factor. Economic interests must be balanced with environmental and social responsibility as gastronomic tourism and gastro diplomacy efforts become more popular. Promoting environmentally friendly techniques, helping regional farmers and communities, and reducing the industry's negative effects on the environment are all necessary to achieve this. With the help of sustainable practices, Indonesia can demonstrate its dedication to ethical eating behaviors and solidify its position as a country that respects both cultural diversity and environmental responsibility.

These factors highlight the significance of putting gastro diplomacy programs into action in a deliberate and responsible manner. Indonesia may effectively use its culinary legacy to shape perceptions and develop its global identity by addressing issues with authenticity, cultural sensitivity, and sustainability. This would maximize the benefits of Indonesia's gastro diplomacy initiatives through the strategy set forth by the Indonesia Ministry of Tourism and Creative Economy.

3. Building Bridges through Food: The Strategic Advantages for Indonesia

Indonesia can gain various benefits as a country by advancing the ideas of gastro diplomacy and soft power.

First, Indonesia can influence favorable opinions and narratives about the nation by using food as a diplomatic tool. Indonesia may convey a message of cultural wealth, hospitality, and openness to the outside world by presenting its diversified cuisine and rich culinary heritage. For instance, Indonesia can welcome foreign audiences to experience its genuine flavors, customs, and warm hospitality through programs like food festivals, culinary tours, and cultural exchanges. This exposure can build a greater respect and understanding of Indonesian culture while helping to debunk misconceptions. Positive encounters and experiences with Indonesian food can leave a positive impression and foster favorable attitudes of the nation, establishing Indonesia as a desirable and culturally exciting tourism, trade, and investment destination.

Second, food has a special capacity for bridging cultural divides and acting as a universal language. Gastro diplomacy in Indonesia can provide as a forum for communication and cultural exchange. Cultural differences can be celebrated and similarities found through events where foreign chefs work with Indonesian cooks or where traditional recipes are presented. By using food as a link, Indonesia can improve people-to-people ties, foster diplomatic contacts, and foster trust, all of which will lead to a more peaceful and interconnected world.

Third, the focus on gastro diplomacy contributes to improving Indonesia's reputation abroad. Through the promotion of its distinctive tastes, culinary prowess, and food-related customs, Indonesia may present itself as a vibrant and dynamic country with a clear sense of cultural identity. Travelers frequently seek out authentic culinary experiences, and by providing a wide variety of culinary treats, Indonesia can establish itself as a popular food tourism destination. This increase in visitors not only boosts the economy of the nation but also offers a chance to promote additional aspects of Indonesian culture such traditional arts, crafts, and natural attractions.

Fourth, through its gastro diplomacy initiatives, Indonesia may project influence and reshape international perspectives by utilizing the soft power ingrained in its cuisine and cultural customs. The country's soft power, which enables it to shape global perceptions, fortify diplomatic links, and cultivate friendly relations with other countries, can be strengthened by the capacity to demonstrate the diversity of Indonesian cuisine and cultural customs. Indonesia may arouse interest, admiration, and a sense of cultural respect among international audiences by displaying its genuine and vibrant culinary offerings. Increased demand for Indonesian agricultural goods, spices, and culinary ingredients may result from the global acceptance and popularity of Indonesian cuisine. This might spur economic expansion and strengthen Indonesia's position as a major player in the world food market.

Overall, Indonesia may broaden its influence beyond traditional channels and foster favorable attitudes and relationships on the international arena by utilizing the soft power potential of its gastro diplomacy programs.



4. Legal Dimensions of Culinary-Related Sectors

Friedman suggests the idea of legal culture, which extends beyond the official legal system and takes into account a society's overall attitudes, values, and beliefs regarding the rule of law.²² Contrary to popular belief, legal culture is a dynamic and ever-evolving phenomenon that is influenced by a variety of societal norms, cultural traditions, historical events, and political beliefs. It includes a society's overall understanding and perception of the law. Additionally, it encompasses common viewpoints on the function and goal of the law, as well as expectations for and behaviors with legal procedures and attitudes toward the legal system as a whole.

The promotion and preservation of a country's culinary traditions and cultural heritage are frequent goals of gastro diplomacy. To conserve and preserve these cultural assets, the government must be involved in the implementation of legal measures. Due to its colonial past, Indonesia has a rich culinary legacy that reflects various cultural influences. For the sake of cultural preservation, rules should be set forth to protect these various traditional recipes or regional culinary customs. Legal frameworks must take into consideration the necessity to preserve culinary traditions or ingredients with special cultural or religious connotations, such as the labeling and certification of Halal food. The Indonesian food industry needs a legal framework to support sustainable practices, such as promoting locally grown food or reducing food waste. The designation of traditional recipes as intangible cultural heritage or the granting of geographical indications to particular food products will support the nation's identity and foster cultural variety while preserving the cuisine's authenticity and distinctiveness.

Indonesia's foreign policy is dedicated to upholding its independence, fostering regional stability, and pursuing economic development in the context of its particular Southeast Asian circumstances.²³ Leifer calls Indonesia's pursuit of economic diplomacy a significant factor. To advance its economic interests on the international stage, Indonesia engages in a variety of diplomatic activities by participating in regional economic initiatives, engaging in bilateral and multilateral talks, and showcasing its economic potential to the world community. By emphasizing economic diplomacy, Indonesia hopes to establish itself as a desirable location for trade and investment while simultaneously enhancing its economic ties with other nations.

The government is in charge of creating the legal framework necessary to assure adherence to laws governing the manufacture, distribution, and export of food items, as well as to standards for food safety and labeling. A positive business climate is produced by the government's attention to legal issues, which includes the protection of intellectual property rights, fair trade practices, and effective import/export procedures. The government can safeguard the public's health, promote fair trade practices, and uphold the standard and reputation of the country's culinary offers by taking care of these legal issues. More importantly, the government helps the culinary industry expand, improves access to global markets, and increases the financial gains from projects related to gastro diplomacy by addressing these legislative aspects.

Additionally, the law shapes and molds social norms, attitudes, and behavior in both individuals and groups. The influence of law is a strong force that not only controls conduct but also shapes and changes it. The practice of law is intricately entwined with social, cultural, and political elements rather than functioning in an isolated environment. Law and society are mutually reinforcing, with institutional norms and ambitions reflecting and influencing one another. As a result, through legal frameworks, enforcement mechanisms, and the possibility of punishment or reward, one can change one's decision-making processes and affect social dynamics.²⁴

Furthermore, the legal implications of initiatives in culinary diplomacy can be examined using a framework from Radbruch's theory of law.²⁵ The significance of justice, the impact of social elements, and the necessity of maintaining a balance between legal certainty and flexibility are all emphasized. The legal aspects of gastro diplomacy play a part in promoting fairness, equality, and respect for cultural

²²Friedman, L. M. (1994). Is there a modern legal culture? *Ratio juris*, 117-131.

²³Leifer, M. (1983). *Indonesia's foreign policy*. London; Boston: Royal Institute of International Affairs by Allen & Unwin.

²⁴Friedman, L. M. (2016). *Impact: How law affects behavior*. Harvard University Press.

²⁵Radbruch, G. (2006). Five minutes of legal philosophy (1945). *Oxford Journal of Legal Studies*, 26(1), 13-15. doi:10.1093/ojls/gqi042.



heritage. Laws and regulations may be passed to preserve the intellectual property rights of traditional recipes, encourage economic growth by promoting culinary tourism, or otherwise support and promote the cultural heritage of a nation's food. It needs to be adaptable to adjust to shifting cultural dynamics while simultaneously setting forth clear rules and norms. It may also be necessary to review and update these laws and rules regularly to address new problems, consider various viewpoints, and take into account how cultural heritage and culinary practices are understood today.

Regulation certainty is a crucial concept. Legal certainty is the foundation for the implementation of fair and orderly acts, especially in developing relations between sovereigns and countries. The law must provide clear and predictable principles for society to follow and obey. According to Radbruch, laws should be written such that people can clearly understand what is expected of them and the potential consequences if they fail to comply. He emphasized the need for the rule of law to be exact, clear, and consistently applied. Within the parameters established by the rules of a sovereign state, individuals can organize their actions and come to informed conclusions with the help of regulatory certainty.

Radbruch also acknowledges how law and culture are intrinsically linked. He held that the values, beliefs, and practices of the population they were intended to serve could not be separated from the legal systems themselves. According to him, the law ought to be consistent with the goals of the populace and current cultural norms. Legal projects could run into opposition or fall short of their intended objectives without this alignment. He asserts that a thorough comprehension of the cultural context in which an initiative will be implemented is necessary for its successful implementation under the law. Legislation must also resonate with community expectations and cultural norms to be effective, even if it is technically valid. Regulations may not be effective or enforceable if the interaction between law and culture is not taken into account.

Lawrence Friedman stressed the study of regulatory certainty and the interaction of law and culture, in accordance with Gustav Radbruch, as being crucial to understanding the dynamics of the legal system within the confines of a nation's sovereignty. To promote compliance and cooperation within legal frameworks, Friedman understood the value of regulatory clarity. He contends that laws are more likely to be upheld when they are transparent, unambiguous, and understandable to the general population. Because people and organizations may reasonably foresee the results of their acts, predictability in the law offers people and companies the confidence to engage in legal activity.²⁶

Friedman also underlines that the social and cultural context in which law is practiced is a reflection of it rather than a separate, static concept. He held that there were complex relationships between law and culture that influenced one another. Legal systems are shaped by cultural norms, beliefs, and traditions, and laws themselves play a part in how culture develops and changes over time. He also contends that for new regulations to be successfully incorporated during initiative implementation, a thorough understanding of cultural norms is essential. Laws that conflict with the values and customs of the time may face opposition or have trouble being put into reality. Since societal expectations must be met for projects to be accepted, policymakers and legal professionals must take into account the cultural context.

Law and culture are intertwined, as acknowledged by both Gustav Radbruch and Lawrence Friedman, and regulatory stability is essential. They both concur that effective legal measures must consider cultural context if they are to be implemented, and that clear, predictable laws are crucial for creating equitable social connections. Friedman offers a sociological perspective, emphasizing the dynamic interaction between law, society, and culture in connection to the execution of diplomatic relations between countries. Radbruch places more emphasis on the philosophical components of legal certainty and cultural compatibility.

It is also intriguing to look into the issues that surround the idea of international property rights, such as whether or not a framework for property rights that transcends national boundaries and legal systems can be universally recognized and enforceable. In a globalized world with several nations having

²⁶Friedman, L. M. (2016). *Impact: How law affects behavior*. Harvard University Press.

distinct legal systems, cultural values, and economic interests, harmonizing and safeguarding property rights will undoubtedly present issues.²⁷

The instance of conflict between India and the US on the Geographical Indication (GI) of Basmati rice, where India is said to be the holder of the cultural and historical significance of Basmati rice, is one example.²⁸ The term "geographical indication" refers to a type of intellectual property protection that designates a product as coming from a certain geographic area and having special attributes or characteristics distinctive to that area. To protect its GI rights as a historic product strongly ingrained in its cultural legacy, India works to establish criteria for identifying the origin and quality of Basmati rice. It offers justifications for the uniqueness of Basmati rice, such as the place where it is customarily grown, particular soil and climatic conditions, growing methods, and traditional knowledge of rice farming procedures. Together, these elements help to give Basmati rice its distinctive flavor, aroma, and texture.

The government can show its dedication to successfully carrying out gastro diplomacy activities by setting standards of conduct, offering behavioral instructions, and supporting particular moral concepts through regulatory frameworks. The "Basmati rice" case may be used as a model for preventive actions designed to safeguard cuisine patents, trademarks, or property rights that originate from a specific nation. International Treaties and Agreements ensure that nations abide by common standards for protecting food products, such as the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS); International Cooperation; and the Regulatory Framework, which provides guidelines on the requirements for obtaining protection, the procedures for resolving disputes, and the penalties for infringement using diplomatic channels, and bilateral or multilateral agreements, to find solutions that benefit all parties involved.

CONCLUSION

The use of food and the function of soft power in international relations may be a potent instrument for influencing perceptions, overcoming cultural gaps, and improving a country's image, building on the ideas of gastro diplomacy.

The constructivist viewpoint emphasizes the possibility of transformational change through the process of identity building. Through gastro diplomacy, Indonesia may challenge and modify preexisting narratives and prejudices, affecting how it is viewed in the international arena.

Indonesia can effectively maintain its cultural heritage, advance its culinary products, and protect its national interests by integrating legal concerns into its gastro diplomacy initiatives. With the use of this strategic method, Indonesia could potentially make sure that its gastro diplomacy activities support the country's larger foreign policy goals, such as economic development, cross-cultural interaction, and improving its reputation abroad.

CONTRIBUTION

This study may contribute to the collection of knowledge already available on the subject and offers insightful information about how the law enables and controls diplomatic initiatives in this area. It also offers an in-depth analysis of the social and cultural forces supporting Indonesia's gastro diplomacy efforts through the integration of constructivist theoretical perspective.

Further, by examining the legal aspects of gastro diplomacy, particularly through the lens of Indonesia's gastro diplomacy endeavors, it is hoped to improve our comprehension of how legal frameworks influence and are affected by gastro diplomacy efforts.

IMPLICATION

To establish complete frameworks that harmonize legal requirements with the goals of gastro diplomacy, policymakers and practitioners can make use of the knowledge gathered from this research to create initiatives that promote cultural exchange while ensuring compliance with legal frameworks

²⁷Sgard, J. (2004). Are there such things as international property rights? *World Economy*, 27(3), 387-401.

²⁸Mukherjee, U. (2008). A study of the basmati case (India-US basmati rice dispute): the geographical indication perspective. Available at SSRN 1143209.

by acknowledging the legal dimensions of culinary diplomacy. It may also benefit to stimulate collaboration between the food industry and other enterprises in the culinary sector, facilitate international trade in food products, and create an environment that is conducive to the expansion of the creative economy. Governments can also strategically position themselves on the world stage and generate positive opinions abroad by utilizing the legal aspects of gastro diplomacy.

The findings highlight the necessity of laws and rules to protect cultural heritage and prevent the misuse or misrepresentation of culinary traditions. This understanding can guide the development of policies and initiatives designed to find a balance between the promotion of gastro diplomacy and the preservation of cultural authenticity as the nation's cultural heritage, which may face difficulties maintaining the integrity of traditional cuisines due to commercialization and globalization.

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