

Legal Obedience, Social Change, and Health Issues: Analysis of the Governmental Decree No. 6 of 2012 on Cattle Control at Palu City

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Abstract

This paper aims to analyze the factors which cause the violation of the Governmental Decree No. 6 of 2012 on Cattle Control at Palu City by cattle owners. This research was conducted at South Palu, especially at the North Birobuli District using the qualitative-naturalistic method. The results of this research show that the society has not yet obeyed the Regional Decree No. 6 of 2012 on Cattle Control at Palu City area due to some factors: (1) the new values of the Regional Decree No. 6 of 2012 is against the old values of the cattle owners; (2) the cattle owners do not have an understanding of the stipulations which apply nor do they understand the social change which is currently happening; (3) The attitudes and behaviors of the police officers and the changemakers were inconsistent and rather discriminative; and (4) the disobedience may cause health problems which are anthrax, nail and mouth disease, or other diseases to the cattle.

Keywords: Law, Sociology, Obedience, Cattle, Control, Health Issues.

Introduction

Cattle owners have not yet shown attitudes and behaviors which support the development of a safe and a comfortable city. They do not act according to the legal stipulations which apply. On the contrary, they let their cattle free to roam public areas, including roads. Even, some cattle were not brought in to their sheds at night.

Such manner of animal husbandry causes problems in the societies' lives. There are usually problems between the people caused by some loss experienced by one of the parties, as their plantations, gates, or vehicles were wrecked by the roaming cattle. At night, there are some cattle which are not put in their sheds, but they rest at places such as roads, people's lawns, or public facilities. At such places, the cattle leave their feces, which disturb the cleanliness and the aesthetics of the roads, the people's lawns, and the public facilities.¹

These phenomena cause continual loss, not including the environmental destruction and the increase of the rate of road accidents. Another impact is that the cattle are not hygienic; they bring diseases which may spread to people, such as causing diarrhea when the cattle secrete their feces at water springs which are

consumed by the people. They may cause other diseases also. Thus, it is important to carry out a research on the effectivity of this Regional Decree, with the title, "Legal Obedience, Social Change, and Health Issues: Analysis of the Governmental Decree No. 6 of 2012 on Cattle Control at Palu City."

Method

This research used sociology juridical methods and library research approach. This research is also a prescriptive study, which aims to offer solution towards the problems in the Palu cattle control². This research is qualitative research that's Denzin and Lincoln stated that qualitative research is the research which uses natural settings, aimed to interpret phenomena which occur and carried out by involving various existing methods³

1. The Cattle Owners Who Let Their Cattle Roam Free in the Morning and at Night: Generally, the cattle roam surrounding or proximate to the residences of their owners. This is carried out continually and is maintained due to the physical and the behavioral natures of the cattle, which make it possible for them to be proximate to human beings. The physical and the natural characteristics

of the cattle which enjoy resting in muds and leave feces may cause health problems, especially when discussing about sanitation and water sources. But the reason of why the cattle owners try to place their cattle in the shed is so that they are not caught, fined, nor imprisoned by the law-enforcing apparatus.

The research results show that there are still people who let their cattle roam free both in the morning and at night. Among them, there are those who have tried to cage their cattle but fail to do so. Yet, there are also those who leave their cattle be since the issuing of the Regional Decree No. 6 of 2012. The cattle owners who have posed an ignorant attitude since the initial issuing of the decree generally have some cattle which are rather wild and difficult to approach. Because of that, they are forced to only secure the cattle in the mornings and in the afternoons. Then, they let their cattle free at night. They feel rather relieved as they law-enforcement operation is carried out in the mornings and in the afternoons from 09.00 to 17.00 o'clock at the local time. Then, the cattle owners also let their cattle roam freely due to lack of energy and time, even though some realize that there are strengths and weaknesses in putting their cattle in the shed.⁴

2. The Cattle Owners Who Cage Their Cattle Solely at Night: The aim of the cattle owners in caging their cattle is to maintain their safety from unwanted issues such as getting them lost or stolen, having them hurt or injured due to traffic accidents, or having them catch some diseases. Even so, they realize that even though the cattle have been caged, the same unwanted issues may still happen, such as cattle theft.

Regarding their compliance with the implication of the Regional Decree No. 6 of 2012, they have the same reason as the cattle owners who let their cattle roam free in the morning and at night – which is solely to avoid being arrested or detained by the law-enforcing apparatus. These people try to save their cattle from the chance to go or to roam at city roads or other public places. In the morning, some of those cattle owners keep their cattle in the sheds and feed them grass or bran until around 10.00-11.00 o'clock. After that, the cattle are let out and brought to the field. The aim of keeping the cattle in the shed is so that they feel comfortable there, and to minimize the time that they roam at the forbidden places.

Whilst monitoring the cattle, there are times when

the alertness of the owners decreases. Thus, the officials who were at that time carrying out the law-enforcement operation may detain the roaming cattle. Seeing such event, most of the cattle owners choose to surrender. But there are also those who oppose this action, such as RBI, a cattle-owner. Some of those cattle unexpectedly roamed to the city roads, where there were some officials in operation at that area. Then, RBI's cattle were caught. Seeing this, RBI demanded the officials to release his cattle. Due to RBI's strong and stern manner, the law-enforcing officials chose to let those cattle go.

3. The Cattle Owners Who Feed and Cage Their Cattle at Night: The cattle owners feed and cage their cattle at night because of their understanding on the cattle's safety and their understanding on the areal development of the cattle which is limited by plantations and people's residences. But, this type of cattle owner is at a low rate compared to the total population of 384 families of cattle owners, which is only 14 families, or 3,65%

On the issuing of the Regional Decree No. 6 of 2012, they took it seriously. This is because they opined that they were afraid of being caught by the police, in a conversation with BHR, WK, MRD, SNR, RBI, MSR, and KRL (September 2019). In effect, same as the two aforementioned types of cattle owners, they had to spare their time to take care of the cattle's safety.

These are the descriptions of the cattle owner's compliance to the Regional Decree No. 6 of 2012 on Cattle Control at North Birobuli, South Palu District, Palu City, Central Sulawesi. According to Kelman, such compliance is caused by the attention which is focused solely on the impacts of law violation, which are punishments or negative sanctions. The law compliance is not based on the belief on the essence of the law, but it is based on the control from the authorities. Due to this principle in law-obedience, such compliance may only be carried out if there is a tight supervision.⁵This is proven by the short effectivity in implementing the Regional Decree No. 6 of 2012.

After that period, the cattle owners return to their former habits, even though the Regional Decree No. 6 of 2012 had not been revoked. Habits which are present in the society can neither give contribution, nor can it be developed to the stage in forming higher rules or values.⁶If compared to the development of material or physical cultures, as proven by the short description on the people and the area of research, the immaterial or the

non-physical cultures (especially regarding the manner in animal husbandry) of the people are still behind. According to Ogburn, such phenomenon is called the cultural lag.⁷

4. The Factors Which Cause the Cattle Owners to Violate the Regional Decree No. 6 of 2012: There are some factors which cause the cattle owners to violate the Regional Decree No. 6 of 2012. A value is a guide and astimulus of human behavior in the social interaction process, thus concretely, it functions as a system of manners.⁸ Raising livestock by letting them loose and roam free everywhere around the villages of the South Palu District has become the local people's system of manner. Based on the field observation, all cattle owners do so in raising their livestock, in a conversation with SDM, HF and SF (September 2019).

Apart from that, in the educational aspect, such manner in raising livestock is not only limited to those who are of low education, but even those who had underwent middle or even high education, such as those who have obtained the bachelor's degree. Thus, what is opined by Soedjito that education may change the cultural values in a society is not proven in this study.⁷ thus it is a tradition which is difficult to change.

The change programmed by the government does not bring welfare. On the contrary, some problems emerged in the social system of the cattle owners.⁹ As what has been explained in the previous part, most of the South Palu people farm for a living. Their farms, rice fields and plantations are a type of subsistent farming, which means that they use them to fulfill their own needs. Farming is their main jobs. Their time is mostly used to work in the rice fields or the plantations.

Such condition forces the South Palu people to not have much time to take care of their livestock intensively. Taking care of the livestock is only a part-time job which is not their priority. They do not depend on their cattle for life. Even though the cattle may bring forth much income if they are sold, such condition cannot be depended on, unlike the farm produces. Taking care of the cattle needs much time compared to that of farming. Thus, the livestock only functions as a source of reserve income, in a conversation with YSW, MSR. HF and KUI (September 2019).

Thus, the application of the Regional Decree No. 6 of 2012 results to the shift in the roles, jobs, time

utilization which had been designed for years in the life system of the cattle owners in the South Palu District. They cannot yet accept such regulation. Lauer states that the shift in special social roles of individuals in a society regarding traditions, birth, and gender roles will shake the familial system.¹⁰

The ignorance and the incomprehension of the cattle owners is caused by the lack of the regional decree socialization efforts by the government. The government has only informed of the prohibition from letting the cattle loose and free to roam through a megaphone from a vehicle along the roads. Such information was only announced trice. Then, the next week, there were arrests and detainments of the cattle which are caught roaming free. Such action of arrests and detainments were only carried out for three weeks. After that, no more of them had been done, in a conversation with KS, SDM and, MSR (September 2019). In this case the researcher agrees with Kurniasih's argument that the more intensive a socialization of a law is, the higher the understanding will be, and the more compliant someone is in abiding to that law.¹¹

Then, Alfian states that the manners of the law-enforcing officials have a great impact on the plans of development, especially because it is through them that the people will or will not be interested in participating in the development.¹¹ Ironically, some of their actions even widen the gap between the people and the programs created. There are even those who feel antipathy or even hate to those programs, as known from an interview with EFR, REI, MSR and BLR (October 2019).

6. Health Problems and Social Change: The factor of facilities also has a role in the implementation of the program of social change through the issuing of the Regional Decree No. 6 of 2012. These facilities are not a principal thing, but it is a supporting factor in the program's implementation. But their fulfillment must absolutely be carried out.

The facility meant is the location which becomes the shelter for the cattle which are arrested and detained, including the guarantee of their food, drink, and safety. The provision of this facility is crucial to anticipate the long detainment of some cattle, as they had not been picked up by the owners. Thus, the death and anything related to the cattle's safety is the responsibility of the officers¹².

The real risk due to the handling of cattle carcasses

which experienced sudden death or due to sicknesses whilst they roam is usually ignored by the cattle owners in the village, even though they realize that there is a law against it. The unhygienic manner in animal husbandry is difficult to erase. Such situation cannot be separated from the socio-economic condition of the villagers who mostly live in poverty¹³. The behaviors of the cattle owners are encouraged by the need to maintain the economic value which may be obtained by raising livestock whilst violating the law.

The stakeholders must give support to the Governmental Service which takes care of the animal health to plan a response towards the urgency in saving the lives of the animals and the people. There must also be the animal health risk assessment.

Conclusion

The results of this research show that the social change in the aspect of material culture is not simultaneous with the social change in the aspect of immaterial culture, which causes a cultural lag in the society. A cultural product may easily and quickly be accepted in a society if they directly sense the benefits.

The socialization of a developmental program, such as the Regional Decree No. 6 of 2012 regarding the Cattle Control in the area of Paly City is not intensive. It also lacks integration. It is incidental by the government, which makes the government lack understanding of that regulation's essence. Thus, the short-term and the long-term goals which are to be achieved through the legal institutions cannot be realized as expected.

Apart from that, the planning which is underdone, like the problems of the provision of developmental operational facilities are neither complete nor adequate. This causes inefficiency. Thus, it causes the implementation of the development to stop. Another impact which is the emergence of issues and problems in the health issue, due to the in compliance of the cattle owners in implementing the constitution. The health issue which arise is due to the unhygienic animal husbandry system carried out by the people in Palu.

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Conflict of Interest: No

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