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## IMPLEMENTATION OF LEGAL PROTECTION AND EMPOWERMENT FOR FARMERS IN CIBODAS VILLAGE BASED ON LAW NUMBER 19 OF 2013 ON THE PROTECTION AND EMPOWERMENT OF FARMERS

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### Abstract

*This study examines two problems. First, the effectiveness of Law Number 19 of 2013 on the Protection and Empowerment of Farmers in providing legal protection and empowerment for farmers. Second, the role of the Cibodas village government as a party that offers legal protection and empowerment to farmers. The breeders in this study focused on dairy farmers. This study used a sociological juridical approach. The data were obtained through field and library data, then analyzed using qualitative methods without applying a systematic model or statistical formulation. This study took the research location in Cibodas Village, Lembang District, West Bandung. The conclusions drawn from this study are; first, there are still obstacles related to the effectiveness of legal protection and empowerment of farmers in Cibodas village seen from legal factors, facilities and infrastructure factors, and cultural factors. Second, the Cibodas Village government's role in providing legal protection and empowerment for breeders remains limited. In contrast, the Animal Husbandry Department of West Java and the Cattle Breeders Cooperative of North Bandung are taking on more responsibilities in presenting legal protection and empowerment for farmers in Cibodas Village.*

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## INTRODUCTION

Livestock conditions in Indonesia are different from Western countries. In Western countries, such as England and France, the term farming is known, which is interpreted as agriculture, but the livestock sector is highlighted. This condition is dissimilar from Indonesia, which misperceive the word 'farming.' From a legal perspective, the livestock sector has not received adequate attention. One of the legal problems for breeders who have not paid much attention is how the law may afford protection and empowerment for farmers.

If one looks at the positive legal level, Law Number 18 of 2009 concerning Livestock and Animal Health does not regulate legal protection and empowerment for breeders. It regulates the utilization and preservation of animal resources in husbandry and

animal health. Regulations regarding legal protection and empowerment of breeders are precisely included in Law Number 19 of 2013. The Farmers referred to in the Law include Indonesian citizens individually and/or with their families who run farming businesses in livestock sector.<sup>1</sup> Nevertheless, in fact, the its application has not been maximally experienced by farmers.

As an illustration, there is a policy on farming insurance, namely cattle/buffalo farming business insurance, which is echoed by the Ministry of Agriculture. This is not a new thing in the agricultural sector. A number of countries in India and Iran have implemented this program to protect farmers. However, the implementation still causes problems. These problems, for instance, are first, according to the 2018 Guidelines for Assistance in Cattle/buffalo business insurance premiums. There are targets for the realization of distribution and insurance recipients are not yet relevant due to a lack of stakeholder understanding. Next, some claims are more significant than the premium paid. Lastly, there are limited agricultural or animal health officers at the field level and insufficient human resources for managers, following in delays for handling registration and claim payment processes.<sup>2</sup> Another example is the capital problem associated with the credit provision to the cattle business. To illustrate, farmers have inadequate access to bank credit, which prevents them from acquiring capital.<sup>3</sup> Another difficulty in 2016, primarily for dairy farmers, is the shrinking number of dairy cows as low milk prices at the farmer level. This directly ended in a decrease in cow's milk production, while the government did not revise milk prices.<sup>4</sup>

The illustration of the problems above certainly raises the question, have the existing regulations accommodated these issues clearly, completely, and comprehensively? Then, is the existing law effective in providing legal protection and empowerment for farmers? Suppose one looks at the problems mentioned earlier. In this case, it is undoubtedly essential to conduct further studies on the effectiveness of Law Number 19 of 2013 in granting legal protection and empowerment for farmers.

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<sup>1</sup> Article 1 point 3 of Law Number 19 of 2013 concerning the Protection and Empowerment of Farmers

<sup>2</sup> Dahiri and Ricka Wardianingsih, *Review Asuransi Usaha Ternak Sapi*, *Buletin APBN* IV, ed. 21 (2019): 10.

<sup>3</sup> <https://bandung.bisnis.com/read/20131216/550/1029747/sulitnya-akses-kredit-perbankan-hambat-usaha-peternak-sapi-potong?> accessed on 6 July 2021 at 14.30

<sup>4</sup> <https://www.cnnindonesia.com/ekonomi/20160422185106-92-125934/produksi-susu-sapi-indonesia-tersumbang-rendahnya-harga> accessed on 3 August 2021 at 15.10

The optimal application of legal protection and empowerment for breeders cannot be separated from a portion of the roles of the village government. Law Number 6 of 2014 concerning Villages has emphasized the policy on Villages in portioning services, boosting participation and empowerment of rural communities aimed at its welfare, the breeder group. The issue is whether the village government provides legal protection and empowerment to farmers. If the government is already active, the next question is how involved it is in achieving optimal legal protection and empowerment for farmers. Hence, this study also relates the application of Law Number 19 of 2013 with the village government's role as the party that grants legal protection and empowerment to village communities, involving breeders. Specifically, the breeders referred to in this study are dairy farmers by taking the research location in Cibodas Village, Lembang District, West Bandung. This is based on the consideration that Bandung, Lembang, and Pengalengan are well-known milk-producing areas in West Java. The large dairy farming community in Lembang is located in Cibodas Village and it is assumed that there is an urgency to recognize how legal protection and empowerment is taken towards the dairy farming community.

In terms of novelty, especially from the legal side, there are not many studies discussing the law's effectiveness in bestowing legal protection and optimal empowerment for farmers. Likewise, with the role of the village government in giving legal protection and empowerment for farmers. As a result, this problem is intriguing to perform a more in-depth investigation of the problems stated.

In conformity with the problems that have been described previously, the formulation of the problem in this study is:

1. How effective is Law Number 19 of 2013 on the Protection and Empowerment of Farmers in providing legal protection and empowerment for farmers in Cibodas Village?
2. What is the role of the Cibodas village government in providing legal protection and empowerment for farmers in Cibodas Village?

This research used the sociological juridical method and the analysis is descriptive-analytical. A sociological judicial approach is utilized to explore library materials (secondary data) related to the problem to be solved, which is then proceed and research on primary data

in the field.<sup>5</sup> This study used a statute approach by seeking the regulations regarding the protection and empowerment of farmers in the legislation and how they are fulfilled, notably for farmers in Cibodas Village. The types of data that will be applied in this study are:

1. Field data (primary data) acquired by observation, interviews, and questionnaires with ten farmers, Head of Cibodas Village, Head of North Bandung Cattle Breeders Cooperative (KPSBU) Lembang, and the Livestock Service of West Java.
2. Library data (secondary data) obtained through literature study derived from legislation and literature in books, journals, or the previous research.

Data collection in this study was done by searching, systematizing, analyzing the writings related to this research. The data were analyzed using qualitative methods, namely, systematically organized data without using systematic models or statistical formulations.

### **Theory of Legal Effectiveness**

The law will be valuable if it influences human behavior and uses it to obey their behavior.<sup>6</sup> In practice, some laws are obeyed, and some are not at times. The legal system will collapse if everyone resists the law, losing its essence. The ineffectiveness of laws tends to affect the timing and quantity of non-compliance and has a real effect on legal behavior, comprising law-breaker behavior.<sup>7</sup> This study uses the theory of effectiveness from Soerjono Soekanto, which states that the effectiveness of a law is influenced by five factors, as follows:

#### **1. Its Legal Factors**

The law substance should be formulated under the principles, in harmony and sync with the values in Pancasila and the 1945 Constitution. For this reason, it must be done by abstracting the values contained in Pancasila and the 1945 Constitution and deriving, i.e., lowering innumerable principles to be used as the basis for the formation of laws. In order that the legal values are in harmony with the moral values upheld by the community.<sup>8</sup>

Unfortunately, in practice, numerous laws and regulations are frequently not pertaining to moral foundations upheld by the people and even contradict.<sup>9</sup> This

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<sup>5</sup> Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Jakarta: UI Press, 1986), 52.

<sup>6</sup> Syafruddin Kalo, *Penegakan Hukum Yang Menjamin Kepastian Hukum Dan Rasa Keadilan Masyarakat Suatu Sumbangan Pemikiran*, 4.

<sup>7</sup> *Ibid*

<sup>8</sup> *Ibid*, 6.

<sup>9</sup> *Ibid*, 6-7.

conflict presence generates the inhibiting factor for the effectiveness of the law itself (the law). Furthermore, some factors interfere with it:<sup>10</sup>

- a. The principles of enactment of the law are not followed.
- b. There are no implementing regulations that are urgently needed to perform the law.
- c. The ambiguity of word meaning in the law baffles its interpretation and application.

## 2. Law Enforcement Factor

Another factor that is quite important from the law effectiveness is its enforcers. A law enforcer and other members of the community ordinarily have several positions and roles at once. Thus, it is not impossible between positions and roles, conflicts might arise.<sup>11</sup> Conflicts arise within law enforcers are factors hinder the effectiveness. Soerjono Soekanto also stated that the obstacles may be encountered in implementing the proper function of role models or law enforcers might come from themselves or the environment. These obstacles include:<sup>12</sup>

- a. Limited ability to put oneself in other party roles with whom one interacts.
- b. Relatively low level of aspiration;
- c. Minimal enthusiasm for the future, conceiving it arduous to create a project;
- d. The lack of ability to delay the settlement of a particular need, chiefly material needs;
- e. The absence of innovative power is a market conservatism.

## 3. Factors of Facilities and Infrastructure

Facilities have an essential role in law effectiveness as well. It involves educated and skilled human resources, decent organization, adequate equipment, sufficient finances, and so forth. Without these facilities, it will not be feasible for law enforcement to harmonize their proper roles with their actual ones.<sup>13</sup> In practice, it usually happens that a regulation has been enforced even though the facilities are not yet fully available. The regulations initially intended to expedite the process have

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<sup>10</sup> Soerjono Soekanto, Faktor...*Op.cit*, 17.

<sup>11</sup> *Ibid*, 21

<sup>12</sup> *Ibid*, 34

<sup>13</sup> *Ibid*, 44

genuinely resulted in congestion (obstacles).<sup>14</sup> Owing to the role of facilities, this is a pivotal factor. It is necessary to follow the line of thought, as follows:<sup>15</sup>

- a. What does not exist— something new is created;
- b. What is broken or wrong – repaired;
- c. Decreased – increased;
- d. Jammed – launched;
- e. That which regresses or declines – advances or is enhanced.

#### 4. Community Factor

The community factor is an essential factor for the effectiveness of the law. The application of law comes from the community and endeavors to achieve reconciliation in society.<sup>16</sup> Speaking about community members, This is mainly determined by the degree of compliance. In a narrow sense, it can be assumed that the degree of compliance in the community with the law is one indicator of the law's functioning.<sup>17</sup>

The application in a society has its own tendencies caused by the structure of the society. This community structure is an obstacle, both in providing social facilities that permit the law to be executed and affording barriers that generate it cannot be implemented or accomplished thoroughly.<sup>18</sup>

Besides the community structure factors, another condition that affects the law's effectiveness is the community's assumptions. People occasionally have the notion that the law is synonymous with its enforcement. This assumption leads people to have too many expectations that focus on law enforcers' fundamental role and lead to conflicts.<sup>19</sup> The different problem also arises as a result of public opinion regarding the aspect of implementing legislation. If law enforcers apprehend they are considered law by the community, it is impracticable to interpret the legislation too narrowly or broadly. Additionally, there may be a habit of not reviewing the legislation, which lags behind the development of society on occasion. Community's assumptions necessitate being changed. It can be secured through perpetual legal

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<sup>14</sup> Soerjono Soekanto. *Penegakan...Op.Cit*, 32.

<sup>15</sup> Soerjono Soekanto. *Faktor...Op.Cit*, 44.

<sup>16</sup> *Ibid*, 45

<sup>17</sup> *Ibid*, 32

<sup>18</sup> *Ibid*, 30

<sup>19</sup> *Ibid*, 54

information or counseling, and the outcomes are constantly evaluated and refined again.

#### 5. Cultural Factor

Cultural factors are genuinely integrated with community factors. However, they are deliberately differentiated as the discussion will address the problem of the value system, which is the core of spiritual or non-material culture.<sup>20</sup> The legal culture (system) basically comprises the values that underlie the applicable law, which are abstract conceptions of what is acknowledged as good and wrong. These values are ordinarily pairs reflect extreme circumstances that must be harmonized.<sup>21</sup> Value pairs that play a role in law are as follows:<sup>22</sup>

- a. Order value and peace value,
- b. Physical/material values and spiritual/moral values,
- c. The value of permanence/conservatism and the value of novelty/innovatism.

In daily life, the order value is usually referred to as attachment or discipline, while tranquility is freedom. The order and peace value is a pair of universal values; perhaps the compatibility differs along with each culture in which the value pair is involved.<sup>23</sup> The material values and morality is a universal value pair as well. Nonetheless, in reality, in each society, differences emerge as various kinds of influences. The placement of material values that are more eminent than moral values leads to incompatibility. One of the consequences of placing both values is that negative sanctions are more critical than awareness to obey the law in legal institutionalization in society.

The pair of conservatism and innovation values; invariably emulate in law development. On the one hand, some state the law solely follows changes and aims to maintain the "status quo." Conversely, there are definite assumptions that the law can also modify and create new objects. Harmony between the two values will place the law in its proper position and role.

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<sup>20</sup> *Ibid*, 59

<sup>21</sup> *Ibid*, 59-60

<sup>22</sup> *Ibid*, 60

<sup>23</sup> *Ibid*, 61-62

## **Legal Protection and Empowerment for Breeders On Legislation**

The regulation about the protection and empowerment of farmers can be seen in Law Number 19 of 2013, where the Farmers led to in the Law include Indonesian citizens individually and/or with their families who run farming businesses in the livestock sector.

Farmer protection is carried out through strategies:<sup>24</sup>

### **a. Livestock production infrastructure and facilities**

Facilities are all things that can be utilized as a tool in achieving goals and objectives. Infrastructure is primary maintenance for realizing a process (business, development, project, and so forth). Supporting facilities and infrastructure are all things, both tools, and central support to strengthen activities in the livestock sector. Supporting infrastructure facilities can be Animal Health Centers, Slaughterhouses, Animal Markets, Cages, and other infrastructure facilities sustaining livestock production.

### **b. Business certainty**

Business certainty, particularly in livestock sector, is done to give legal certainty to the community in livestock business activities. It will afford legal protection to breeders to run livestock business activities. Business certainty in animal husbandry can be realized, in other words, by the actuality of a livestock business license or data collection and community farms registration by the government. Business permits linked to livestock have been regulated in Law Number 18/2008, later amended in Law Number 11/2021 about Job Creation. Business permits associated with animal husbandry must be owned by: (a) parties who might import animal products into Indonesian territory; (b) parties who have animal products business units; (c) the party operating the slaughterhouse; (d) parties operating in animal health services which incorporate veterinary laboratory services, veterinary inspection and testing laboratory services, veterinary medical services, and/or services at animal health centers or animal health posts; (e) animal health personnel who provide animal health services.

### **c. Livestock commodity prices**

To prepare legal protection, the Government should maintain the stability of livestock commodity prices in the market. Stable commodity prices will have an

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<sup>24</sup> Article 7 paragraph (2) of Law Number 19 of 2013



impact on stable production results and it certainly may protect the livestock business by farmers.

d. Compensation for product failure due to extraordinary events

As attested by Article 7(2) letter e of Law Number 19 of 2013, what is meant by compensation for crop/production failure due to extraordinary events is compensation that is not covered by agricultural insurance (livestock business insurance). Among others is crop or livestock cultivation damage by endemic areas, periodic disasters, and/or destruction of agricultural infrastructure (livestock). If it emanates from this explanation, it could be interpreted that there is protection for farmers with compensation for product failure owing to extraordinary events, especially if not covered by insurance.

e. Farm insurance

Insurance is a form of protection for farmers to diminish losses through an agreement between them and the insurance company in covering livestock business risks. Technically, livestock insurance facilities are regulated in the Regulation of the Minister of Agriculture Number 40 of 2015 concerning Facilitation of Agricultural Insurance, a derivative rule of Law Number 19 of 2013. Article 6 of the Ministerial Regulation asserts that the types of agricultural insurance hold Crop Insurance and Livestock Insurance. Livestock Insurance covers ruminants, non-ruminants, and monogastric/pseudo ruminants. Insurance facilitation includes: (a) efficiency of registration as an insurance participant; (b) easy access to insurance companies; (c) socialization of insurance programs to farmers and insurance companies; (d) premium payment assistance. Premium payment assistance is given to farmers/breeders who meet the following requirements: (a) farmers working on food crops that do not own farming land and cultivate a maximum area of two hectares; (b) farmers who own land and run food crop cultivation on a maximum area of two hectares; and/or (c) horticultural farmers, planters, or small-scale business breeders per the provisions of laws and regulations. In addition, farmers/breeders must be members of farmer/livestock groups and have active management, and are obliged to run \ livestock cultivation well. The implementation of insurance is executed in stages: (a) nomination of Calon Peserta Calon Lokasi (CPCL) from the Regency/Municipal Service; (b) socialization of insurance to prospective

participants; (c) feasibility assessment of the insurance object; (d) registration as a participant by filling out the registration form and paying the premium; (e) issuance of insurance policy after registration and premium received from farmer/breeder; and (f) after the farmer/breeder reports the damage or loss based upon the inspection results and receives approval from the insurance company, the claim submission is allocated.

In addition to legal protection, farmer empowerment is carried out through a strategy by providing: (a) education and training; (b) counseling and assistance; (c) development of systems and means of marketing livestock products; (d) consolidation and guarantee of farmland area; (e) provision of financing and capital facilities; (f) easy access to science, technology and information; and (g) strengthening farmer/breeder institutions.

Law Number 19 of 2013 amended numerous articles in Law Number 11/2021 on Job Creation. Innumerable of the articles that have been amended are:

1. Article 15 is amended to read:
  - (1) The Central and Regional Governments, under their respective authorities, are obliged to expand Agricultural production.
  - (2) The obligation to boost domestic agricultural production as referred to in paragraph (1) through a Farmer protection strategy as referred to in Article 7(2)
2. Article 30 is amended to read:
  - (1) Sufficient consumption needs and/or government food reserves from domestic production and imports while protecting the farmers' concerns
  - (2) The import of commodities, as pointed to in paragraph (1), is fulfilled by trading instruments based on statutory provisions
  - (3) The adequacy of the Government's consumption needs and/or food reserves as referred to in paragraph (1) shall be determined by the Central Government
3. Repeal of Article 101 on criminal provisions for everyone who imports Agricultural Commodities when the availability of domestic Agricultural Commodities is ample for consumer needs and/or Government food reserves

Moreover, Law Number 19 of 2013, there are other laws and regulations relating to the protection and empowerment of breeders, namely:

1. Law Number 18 of 2009 about Livestock and Animal Health

Several rules linked to the preservation and empowerment of breeders contained in Law Number 18 of 2009 are:

- a. Article 29 paragraph (5): The government is obliged to protect domestic livestock businesses from unfair competition amidst market players.

Article 29 paragraph (5) of Law Number 18 of 2009 was later amended in Law Number 11 of 2021 on Job Creation. Hence, it reads: "The Central Government and Regional Governments conforming to their respective authorities are required to shield domestic livestock businesses from unfair competition among businessmen."

- b. Article 36 paragraph (1): The government is compelled to organize and facilitate the marketing activities of animals or livestock and animal products domestically and abroad.

- c. Article 36 paragraph (5): The government is obliged to create a healthy business climate for animals or livestock.

- d. Article 76 paragraphs (1) and (2):

- (1) Empowerment of breeders, business in animal husbandry, and animal health is carried out by supplying convenience for business progress in farming and animal health and improving competitiveness.

- (2) The facilities, as referred to in paragraph (1), as follows:

- a. Access to financing sources, capital, science, and technology, along with information;
- b. Livestock services, animal health services, and technical assistance;
- c. Evading the imposition of fees that lead to high-cost economies;
- d. Fostering partnerships in developing synergy between business actors;
- e. Creating a conducive business climate and/or enhancing entrepreneurship;
- f. Prioritizing the utilization of domestic animal husbandry and animal health resources;
- g. Facilitating the establishment of livestock business development areas;
- h. Facilitating the implementation of promotion and marketing;
- i. Protection of prices and animal products from abroad.

- e. Article 77 paragraph (1): The government and local governments protect breeders from acts that comprise elements of extortion by other parties to earn a decent income

1. Government Regulation Number 6 of 2013 concerning Livestock Empowerment

Articles 2 and 3 of Government Regulation Number 6 of 2013 set the provision of facilities in the context of empowering breeders whose types and numbers of livestock are below a specific business scale which does not require a permit (small and average breeders), including:

- a. Access to financing sources, capital, science, and technology, along with information;
- b. Livestock services, animal health services, and technical assistance;
- c. Evading the imposition of fees that lead to high-cost economies;
- d. Fostering partnerships in developing synergy between business actors;
- e. Creating a conducive business climate and/or enhancing entrepreneurship;
- f. Prioritizing the utilization of domestic animal husbandry and animal health resources;
- g. Facilitating the establishment of livestock business development areas;
- h. Facilitating the realization of promotion and marketing;
- i. Protection of prices and animal products from abroad.

2. Regional Regulation of West Java Province Number 22 of 2012 on the Implementation of Livestock and Animal Health

In particular, the local government of West Java has a Regional Regulation that rules the implementation of animal husbandry and animal health, established in the West Java Provincial Regulation Number 22 of 2012 on the Implementation of Livestock and Animal Health. This Regional Regulation is also enabling regulation of Law Number 18 of 2009 concerning Livestock and Animal Health. Several arrangements correlated to protection and empowerment for breeders are contained in the Regional Regulation of West Java Province Number 22 of 2012, namely:

- a. Article 6: In the application of husbandry and animal health, the Regional Government has the authority in fields of (a) animal husbandry areas; (b) animal husbandry and animal health equipment and machinery and Veterinary Public Health; (c) the use of water for animal husbandry and animal health as

well as for Veterinary Public Health; (d) veterinary drugs, vaccines, sera, and biologic preparations; (e) animal feed and seeds; (f) financing; (g) animal health, Veterinary Public Health and animal welfare; (h) the dissemination and development of livestock; (i) permits and recommendations; (j) business development; (k) business facilities; (l) harvesting, post-harvesting, and processing of produce; (m) marketing; (n) development of livestock and animal health statistics and information systems.

- b. Article 59 paragraph (1): The Regional Government, mutually with stakeholders, shall approve breeders to advance the welfare of breeders and encourage and facilitate the development of animal products designated as strategic food staples in the context of completing food security.
- c. Article 59 paragraph (2): Empowerment of breeders as referred to in paragraph (1) can be executed through:
  - a) providing access to financing, capital, science, and technology also information;
  - b) fostering partnerships in strengthening synergy between business actors;
  - c) creating a conducive business climate and/or increasing entrepreneurship;
  - d) utilization of domestic animal husbandry and animal health resources;
  - e) facilitation of the establishment of livestock business development area;
  - f) facilitation of promotion and marketing; and/or
  - g) legal protection for business certainty

## **The Effectiveness of Law No. 19 of 2013 concerning the Protection and Empowerment of Farmers in providing legal protection and empowerment for farmers in Cibodas Village**

### **1. The Legal Factors Itself**

As for the arrangement of Law no. 19 of 2013 has abstracted the values in Pancasila, i.e., by formulating copious protection efforts for breeders who are conducted with multiple strategies such as strengthening livestock production facilities and infrastructure, expanding livestock business certainty, providing legal protection to farmers

within guaranteeing the stability of livestock commodity prices—in the market, giving guarantees for compensation for production failures, supplying livestock insurance, and accomplish various empowerments.

However, the point to highlight is that Law No. 19 of 2013 is not primarily for breeders, but farmers in general since they are included in the group Tani, so the regulations regarding legal protection and empowerment for breeders in this Law are still prevalent and abstract, especially the rules regarding legal protection and empowerment is not addressed obviously to breeders. Moreover, not all of the protection sought in Law no. 19 of 2013 concerning Protection and Empowerment of Farmers can be fulfilled optimally for farmers in Cibodas Village due to other factors that influence too.

As previously written, apart from Law no. 19 of 2013, other laws and regulations regulate legal protection and empowerment of breeders, namely Law no. 18 of 2009 concerning Livestock and Animal Health and Government Regulation no. 6 of 2013 concerning Livestock Empowerment. Law no. 18 of 2009 is this law substance that regulates more about husbandry and animal health. It has two articles that are directly linked to legal protection and empowerment of breeders, i.e. Article 76 paragraphs (1) and (2), which regulates the empowerment of breeders and Article 77, which manages the breeder's protection from acts that contain extortion elements by other parties to earn a decent income. Likewise, Government Regulation No. 6 of 2013 is a derivative rule of Law no. 18 of 2009 (not a derivative rule of Law No. 19 of 2013 contains regulations regarding legal protection and empowerment of breeders). It only has two articles directly related to the legal protection and empowerment of farmers, namely Article 2 and Article 3. These articles monitor the facilities made available in the context of empowering breeders whose livestock types and numbers fall below a specific business scale that does not necessitate a permit (small and average breeders).

There is a Regional Regulation of the West Java Province No. 22 of 2012 concerning the Implementation of Livestock and Animal Health at the regional level and was also given to implement Law no. 18 of 2009, not Law no. 19 of 2013. It is understandable as this Regional Regulation was made before the promulgation of Law no. 19 of 2013. This Regional Regulation only has two articles about legal protection and empowerment of breeders, namely Article 6 regulates the authority of Regional Governments in organizing animal husbandry and health, and Article 59 paragraphs (1)

and (2) which sets empowerment breeders by the Regional Government. The Regional Regulation has been in effect for approximately nine years, especially with the promulgation of Law no. 11 of 2020 concerning Job Creation. The West Java Regional Government has to prepare a Regional Regulation to strengthen legal protection and empowerment for breeders in Regional Regulation no. 22 of 2012 and a form of adjustment to other regulations.

Derived from the elaboration described, in terms of legal factors, regulations that adjust legal protection and empowerment are intended explicitly for breeders. Furthermore, more technical regulations are needed to implement the rules intended openly for breeders. These regulations are made at central and regional levels and farmers' legal protection and empowerment might be effectively implemented.

Suppose it is related to the issue of legal protection and empowerment of farmers in Cibodas Village, where farmers complain about the price of cow's milk. In that case, regulations related to the price stability of livestock production, encompassing cow's milk, need to be made and regulated in such a way as to protect farmers.

## 2. Law Enforcement Factors

Law enforcement in Law no. 19 of 2013 includes the local government, in this case, assisted by the livestock service and village government.

The West Java Province Livestock Service Office has made strides in safeguarding breeders by establishing a variety of programs and activities aimed at protecting and empowering farmers, including:

- a) Livestock Area/Cluster Development
- b) Livestock Business Development by the Implementation of Extension and Empowerment of Farmers
- c) Implementation of Co-Administration Activities in Cattle and Buffalo Business Insurance Facilitation
- d) Implementation of technical guidance activities, training, on-farm training, farmer internships, and others
- e) Implementation of animal health improvement through Strategic Infectious Animal Disease (PHMS) and Zoonotic vaccination.

In addition, the West Java Livestock Service has contributed infrastructure as follows:

- a) Facilitating the Development of the Artificial Insemination Application through Regency/Municipal Governments.
- b) Facilitation of the Implementation of Animal Health and Veterinary Public Health directly and indirectly (through the Regency/City Government)
- c) Facilitation of Livestock Area Infrastructure and Facilities (processing equipment and facilitation of organic fertilizer certification)
- d) Facilitating the provision of agricultural infrastructure and for the livestock sub-sector, plus Pipe and Pump Irrigation, Agricultural reservoirs

The West Java Livestock Service also makes efforts to empower farmers through:

- a) Education and training for breeders, either in technical training in livestock cultivation agribusiness, on-farm training, apprenticeships, fieldwork practices, research from inside and abroad, and others.
- b) Counseling and assistance, in counseling and assistance by Polyvalent Field Agricultural Extension Officers (PPL).
- c) Development of systems and facilities for selling livestock products, such as facilities and infrastructure for growing livestock population, by applying initiatives to advance agricultural infrastructure and facilities.

- d) Consolidation and guarantee of farmland area

Since 2010, the Regional Government of West Java Province has issued Regional Regulation No. 27 of 2010 concerning the Protection of Sustainable Food Agricultural Land to control the conversion of agricultural food land. Livestock as one of the agricultural sectors is not listed overtly in the regulation. However, with the protection, there is considerable potential for animal feed from agricultural food waste.

- e) Provision of financing and capital facilities

The West Java Provincial Government with Himbara has launched countless programs to impart financing facilities, together with the Kredit Usaha Rakyat (KUR) program, which can be hopeful for financing and raising farmer capital. Moreover, the West Java Provincial Government also allocates grant funds to farmer groups and it can be accessed through the Regional Development Planning System (Sistem Perencanaan Pembangunan Daerah/Sisrenbangda) from the village level to the provincial level.



f) Accessible to science, technology, and information

The PPL network gives access to science, technology, and information, and it is aided by social media to share knowledge. Furthermore, the West Java Province DKPP is developing information dissemination through online classes, webinars, and a database of modules and training videos the public can access.

g) Strengthening farmer institutions.

In strengthening farmer institutions, it is carried out by developing livestock areas and clusters through the development of breeder corporations. One of the breeder corporations that has proliferated is the Brahman Sejahtera Corporate Area Management Unit (UMKK) in Subang Regency.

Nevertheless, the function of the Village Government remains limited since the Cibodas Village Government does not allocate funds to protect and empower farmers and only supports organizing activities held by the West Java Livestock Service.

### 3. Factors of Facilities and Infrastructure

Realization of Artificial Insemination through Regency/Municipal Governments, facilitating the Implementation of Animal Health and Veterinary Public Health directly and indirectly (through Regency/City Governments), Livestock Area Infrastructure and Facilities (processing equipment and facilitation of organic fertilizer certification), and supporting the provision of agricultural infrastructure and facilities for the livestock sub-sector, such as pipe and pump irrigation, agricultural reservoirs.

Apart from the West Java Animal Husbandry Service, KPSBU efforts to fulfill infrastructure facilities for farmers by providing numerous facilities and assistance, especially regarding facilities that ensure the milk produced by farmers will sell, guarantee the stability of cattle prices in the market, and provide health facilities for livestock and health for farmers and their families. As the facilities given by the West Java Livestock Service Office and the KPSBU, the breeders continue to lack animal feed. Regarding animal feed, it has indeed been bestowed by Perhutani in collaboration with KPSBU, but it is still felt inadequate by farmers. Since Perhutani's land is conservative and the village's geographical type is unsuited for growing cattle, animal feed is hard to find, especially during the dry season.

#### 4. Community Factor

When taking a glance from the community factor, actually the people here, especially breeders, have been quite good at implementing Law no. 19 of 2013 in which the community as breeders have tried to raise livestock well, and KPSBU as the organization that oversees it has made relatively many protection and empowerment efforts by facilitating a number of points.

KPSBU facilitates *susu pasti laku* (as long as it conforms to standards), price certainty, payment certainty (it is sure to be paid within a specific time) twice a month (every 15th and 30th or 31st). Another facility is when the cow is in heat. The cow is prepared by the cooperative, which is free. In addition, when the cow is sick, there is already an officer from the cooperative who will check. Therefore, farmers only need to contact the officers whom the cooperative has given. Also, if a farmer member is ill, the cooperative has worked closely with health workers in Lembang, such as public health centers (puskesmas), doctors, midwives, and others. Members are dealt five cards in a year so they may get treatment for free. Breeders also get facilities for animal feed where the concentrate is delivered to their homes, and the concerns of members, such as the needs of nine essential commodities, are delivered to their respective homes. The allocation is made once every fifteen days. Farmers enable to make interest-free or no-fee loans and interest-free cattle loans with no administrative fees. Additionally, there are abattoir facilities if cattle are sick or old and need to be slaughtered. Cooperatives do not earn a profit. If the slaughtered cattle sells for 10 million and the farmer wants to buy it for 20 million rupiahs, the cooperative supplies another 10 million rupiahs in credit without interest. The discount is only 100 thousand per 15 days for milk payment. The cooperative also gives THR, free bonus milk, and aid to sick or affected by disasters (collapsed houses, missing cows). Eighth, if cattle get stolen, the cooperative will allocate funds of 6 million per head. The ninth, if a member's husband or wife dies, a compensation of 6 million will be given. Lastly, KPSBU also gives biogas facilities to farmers.

However, there are differences of opinion expressed by KPSBU and those stated by farmers, among others;

- a) If cattle get stolen, as stated by the Head of the KPSBU, the cooperative will assist 6 million rupiahs per head, while from the breeder's statement, there is no help.

- b) With the amount of compensation given if a cattle has died and burnt, according to the Chairperson of the KPSBU, the compensation is 6 million rupiahs, while as stated by the farmer, it is 3 million rupiahs.
- c) According to the Head of KPSBU, in the case of diseased cows, the cooperative will assist, such as personnel from the cooperative who will check. The farmers contact the officials assigned by the cooperative. On the other hand, farmers claim they do not acquire aid if their cattle become ill, notably mastitis, unless they are stagnant. So far, if the cattle are unwell, they have just gotten medical treatment with no follow-up to cure the ailment.

As for this difference of opinion which may hinder the effectiveness of Law no. 19 of 2013, Which is not all the facilities from the KPSBU that houses these breeders can be felt by them.

#### 5. Cultural factors

The farmers of Cibodas Village still find it challenging to accept the innovativeness values and still prioritize the conservatism value. This livestock business is a hereditary business the breeders use conservative methods. It is shown by the reluctance of them to maintain livestock business permits, which its license is a form of guarantee for business certainty. Besides, they are also unwilling to participate in livestock business insurance, a form of protection. The agitation of farmers towards livestock insurance is due to the issues they hear about the difficulty of insurance claims; in addition, they also perceive that there is no urgent need to register for livestock insurance. Furthermore, the practice of *rerewangan* funds originating from farmer fees which KPSBU manages later, farmers assume that they do not need livestock insurance. These values of conservatism are firmly held, impede the effectiveness of Law no. 19 of 2013.

### **The Role of the Cibodas Village Government in Providing Legal Protection and Empowerment for Breeders in Cibodas Village**

The role of the Cibodas Village Government in providing legal protection to breeders are:

1. Facilities and infrastructure contributed by the government to village officials in livestock sector

In connection with facilities and infrastructure, the village government is limited to assisting in developing breeder resources such as training for them and how to take care of cows well.

2. Administering guarantees for business certainty by village officials

In business certainty guarantees, the village government is limited to assisting or facilitating business certainty guarantees.

3. Determination of the price of dairy cow's milk by the government by the needs of farmers

The village government does not determine the price of cow's milk but the government at the central level.

4. Compensation by the government

The Cooperative shall perform the compensation. Meanwhile, the village does not furnish it since the village only uses APBDes for conditions that tend to be conditional and more to natural disasters, and so forth.

5. Government knowledge of livestock business insurance

The village government is only asked for assistance or recommendations by the insurance party for socialization to farmers.

With regard to Empowerment to breeders, the roles of the Village Government include:

1. Provide education and training

The village government proposed education and training, such as not throwing cattle dung indiscriminately, producing it into biogas, and raising worm cattle.

2. Provide counselling and assistance

Counselling and mentoring are accomplished by PPL (Field Extension Officer) given by the Livestock Service Office, not the Village Government. The Livestock Service Office presents field extension workers who ask for permission from the Village Government to arrange counseling and assistance.

3. Provide system development and marketing facilities for livestock products

The Village Government cooperates with KPSBU who has a role in developing systems and marketing livestock products.

4. Provide consolidation and guarantee of farmland area

In terms of supplying livestock land, the Village coordinates with Perhutani as the party providing the land. The village government mentioned that the farmers could

work on Perhutani's land. Perhutani concedes this, as long as it is unable to conduct the processing, i.e., vegetables and so forth, yet, processing grass is allowed.

5. Provide easy access, science, technology, and information

Like biogas production, the village offers farmers training, education, and understanding, and the government helps one hundred biogas components.

6. Provide institutional strengthening of breeders

in terms of institutional strengthening of breeders, KPSBU takes an important role.

In respect to the description, the role of the Village Government is only limited to assisting, helping to facilitate, and assisting and cooperating with the Livestock Service Office and KPSBU in providing legal protection and empowerment for farmers. The Village Government's performance is still insufficient since the Cibodas Village Government does not provide budget funding to protect and empower farmers, instead just aiding in organizing activities organized by the West Java Livestock Service. The Cibodas Village Government, on the other hand, does not have a program for protection initiatives or farmer empowerment.

In this case, the Village Government should become the leading actor in protection and empowerment without having to depend entirely on the Livestock Service Office or KPSBU since the Village is no longer an extension of the hand or subordinate to the Central Government. However, the Village has its autonomy. The Village Government is the party that plays a key role in the administration, incorporating to yielding legal protection and empowerment for the village community, which is Cibodas Village breeders.

## **CONCLUSIONS**

There are still a number of impediments to the efficacy of legal protection and farmer empowerment in Cibodas Village. If seeking the legal aspects, there is no legislation explicitly directed towards breeders in terms of legal protection and empowerment. There are either no employing regulations that regulate in more detail and technically. Lastly, when it comes to cultural elements, farmers in Cibodas Village's conservative values are a factor that inhibits the efficacy of legal protection and empowerment in Cibodas Village.

Instead of budgeting for farmer protection and empowerment, the Cibodas Village Government assists in organizing activities organized by the West Java Livestock Service.

The Cibodas Village Government, on the other hand, lacks legal protection and farmer empowerment program.

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