

Legal Protection for Cattle Breeders in Terms of Regulation of the Minister of Agriculture Number 17 of 2022 Concerning the Import of Boneless Meat in Certain Cases Originating from a Country or Zone within a Country of Origin

Erni Dwita Silambi¹, Restu Monika Nia Betaubun², Dina Fitri Septarini³, Dewi Natalia Marpaung⁴, Chyntia Novita Kalalo⁵

¹ Faculty of Law, Musamus University, Merauke, Indonesia, erni@unmus.ac.id

² Faculty of Law, Social Sciences, and Political Science, Open University, Banten, Indonesia, restumonica@ecampus.ut.ac.id

³ Faculty of Economics and Business, Merauke, Indonesia, dinafitri@unmus.ac.id

⁴ Faculty of Teacher Training and Education, Merauke, Indonesia, marpaung_fkip@unmus.ac.id

⁵ Faculty of Teacher Training and Education, Merauke, Indonesia, novita@unmus.ac.id

ABSTRACT

This study aims to analyze the legal protection of cattle breeders in terms of Regulation of the Minister of Agriculture Number 17 of 2022 concerning Importation of Boneless Meat in Certain Cases Originating from a Country or Zone within a Country of Origin. Imports of beef and buffalo meat continue to increase every year, especially buffalo meat in 2016 it was only 39,524 tons, in 2021 it reached 73,780 tons and in 2022 it reached 225.6 thousand tons. The policy of opening imports of buffalo meat from countries that are not yet free of foot and mouth disease (FMD) and there is a prohibition on importing from countries that are not yet in the FMD free zone has resulted in cattle breeders experiencing a loss in their cattle output. In practice, the price of beef has increased so that the price of livestock products has a real influence on efforts to develop the scale of the livestock business. That is, the price is an incentive component for the development of smallholder plantation businesses in the country. The research method was carried out using the Normative Research method using a comparative legal approach with Primary Legal Materials, namely laws and regulations, secondary legal materials, namely data from law books, legal texts, legal articles, legal journals. Based on the research results, it is known that the legal protection for cattle breeders has not gone well where in order to protect domestic cattle breeders so that they can grow and develop in a conducive manner, affordable meat price guidelines can be used as a basis for consideration as long as the increase is in line with developments in inflation in the national economy.

ARTICEL INFO

Keywords:

Legal Protection, Cattle Breeders, Import of meat, Regulation of the Minister of Agriculture.

How to cite:

Silambi, E.D, Betaubun, R.M.N., Septarini, D. F., Marpaung, D.N., Kalalo, C. N. (2025). Legal Protection for Cattle Breeders in Terms of Regulation of the Ministry of Agriculture Number 17 of 2022 Concerning the Import of Boneless Meat in Certain Cases Originating from a Country or Zone within a Country of Origin. *Musamus Law Review*, 7(2), 151-160

1. INTRODUCTION

Dynamic Indonesian law often interacts with local wisdom, giving rise to various kinds of legal rules related to it. One form of such dynamism is related to the

emergence of arrangements about animal husbandry. The arrangement of agricultural fields that have arisen is not only to protect and improve the quality of animal resources; provide safe, healthy, whole, and halal food; improve the health of people, animals, and the environment; providing service industries and raw materials; developing science and technology; increase the country's income and foreign exchange, but also expand business opportunities and employment opportunities; and improving people's welfare¹.

Another reality about the importance of agriculture over protection in the life of the Indonesian people is the emergence of ideas to carry out agrarian reform which strengthened again in the early 90s, when a group of NGOs, peasant organizations and a number of activist-scholars formed the Agrarian Reform Consortium (KPA). A set of ideas and guidelines for carrying out agrarian reform is conceptually met with the idea of enforcing new principles of equitable resource management².

The beef cattle commodity has a very large business opportunity, this is based on the gap between the demand and supply of national beef which cannot yet be fulfilled by the dominant small-scale farms³. In general, Indonesia's beef needs are still mostly met by local beef production and the rest by imported meat and feeder cattle⁴. Hanum et al⁵, stated that the average import of Indonesian beef periodically continues to increase and shows dependence. The slow growth of the local beef cattle population and the low production of local beef are among the factors in the increasing volume of Indonesian beef imports. In the 2010-2017 period, beef cattle population growth and beef production in Indonesia showed positive growth with an average of 3.52 percent (14.98 million heads) and 2.93 percent (498.76 thousand tons) per year, respectively. Meanwhile, on the consumption or demand side, national beef shows a greater average growth compared to local beef production, which is 6.35 percent or equivalent to

¹ Hasibuan B 2016 Perlindungan Hukum terhadap Peternak sapi perah dikaitkan dengan keberadaan Asosiasi peternak sapi perah dalam upaya meningkatkan kesejahteraan Peternak. *Jurnal Wawasan Hukum*. **34** (1)

² Bachriadi D 2010 Refleksi Satu Dasarwa Reformasi dalam Perspektif Reforma Agraria, *Jurnal Analisis Sosial*. **15** (1)

³ Rohani I St, Siregar A R, Rasyid T G, Saleh I M, Darwis M and Astaman P. 2021. Socio-economic factors of farmers in implementing the profit-sharing system in beef cattle business. 2nd International Conference on Animal Production for Food Sustainability 2021. IOP Conf. Series: Earth and Environmental Science **888** (2021) 012084 doi:10.1088/1755-1315/888/1/012084

⁴ Direktorat Jederal Peternakan dan Kesehatan Hewan, 2017. *Statistika peternakan dan kesehatan hewan* Jakarta (IDN).

⁵ Hanum TA., and Wiwin S, 2016. Analisis impor daging sapi di Indonesia tahun 2000 – 2015. *Jurnal Ekonomi Pembangunan Universitas Udayana*. **7**(8): 1737 – 1766.

556.23 thousand tons per year⁶. The dispute between the level of beef production and consumption can illustrate Indonesia's inability to optimize the agribusiness potential of beef cattle in producing domestic beef⁷.

This policy is very effective in encouraging increased production and productivity of the sugar industry in the country. In addition, according to ISO 2019 (International Sugar Association), Indonesia as a net importer of sugar has purchased raw sugar at the highest price in the world, which is 3.97 US dollars per metric ton. However, the opposite condition occurs in beef commodities. Since President Jokowi in 2016 asked for beef prices to be below Rp 80,000 per kilogram, various somersaults (Jokowi's term) or controversial policies have been carried out by the government.

The policy is, among others, handling meat and beef imports through Regulation of the Minister of Agriculture (Permentan) No. 17 of 2016, Minister of Agriculture Regulation No. 34 of 2016, and Regulation of the Minister of Trade No. 59 of 2016. Previously, imported meat was limited to a ratio. Then the policy opened the import of buffalo meat from countries that have not been free of mouth and nail disease (FMD) through Government Regulation No. 4 of 2016 and Decree of the Minister of Agriculture No. 2556 of 2016. Previously, there was a ban on importing from countries that had not entered the FMD-free zone. Furthermore, the policy on the ratio of feeder cattle imports to broodstock through Minister of Agriculture Regulation No. 02/2017 Article 7. In fact, the fattening business is very different from breeding. In addition, the policy of changing the body weight of imported feeder cattle from 350 kilograms to 450 kilograms through Minister of Agriculture Regulation No. 49/2016 jo Permentan No. 02/2017 Article 15⁸.

Impor beef and buffalo meat every year continues to increase, especially buffalo meat in 2016 only 39,524 tons now in 2021 reaching 73,780 tons which is abundant in traditional markets. Meanwhile, feeder cattle imports decreased sharply (down 35 percent)⁹ in 2022 According to a report by the Central Statistics Agency (BPS),

⁶ Badan Pusat Statistik, 2018. Sapi potong impor. diakses pada : <http://www.bps.go.id/>

⁷ Danasari I. F, Harianto A, Falatehan F 2020 Dampak Kebijakan Impor Ternak Dan Daging Sapi Terhadap Populasi Sapi Potong Lokal Di Indonesia. *Jurnal Ekonomi Pertanian dan Agribisnis* (JEPA) ISSN: 2614-4670 (p), ISSN: 2598-8174 (e) 4(2): 310-322

⁸ Tawaf R 2021 Perlindungan Peternak Sapi, Kompas diakses pada https://www.kompas.id/baca/opini/2021/06/25/perlindungan-peternak-sapi?status=sukses_login&status_login=login

⁹ Tawaf R 2022 Prahara Peternakan Sapi, Kompas diakses pada <https://www.kompas.id/baca/opini/2022/01/27/prahara-peternakan-sapi>

throughout 2022 the national beef production volume reached 498,923 tons, up 2.2% compared to the previous year (year-on-year / yoy)¹⁰.

Especially for the empowerment of farmers, efforts to increase agricultural productivity (animal husbandry), poor farmers (ranchers), capture and cultivation fisheries businesses, and other micro-scale businesses that support the production chain of small businesses that have potential in the region. The availability of economic facilities and infrastructure in rural areas, access to financial services credit and other sources of capital for economic actors in rural areas, as well as the use of agricultural research and technology, distribution and provision of agricultural technology information are also important factors in encouraging a prosperous rural economy.

Legal protection is also aimed at the realization and implementation of welfare by improving living standards, especially when related to farmers to escape poverty which tends to bind the weak with conditions in which a person or group of men and women, who are unable to fulfill their basic rights to maintain and develop a dignified life.

The purpose of this study is to analyze the legal protection of cattle farmers in terms of the Regulation of the Minister of Agriculture Number 17 of 2022 concerning the Entry of Boneless Meat in Certain Cases Originating from Countries or Zones in a Country of Origin of Income where with the increase in local beef production to meet beef needs, it is necessary to empower local communities, namely cattle farmers in Indonesia.

2. METHOD

This research was conducted based on Normative research¹¹. This normative research is carried out using the Legislative Regulation Approach¹², which is an approach carried out by examining all laws and regulations related to the legal issues handled. Descriptive research, which is an explanatory research that aims to obtain a complete picture (description) of the state of law and what applies in a certain place and at a

¹⁰ Amor C. M, 2022 Inilah Provinsi Penghasil Daging Sapi Terbesar di Indonesia pada 2022 diakses pada <https://databoks.katadata.co.id/infografik/2023/06/23/inilah-provinsi-penghasil-daging-sapi-terbesar-di-indonesia-pada-2022>

¹¹ Silubun, A.J., Kalalo, J.J.J., Inggit, A.B., Kalalo, C.N., Rahail, E.B. 2020 Village authority and position in realizing village autonomy. IOP Conference Series: Earth and Environmental Sciencethis link is disabled, 2020, **473**(1), 012032

¹² Kalalo, J.J.J. 2018 Protection of indigenous legal community rights in the border area of the South Papua. International Journal of Mechanical Engineering and Technology, 2018, **9**(212-219), pp. 212–219

certain time, or about existing juridical symptoms, or certain legal events that occur in society.

Data consists of primary legal material, secondary legal material, tertiary legal material, Primary legal material is legal material consisting of laws and regulations. Laws and regulations, official documents, minutes in making laws and regulations and judges' decisions related to the main issue¹³. Secondary legal materials (secondary legal materials) are materials that provide explanations of primary legal materials (legal science books, legal journals, legal reports, printed media, or electronic)¹⁴. Tertiary legal materials are legal materials that provide designations or information to primary legal materials and secondary legal materials, e.g. Dictionaries, Encyclopedias, Glossaries.¹⁵

Descriptive analytics are described or presented systematically and logically, in the sense that the entire data obtained will be connected to one another according to the subject matter studied, so that it is a complete unity based on legal norms or legal rules relevant to the subject matter.

All data obtained were analyzed using qualitative qualitative methods, namely describing correctly in the form of regular, coherent, logical, non-overlapping, and effective sentences, then discussion was carried out until conclusions were drawn¹⁶.

3. RESULTS AND DISCUSSION

3.1. Legal Protection

Legal protection is the protection of dignity and dignity, as well as recognition of human rights possessed by legal subjects based on legal provisions from arbitrariness or as a collection of regulations or rules that will be able to protect one thing from another. With regard to consumers, it means that the law provides protection for customer rights from something that results in the non-fulfillment of these rights¹⁷.

Legal protection has a wide scope, its breadth can be narrowed according to the subject and object of the law to be protected. Both words can be found in the realm of criminal, civil, international, constitutional law and even state administrative law. Legal protection in the criminal realm is directed against individuals from actions that

¹³ Marzuki P. M, 2008 Pengantar Ilmu Hukum. Jakarta: Kencana.

¹⁴ Muhammad A, 2004, Hukum dan Penelitian Hukum, Citra Aditya Bakti, Bandung.

¹⁵ Muhammad A, 2004, Hukum dan Penelitian Hukum, Citra Aditya Bakti, Bandung.

¹⁶ Kalalo, J.J.J, Betaubun, P., Kalalo, C.N. Implementation of marriage by indigenous law to yei tribe communities, *International Journal of Management*, 2019, **10**(6), pp. 45–53

¹⁷ Hadjon P, H, 1987 Perlindungan Hukum bagi Rakyat di Indonesia, Bina Ilmu: Surabaya

harm them by state intervention in law enforcement. Civil law defines legal protection aimed at parties who carry out legal relations civilly or in the direction of engagements that arise either through agreements or laws.

Legal protection for the people is a universal concept, in the sense that it is embraced and applied by every country that settles itself as a state of law, but as Paul Lotulung mentioned that each country has its own ways and mechanisms on how to realize legal protection and to what extent legal protection is given.

3.2. Cattle Farmer

Cattle farming is one part of farmers to improve the quality of life in line with national development as a means of strategy to improve community welfare, directed to form a whole person, namely to build the welfare of the Indonesian people as a whole. This foundation causes the scope of national development to be very broad, so its implementation must be planned, comprehensive, gradual and sustainable. At each stage it is hoped that harmony in outward and inner progress will be achieved evenly covering all people, with an increased level of social justice.

The development of cattle attacks in Indonesia is inseparable from the history of its development and government policies since the days of the Dutch East Indies to meet the needs of the Dutch people and cultivated by non-natives, and barns in 1925. Cattle farming has grown since the Japanese occupation and the Physical Revolution of Indonesian Independence (1942-1950), because at that time the cattle company was abandoned and abandoned by its owner. Between 1950 and 1961 during the period of rehabilitation efforts through the Special Prosperity Plan (RKI), the livestock sector began to receive attention, although not yet as a top priority¹⁸.

Cattle farming in Indonesia today is mostly (90%) still a smallholder plantation business which is a definition of agricultural business in the narrow sense with the main aim to meet the subsistence needs of farmers and their families. Atmadilaga suggests that the people are a family business that does not use the strict laws of production economy. Economic opportunities in utilizing every profitable opportunity while its realization varies in various regions according to agricultural patterns and planting patterns. Furthermore, it is said that the livestock rearing carried out by farmers in rural areas is still traditional. However, the dairy plantation business is still surviving. The low productivity of dairy cows is caused by the condition of dairy cattle

¹⁸ Subandriyo dan Adiarto. *Sejarah Perkembangan Peternakan Sapi Perah*. LIPI Press, Jakarta, 2009

business management at the traditional farmer level. Cultivation management (on farm) is good and has not been adopted perfectly by breeders. This is exacerbated by an insufficient milk distribution collection chain system¹⁹.

3.3. Legal Protection for Cattle Farmers is reviewed from the regulation of the Ministry of Agriculture Number 17 of 2022 concerning the Entry of Boneless Meat in Certain Cases Originating from Countries or Zones in a Country of Origin of Income

The universality of legal protection seeks to protect human dignity and dignity from rape which is basically an attack on rights on others has violated the rules of legal norms, basically the attack on rights on others has violated the rules of legal norms and laws. This protection demands that the Law serve as the protection of human interests. In order for man to be protected, laws must be implemented. The execution of the law can take place normally, peacefully, but it can occur also due to violations of the law. A violation of law occurs when a particular legal subject does not perform the obligations that should be performed, or because it violates the rights of another legal subject. Legal subjects who violate their rights must obtain legal protection.

Indonesia as a state of law has been normized in Article 1 paragraph (3) of the 4th amendment of the 1945 Constitution which affirms that "The State of Indonesia is a state of law (*rechtsstaat*)". With this affirmation, the mechanisms of private life, society, and the state are regulated by law (written and unwritten). This means that both members of the public and the government are obliged to abide by the law²⁰.

Protection of the rights of cattle farmers should not be neglected, if the improvement of the quality of affairs is the goal. This protection can be done by precipitating the law as a rule or norm in determining policies related to national cattle farmers. Based on Article 1 point 3 states that if in an urgent situation due to a disaster, lack of meat availability, and/or high meat prices that trigger inflation and affect national economic stability can only import beef income. Likewise, the income requirements are also mentioned if in certain cases.

It can be seen in BPS data that there is an increase in beef in Indonesia so as to see the potential of national cattle farmers. Thus, the government should make a virtue that can accommodate the needs of national beef distribution with several regulations that benefit national cattle farmers.

¹⁹ Sulistyati M, Hermawan, dan Anita Fitriani, 2013 Potensi Usaha Peternakan Sapi Perah Rakyat dalam Menghadapi Pasar Global, *Jurnal Ilmu Ternak*, **13** (1)

²⁰ Lopa B, 1987 Permasalahan Pembinaan Dan Penegakan Hukum Di Indonesia, Jakarta : Bulan Bintang

Thus, the form of protection for cattle farmers has been affirmed in the Regulation of the Minister of Agriculture Number 17 of 2022 concerning the Entry of Boneless Meat in Certain Cases Originating from Countries or Zones in a Country of Origin of Income, in this regulation it is clearly stipulated that the government will import if something happens that cannot reach the meat needs in Indonesia, and this law also clearly emphasizes that the process of importing beef has procedures that must be observed, while the use of local farmers' products is easier to carry out if applied with a regulation or policy from the government to accommodate the results of Indonesian cattle farmers.

4. CONCLUSION

The results of this study can be interpreted that legal protection for cattle farmers has not run well where in order to protect domestic cattle farmers to grow and develop conductively, affordable meat price guidelines can be used as a basis for consideration as long as the increase is in line with inflation developments in the national economy.

REFERENCES

- Agustiar R, Triatmojo A, Guntoro B. 2021 The study of local beef market structure in Jakarta, Indonesia. 2nd International Conference on Animal Production for Food Sustainability 2021 IOP Publishing IOP Conf. Series: Earth and Environmental Science **888** (2021) 012082 doi:10.1088/1755-1315/888/1/012082
- Amor C. M, 2022 Inilah Provinsi Penghasil Daging Sapi Terbesar di Indonesia pada 2022 acces : <https://databoks.katadata.co.id/infografik/2023/06/23/inilah-provinsi-penghasil-daging-sapi-terbesar-di-indonesia-pada-2022>
- Bachriadi D 2010 Refleksi Satu Dasarwa Reformasi dalam Perspektif Reforma Agraria, *Jurnal Analisis Sosial*. **15** (1)
- Badan Pusat Statistik, 2018. Sapi potong impor. acces : <http://www.bps.go.id/>
- Danasari I. F, Harianto A, Falatehan F 2020 Dampak Kebijakan Impor Ternak Dan Daging Sapi Terhadap Populasi Sapi Potong Lokal Di Indonesia. *Jurnal Ekonomi Pertanian dan Agribisnis* (JEPA) ISSN: 2614-4670 (p), ISSN: 2598-8174 (e) **4**(2): 310-322

- Direktorat Jederal Peternakan dan Kesehatan Hewan, 2017. *Statistika peternakan dan kesehatan hewan* Jakarta (IDN).
- Hadjon P, H, 1987 *Perlindungan Hukum bagi Rakyat di Indonesia*, Bina Ilmu: Surabaya
- Hanum TA., and Wiwin S, 2016. Analisis impor daging sapi di Indonesia tahun 2000 – 2015. *Jurnal Ekonomi Pembangunan Universitas Udayana*. 7(8): 1737 – 1766.
- Hasibuan B 2016 *Perlindungan Hukum terhadap Peternak sapi perah dikaitkan dengan keberadaan Asosiasi peternak sapi perah dalam upaya meningkatkan kesejahteraan Peternak*. *Jurnal Wawasan Hukum*. **34** (1)
- Kalalo, J.J.J, Betaubun, P., Kalalo, C.N. Implementation of marriage by indigenous law to yei tribe communities, *International Journal of Management*, 2019, **10**(6), pp. 45–53
- Kalalo, J.J.J. 2018 Protection of indigenous legal community rights in the border area of the South Papua. *International Journal of Mechanical Engineering and Technology*, 2018, **9**(212-219), pp. 212–219
- Lopa B, 1987 *Permasalahan Pembinaan Dan Penegakan Hukum Di Indonesia*, Jakarta : Bulan Bintang
- Marzuki P. M, 2008 *Pengantar Ilmu Hukum*. Jakarta: Kencana.
- Muhammad A, 2004, *Hukum dan Penelitian Hukum*, Citra Aditya Bakti, Bandung.
- Rohani1 St, Siregar A R, Rasyid T G, Saleh I M, Darwis M and Astaman P. 2021. Socio-economic factors of farmers in implementing the profit-sharing system in beef cattle business. 2nd International Conference on Animal Production for Food Sustainability 2021. IOP Conf. Series: Earth and Environmental Science **888** (2021) 012084 doi:10.1088/1755-1315/888/1/012084
- Silubun, A.J., Kalalo, J.J.J., Inggit, A.B., Kalalo, C.N., Rahail, E.B. 2020 Village authority and position in realizing village autonomy. IOP Conference Series: Earth and Environmental Science this link is disabled, 2020, **473**(1), 012032
- Subandriyo dan Adiarto. *Sejarah Perkembangan Peternakan Sapi Perah*. LIPI Press, Jakarta, 2009
- Sulistiyati M, Hermawan, dan Anita Fitriani, 2013 Potensi Usaha Peternakan Sapi Perah Rakyat dalam Menghadapi Pasar Global, *Jurnal Ilmu Ternak*, **13** (1)
- Tawaf R 2021 *Perlindungan Peternak Sapi*, Kompas diakses pada https://www.kompas.id/baca/opini/2021/06/25/perlindungan-peternak-sapi?status=sukses_login&status_login=login

Erni Dwita Silambi, Restu Monika Nia Betaubun, Dina Fitri Septarini, Dewi Natalia Marpaung, Chyntia Novita Kalalo

Tawaf R 2022 Prahara Peternakan Sapi, Kompas diakses pada
<https://www.kompas.id/baca/opini/2022/01/27/prahara-peternakan-sapi>