

THE IDEAL CONCEPT TOWARDS THE WELFARE OF NON- LIVESTOCK ANIMALS IN THE PRINCIPLE OF UTILIZATION AND UTILIZATION IN REALIZING LEGAL CERTAINTY IN INDONESIA

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ABSTRACT

Indonesia has Law No. 41 of 2014 and Government Regulation No. 95 of 2012 to support animal welfare, but the country is still ranked as "D" on the animal protection index. This low ranking is due to the fact that the welfare of non-livestock animals in Indonesia has not been fully realized in practice, which is caused by the lack of clarity and certainty regarding regulations that govern the principles of animal welfare in their use and utilization, as well as the criminal sanctions within them. An analysis is needed to determine the extent to which existing legal regulations and sanctions can accommodate the scope of animal welfare principles in the use and utilization of non-livestock animals and to formulate legal protections accordingly. The research problem is how to formulate an ideal concept of legal protection for non-livestock animals in their use and utilization as a guide to creating legal certainty. This research is a descriptive analytical study using a combined social normative-empirical research paradigm. The methodology of this research incorporates a model for the ideal formation of law, which includes the integration of three legal theories: Lawrence Meir Friedman's legal structure, legal substance, and legal culture; Mochtar Kusumaatmadja's Law as a tool of social engineering, which states that law is a social control tool; and Satjipto Rahardjo's assertion that the law is for humans, not the other way around. The ideal formation of law model is one solution to realize animal welfare.

KEYWORDS: Animal Protection, Non-livestock Animals, Ideal Legal Concept.

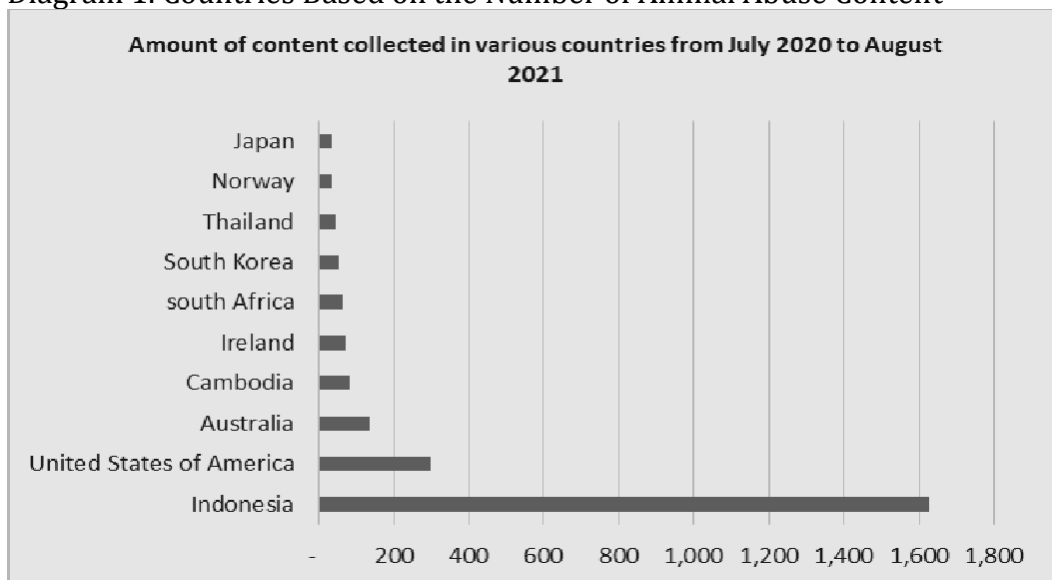
INTRODUCTION

The welfare of animals in the current era of globalization has become an issue that is being increasingly recognized by all nations, both developed and developing. This is not only because of their essential value as creatures created by God whose existence must be preserved, but also because of their role in bringing benefits to human life as a source of food, industrial raw materials, services, and agriculture. Additionally, animals serve as a source of happiness for humans (Tribudiman et al., 2021). Animals are living creatures whose existence provides benefits for the sustainability of humans. (Nugrahaeni, 2016). This is achieved by maintaining the sustainability of their habitats through the principle of animal freedom in terms of their use and utilization as creatures of God. When it comes to animal protection in Indonesia, we will be confronted with various legal cases related to the high number of torture, abuse, and killing incidents. In addition, the behavior of some communities in certain areas such as consuming dogs, cats, and other non-livestock pets, as well as the livelihood of many businesses relying on selling dog, cat, and other uncommon animal meat, has resulted in

a long list of sadistic animal killings and violations of applicable laws. This, of course, raises the issue of how to enforce the laws and legal systems that protect these animals.

All animals are creatures of God that must be fully protected with love and by utilizing them according to the provisions and guidelines that have been established. These laws serve as rules, commands, and prohibitions in religious teachings, thus forming the basis for interpreting the meaning of piety in God by respecting the creatures of God and not treating them beyond their biological and physical limits. The protection of these animals is then implemented in the content of positive law regulations in Indonesia in the form of laws to provide legal sanctions in protecting animals. In fact, the issue of animal protection has been raised in Indonesia for a long time, unfortunately, the development of the issue of animal welfare in Indonesia, which is growing rapidly, has attracted the attention of many parties, not only animal lovers but also the general public and the international community. The Indonesian government is still neglecting this issue, especially the paradigm for non-livestock pets, which are considered to have little impact on society in Indonesia. This view is evidenced by Indonesia being the country with the highest level of animal abuse in the world (Maylina, A.D., 2021). In addition, there are many cases of various violations of animal welfare principles in the use and utilization of animals that are not subject to the law due to the lack of clear legal guidelines in every handling involving both wild animals and pets that should prioritize animal welfare principles. Indonesia has also become a center for animal abuse video content on social media. According to the Asia For Animals Coalition, thousands of violent video content against animals uploaded from Indonesia are circulating on various social media platforms, ranging from Facebook, YouTube to TikTok (Yogar, 2021).

Diagram 1. Countries Based on the Number of Animal Abuse Content



Source: Asia For Animals Coalition (2021)

The safety point in creating animal protection lies in the reinforcement of laws and government itself through the veterinary sovereignty system in managing livestock and animal health to provide protection. Animal protection law itself is regulated in Law No. 41 of 2014 Article 66A stating that every person is prohibited from torturing and or abusing animals that cause disabilities and or unproductiveness. Referring to the Livestock and Animal Health Law, the Government also produces Government

Regulation No. 95 of 2012 regarding Veterinary Public Health and Animal Safety, Law No. 41 of 1999 regarding Forestry. Article 50 paragraph (3); Every person is prohibited from issuing, carrying, and transporting plants and wild animals that are not protected by the law that comes from forest areas without the consent of authorized officials. The Indonesian Law No. 5 of 1990 (2) Every person is prohibited from: 1). Capturing, harming, killing, placing, having, keeping, lifting, and trading protected animals in live conditions; 2). Placing, having, keeping, lifting, and trading protected animals in dead conditions, and KUHP 302 which regulates the imposition of sanctions for perpetrators of violence, abuse, murder, and slaughter of animals. KUHP is not only an accessory but also a principle in treating animals naturally. In essence, this regulation requires everyone to carry out care, supervision, maintenance, and protection of pets or wild animals in accordance with safety principles for use and utilization.

In strengthening the provisions of animal protection regulations in Indonesia, it cannot be denied that one of the roles is the task of law enforcement officers and veterinary authorities as a benchmark for success in suppressing abuse and murder. The primitive view is used not with the meaning of providing protection to animals, but to implement protectionism policies in the era of globalization. Global references in animal welfare rumors are regulations issued by the World Animal Health Organization (WAHO), also known as the Office International des Epizooties (OIE). This global agency, which has been established since 1924 and has 178 member countries, seeks to increase primitiveness through an objective approach by separating animal safety issues from traditional practices or economic conditions in a country. All countries today are beginning to enforce protection for animals by issuing some laws and regulations that prevent animals and condemn acts of animal abuse and actions that threaten their habitat. In 2020, World Animal Protection produced an Animal Protection Index to assess a country's success in governing and practicing policies and laws for animal safety. Indonesia itself, from the ratio of 'A' (maximum) to 'G' (minimum), received an 'E' score calculated from 4 pillars: First; recognition that animals have feelings and emotions and the prohibition of animal suffering. Second; the creation and implementation of laws regulating animal safety. Third; the existence of government agencies committed to animal welfare; and fourth; government support for global welfare standards from the World Organisation for Animal Health (OIE) integrated into government laws or policies.

In Indonesia, the first pillar is partially fulfilled through the provision of Article 66 Paragraph (2) letter c of Law No. 18 of 2009 concerning Livestock and Animal Health (Law No. 18 of 2009), which allows animals to experience hunger, thirst, pain, cruelty, anxiety, and depression. However, the law has not yet included actual strengthening methods. As a result, Indonesia's score for the first pillar is still limited to a D grade. Meanwhile, cases in the second to fourth pillars are still weighted E and F, and these scores must be improved to fulfill the government's commitment and support for animal welfare.

The Animal Protection Index, created by World Animal Protection, is a measurement that assesses the level of animal protection provided by a country's legislation. According to the Animal Protection Index, 50 countries have been evaluated and deemed to have protected animal rights in their national laws (Knight, 2020). The organization that conducts the evaluation is headquartered in 14 countries and has 1.4 million supporters, 380 staff members, including 10 veterinary and animal welfare

academics. The role and responsibility of the API organization is to carefully assess each country in the Animal Protection Index. They base their assessment on various indicators that cover different aspects of animal protection.

In protecting animal rights, some areas in Indonesia have issued circulars banning the consumption of non-livestock animals such as dog and cat meat. One example of an area that has implemented the ban policy is Blitar, which has boldly announced the ban issued in a government circular that includes cats as part of the ban on meat that can be consumed, and its distribution is prohibited. It is important to note that the benefits of keeping pets such as dogs and cats are usually only for companionship and not for consumption. The presence of pets brings happiness from social interactions between people and animals, emotional well-being, a more productive and healthy quality of life, as stated by research conducted by Amber Lewis et al. in the study entitled "Pet Ownership, Attachment, and Health-Rated Quality of Life in New Zealand" (Lewis et al., 2009), where pets have benefits for happiness in the bond of life. Pets will provide benefits to their owners in the form of companionship, genuine love, motivation, and physical and psychological health. Pets can act as providers in social bonds, enabling owners to create a sense of companionship and reduce anxiety in children and adults (Noviana, 2018).

From several cases that have emerged, data related to obstacles and the lack of legal devices in enforcing the law for pet protection in Indonesia have been analyzed, including:

The absence of legal provisions/laws regarding sanctions for enforcing the law on the consumption of non-livestock animal meat as animal protection in the principles of use and utilization.

Unclear legal regulations regarding the prohibition and sanctions for consuming non-livestock animals such as cats and dogs, making it difficult to enforce the law to determine the imposition of charges against suspects, so that the articles used only revolve around murder charges or Criminal Code Article 302 or use of Theft Article 363 Paragraph 1.

The culture and tradition that still exists in some communities in Indonesia that seem to legalize the killing of pets such as dogs and cats and become controversial in the midst of animal welfare issues in society and the details of Law Number 41 of 2014.

From the explanation of the law regarding animal protection that applies in Indonesia, the analysis shows how the principles of use and utilization of non-livestock pets are not yet clearly regulated, especially in terms of enforcing sanctions within it because non-livestock animals such as dogs and cats are not mentioned in the law as non-livestock animals and are not considered as processed food products but rather as pets. This requires clear regulations regarding the use and utilization of non-livestock animals so that clarity does not give rise to multiple interpretations, does not create contradictions, so that the law and its enforcement can be carried out. The law must be clear in society, so that it has continuity for anyone and has legal certainty. The law should not be contradictory so as not to be the source of doubt (Remaja, 2014).

Viewed from the perspective of Law No. 41 of 2014, Article 68 and 68c of Law No. 41 of 2014 state that if there is a guarantee from the central and local governments related to the provision of animal welfare/health through the duties and authorities of animal health and veterinary services, it is important to ensure the health of animals.

For example, the government has attempted to implement vaccination programs in several cities that only target livestock and pets (Santoso & Setiyono, 2020). However, there are many problems in the field of animal health management and existing laws seem to only support safety principles centered on livestock, as they are considered to have a greater beneficial role as high-value and economically important animal products for the food needs of society compared to non-livestock animals.

This research aims to analyze the provisions related to legal protection for animal welfare principles in the use of non-livestock animals, which the author limits to the aspect of pets. This research also complements other studies that only analyze and explain animal rights equality or speak of animal abuse as a safety effort in the eyes of the law and produce customs that respect animal rights as a view of the independence of the right to life of God's creatures from exploitation (Ferdowsian & Gluck, 2015). However, this research adds and complements an innovative study to analyze how animal welfare principles can be applied to the use of non-livestock pets through the creation of ideal laws.

METHOD

Research Type and Approach

This research is framed within the combined normative-empirical research paradigm, which is an understanding of law in terms of norms (regulations) and the application of legal regulations in real behavior as a result of the enforcement of legal norms within society. The research is conducted by examining the implementation or practice of positive legal provisions (legislation) and written documents in action (factual) in relation to specific legal events that occur in public. The analysis aims to determine whether the results of legal practice in concrete events comply with or do not comply with the provisions of legislation, or in other words, whether the provisions of legislation have been implemented as they should be, so that interested parties can achieve their goals or not (Aziz, 2012). Legal researchers or experts should not only present from a normative perspective, but should also have a grasp of the social situation in which the law is implemented. Therefore, legal researchers and experts must also conduct legal research in an empirical (sociological) manner regarding the application of law in public, so that the results will not only provide a complete explanation of law in the context of normative rules or law when applied in the context of social society.

Type and Sources of Data

The types of data used to conduct research are primary and secondary information. Primary information sources are obtained directly from the source. Primary information can be obtained from respondents and informants. This research is descriptive and analytical in nature (Setiawati, 2016) and involves the analysis of data obtained from question-and-answer sessions with respondents. The analysis is qualitative in nature and provides an overview of the legal protection for non-livestock pets based on the principles of safety in their use and utilization. In this research, the author provides a description or presentation of the subject and object of the research, as well as the research results, without justifying the research findings.

Sources of Data: Primary Legal Materials (which are the legal sources that are binding/legal basis such as laws and regulations), Secondary Legal Materials (inferior legal materials that provide a description of primary legal materials, such as books, newspapers or magazines, scientific papers, legal journals that discuss the basic

principles (legal basis), legal expert opinions (doctrine), legal research results, legal dictionaries, and legal encyclopedias. Interviews with legal experts to provide a legal perspective on an event can be considered secondary legal materials (Mukhti Fajar & Achmad, 2015).

The Research Approach

The approach used in legal research combines normative-empirical social research, where the legal research studied focuses on law as a provision or norm and the use of legal regulations in its practice in public/social society. In normative-empirical social research, the focus of the study is on legal norms and the implementation of law in the public. The approach in normative legal research includes conceptual approach, legislative approach, legal history approach, comparative legal approach, problem-based approach (used according to research problems), and then combined with approaches commonly used in empirical legal research, including sociological approach, anthropological approach, and legal psychology approach (Sumaya, 2018).

RESULT AND DISCUSSION

View on the ideal law related to the protection of non-livestock pets in Indonesia is based on the perspective of legal instruments and law enforcement systems in place. In truth, no human being or country can create a perfect set of laws for human life; such provisions only belong to the almighty creator. In this case, the government's role is to accommodate the aspirations of its citizens by creating regulations that aim to fulfill justice as much as possible and provide the greatest benefit to society.

The Ideal Law Formation Model

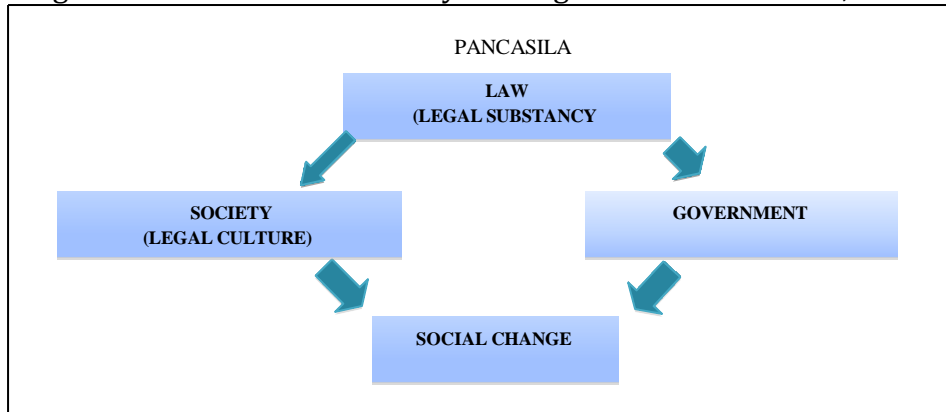
The author employs the theory of legal argumentation to guide legal thinking regarding the subtopic of non-livestock pet protection that should be envisioned in the 1945 Constitution in a social system. Through this theory of argumentation, a model or ideal pattern of law can be described. Legal argumentation always begins with positive law, which is not a closed or static condition, but a continuing development. Legal argumentation/reasoning is related to a procedural framework in which rational arguments and discussions take place (Hantoro, 2012).

In this case, the author reviews three legal theories from the philosophy of sociological jurisprudence as the basis for legal argumentation in presenting legal facts and legal arguments, and in formulating regulations towards an ideal legal model. This ideal statement must contain principles for the formation of legislation that need to be understood, including: clarity of purpose; institutionalization; suitability between type, hierarchy, and material content; enforceability; effectiveness and efficiency; clarity of formulation; and transparency. The content of the legislation must be in line with the type, function, and hierarchy of the legislation. Each type of legislation in the hierarchy has its own content in proportion. Meanwhile, legislation is not an opinion or academic article created based solely on opinions or theories. Opinions and articles do not have the power to compel others to act or not to act. Instead, legislation is a legal document that carries sanctions for those who are regulated. Legislation is also a political document that contains the interests of various parties. If someone wants to create good legislation, they need to have the knowledge and skills to create it. In this discussion, the author is not discussing how to create the content of good or ideal legislation, but rather how the author can interpret the ability to understand analytical understanding in

producing a scientific view of the ideal law, especially in relation to the protection of non-livestock pets that is in line with the identity of the Indonesian nation.

The following is a schema/model of an ideal law based on previous legal thinking that is in line with the direction of national legal development, so that it becomes a complete legal argumentation towards legal issues in Indonesia, especially animal protection law.

Diagram 2. Scheme of the Theory of Integration between Law, Government, Society



This concept is based on several theories:

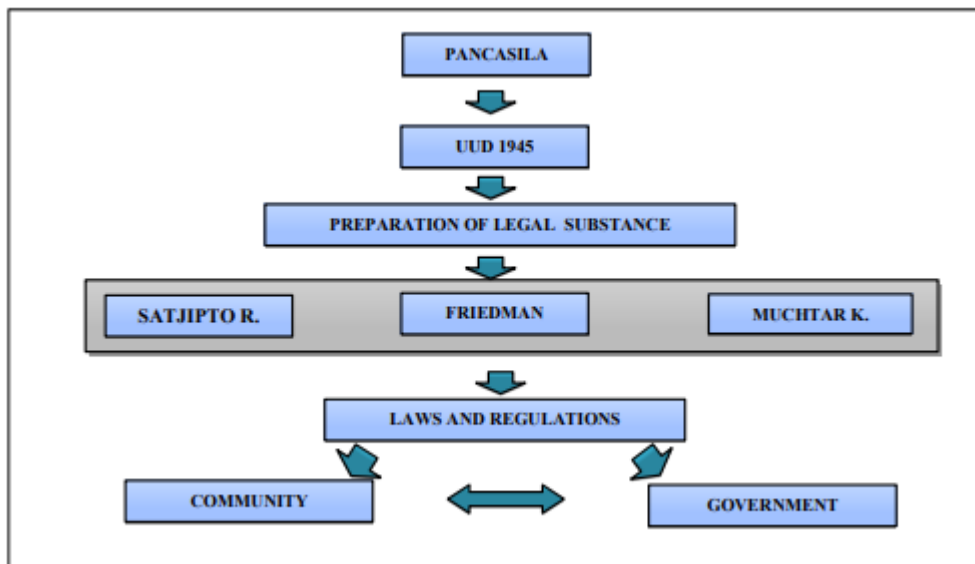
First, Friedman's theory; in his book "The Legal System: A Social Science Perspective", he emphasizes three principles of legal thinking: legal substance, legal structure, and legal culture, but his thinking emphasizes the importance of legal culture in society. Friedman generally views legal culture as the most important component of the legal system, although he does not ignore the emphasis that structure and substance are core components of a legal system.

Second, Mochtar Kusumaatmadja's theory; he views law as a tool of social engineering, where he sees law as a means of renewing society. Professor Dr. Mochtar Kusumaatmadja did not recommend that Indonesia become a case law or change its system into a common law. Instead, he believes that written law can continue to accelerate development, believing that although Indonesia is a legal state that strictly adheres to written law, it does not follow the principle of legalism. Despite legislation, judges can also explore the values that exist within society. In other words, the sociological aspect is still considered. The basis of Mochtar Kusumaatmadja's theory of development law is based on three things: Indonesia's pluralistic society, based on the ideology of Pancasila, and law as a giver of direction for societal renewal. Mochtar emphasized the need for a renewed society. This theory is a modification of Roscoe Pound's theory, where he views law as a means of renewing society (Mulyadi, 2009). Professor Mochtar did not recommend that Indonesia become a case law or change its system into a common law. Instead, he believes that written law can continue to accelerate development, believing that although Indonesia is a legal state that strictly adheres to written law, it does not follow the principle of legalism.

Third, Satjipto Rahardjo's theory; with the concept of progressive law theory. The emergence of the idea of progressive law is based on the state of Indonesia's legal system after the reform, which has not yet approached the ideal goal of law that benefits society. In terms of definition, progressive law can be constructed as a law that is always developing and is a liberation movement because it is fluid and searches for one truth to the next. One of the characteristics of progressive law that is often discussed is the

concept of law for humans, not humans for law. This understanding stems from humans forming a society and living together, and from there, a legal system is born. This indicates that society existed first, and law followed, not the other way around, so humans and society become important actors in the formation of the legal system because they are sourced from the values and roots of society, and law will always continue to seek a meeting point with the ideal form that society aspires to. Whenever there is a problem with the law, it is the law that needs to be reviewed and improved, not humans who are forced to fit into the legal scheme. Such a relationship pattern shows that law is not a sterile and esoteric institution, but only a part of humanity. This is different if the thinking is that humans are for the law, then humans will be mere accessories and law enforcement will ignore the purpose of law for the welfare of society.

Diagram 3. Scheme for Compilation of Legal Rules Based on the Trilogy of Idealism Sociological Jurisprudence



The three theories are combined theories that the writer can describe as the law, society, and government theory, where the legal model is the highest form of government and society, where the law is placed in the vortex surrounding society and government. Friedman argued that in relation to legal changes, changes can occur in three dominant elements, namely: first, the legal structure is a pattern that shows how the law is enforced according to its formal provisions; second, the legal substance is the rules used by legal actors; and third, legal culture is related to customs in resolving legal cases. Because law cannot be understood mathematically, it requires the concept of legal sociology to answer it. Therefore, it is expected that the development of society is also accompanied by the development of law that fulfills the three elements of law that have been proposed. So that the elements of law enforcement can be fulfilled well. The legal strength of Friedman's concept will be stronger in shaping the rule of law with the view of Prof. Dr. Mochtar Kusumaatmadja that the law made must be in accordance with and consider the legal consciousness of society. State power becomes very vital in pushing for legalization. The reciprocal relationship between law and society is very important and needs to be done to obtain clarity. Law must be made the commander in carrying out the wheel of national life. In addition to legal certainty and justice, law also serves the welfare of human life. Thus, it can be said that the law is a field of struggle

and human struggle in the context of seeking happiness in life and these thoughts are united in progressive legal thinking, where progressive law demands courage (government, legal institutions such as the DPR, police, prosecutors) as legal officials interpret articles to civilize the nation (Mukhidin, 2014). If the process is correct, the ideals built in law enforcement in Indonesia are in line with the nation's efforts to achieve national goals. These ideals will distance themselves from the uncontrolled legal inequality practices like they are today. So that in the future, Indonesia will no longer have legal discrimination.

Basically, the government should be sensitive, responsive, and accommodating to all issues and legal needs in society, as the law provides the basis for the function, as a means of renewing society, and as a system that is essential for Indonesia as a developing country, which often lags behind the development that occurs in society. Animal protection law is not only experiencing a decline in thinking and civility when the KUHP of December 6, 2022, related to Article 340 (1) is punishable by a maximum of 1 (one) year in prison or a maximum of category II fines; anyone who: a. uses and exploits animals beyond their natural abilities that can harm health, threaten safety, or cause animal death; b. provides materials or drugs that can harm animal health; or c. uses animal body parts or organs for improper purposes. Letter c referred to as "improper purposes" include, besides for consumption, science, research and medical purposes, exceptions to improper treatment of animals are legalized as long as they are consumed. Unfortunately, exceptions for consumption should be a concern because not all animals can be consumed as exceptions. In treating animals, it must comply with good and proper slaughter regulations and not be arbitrary (Agustina, 2017), especially for non-livestock animals, the exception for consumption should also be a concern and a reconsideration in the KUHP of December 6, 2022, in its final draft because the principle of improper treatment is not justified, especially when referring to the requirement that animals for food or consumption are not allowed (Lestari & Mudana, 2020). In addition, Law No. 41 of 2014, the exception referred to is the use of animals only for medical research or for celebrating the beliefs of a custom/religion. In addition, with the ambiguity of the principles of using and utilizing non-livestock pets such as dogs and cats resulting in the problem of misuse of non-livestock pets, namely the behavior of consuming dog and cat meat, this is caused by the current laws and KUHP articles that do not mention dogs and cats as non-consumable animals, so the assumption that develops in society is that all types of non-livestock pets that are not protected are legal to consume, of course, this is a setback in legal and social civility and in the backwardness of animal welfare. If the RUKUHP is still passed with the draft per July 2022 without reviewing the context of animal welfare with its use and utilization, legal changes are needed that are ideal in the RUKUHP plan because good law is a dynamic law that can follow the development of society and the needs of society in improving aspects of welfare. Progressive law sees the law not from the perspective of the law itself but sees it from the social goals it wants to achieve and the consequences that arise from the operation of the law, because the presence of the law is related to its social goals.

The combination of these three theories forms the basis of the concept of law between government and society, in which law can be realized as a sociological and jurisprudential thought, with the power of Friedman's conceptual thinking forming a legal supremacy, as well as the perspective of Prof. Dr. Mochtar Kusumaatmadja that

laws must be made in accordance with changes in legal structure, legal substance, legal culture, without violating the foundation of the state, namely Pancasila. If this process is done correctly, the ideals built in upholding the law in Indonesia will be in line with the nation's efforts to achieve its national goals. These ideals will move away from the uncontrollable practice of legal inequality as it is currently, so that Indonesia in the future will no longer have legal discrimination. This is where the strength of Friedman's thinking about legal structure, which includes legal structure (government/law enforcement), legal substance (legislation), and legal culture (society), comes into play. According to Friedman, good law is assessed in the strength of these three aspects in realizing the law, making it known as social control. This means that law plays a role in monitoring and controlling the social environment in society. Law as social control also means forcing citizens to behave in accordance with the law (L. Diab, 2014). Therefore, in order to control social behavior that requires compliance with the law, a means of changing society/public engineering is needed so that the public can move towards a better direction in realizing order and reducing everything to order. In other words, order as the legal goal of Mochtar, which contains the values of certainty and justice, requires renewal within society. This perspective is aimed at ensuring that written laws can continue to accelerate development.

Elaboration of the Ideal Concept for Non-Livestock Animal Protection Referring to the Concept of Sociological Idealism Trilogy by Three Legal Experts (Muckhtar Kusumaatmaja, Satjipto Rahardjo, Friedman)

This ideal legal concept serves as a novelty in the research that the author can contribute based on legal reasoning through legal argumentation in facing the issue of non-livestock pet animal protection in Indonesia.

The trilogy idealism model is a concept for the ideal law of non-livestock pet animal protection towards legal progress in shaping the social behavior of a law-abiding society. The ideal legal concept actually encompasses agendas and activities within a legal order that the author attempts to explain. The aim is to maintain and defend what has been achieved from the legal objectives in existing laws and renew what has not been achieved, as the law is not static and is conservative, meaning that the results of current regulations must be maintained, protected, secured, and substantively guarded both in concept and implementation of the rules.

However, in a developing society, which in the author's definition means a society that is changing rapidly, as a principle, rules are not only considered old and no longer relevant in its time, but there are things that need to be maintained and renewed because the law must be reactive, adaptive, accommodative, and progressive (according to Satjipto Rahardjo's thought). This is the meaning of development initiated by Muckhtar Kusumatmadja that can be applied in creating animal protection regulations in Indonesia, which are oriented towards the progress of legal behavior. However, the law that applies must reflect the ideology of the nation in the scope of morality and religion as a tribute to the cultural diversity of society. In law enforcement, it is not only based on intellectual intelligence but also spiritual intelligence in shaping a law or regulation, thus forming a change and renewal of legal behavior in the context of legal culture in society. Therefore, a reassessment or appropriate steps by the government are needed.

The DPR as the legislator and the police in creating regulations and their enforcement system must look at the principle of legal certainty so that it can be

adapted to daily behavior in society. This is where the vital role of state power in pushing legislation comes in, in an effort to encourage a change in public awareness so that this legal substance has a role that can continuously accelerate the development of views on how the law can provide clarity on the certainty of non-livestock pet animals in the law. Thus, the legal boundaries and enforcement system for non-livestock pet animals in the same goal for the benefit of mankind will be seen and will affect the values and attitudes of society in working with the law (both laws and enforcement systems). This is the social legal approach through persuasive and repressive strategies that then become the ideal legal concept by combining these three theories into the idealism trilogy model that the author intends to use in solving legal issues regarding non-livestock pet animals in Indonesia.

CONCLUSION

As the cases of animal torture and killing in Indonesia continue to rise, making Indonesia still the highest-ranking country in the world with a score of D on the Animal Protection Index (API), and the behavior of the society in consuming non-livestock animal meat such as dogs and cats, as well as the circulation of their meat in the community, become the reasons behind various cases of violence and cruelty against these animals. This has become a legal and social issue for the Indonesian government, which requires bold steps towards renewal and clarity as an effort to provide legal protection and certainty on the regulations and sanctions within them, clarify the status of animals such as dogs and cats as non-livestock pets that fall under the category of animals not intended for consumption, as a way out in forming rules and sanctions against crimes involving the misuse of the principle of animal welfare in the use and utilization of non-livestock animals.

Strengthening the law enforcement system in Indonesia through veterinary authorities and other law enforcement agencies in Indonesia will build public legal awareness towards animals. The elements built into the system are how the government clarifies the regulations and sanctions and establishes a special animal protection committee for non-livestock animals, as well as building a centralized digital system as a single gateway for data collection to oversee, control and accurately assess the population level, the level of abuse cases, and provide health/welfare guarantees, as well as responding quickly and responsively to cases involving non-livestock animals in an effort to provide legal protection in the law enforcement system process.

The author offers scientific ideas/thoughts towards the legal issue of crimes that violate animal welfare principles in the use and utilization of non-livestock animals, where a legal approach to society is needed (sociological jurisprudence) where positive law will have effective validity if it is in line with the living law in society. This ideal law concept uses the idealism trilogy taken based on the combination of the thoughts of three legal philosophy experts in addressing this issue through several steps needed by the Indonesian government to solve the problem of abuse/killing of animals in terms of crimes against the principle of animal welfare in the use and utilization of non-livestock animals.

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