

Implementation of East Kotawaringin Regency Regional Regulation No. 10 of 2021 on Public Order and Community Peace: A Case Study on the Management of Street Performers, Beggars, and Clowns in Sampit City

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Abstract

A classic problem that always occurs in every city is beggars, buskers, even clowns, which are usually found in public places, for the sake of creating public order and security. There is less than optimal socialization and enforcement of sanctions for people who still give money or goods out of compassion. The aim of this research is to see how it is implemented and what factors support or hinder it. In this research, George C. Edward III's theory is used with 4 influencing factors, namely, communication, resources, disposition and bureaucratic structure. This research uses a qualitative approach. The results of the research show that the distribution of communication with related agencies and the community is not yet optimal, and human resources and the Satpol PP budget/funds are not yet sufficient. The disposition or attitude of implementers who are less committed and less firm in enforcing applicable regulations. The bureaucratic structure is good, the distribution of responsibilities is clear.



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INTRODUCTION

The Preamble of the 1945 Constitution of the Republic of Indonesia, Article 34 Paragraph 1, states that "The poor and neglected children shall be cared for by the State." The State has developed social security programs such as Smart Cards and Prosperous Family Cards. However, these measures have not significantly reduced the number of street performers, beggars, and costumed entertainers (clowns) earning a livelihood on the streets. As a country governed by law with state or regional leaders accountable for their governance, public order is necessary to ensure mutual comfort.

Sampit City, the capital of East Kotawaringin Regency, is currently a popular destination for domestic tourists, especially those from surrounding regions in Central Kalimantan Province. Its appeal stems from both its culinary attractions and famous tourist sites (such as the Jelawat Statue and the Nur Mentaya Tunnel), drawing many people seeking opportunities in this small city. The port, conveniently located in the city center, facilitates easy access for newcomers.

A classic urban issue that Sampit shares with other cities is the prevalence of beggars, street performers, and costumed entertainers. To ensure public order and safety, various regulations have been enacted to uphold the law through warnings, advisories, and sanctions against those who violate established rules. One such regulation is East Kotawaringin Regional Regulation No. 10 of 2021 concerning Public Order and Community Peace. Paragraph 5 on Social Order, Article 22 point

(a), states: "Every person and/or organization is prohibited from soliciting donations individually or collectively on the streets, in markets, residential areas, hospitals, schools, and offices without permission." Article 22 point (c) adds: "Every person and/or organization is prohibited from acting as a clown, street performer, beggar, street vendor, windshield cleaner, and the like in public facilities, intersections, and/or along roads."

The phenomena observed in East Kotawaringin Regency, a Level II administrative region in Central Kalimantan Province, mirror challenges found in major cities across Indonesia. In 2023, a 43-year-old woman with the initials M was apprehended by Satpol PP officers at a traffic light intersection on Jl. HM Arsyad-Pelita. During interrogation, she was found in possession of IDR 2,100,000 in cash, a mobile phone, 21 receipts totaling IDR 51,835,000, and 14 silver receipts valued at IDR 965,600. The woman, a resident of Sungai Udang Village in Seruyan Regency, admitted to having been arrested multiple times by the authorities for coordinating a group of child beggars—who she claimed were her biological children. Despite being caught with evidence of substantial assets and wearing flashy gold jewelry, she denied involvement in organized begging that has caused unrest in Sampit City (Satpol PP Kotim apprehended a wealthy woman suspected of being a beggar coordinator in Sampit, 2023).

Beggars in Sampit City often operate using various tactics, such as carrying fake donation boxes, exploiting children to elicit sympathy, or positioning themselves at mosque entrances to collect alms from Friday congregants. These activities clearly disrupt public comfort and daily routines. Additionally, there is an influx of seasonal beggars during periods such as Ramadan and other significant times. Field observations indicate the presence of street performers and costumed entertainers at traffic intersections. Beggars also frequent central shopping centers such as Mentaya Market (PPM) and smaller markets like Sejumpt, Keramat, and Al-Kamal. Clowns are typically seen performing at red-light intersections, capturing the attention of children. Many citizens are still seen giving money to these individuals.

One food stall vendor, Mr. Agus, stated that he cannot prohibit the street performers because they usually leave shortly after performing. This sentiment is echoed by residents who see this as a common way to make a living. However, some visitors feel disturbed by their presence, especially when performers sing and refuse to leave until given money. While some people are annoyed, others empathize and reward the performers for their efforts.

The government has attempted to address this issue through guidance and even sanctions targeting both the performers and those who give them money or goods. This is stipulated in East Kotawaringin Regional Regulation No. 10 of 2021 on Public Order and Community Peace, particularly Article 23 concerning administrative sanctions and Article 38 paragraphs 3 and 4 outlining monetary fines and imprisonment. Despite these regulations, street performers, beggars, and clowns continue to thrive in Sampit due to the public's generosity. A lack of socialization, as well as the absence of signage or banners at intersections warning of these prohibitions, means many citizens remain unaware of the sanctions. Typically, residents of Sampit give a minimum of IDR 2,000 to these individuals. The generosity of the citizens has made this small city a fertile ground for beggars, street performers, and clowns.

This background inspired the writer to examine the government's efforts to address this social issue. Therefore, the core research question is: How is the implementation of East Kotawaringin Regency Regulation No. 10 of 2021 on Public Order and Community Peace—case study: handling of street performers, beggars, and clowns in Sampit City—and what are the supporting and inhibiting factors in its implementation? The objective of this study is to identify the implementation status, as well as the supporting and inhibiting factors, related to the enforcement of East Kotawaringin Regency Regulation No. 10 of 2021 on Public Order and Community Peace, focusing on the case study of managing street performers, beggars, and clowns in Sampit City.

METHOD

In this research, the author used a qualitative approach with a descriptive research type. According to Sugiyono (2020:24), qualitative research methods are grounded in post-positivist philosophy and are used to

investigate natural object conditions (as opposed to experimental settings). In this method, the researcher serves as the key instrument, data collection techniques are conducted through triangulation (a combination of techniques), data analysis is qualitative, and the research results emphasize meaning rather than generalization.

This method is employed to gain an in-depth understanding of the problems being studied, allowing the researcher to uncover and comprehend what lies beneath the phenomenon – often something that is difficult to understand. The sources of data are divided into two categories: primary and secondary data sources.

According to Miles and Huberman (2014), the data collection techniques involve several steps to obtain the information required by the researcher, including:

1. Observation

The observation technique used was unstructured observation, which means it was not systematically prepared in advance. The type of observation was non-participant observation, where the researcher did not engage but rather observed independently during the implementation of Regional Regulation No. 10 of 2021 on Public Order and Community Peace. The researcher conducted observations by monitoring community behavior around traffic lights, street food vendors, and various stalls in Sampit City.

2. Interviews

According to Esterberg (in Sugiyono, 2014:140), “An interview is a meeting between two people to exchange information and ideas through question and answer, so that meaning is constructed around a particular topic.” In practice, the researcher conducted unstructured interviews, meaning no systematically organized and complete interview guide was used. Instead, the researcher relied on a general outline of topics to be discussed. Interviews were conducted with several sources at the Civil Service Police Unit (Satpol PP), the Social Affairs Office, road users at traffic lights, patrons of street food stalls and shops, and also with street performers, beggars, and clowns who were found working at the time.

Data Analysis Technique

The data analysis technique applied in this study was based on the model proposed by Miles and Huberman (2014), which involves the following steps:

1) Data Collection

This is the initial step in the research process. Data is collected from everything seen, heard, and observed (Idrus, 2009:148). In this research, the data includes documents, interview results, and field documentation.

2) Data Reduction

Data reduction involves summarizing, selecting essential data, and focusing on important issues. In this study, the process begins by reading and identifying the problems, followed by collecting field data through observations. All collected data – whether documents or interview results – are classified according to the research questions.

3) Data Presentation

After reducing the data, the next step is presenting it in the form of a research report. This presentation aims to sharpen understanding and provide detailed explanations.

4) Drawing Conclusions (Verification)

Conclusion drawing is the final step in data analysis. Initially, the conclusions are tentative, but they become credible once supported by solid evidence. These conclusions are considered the key findings of the research.

5) Data Validity Technique

To ensure the validity of the data, the researcher applied credibility testing through triangulation. Triangulation is defined as cross-checking data from multiple sources using various methods and at different times.

RESULTS AND DISCUSSION

Implementation of East Kotawaringin Regency Regional Regulation No. 10 of 2021 on Public Order and Community Peace: A Case Study on the Handling of Street Performers, Beggars, and Clowns in Sampit City
Based on field findings, efforts by the local government to address social issues such as the widespread presence of street performers, beggars, and clowns in Sampit have included the enactment of Regional Regulation No. 10 of 2021 concerning Public Order and Community Peace. The implementation of this regulation by the Civil Service Police Unit (Satpol PP) includes several key strategies:

Early Detection and Prevention:

The PPUD Division (Law Enforcement for Regional Regulations) conducts early monitoring based on reports from the field team (Tibum) who patrol and survey public areas. Coordination with the Social Service is then carried out for follow-up actions. Patrolling personnel gather field information and await directives before enforcement is conducted.

Community Development and Education:

Awareness campaigns and direct counseling are carried out to discourage the public from giving money to street performers, beggars, and clowns. These activities are collaborative efforts between the PPUD and Tibum Divisions. However, limitations in budget and resources hinder widespread and sustained outreach. The Social Service also provides a seven-day rehabilitation program for individuals apprehended, after which they are repatriated to their place of origin.

Routine Patrols:

Patrols are conducted three times daily—morning, afternoon, and evening—targeting areas prone to disturbances of public order. However, many beggars and street performers have learned to avoid patrol times, reducing the effectiveness of this approach. Patrol units use pickup trucks and motorcycles to monitor public spaces and document observations for further processing.

Enforcement Operations:

Enforcement requires a formal request from the Social Service and coordination with related departments. Apprehended individuals are registered and sent to the Social Service for further guidance. Items used for

soliciting, such as musical instruments or costumes, are confiscated temporarily. However, enforcement against civilians giving money remains limited.

The overall implementation of this regulation faces various challenges, which can be analyzed using George C. Edward III's policy implementation model, which includes four key variables:

1) Communication:

Internal and external communication between Satpol PP and the Social Service has been well established, although bureaucratic delays often hamper immediate enforcement. Public awareness of the regulation remains low, despite efforts such as banner placements and stickers, many of which are destroyed shortly after installation.

2) Resources:

Human resources are insufficient, with only 167 personnel (including staff), compared to the ideal 200–300 as recommended by the Ministry of Home Affairs. Budgetary constraints also limit outreach and enforcement capacity, as most funds are allocated to salaries and basic operations, leaving little for proactive social initiatives.

3) Disposition:

Field personnel often lack autonomy and must seek approval before taking action, which can delay enforcement. Additionally, the lack of incentives or motivational programs affects morale and performance in addressing persistent street solicitation.

4) Bureaucratic Structure:

Standard operating procedures (SOPs) exist and are regulated by East Kotawaringin Regent Regulation No. 66 of 2022. Although intra-agency coordination (between PPUD and Tibum teams) is functional, broader collaboration with agencies such as the Transportation Department is lacking, limiting the scope and effectiveness of implementation.

In conclusion, while regulatory and institutional frameworks are in place, the implementation of Regional Regulation No. 10 of 2021 in Sampit City remains hindered by practical constraints in communication, resources, disposition, and bureaucratic integration. More robust inter-agency cooperation, public education, and resource allocation are essential for a more impactful and sustainable enforcement process.

CONCLUSION

This study explores how the local government of East Kotawaringin Regency enforces Regional Regulation No. 10 of 2021 concerning public order and community peace. The regulation is intended to manage social issues involving street performers, beggars, and clowns who are often found in public areas of Sampit City. The Civil Service Police Unit (Satpol PP) is the main institution responsible for implementing the policy. They carry out planning, monitoring, public education, and law enforcement, in collaboration with the Social Affairs Office. One of the main efforts is early detection and prevention. Satpol PP regularly patrols public spaces and responds to reports from the public and their own monitoring teams. They then coordinate with the Social Service Office to provide short-term rehabilitation, usually for a week, to those apprehended. After that, these individuals are returned to their place of origin. However, patrols are often ineffective because many

beggars and street performers are aware of the schedule and avoid being caught. In addition, public education is conducted to discourage people from giving money to beggars and performers. Satpol PP places banners and stickers in public spaces, such as intersections and food stalls. But due to limited budget and vandalism, these messages are often removed. Most citizens are still unaware that giving money to street performers is actually prohibited under the local regulation. Enforcement is another challenge. Although Satpol PP has authority to conduct operations, they must follow strict procedures and obtain approval before taking action. Even when caught, violators are only given warnings instead of legal punishment, which causes the same individuals to return to the streets repeatedly. Based on George C. Edward III's theory, four factors influence policy implementation: communication, resources, disposition, and bureaucratic structure. Communication between agencies exists but is not always effective. Resources, both in terms of personnel and funding, are insufficient. Disposition, or the willingness and motivation of the officers, is limited due to lack of incentives. Finally, although procedures and SOPs exist, coordination with other institutions such as the Department of Transportation is still lacking. In conclusion, while the regulation is clear and has a solid legal foundation, its implementation is hampered by limited capacity, poor coordination, and public unawareness. Strengthening cooperation among agencies, increasing the budget, and expanding public education are necessary steps to make this policy effective.

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