

Implementation of Palu City Regional Regulation No. 3/2018 on Handling Vagrant and Beggars in Palu City

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Abstract

This study aims to examine the implementation of regional regulation number 3 of 2018 concerning the handling of vagrants and beggars in Palu City. This research uses a qualitative approach with descriptive research type. Data collection was conducted through observation, document study and interviews. The informants interviewed were selected purposively. The results of the study found that the factors that cause the implementation of Palu City Regional Regulation No. 3/2018 to be not optimal are the handling of vagrants and beggars that are still incidental, the lack of budget in handling vagrants and beggars, the lack of information or socialization to the public regarding the existence of criminal acts for those who violate the regional regulation, and the lack of public understanding regarding the objectives of government policies, where people ignore or do not report to the relevant agencies the findings of vagrants and beggars.

Keywords: Local regulations, vagrancy, begging, Palu.

INTRODUCTION

Flock (2023) calls vagrancy and begging a global phenomenon that occurs almost all over the world. Homelessness and begging can be found in both developed and developing countries. The emergence of vagrants and beggars is also not influenced by the political ideology of a country, where in countries that adhere to liberalism, socialism, and communism, vagrants and beggars still exist. Belgium, for example, a country that adheres to economic liberalism, has had homeless

Koster and Erkul, 2023). Norway as a country that adheres to socialism is also found to have homeless people (Dyb, 2017). Likewise, China, which adheres to communism, is also faced with the existence of vagrants (Jeffreys and Wang, 2012).

Homelessness and begging are social pathologies that never disappear in the community, even though the government has made various efforts. Many programs have been carried out to overcome vagrants and beggars as well as scavengers promoted by the central and regional governments. However, these programs have not achieved maximum results. In 2019, the Ministry of Social Affairs estimated that around 77,500 homeless and poor people still

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problems since the late 18th century (De

live in major cities in Indonesia (Media, 2019). The validity of this figure is questionable, as data collection for this group is relatively difficult due to their high mobility.

The Ministry of Social Affairs in dealing with vagrants and beggars created the "Desaku Menanti" program as one of the solutions to handling gepeng in big cities. This program is a village-based integrated social rehabilitation effort for sponges through: (1) repatriation services to the area of origin (2) physical, mental and social guidance (3) work skills guidance (4) provision of stimulant assistance (5) provision of housing stimulant assistance (6) provision of life insurance (7) return of school children (8) provision of advocacy and accessibility (Tursilarini, 2018).

This program involves elements of the government (Ministry of Social Affairs, Provincial and District/City Governments), non-government organizations (Social Welfare Institutions) and the community. This program has been implemented in several areas, such as Malang City, Padang City, and Jenepono Regency. Although this program has been implemented by the local government, it has not been able to make gepeng stay long in their villages, because they do not have a fixed income, so the desire to return to the city is still very high (Fitri, 2019). The results of the evaluation of the village program in Padang City indicate that it has not been implemented optimally because the training process is not followed up with the provision of their business premises (Cynthia and Yusran, 2021).

To overcome the problem of homelessness and begging, each region in Indonesia has different rules and strategies. The Yogyakarta Provincial Government issued Regional Regulation Number 1 of 2014 concerning the handling of vagrants and beggars (Fadri, 2019). Furthermore, Medan City since 2003 has issued Medan City Regional Regulation No. 6 Year 2003 on the prohibition of gepeng and moral practices (Nasution and Thamrin, 2016). Semarang City has a Regional Regulation No. 5 Year 2014 on the Handling of Street Children and Beggars, Vagrants, and Displaced Persons (Nugraha, 2022). While Tanjung Pinang City sees gepeng as a social problem that disrupts order, so the Tanjung Pinang City Regional Regulation Number 7 of 2018 concerning public order was made (Salsabila et al., 2022).

In Jember Regency to overcome gepeng the government implements several programs, namely: social counseling, family strengthening, establishing a service post for gepeng, conducting raids, optimizing the function of the UPTD social cottage environment (Liponsos) and NGOs, as well as cooperation with the business world (Nusanto, 2017).

The central and local governments have shown their efforts in overcoming homelessness and begging, but according to Wismayanti et al. (2021) the government faces various challenges in overcoming the problem of homelessness and begging, including limited human resources, including social workers; limited budget support; limited cooperation and coordination

between local government organizations at the provincial, district/city and central levels and related stakeholders.

Homelessness and begging are problems faced by Palu City as the central city in Central Sulawesi Province. The city with a population of more than 381,572 people (BPS Prov Sulawesi Tengah, 2022), since 2018 has established a regional regulation to resolve the handling of vagrants and beggars scattered in Palu City, namely Perda No. 3/2018 concerning Handling of Vagrants and Beggars in Palu City.

The regional regulation is expected to be able to overcome the spread of vagrants and beggars in Palu City. However, in contrast to the facts, the regional regulation made by the government, which has been implemented for approximately five years, has not been able to touch the root of the problem of vagrants and beggars. In 2022, for example, the Social Affairs Office of Palu City after conducting observation operations and outreach actions in eight sub-districts in Palu City still found 8 homeless people, 150 scavengers 54 beggars, and 4 street children (TribunPalu.com, 2022).

The rampant homelessness and begging in Palu City is a challenge for the government in overcoming homelessness and begging, not to mention that most of these homeless and beggars come from outside Palu City. Herman, an Untad academic, through the Libu Ntodean discussion forum held by BAPPEDA of Palu City via zoom said: "vagrants and beggars become an entity of a city, and this cannot be separated from the phenomenon of urbanization, where cities are always

attractive to rural communities. Whereas urbanization without skills becomes a problem in itself" (Sulteng Raya, 2020).

Palu City Regional Regulation No. 3/2018 on the Treatment of Vagrant and Beggars consists of 8 chapters and 26 articles that contain a number of criminal provisions on vagrants and beggars. The regulation also regulates preventive and repressive measures. Several OPDs, including the Civil Service Police Unit (SATPOL PP), have the authority to take action and the Social Service Office has the authority to conduct social rehabilitation activities.

There are several efforts that have been made by the Palu City Government in handling vagrants and beggars, one of which is the Shelter House service. This service, which is located on Tanggul Utara, South Palu District, is a service for Social Welfare Service Providers (PPKS). In addition, the local government through related agencies formed a joint team of Pamong Praja Police Unit, Social Service, and the Office of Women's Empowerment and Child Protection (DP3A) to conduct the same raid and arrested at least 25 homeless people. The raids were conducted by a joint team that worked as guidance so as not to disturb public order (Sulteng News, 2020).

The Government of Palu City through Regional Regulation No. 3/2018 related to the handling of vagrants and beggars, is expected to be able to answer social problems such as sponging. However, the efforts made in realizing the regional regulation are considered unable to resolve the phenomenon of gepeng. Problems related to vagrants and beggars are not resolved due to weak

supervision by related agencies. Not to mention the efforts that the city government has tried to make so far are only limited to incidental, which only becomes a concern when a big problem occurs.

THEORETICAL FRAMEWORK: PUBLIC POLICY IMPLEMENTATION

In every problem that arises in society or is related to the public interest, the government as the holder of authority can take action. The steps taken by the government are termed public policy. ANDERSON et al. (2023) defines policy as an action or deliberate inaction taken by an actor or group of actors in dealing with a problem or a matter of concern, then public policy is a policy made by government officials and institutions.

Gerston (2014) defines public policy as a combination of basic decisions, commitments, and actions made by those who hold authority or influence government positions. Thomas R. Dye (2013) defines public policy as what the government does, why it does it and the results that make a common life appear different. Thus, public policy can be understood as actions taken by the government in solving public problems.

In understanding public policy, there are two schools that have developed, namely the continental and anglo-saxon schools. The continental school sees policy as a derivative of law, where the making process is the result of the interaction of state institutions. While the Anglo-Saxon school sees public policy as a derivative of the democratic political process, where its making involves interaction between the

state and the public (Nugroho, 2020). Thus, the continental school views public policy-making actors in government institutions, while Anglo-Saxon public policy makers are not only the government, but also involve institutions outside the government, namely the public or society.

The purpose of policy is to maintain public order (stabilizer), smooth the development of society in various ways (stimulator), adjust various activities (coordinator), allocate and share various materials (allocator) (Hoogerwerf, 1983). Local regulations are a form of public policy made by the government at the local level in an effort to regulate society. Every policy that has been made must be implemented (Akib, 2010). EDWARD III (1980) Calling policy implementation necessary because of a policy problem that needs to be addressed and solved.

Policy implementation is actions taken by individuals or officials or government or private groups that are directed at achieving the objectives set out in a policy. (Van Meter and Van Horn, 1975). The success of a policy implementation is determined by macro and micro public policies (Putra, 2001). Meanwhile, according to Josy Adiwisastro, the success of implementation is determined by the approach used, whether top down or bottom up. Top down is the implementing unit (bureaucracy); implementation standards; authority; coordination; etc. Meanwhile, bottom-up is the strategies used by implementers when determining the objectives to be achieved by a public policy (Tajhan, 2006).

Through a top down approach, Van Meter and Van Horn (1975) mention 6 variables that affect policy implementation, namely 1) policy standards and objectives, 2) policy resources, 3) characteristics of the implementing organization, 4) communication between related organizations and communication of activities carried out, 5) attitudes of implementers, and 6) economic, social and political environment.

Policy standards and objectives mean that the indicators of success and policy objectives must be clear, so that implementers do not have different interpretations from policy makers. Policy resources in question are budgets, people and various incentives for the successful implementation of a policy, as well as sanctions if policy implementation fails. The characteristics of the implementing organization are related to the bureaucratic structure, norms, and patterns of relationships that occur in the bureaucracy.

Communication between organizations that in implementing a program needs support and coordination with other agencies. For this reason, coordination and cooperation between agencies are needed to achieve policy objectives. Implementers' attitudes, which are related to their understanding of the policy, acceptance or rejection, and their response to the policy. Environmental social, political and economic conditions, namely the extent to which interest groups provide support for policy implementation; the characteristics of the participants, namely supporting or rejecting; what is the nature of public

opinion in the environment; and whether the political elite supports policy implementation.

METHOD

This research uses a qualitative approach with a descriptive type (Sugiyono, 2013). Data collection was done through literature study and field study. Literature study is tracing theories, concepts and previous research related to the research topic. Field studies were conducted through observation, interviews and documentation. Observation is done by observing the behavior and recording the object under study.

Interviews were conducted with 7 informants selected purposively with a composition of 3 people representing the Palu City Government (executive), namely the Palu City Social Service (2 people) and the Palu City Civil Service Police Unit (1 person), 1 person representing the Palu City DPRD (legislative), 1 halfway house companion, 1 community member and 1 homeless person. Furthermore, the data collected from the field study was analyzed qualitatively, namely data codification, data display and conclusion drawing (Miles and Huberman, 1994).

RESEARCH RESULTS

Policy on Handling Homeless and Beggars in Palu City

Referring to Government Regulation of the Republic of Indonesia Number 31 of 1980 concerning the Management of Vagrancy and Beggary, "vagrants are people who live in a state that is not in accordance with the norms of decent life in the local community, and do not have

a permanent place of residence and work in a certain area and live wandering in public places". Meanwhile, "beggars are people who earn income by begging in public in various ways and reasons to expect mercy from others".

The Government of Palu City in an effort to overcome vagrancy and begging has stipulated Palu City Regional Regulation No. 3/2018 on Handling Vagrancy and Begging. The regulation explains, "A vagrant is a person who lives in a condition that is not in accordance with the norms of proper life in the local community and does not have a permanent residence and job in a certain area and lives wandering in public places". The general characteristics of vagrants according to the Perda are: a. not having an identity card (KTP) or other resident identity; b. not having a fixed residence; c. not having a fixed income; and d. not having a plan for the future of their children or themselves.

Furthermore, "Beggars are people who earn income by begging in public in various ways and reasons to expect mercy from others". The criteria for someone to be called a beggar are: a. begging in people's homes, shops, crossroads (traffic lights), markets, places of worship, crowded places and other public places; b. working alone or in groups (either families or communities); c. their livelihood depends on the mercy of others; d. dressing shabby and ragged; and e. using others to gain the mercy of others.

The regional regulation states that the handling of vagrants and beggars in Palu City is organized through 4 ways, namely:

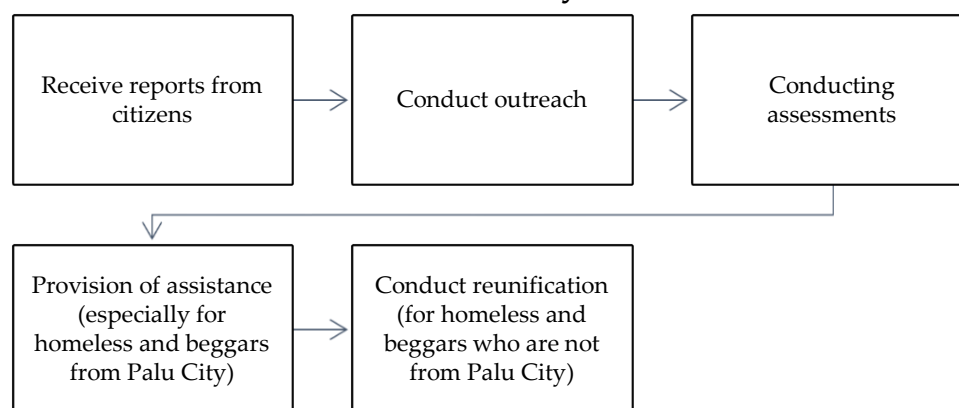
- a. Preventive efforts are organized efforts that include counseling, guidance, training, education, provision of social assistance and supervision as well as further guidance to various parties that have to do with vagrancy and begging.
- b. Repressive is coercive action in the social rehabilitation process. Repressive efforts are carried out through outreach policing, coaching at the Temporary Shelter House; and delegation.
- c. Social rehabilitation, namely organized efforts including efforts to assist, care for, provide training and education, restore abilities and channel back both to new settlement areas through transmigration and into the community, supervision and further guidance so that homeless people and / or beggars have the ability to live properly and with dignity as Citizens of the State.
- d. Social reintegration is the process of returning to the family, and/or community so that it can carry out its social functions properly as the community in general. Social reintegration efforts are carried out through: resocialization guidance, coordination with the Provincial Government and between other Regional Governments, repatriation, and further guidance.

Furthermore, the regulation explains that the handling of vagrants and beggars is carried out by the regional apparatus handling the planning affairs of handling vagrants and beggars. It further states that the handling of vagrants and beggars is carried out in coordination by the regional apparatus

handling the affairs of labor, health, education, social, environment, and infrastructure. Referring to these affairs shows that there are six agencies that should be involved in handling vagrants and beggars, namely the Manpower Office, the Health Office, the Education Office, the Social Office, the Environmental Office, the Public Works and Housing Office. Of the six affairs, social affairs are the most mentioned in

regional regulation number 3 of 2018, where social affairs refer to the regional apparatus organization of the Palu City Government, the task is the authority of the Palu City Social Service which is divided into three fields of work namely the field of handling the poor and social security, the field of social services and rehabilitation, the field of community social protection.

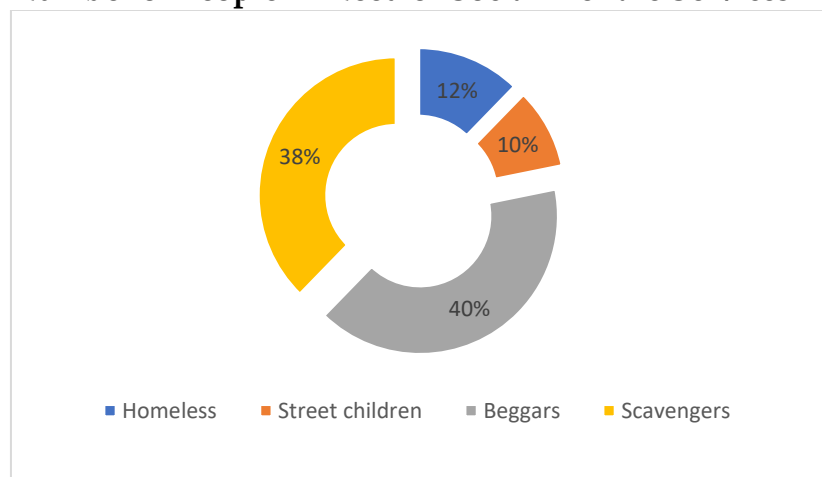
Figure 1. Flow of Handling of Homeless and Beggars at the Social Service of Palu City



Source: Social Service Office of Palu City, 2022.

Based on data collected by the Social Service of Palu City in 2021, beggars dominate the distribution of social welfare service providers/ pemerlu pelayanan kesejahteraan sosial (PPKS) in Palu City, followed by scavengers, vagrants and street children.

Figure 2. Number of People in Need of Social Welfare Services in Palu City



Source: Social Service Office of Palu City, 2022.

Furthermore, based on the location of origin (domicile) the PPKS are predominantly residents of Palu City, as shown in the following table 1.

The table above shows that the provision of assistance and community empowerment should be the dominant actions taken by the Palu City government, because the majority of PPKS are residents of Palu City.

Implementation of the Policy on Handling Homelessness and Beggars in Palu City

In handling vagrants and beggars, the Palu City government refers to regional regulations, but has not been accompanied by technical guidelines, so that the handling of vagrants and beggars in its implementation in the field is interpreted very broadly by the Social Service, where scavengers and street children are categorized as part of vagrants. This is unclear, because in Local Regulation No. 3/2019, scavengers and street children are not defined in detail. This shows that the standards and targets of this policy are still unclear.

Table 1. Number of PPKS by Domicile in Palu City

Type of PPKS	Domiciled in Palu City	Domicile outside Palu City	Total
Homeless	6	21	27
Street children	14	7	21
Beggars	35	54	89
Scavengers	83	0	83
Total	138	82	220

Source: Social Service Office of Palu City, 2022.

Table 2. Actors, targets and objectives of the policy objectives for handling vagrants and beggars

Policy aktors	Policy target	Policy objectives
<ul style="list-style-type: none"> • City Social Service (Social and Drug Rehabilitation Section) <ol style="list-style-type: none"> 1) Ibu Qorarti Dini Maharani, S.STP. 2) Ibu Auliandri Amas, S.Psi. 3) Ibu Ni Nyoman Arini Puspa Dewi, S.Psi., M.Si. • Palu City Pamong Praja Police Unit in the field of Peace and Public Order1) <ol style="list-style-type: none"> Pak Trisno Pak Gatot • Indonesian national army (Bintara Pembina Desa) 	<ul style="list-style-type: none"> • People of Palu City • Homelessness • Beggars 	<ul style="list-style-type: none"> • Social Welfare Service Provider

Source: processed research, 2023

Based on the results of field research, it was found that there were 5 agencies involved in the implementation of regional regulation number 3 of 2015, namely: Social Service of Palu City, Civil

Service Police Unit of Palu City, Village Government, Police (BABINKAMTIBMAS) and Indonesian National Army (BABINSA).

Figure 3. Human resources involved in handling vagrants and beggars in Palu City



Source: processed research, 2023

The Social Service Office of Palu City in handling vagrants and beggars has a special team.

"...The special team formed by the Social Service of Palu City is the shelter house officer and the parts in it such as social workers, clergy, psychosocial, psychologists and also cleaning. As for formal and non-formal organizations involved in the implementation of policies for handling vagrants and beggars, starting from the village, the Pancasila task force in the village, BABINKAMTIBMAS, and also BABINSA in the place where the raid will be carried out." (Interview result, Tuesday, October 4, 2022).

This shows that of the six agencies listed in the regulation, not all agencies are involved in the implementation of

the regulation, indicating that the implementation of this regulation has not been implemented in an integrated manner by the regional apparatus organizations as assigned in the regulation.

Inter-organizational communication in the implementation of local regulations has taken place, this is indicated by the regular meetings of the parties involved, as explained in the following interview excerpt:

"We hold regular meetings in the implementation of the policy on handling vagrants and beggars both before and after implementing the policy, so before all related agencies go to the field we hold a meeting first such as the Civil Service Police Unit (DISATPOL PP), the Transportation Service (DISHUB),

the Communication and Information Service (DISKOMINFO), TNI and Police even up to the sub-districts and villages we are involved, so before all the related agencies that I have mentioned above go to the field we all hold a meeting first at the office to determine what date we go to the field to conduct raids or control" (Interview results, Monday, September 19, 2022).

Based on the results of interviews with informants and empirical facts observed by researchers in the field, it can be concluded that there are indeed routine meetings in the implementation of policies on handling vagrants and beggars both before and after implementing policies carried out by the Palu City Pamong Praja Police Unit Office. Even though the parties involved or involved in the enforcement of the local regulation do not fully understand the contents of the local regulation. Likewise, the community does not know about the existence of the local regulation as stated in the interview quote of one of the people of Palu City who stated that:

"...to follow or see the socialization related to the local regulation of Palu City No. 3 of 2018 concerning the handling of vagrants and beggars has not existed, in fact I have never seen the socialization of this policy on handling vagrants and beggars at all" (Interview result, Wednesday, October 26, 2022)

The description above shows that communication in the implementation of the local regulation has not been carried

out optimally. Furthermore, the attitude of the implementers in enforcing this regulation is still criticized, because the handling of vagrants and beggars is more focused on repressive efforts, so it does not seem humane.

"As for our attitude from the DPRD of Palu City, we are very supportive of this policy of handling vagrants and beggars, but on the other hand what I have to say is that when implementing the policy, we must prioritize humanism, because what we are dealing with is not an animal but a human being, so treat these vagrants and beggars with applicable humanitarian principles" (Interview result, Thursday, October 13, 2022).

Preventive and repressive efforts made in handling vagrants and beggars are not accompanied by integrated handling efforts, as complained by one of the vagrants, as follows:

"We homeless people or beggars are usually only given promises of assistance but in reality until now the assistance has not existed, so my response to the attitude of implementing this policy is not good enough or you could say it is still lacking" (Interview results, Wednesday, October 26, 2022).

Another challenge faced in handling vagrants and beggars is the support of the social and political environment. One member of the Palu City DPRD stated that:

"Regarding the obstacles from the social side, there are still people who do not understand the policies

related to vagrants and beggars in Palu City, which results in the community being indifferent to the problem of vagrants and beggars, then from the political side, there are indeed many dynamics experienced by us as policy makers related to regional regulations as well as the Social Service as the implementor of this policy on handling vagrants and beggars. So from my point of view, the economic and political environment has not fully run optimally, there are still many evaluations that we have to do so that this regulation is implemented properly" (Interview result, Thursday, October 13, 2022).

Based on the results of interviews with informants and empirical facts that researchers observed in the field, it can be concluded that there are regulations that are not adhered to and followed up, where the problem of law enforcement is that many cases that occur in the field can be handled, but not with cases related to criminal law, even though it is clearly stated in the hammer city regional regulation number 3 of 2018.

CONCLUSION

This study concludes that the implementation of Regional Regulation No. 3 of 2018 concerning the handling of vagrants and beggars in Palu City is not optimal, where there are still inconsistencies in its application. Although in this case the coordination between the Palu City Social Service and the Palu City Civil Service Police Unit has been running quite well. However, the understanding and knowledge of the

community about the existence of local regulations is still very limited. The community does not know about the prohibitions and criminal sanctions contained in the regional regulation, as a result this policy does not have a deterrent effect on the perpetrators.

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