



## Public Compliance with the Ban on Busking in Banyumas Regency Based on Banyumas Regency Regional Regulation Number 14 of 2020 Concerning the Eradication of Community Diseases

Firlyanta Sapernong

Magister Hukum, Universitas Jendral Soedirman

**Corresponding Author:** Firlyanta Sapernong [firlyanta92@gmail.com](mailto:firlyanta92@gmail.com)

### ARTICLE INFO

*Keywords:* Public Compliance, Ban on Busking, Community Diseases

*Received :* 01 April 2025

*Revised :* 19 April 2025

*Accepted:* 20 May 2025

©2025 Sapernong: This is an open-access article distributed under the terms of the [Creative Commons Atribusi 4.0 Internasional](https://creativecommons.org/licenses/by/4.0/).



### ABSTRACT

The Banyumas Regency Government issued Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Prevention of Social Diseases. This regulation was issued with the intention of preventing the spread of social diseases such as beggars, buskers, vagrants, and abandoned children.. So the author is interested in studying the role of Satpol PP in preventing the spread of buskers in the Banyumas area. buskers in the Banyumas area. This research is of the normative juridical type, descriptive in nature, the main data is secondary data supplemented by supporting data in the form of interviews with, qualitative data analysis, and how to draw conclusions with deductive logic. Research results Buskers tend to obey the rules when Satpol PP conducts raids which causes a decrease in the number of buskers. The opportunity to commit acts and the lack of firmness of Satpol PP as supervisors and enforcers of the regional regulation make people return to busking, in addition to the cultural factors of society in the form of giving money to buskers also affect the level of community compliance to busk.

*Keywords:* Banyumas Regency Government, Buskers, Satpol PP

## **INTRODUCTION**

The Banyumas Regency Government issued Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Management of Social Diseases. This regulation was issued with the intention of preventing the spread of social diseases such as beggars, buskers, vagrants, and abandoned children. Busking often disrupts security, order and disturbs the community, because they carry out actions such as begging at certain points. So one way to overcome this problem is to regulate it in the regulations.

Busking in the Banyumas area is an act that is contrary to laws and regulations and values or norms that exist in society. As a form of enforcement of these regulations, the regional apparatus tasked with enforcing these regulations is the Civil Service Police Unit (Satpol PP). Satpol PP is tasked with creating orderly community conditions and avoiding disturbances that pose security threats in society.

The prohibition on busking activities is stated in Article 23 paragraph (1) of Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Eradication of Social Diseases, which reads as follows:

"Beggars, vagrants, buskers, abandoned people, and street children are prohibited from begging and/or busking either individually or in groups for any reason, method and tool to arouse the pity of others."

The regulation aims to ensure that the community can comply with the applicable regulations with the hope that busking will no longer be found in the Banyumas area. Although busking has been prohibited in the regulations, in fact people are still often found doing this at traffic lights, markets, supermarkets and several points in the city center that are busy with people. So the author is interested in studying the role of Satpol PP in preventing the spread of buskers in the Banyumas area.

In this study, the following problem formulations are presented:

- a. How is community compliance with the ban on begging in Banyumas Regency based on Banyumas Regency Regional Regulation Number 14 of 2020 concerning the Management of Community Diseases?
- b. What is the theory of legal compliance used for community compliance with the ban on begging in Banyumas Regency?

## **METHODOLOGY**

### **1. Type of Research**

This research is an empirical juridical type by researching and analyzing the legal principles of trademarks regarding public compliance with the prohibition of busking in Banyumas Regency

### **2. Nature of research**

This research is descriptive in nature which aims to describe or describe certain phenomena or situations systematically and objectively. This research focuses on "what is" and does not aim to change or manipulate the variables

being studied. Descriptive research is used to explore facts, conditions, or events that occur in the field and provide a clear and detailed picture of the topic being studied.

### **3. Type of Data**

The main data used is secondary data supported by interviews with several sources who are considered to understand the legal principles of trademarks which will later support the analysis of secondary data. The secondary data used is in the form of primary, secondary and tertiary legal materials.

### **4. Method of Data Collection.**

Data collection is carried out through searching library materials both through literature studies and interviews. In terms of interviews conducted with sources who understand their duties in this case.

### **5. Data Analysis**

This study uses a qualitative method and analyzes the suitability of community compliance with the ban on busking in Banyumas Regency. with the regulations regarding Banyumas Regency Regional Regulation Number 14 of 2020 concerning Community Handling.

### **6. How to Draw Conclusions**

This method is carried out with deductive logic that analyzes general statements.

## **RESEARCH RESULT**

Banyumas as a district in Central Java Province has a population of 1,789,630 with a poor population of 232,910 and a number of people with social welfare problems of 1,136,003. The large number of poor people in Banyumas makes people willing to do any job as long as it makes money, one of which is by becoming buskers, beggars, scavengers. The actions they do often disturb public order, because they do these activities at red lights, supermarkets and several other strategic places.

The cultural factor of society influences the act of busking in the Banyumas area, giving money to buskers is still considered common by some people because it is considered a form of worship in the form of alms. However, without realizing it, such perceptions make buskers increasingly widespread. The habit of giving money to buskers has a strong influence on the implementation of law enforcement, because law enforcement comes from the community and aims to achieve order and peace in society. Because the higher the level of legal awareness of the community, the easier it will be to implement good law enforcement and vice versa. The community's indifference in eradicating social ills by giving money to buskers has increased the number of social ills

The prohibition on busking is stated in Article 23 paragraph (1) of Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments

to Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Eradication of Social Illnesses, Based on Article 39, if the community violates the regulation, they are threatened with imprisonment for a maximum of 3 months and/or a maximum fine of IDR 50,000,000. For people who give money to buskers, beggars, vagrants are also threatened with imprisonment for a maximum of 3 months and/or a maximum fine of IDR 20,000,000.

Before the ban on begging, the number of buskers in Banyumas Regency reached 300 people, with the regulation since 2015, there has been a decrease in the number of buskers. In addition to the applicable regulations, Satpol PP has an important role in controlling buskers in the Banyumas area, Satpol PP's firmness in enforcing this Regional Regulation has an impact on public compliance. Based on the statement of Mr. Karyoto as Head of the Operational and Control Section of Satpol PP Banyumas, there was a significant decrease in the number of buskers when Satpol PP actively conducted raids on buskers.

Buskers tend to comply with these regulations when Satpol PP conducts raids, resulting in a decrease in the number of buskers. The opportunity to commit acts and the lack of firmness of Satpol PP as a supervisor and enforcement officer in the regional regulation have made people return to busking. One of them was during the Covid-19 pandemic, there was an increase in the number of buskers in 2020 and 2021 because Satpol PP did not often conduct raids. Then in 2022 there was a decrease in the number of buskers in Banyumas Regency when Satpol PP often conducted raids

Table. 1 Data on the Number of Buskers in Banyumas Regency  
Year Number of Buskers

Tahun	Jumlah Pengamen
2019	78
2020	109
2021	122
2022	60

Satpol PP has an important role in controlling the handling of social diseases in the Banyumas area. The firmness of Satpol PP in enforcing the rules of this Regional Regulation has an impact on public compliance. Based on the statement of Mr. Karyoto as the Head of the Operational and Control Section of Satpol PP Banyumas, there was a decrease in the number of buskers when Satpol PP actively conducted raids in several areas where they carried out their actions. The firmer Satpol PP is in supervising and conducting raids, the safer, more peaceful and orderly the community will be because no buskers will be found. Some of the actions taken by Satpol PP against the community in enforcing Banyumas Regency Regional Regulation No. 14 of 2020 concerning the Handling of Social Diseases are as follows:

1. Preventive efforts in the form of counseling, dissemination of information and empowerment to the community and the installation of several signs stating the prohibition and sanctions for busking;
2. Repressive efforts in the form of control operations or raids by authorized officers against buskers;
3. Rehabilitative Efforts, namely social services in the form of social, mental and physical guidance for violators caught by officers who are then handed over to the Social Service
4. Further Guidance, namely social services in the context of assisting social officers to perpetrators of community diseases after undergoing rehabilitation at a rehabilitation center or social institution.

The firm action of Satpol PP in enforcing the rules of Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Management of Community Diseases has made the community obedient not to carry out busking activities. Basically, there is no awareness from the community in complying with these rules, it can be seen that when there is an opportunity they still often busk at several points that are not reached by Satpol PP, community compliance in busking occurs because of the threat of community fear of Satpol PP and the sanctions they will receive.

## **DISCUSSION**

Thomas Hobbesian emphasizes the deterrent effect in formal law enforcement. He considers law a representation of the common interests of citizens who are unable to create social order through moral communities. Hobbesian theory imposes external rules on individuals and ensures their compliance with the threat of punishment, greater than the benefits they expect from violators.

The legal theory used in this society is the Hobbesian Legal Theory, where compliance is obtained by coercion or the community is threatened that if they do not follow the rules they will be sanctioned and provide a deterrent effect for the perpetrators and other communities so that they do not commit the act. The community who become buskers in the Banyumas area are pre-conventional communities, they obey the law because there is a threat if they violate the rules. The mechanism of law enforcement according to Hobbesian Legal Theory, so that a rule produces compliance among citizens is through the aspect of prevention. One aspect of prevention so that the community does not carry out busking is to prohibit it through the Regulation in the Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to the Banyumas Regency Regional Regulation No. 16 of 2015 concerning the Eradication of Social Diseases in Article 23. Then in Article 39 the government also provides sanctions for people who commit acts with the threat of imprisonment and fines for violators.

In addition to using the prevention aspect or threats in the form of regulations, law enforcement officers, namely Satpol PP, also play a role in preventing social diseases, they often conduct raids in the Banyumas area,

especially at red lights, markets, supermarkets and several other strategic places, Satpol PP will immediately arrest people who busk then the beggars are placed in the social service as a form of punishment in the form of rehabilitation.

Based on the statement mentioned above, the community in Banyumas Regency adheres to the Hobessian legal theory, because the community is obedient and does not carry out busking activities because of coercion and threats from law enforcement officers in this case Satpol PP in enforcing Banyumas Regency Regional Regulation No. 14 of 2020 concerning Amendments to Banyumas Regency Regional Regulation No. 16 of 2015 concerning Eradication of Social Diseases.

## CONCLUSIONS AND RECOMMENDATIONS

Buskers tend to obey the rules when Satpol PP conducts raids which causes a decrease in the number of buskers. The opportunity to commit acts and the lack of firmness of Satpol PP as supervisors and law enforcers in the regional regulation regulations make people return to busking, in addition to the cultural factors of society in the form of giving money to buskers also influence the level of community compliance to busk. The legal theory used in this society is the Hobessian theory, where compliance is obtained by coercion or the community is threatened that if they do not follow the rules they will receive sanctions and provide a deterrent effect for the perpetrators and other people so that they do not do the act. In addition, law enforcement officers often conduct raids on buskers in the Banyumas area.

## ADVANCED RESEARCH

The need for increased supervision by Satpol PP such as conducting raids on people who are buskers in the Banyumas Regency area. The need for wider socialization about the prohibition of busking in the Banyumas Regency area so that people comply with the rules properly.

## REFERENCES

- Badan Pusat Statistik Banyumas. 2022. *Kabupaten Banyumas dalam Angka 2022*. Banyumas: CV. Prima Puspa Sari. Hlm. 67
- M. Guffar Harahap. 2021. Hukum : Justifikasi Sosial, Kontrol Sosial Dan Engenering Sosial. *Jurnal Syariah dan Hukum*. Vol. 03, No. 02.
- Soerjono Soekanto. 2003. *Faktor-faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali.
- R. Tony Prayogo. 2016. Penerapan Asas Kepastian Hukum Dalam Peraturan Mahkamah Agung Nomor 1 Tahun 2011 Tentang Hak Uji Materiil dan Dalam Peraturan Mahkamah Konstitusi Nomor 06/Pmk/2005 Tentang Pedoman Beracara Dalam Pengujian Undang-Undang. *Jurnal Legislasi Indonesia*. Vol. 13. No. 2.
- Thomas Hobbes. 1984. *Leviathan*. Cambridge: Pers Universitas Cambridge.
- Wawancara Bapak Karyoto selaku Kepala Seksi Operasional dan Pengendalian Satpol PP Banyumas pada 07 November 2022