

COMMODIFICATION OF COMPANION ANIMALS IN INDONESIAN BUSINESS LAW: REGULATORY GAPS AND AN ECOLOGICAL JUSTICE–BASED RECONSTRUCTION

Rahmatullah Ayu hasmiati¹⁾ Mohammed A. Al-Absi²⁾

¹⁾ Universitas Muhammadiyah Kalimantan Timur, Samarinda, Indonesia, E-mail: ra894@umkt.ac.id

²⁾ KyungDong University, South Korea, E-mail: mohamed@kduniv.ac.kr

Abstract. *Within Indonesian law, companion animals are predominantly treated as economic objects subject to ownership and commercial exchange. This market-oriented legal construction provides limited recognition of animals as living beings and creates structural weaknesses in the protection of animal welfare, particularly regarding the responsibilities of business actors involved in animal-related activities. This article examines how Indonesian business law constructs the legal status of companion animals and identifies the regulatory gaps affecting the protection of their welfare. The research employs normative juridical (doctrinal) methods using statutory, conceptual, and limited comparative approaches. The study analyzes Article 499 and Article 509 of the Indonesian Civil Code (KUHPPerdata), Article 302 of the Criminal Code (KUHP), and Law Number 18 of 2009 as amended by Law Number 41 of 2014 concerning Animal Husbandry and Veterinary Health through the perspective of ecological justice, with a brief comparative reference to South Korean regulatory developments. The findings indicate that Indonesian business law continues to frame companion animals primarily as commodities, resulting in fragmented governance in which welfare protection remains secondary to administrative and economic considerations. The study proposes an ecological justice-based reconstruction that integrates animal welfare obligations into the regulatory governance of companion animal-related businesses through welfare-based licensing, supervisory mechanisms, and duties of care for business actors.*

Keywords: *Animal Welfare; Business Law; Commodification; Companion Animals; Ecological Justice.*

1. Introduction

The rapid expansion of companion animal–related businesses in Indonesia has brought into focus significant weaknesses within the country's business regulatory governance framework. As commercial activities in animal trading, breeding, grooming services, veterinary care, and related industries continue to grow, companion animals are increasingly situated within a commodification paradigm embedded in the Indonesian legal system (Yogar, 2021; Guntoro, 2021). Under the framework of positive law,

companion animals remain primarily constructed as economic objects and movable property subject to ownership and commercial exchange (Cardoso et al., 2017; Riley, 2022). Consequently, regulatory attention is directed largely toward trade control, animal health administration, and compliance obligations imposed on business actors (Asmariah, 2023). This economically driven legal orientation leaves limited room for recognizing animals as living beings with intrinsic welfare interests and the capacity for sentience.

Indonesia's position in the global Animal Protection Index published by World Animal Protection, where it is ranked in the lower D/E category, further illustrates the limited integration of animal welfare principles within regulatory governance structures. This ranking signals a structural imbalance between the rapid development of the companion animal industry and the design of business law, which has yet to ensure consistent and sustainable welfare protection. The regulatory framework remains fragmented and reactive, weakening legal certainty for both business operators and animal protection efforts (Liu et al., 2024). In practice, enforcement mechanisms continue to treat animals primarily as transactional commodities rather than welfare-bearing beings (Lambert et al., 2025). To address this structural imbalance, this study employs ecological justice as a normative analytical lens. Ecological justice broadens legal reasoning beyond narrow economic efficiency and anthropocentric priorities, encouraging the integration of ecological responsibility and the welfare of non-human beings within economic governance (Hårstad, 2024). Developments in South Korea provide a relevant comparative reference. Recent reforms demonstrate efforts to incorporate animal welfare principles into business regulation through strengthened oversight of breeding facilities, shelter systems, adoption governance, and supervisory mechanisms for animal-related enterprises (Kim et al., 2025; Park et al., 2025). These reforms reflect broader social transformations and demand for ecological responsibility (Joo et al., 2025). Nevertheless, such integrative analytical approaches remain relatively underdeveloped within Indonesian business law scholarship.

The prevailing regulatory orientation in Indonesia reflects a predominantly anthropocentric and commodification-based framework, in which legal norms prioritize economic control by Narayanan (2023), administrative compliance, and market order. Within this structure, animals are acknowledged as living beings only in a limited and secondary sense, with intrinsic welfare interests receiving marginal recognition (Pulina, 2023). This doctrinal positioning increasingly conflicts with evolving social attitudes. In contemporary society, companion animals are widely regarded as family members (Barina-Silvestri et al., 2024) and as sentient beings deserving appropriate care and protection (Pongrácz & Dobos, 2023). Yet Indonesian positive law continues to treat them primarily as movable property within commercial relationships. As a result, legal protection for companion animals remains sectorally divided and normatively inconsistent, with welfare considerations often functioning as peripheral concerns rather than core regulatory obligations (Tian et al., 2023). The absence of a coherent framework integrating animal welfare into the legal responsibilities of business actors exposes a structural gap within Indonesian business law. Against this background, this study addresses two interrelated questions: how companion animals are structurally commodified within Indonesian business law, and how ecological justice may serve as a normative foundation for reconstructing a legal protection model capable of balancing commercial interests with animal welfare. These questions require not only a doctrinal

examination of existing regulations but also a critical reflection on the underlying legal paradigms that shape the treatment of animals in commercial settings.

Methodologically, this research adopts a normative juridical (doctrinal) approach. A statutory analysis is conducted to examine Indonesian regulations governing trade, animal health, welfare standards, and business activities involving companion animals. A conceptual analysis is undertaken through the lens of ecological justice, which expands legal consideration beyond human-centered interests to include non-human living beings as members of an ecological community. Additionally, a limited comparative analysis of South Korean regulatory developments is employed as a contextual reference to explore how welfare standards may be integrated into business governance without reclassifying animals as human-equivalent legal subjects.

Indonesian scholarship has generally addressed animal protection from the perspectives of criminal liability, general welfare regulation, or consumer protection in pet transactions. Meanwhile, international scholarship increasingly engages with ecological justice, animal sentience, and the evolving legal recognition of non-human beings (Si et al., 2025). However, relatively few studies have examined how business law structures themselves contribute to the commodification of companion animals or how such structural positioning affects the scope and effectiveness of legal protection (Anna, 2022; Aprillian & Leucci, 2025). Even fewer studies integrate ecological justice as a doctrinal framework for reconstructing business regulation. The contribution of this study lies precisely in bridging animal law and business law by proposing a conceptual reconstruction model grounded in ecological justice within the Indonesian legal context.

Recent legal and policy studies in Indonesia have highlighted the development of animal welfare norms by Hårstad (2024), while studies by Setiawati et al. (2024) emphasize the continued sectoral and fragmented nature of national regulation, particularly in the enforcement of anti-cruelty provisions and health-based welfare regulation by Setiabudhi et al. (2023) and Asmariah (2023). These studies by Wulandari et al. (2024) confirm that, within the Indonesian legal system, animals remain predominantly categorized as objects of ownership or movable property, thereby limiting recognition of their intrinsic welfare interests. At the same time, research by Si et al. (2025) and Padang et al. (2025) on the companion animal industry has primarily focused on marketing strategies, consumer behavior, and the growth of pet-related enterprises without sufficiently examining the corresponding legal responsibilities of business actors concerning welfare standards. This disconnect between animal welfare law, industry research, and ethical analysis reveals a structural gap in both the literature and the regulatory framework. By situating companion animal commodification within Indonesian business law and proposing an ecological justice-based reconstruction, this study seeks to transform animal welfare from a peripheral regulatory concern into an integral component of business legal responsibility.

While the companion animal industry is rapidly emerging as a significant economic sector in Indonesia, the existing commercial legal framework has yet to adequately address the legal implications of treating animals as business commodities. Current regulations governing trade, licensing, and animal health are primarily oriented toward market order and public health considerations, while animal welfare remains only indirectly regulated. This situation creates a normative tension: the legal framework that facilitates commercial transactions involving animals does not simultaneously provide a coherent

mechanism for safeguarding their welfare within those activities. Accordingly, this article examines whether the current Indonesian regulatory governance adequately manages the commodification of companion animals and whether it provides sufficient legal space for integrating welfare obligations for commercial actors. The study addresses the following legal questions:

1. How does Indonesian business law construct the legal status of companion animals in commercial transactions, and how does this construction generate regulatory gaps in animal welfare protection?
2. How can ecological justice serve as a normative foundation for reconstructing Indonesian business regulatory governance to strengthen the legal protection of companion animals?

To answer these questions, this study analyzes the legal construction of companion animals within Indonesian business law and evaluates the existing regulatory framework through the normative perspective of Ecological Justice. The following sections examine how Indonesian law conceptualizes companion animals as objects of commercial exchange, identify the regulatory limitations affecting animal welfare protection, and develop an ecological justice-based framework for reconstructing business regulatory governance.

2. Research Methods

This study adopts a normative juridical approach, commonly referred to as doctrinal legal research, which focuses on the examination of legal norms, principles, and doctrines governing the position of companion animals within Indonesian business law (Thilakarathna & Mathotaarachchi, 2025). The research is qualitative in nature and does not rely on empirical field data, as its primary objective is to evaluate existing legal norms and develop a conceptual model of legal protection (Bhaghamma 2023).

A statutory approach is employed to analyze key Indonesian legal instruments governing the legal status, welfare, and commercial utilization of companion animals. These include Article 499 and Article 509 of the Indonesian Civil Code (KUHPerdata), which classify animals as movable property; Article 302 of the Indonesian Criminal Code (KUHP), which prohibits animal cruelty; Law Number 18 of 2009 as amended by Law Number 41 of 2014 concerning Animal Husbandry and Veterinary Health; Government Regulation Number 95 of 2012 concerning Veterinary Public Health and Animal Welfare; Law Number 8 of 1999 concerning Consumer Protection; and Law Number 21 of 2019 concerning Animal, Fish, and Plant Quarantine. The statutory analysis seeks to identify how these regulations construct the legal status of companion animals and define the responsibilities imposed upon business actors engaged in animal-related commercial activities.

In addition, a conceptual approach is utilized through the framework of ecological justice, which expands legal consideration beyond human-centered interests to include non-human living beings as members of the ecological community. Furthermore, a limited comparative approach is undertaken by examining regulatory developments in South Korea as a normative reference for exploring alternative regulatory models capable of integrating animal welfare considerations into business governance.

The legal materials are analyzed through statutory interpretation, systematic interpretation, comparative evaluation, and normative gap analysis. These analytical techniques are employed to assess the coherence of existing regulations, identify regulatory inconsistencies and protection gaps, and formulate an ecological justice-based reconstruction model for companion animal protection within Indonesian business law (Langbroek et al., 2017)

3. Results and Discussion

3.1. Commodification of Companion Animals in Indonesian Business Law and Regulatory Governance

To address the first legal question concerning how Indonesian business law constructs the legal status of companion animals in commercial transactions, this section examines the commodification of companion animals within the Indonesian legal framework. The analysis focuses on two interrelated dimensions. First, it explores the doctrinal classification of animals as property within the civil law system. Second, it analyzes the regulatory governance of commercial activities involving companion animals. Together, these dimensions demonstrate how Indonesian business law structurally positions companion animals as economic commodities within commercial transactions.

The commodification of companion animals refers to the process by which animals living in close social relationships with humans are primarily treated as economic objects or market commodities, rather than as entities possessing distinct and normatively recognized welfare interests (Rodilloso, 2025). Contemporary scholarship in animal law and animal geography highlights how classical legal regimes have historically preserved the status of animals as objects of ownership and tradable goods, thereby limiting recognition of the intrinsic value inherent in animal life (van Leeuwen, 2024). Modern economic expansion and evolving consumption patterns increasingly situate animal-related policies within a broader commodity regime, one that constructs animals as tradable and exploitable objects within specific legal and social relationships, rather than as subjects requiring more comprehensive normative protection (Fulfer & Clipsham, 2022).

Within the framework of Indonesian positive law, the normative position of companion animals remains embedded in this commodification paradigm. Companion animals are legally constructed as objects of law and as property within economic activities. This classification is reflected in Article 499 of the Indonesian Civil Code (KUHPerdata), which doctrinally defines property as anything capable of being owned, and is further reinforced by Article 509, which categorizes animals as movable property by nature, allowing them to be bought, transferred, and subjected to contractual obligations in economic transactions. This civil law construction is strengthened within sectoral regulation, particularly under Law Number 18 of 2009 as amended by Law Number 41 of 2014 on Animal Husbandry and Veterinary Health, which situates animals within the framework of production, circulation, and business activities. In this regulatory structure, animals are positioned as components of economic chains. Although Article 302 of the Criminal Code (KUHP) provides protection against animal cruelty, this provision is primarily repressive in character and does not alter the foundational civil law classification or the broader business regime that treats animals as economic objects. This legal configuration creates a normative inconsistency within Indonesian law. On the one hand, Articles 499

and 509 of the Civil Code position companion animals as movable property that may be owned, transferred, and commercialized within private law relations. On the other hand, Article 302 of the Criminal Code implicitly recognizes that animals are capable of suffering and therefore require protection from cruelty. The coexistence of these provisions reflects two competing legal constructions: animals are treated simultaneously as objects of ownership and as living beings whose welfare deserves legal protection. However, Indonesian law does not provide a coherent doctrinal mechanism for reconciling these positions within the broader framework of business regulation.

This inconsistency generates a regulatory gap in the governance of companion animal-related businesses. While civil law and sectoral regulations facilitate the commercial circulation of animals through ownership, trade, breeding, and service activities, welfare protection remains largely reactive and dependent upon criminal sanctions after harm has occurred. Consequently, business actors are subject to commercial and administrative obligations but are not expressly required to comply with a unified welfare-based duty of care. As a result, animal welfare remains peripheral within business law despite being indirectly acknowledged within the criminal law framework. The tension between the civil law status of animals as movable property and regulatory orientations that embed them within systems of production and trade demonstrates that Indonesian law continues to reflect a strong commodification paradigm. In this context, animal welfare has not been integrated as a core obligation within business law; rather, it appears in limited and sectoral forms. These structural characteristics indicate that the current regulatory framework governing companion animal-related businesses may generate significant limitations in the protection of animal welfare, an issue that will be further examined in the following section.

3.1.1. Legal Status of Companion Animals as Property within the Business Regulatory Framework

Under Indonesian positive law, animals are categorized as movable property subject to private ownership. The legal basis for this classification is found in Article 499 of the Civil Code, which defines property as anything capable of being the object of ownership, and Article 509, which specifies that movable property by nature includes items capable of being moved or transferred. Within civil law doctrine, animals fall into this category and may therefore be owned, transferred, and traded as legal objects. This classification places companion animals within the same legal framework as other transferable goods, enabling their commercial exploitation under general principles of property and contract law. The legal relationship involving companion animals is thus structured primarily around ownership rights and transactional legitimacy. Although sectoral legislation such as Law Number 18 of 2009 as amended by Law Number 41 of 2014 introduces state obligations to promote animal health and welfare (e.g., Article 4), such recognition is largely administrative and technical in nature. These provisions do not fundamentally alter the civil law classification of animals as property. Consequently, welfare considerations do not operate as independent and inherent legal duties imposed upon business actors but remain embedded within technical regulatory compliance mechanisms. Table 3.1 summarizes the legal status of companion animals and the regulatory implications arising from the current Indonesian business law framework

Table 1. Legal Status and Regulatory Governance of Companion Animals in Indonesian Business Law

Aspect	Legal Basis	Regulatory Focus	Regulatory Consequences
Legal Status	Animals classified as movable property (Arts. 499, 503, 509 Civil Code/KUHPperdata)	Ownership and transfer governed by property and contract law (Art. 1457 KUHPperdata)	Animals positioned as objects of ownership and trade
Health & Welfare	State promotes animal health and welfare (Art. 4 Law 18/2009 as amended by Law 41/2014)	Technical standards for animal management in economic activities (Arts. 58-60 Law 18/2009)	Welfare framed as administrative/technical, not intrinsic legal status
Cruelty Prohibition	Criminal ban on animal abuse (Art. 302 Criminal Code/KUHP)	Penal enforcement, not business regulation	Protection is reactive, not a core business duty
Animal Trade & Services	Commercial circulation of animals regulated (Arts. 36, 58 Law 18/2009)	Pet trade, breeding, and services treated as business activities	Animals function as market commodities
Veterinary Services	Veterinary practice regulated (Arts. 29- 30 Law 18/2009)	Professional duty of care within service framework	Protection arises via service standards, not altered legal status

Based on the table above, it can be observed that although Indonesian law recognizes animals as living beings and provides certain guarantees relating to health, welfare, and humane treatment, such recognition does not alter their fundamental classification within civil law as property. The legal status of companion animals does not limit the application of legal norms that position them as objects of ownership and commercial transactions. Consequently, the existing legal framework continues to reinforce the commodification paradigm, in which animals are simultaneously acknowledged as living beings and treated as economic assets. Within this structure, welfare considerations remain secondary to their legal status as property, and do not operate as primary or independent obligations within the business regulatory system.

3.1.2. Regulatory Governance of Commercial Activities Involving Companion Animals

While civil law doctrine establishes animals as objects of property, the commodification of companion animals becomes operational within the regulatory governance of commercial activities involving animals. Indonesian sectoral regulations governing breeding, animal trade, veterinary services, and pet-related businesses incorporate animals into structured economic activities regulated through licensing systems, administrative supervision, and technical standards.

Although sectoral legislation such as Law Number 18 of 2009 as amended by Law Number 41 of 2014, introduces state obligations to promote animal health and welfare (e.g., Article 4), such recognition remains largely administrative and technical in nature. These provisions do not fundamentally alter the civil law classification of animals as property. Consequently, welfare considerations do not operate as independent legal duties imposed upon business actors but instead remain embedded within regulatory compliance mechanisms. This regulatory configuration may be summarized as follows:

Table 2. Commercial Practices Involving Companion Animals and Applicable Legal Regulations in Indonesia

Business Practice	Form of Legal Regulation	Relevant Legal Provisions	Regulatory Orientation
Breeding	Licensing, animal health control, technical standards	Law Number 18/2009 jo. Law Number 41/2014 (Arts. 1, 36, 58); Government Regulation (PP) Number 95/2012 on Veterinary Public Health and Animal Welfare	Regulation emphasizes production, health, and administrative compliance
Animal Trade (Pet Shops, Sales)	Trade permits, circulation and transport control	Law Number 18/2009 jo. Law Number 41/2014 (Arts. 36, 58, 66A); PP Number 95/2012; Civil Code Art. 1457 (sale and purchase)	Animals regulated as objects of commercial transactions
Pet Care Services (Grooming, Boarding)	Business licensing, sanitation, service standards	Law Number 8/1999 on Consumer Protection; Civil Code Art. 1601 (service contracts); Local Government Regulations on business permits	Legal relations framed as service contracts, not welfare obligations
Veterinary Clinics / Veterinary Practice	Professional licensing, medical standards	Law Number 18/2009 jo. Law Number 41/2014 (Arts. 29-30); Minister of Agriculture Regulation (Permentan) Number 03/Permentan/OT.140/2/2015 on Veterinary Authority	Welfare addressed through professional medical standards, not legal status
Animal Transport & Handling	Health certification, quarantine, biosecurity	Law Number 21/2019 on Animal, Fish, and Plant Quarantine; PP Number 95/2012	Focus on biosecurity and disease control, not intrinsic welfare
Animal Cruelty Control	Criminal prohibition	Criminal Code (KUHP) Art. 302	Repressive protection, outside business law framework

Based on the table above, it can be observed that although Indonesian law recognizes animals as living beings and provides certain guarantees relating to health, welfare, and humane treatment, such recognition does not alter their fundamental classification within civil law as property. The legal status of companion animals does not limit the application of legal norms that position them as objects of ownership and commercial transactions.

Consequently, the existing legal framework continues to reinforce the commodification paradigm, in which animals are simultaneously acknowledged as living beings and treated as economic assets. Within this structure, welfare considerations remain secondary to their legal status as property, and do not operate as primary or independent obligations within the business regulatory system. This regulatory configuration illustrates how Indonesian business law structurally constructs companion animals as market commodities within commercial transactions. Although certain welfare provisions exist, they operate primarily as technical or administrative standards rather than as inherent legal obligations imposed on business actors. Consequently, the legal framework governing commercial activities involving companion animals continues to

reinforce commodification while leaving significant gaps in the integration of animal welfare within business regulation.

3.1.3. Fragmented Regulatory Governance and Normative Gaps

The commodification paradigm is further entrenched by the fragmented structure of regulatory governance governing companion animals, as reflected in their legal positioning as commercial objects, as illustrated in Tables 3.1 and 3.2. Each regulatory regime addresses specific aspects in isolation such as animal health, commercial transactions, consumer protection, or disease control without forming a coherent and integrated legal framework that systematically incorporates animal welfare into business obligations. This fragmentation generates regulatory ambiguity and ultimately results in normative gaps. Although references to animal welfare appear in certain technical provisions, there is no explicit legal norm that establishes animal welfare as a continuous and independent obligation for business actors operating in sectors involving companion animals. As demonstrated in the preceding tables, business licensing and compliance mechanisms primarily emphasize administrative requirements, sanitation standards, and health control, rather than articulating welfare responsibility as a stand-alone normative duty.

From an enforcement perspective, a similar pattern emerges. Criminal provisions under Article 302 of the Indonesian Criminal Code focus predominantly on punishing acts of cruelty, while administrative supervision mechanisms are largely directed toward quarantine measures and disease prevention in the interest of public health. Within the consumer protection framework, legal safeguards are primarily oriented toward the interests of animal owners or business operators, rather than toward safeguarding the welfare of animals as living beings in their own right. Accordingly, under Indonesian positive law, companion animals continue to be positioned as economic commodities categorized as movable property attached to human ownership rights. Animal welfare protection remains dependent on dispersed and uncoordinated norms, which are primarily designed to protect human legal subjects rather than the animals themselves. It is precisely this structural gap that underlines the urgency of normative reconstruction, aimed at repositioning companion animal welfare as a more central and substantive consideration within regulatory governance.

3.2. Ecological Justice and the Reconstruction of Business Regulatory Governance

The preceding analysis demonstrates that Indonesian business law structurally positions companion animals as economic commodities within commercial transactions. Although several statutory provisions address animal health and prohibit cruelty, these regulations remain fragmented and largely administrative in nature. As a result, animal welfare has not been integrated as a systematic legal obligation within the governance of commercial activities involving companion animals. This condition reveals a regulatory gap in which economic regulation of animal-related businesses develops more rapidly than the legal framework designed to ensure the protection of animal welfare.

Addressing this imbalance requires a broader normative perspective on justice within the legal system. Within Indonesian legal thought, the idea of reconstructing justice has evolved through ethical and civilizational approaches that emphasize the moral

dimension in the formation of positive law. From this perspective, law should not function solely as an instrument of economic regulation, but also as a means of realizing civilized justice oriented toward the protection of living beings (Hasmiati et al., 2025). In this context, ecological justice emerges as a normative framework capable of expanding the scope of legal responsibility beyond human-to-human relations by incorporating non-human living beings and ecological systems into the moral and legal community (Hasmiati, 2022). Within this framework, justice is understood not merely as the distribution of rights and obligations among human legal subjects, but also as an ethical and legal responsibility for the sustainability of life and the welfare of other living beings affected by human activities.

When applied to companion animals, ecological justice calls for a paradigmatic shift from viewing animals primarily as commercial objects toward recognizing them as living entities whose welfare interests carry legal relevance in the formulation of norms. This approach does not equate animals with human legal subjects. Instead, it asserts that economic activities involving animals must be constrained by ecological responsibility and by principles aimed at protecting vulnerable living beings. Accordingly, animal welfare should no longer be treated as a supplementary technical consideration, but rather as an integral dimension of justice that must be embedded within the design of business regulation. In the context of Indonesian business law, this perspective opens space for normative reconstruction by positioning animal welfare as a legally relevant consideration in business licensing, operational standards, and supervisory mechanisms. Such reconstruction seeks to address the imbalance produced by the commodification paradigm through the systematic integration of companion animal protection into the legal obligations imposed on business actors.

3.2.1. Ecological Justice and the Recognition of Non-Human Interests

Global social values have undergone a significant transformation in the way animals are perceived, from being regarded merely as economic resources to being recognized as living beings whose welfare possesses moral and social significance that deserves respect (Sinclair et al., 2022). This shift has generated stronger ethical and regulatory demands concerning the treatment of animals across various sectors, including economic activities (van der Staay et al., 2025). Within this evolving context, a more inclusive conception of justice that acknowledges non-human interests becomes increasingly relevant as a normative foundation for reconstructing business law. Under such an approach, animal protection would no longer depend on incidental or peripheral considerations, but instead become embedded within the foundational structure of legal regulation.

As demonstrated in the preceding analysis, Indonesian business law continues to operate within a fragmented commodification framework oriented primarily toward economic interests. Consequently, animal welfare has not yet been fully integrated as a systematic legal obligation. This condition reflects a deeply rooted anthropocentric foundation within positive law, where non-human interests remain subordinated and addressed only in a sectoral manner. For this reason, a broader conception of justice is required—one that transcends the logic of property and acknowledges that the welfare of non-human living beings forms part of the legal responsibility to maintain ecological balance.

Ecological justice challenges the anthropocentric underpinnings of conventional legal systems by emphasizing that justice must not be confined to human actors alone, but

must also account for the interests of non-human beings and ecological systems (Gellers, 2021; Pope et al., 2021; Pineda-Pinto et al., 2023; Washington et al., 2024). In the realm of business law, this perspective implies that economic activities involving animals cannot be governed solely through market efficiency, property rights, and administrative compliance. Accordingly, legal norms are expected to prioritize animal welfare as a substantive component of the responsibilities already articulated in statutory frameworks regulating the existence and treatment of animals, particularly those categorized as companion animals. This requires the development of regulatory designs or models that are robust not only in normative terms but also in ecological orientation. Whether treated as commodities or companions, animals retain the moral and legal claim to be regarded as living beings. Through an ecological paradigm, the objective is to ensure a balanced ecosystem that safeguards the well-being of humans and animals alike, while also preserving ecological sustainability for future generations.

3.2.2. Comparative Insight: Integrating Animal Welfare in Business Regulation

A limited comparative reference to regulatory developments in South Korea illustrates how animal welfare considerations can be progressively incorporated into business regulatory governance without equating animals with human legal subjects (Rhee & Ahn, 2025). In recent years, South Korea has introduced reforms aimed at strengthening oversight of breeding facilities, regulating the sale of companion animals, and improving standards of care within commercial settings. These reforms reflect a gradual policy shift in which animals are increasingly regarded as living beings requiring protection, rather than merely as tradable goods. The Korean experience demonstrates that animal welfare integration can be operationalized through licensing requirements, inspection mechanisms, and administrative sanctions that explicitly embed welfare standards into the regulatory framework (Chaney et al., 2023). Such measures position animal protection within the operational responsibilities of business actors, rather than leaving it as a peripheral concern addressed only through general anti-cruelty provisions. Although the legal and socio-cultural contexts of South Korea and Indonesia differ, these developments provide a relevant normative reference. They indicate that business regulation can meaningfully incorporate welfare obligations while preserving the fundamental structure of commercial law.

Table 3. Comparative Business Regulatory Governance of Companion Animals: Indonesia and South Korea

Regulatory Aspect		Indonesia	South Korea
Legal Orientation toward Companion Animals		Treated primarily as movable property within civil and commercial law frameworks	Recognized in statutory purpose as beings whose life and welfare must be protected (APA Art. 1) ¹
Business Licensing for Breeders & Sellers		Focus on administrative permits and animal health control (Law 18/2009; PP 95/2012)	Animal-related businesses (breeding, selling) must be registered and comply with welfare-based facility standards (APA Arts. 33(a)-34) ²

Welfare Standards in Commercial Facilities	Indirectly addressed through sanitation and health compliance	Owners and operators must ensure proper care, housing, and management of animals (APA Arts. 3 & 7) ³
Inspection & Enforcement	Mostly reactive; linked to disease control or cruelty cases	Authorities may conduct inspections and issue corrective or administrative measures for welfare violations (APA Art. 39) ⁴
Cruelty Regulation	Criminal prohibition only (Art. 302 KUHP)	Broader prohibition of cruelty, abuse, and neglect within welfare framework (APA Art. 8) ⁵
Identification & Registration of Companion Animals	No nationwide obligation for pet identification or registration	Mandatory registration and microchipping of companion dogs under national animal registration system (APA Art. 12) ⁶
Vaccination & Health Monitoring	Focus on disease control in livestock context; limited structured system for pets	Local governments may require vaccination and health management linked to registered companion animals (APA enforcement framework) ⁷
Status in Family/Household Context (Policy Recognition)	No legal recognition beyond property ownership	Companion animals increasingly treated in policy as household members, supported by registration and welfare governance system (APA Arts. 4 & 5) ⁸

Note:

¹ Animal Protection Act (Republic of Korea), Art. 1 – Purpose of the Act includes protection of animal life and welfare.

² APA Arts. 33–34 – Registration and management of animal-related businesses (including breeding and sales).

³ APA Arts. 3 & 7 – Responsibilities of animal owners and standards for proper breeding, care, and management.

⁴ APA Art. 39 – Inspection authority and enforcement measures for animal protection.

⁵ APA Art. 8 – Prohibition of cruelty and abusive treatment of animals.

⁶ APA Art. 12 – Registration of companion animals (including identification measures such as microchipping).

⁷ APA Enforcement Decree & Local Government Ordinances – Vaccination and health management obligations linked to registered animals.

⁸ APA Arts. 4–5 – Government responsibility for animal welfare planning and establishment of Animal Welfare Committee.

The comparison indicates that South Korea has succeeded in embedding animal welfare considerations within its business regulatory framework without fundamentally altering the structure of commercial law or the legal classification of animals as property. Through business registration requirements, mandatory care standards, animal identification systems, as well as inspection mechanisms and administrative sanctions, welfare protection has been incorporated into the operational compliance obligations of business actors. This model is particularly relevant for Indonesia, as it demonstrates that welfare responsibilities can be progressively attached to licensing and supervisory regimes without necessitating a radical overhaul of the existing legal system. In this respect, the South Korean experience offers a meaningful normative reference, showing that the integration of animal welfare into business law is both feasible and adaptable for addressing regulatory protection gaps concerning companion animals in Indonesia.

3.2.3. Ecological Justice–Based Reconstruction of Business Regulatory Governance

Grounded in the framework of ecological justice and informed by comparative insights, this study proposes a conceptual reconstruction of legal protection for companion animals within Indonesian business law. Rather than replacing the existing legal structure, this reconstruction seeks to reorient it by integrating animal welfare considerations into the core of business regulatory governance. First, normative reconstruction requires explicit recognition in business-related regulations that companion animals are living beings whose welfare constitutes a legally relevant interest (Joo et al., 2025). Such recognition would guide the interpretation and enforcement of existing norms while justifying the development of more detailed and enforceable welfare standards.

Second, regulatory reconstruction entails embedding animal welfare requirements within licensing, supervisory, and compliance mechanisms applicable to business actors engaged in breeding, trading, and service activities involving companion animals. Similar developments can be observed in regulatory frameworks within the European Union and the United Kingdom, and increasingly within South Korean animal welfare policies, where stricter oversight of pet-related businesses, shelter systems, and adoption mechanisms has been introduced (Michel, 2023; Park et al., 2025). Welfare standards should therefore form part of the legal conditions for operating a business, alongside existing requirements concerning hygiene, safety, and administrative reporting.

Third, the reconstruction of responsibility emphasizes the establishment of clear legal duties owed by business actors to animals under their control. This approach aligns with the evolving concept of a legal duty of care toward animals in contemporary governance, as well as with animal welfare reforms in several Asian jurisdictions that increasingly acknowledge ethical and ecological dimensions in regulating companion animals. These duties should extend beyond the prevention of disease transmission or consumer loss, encompassing the maintenance of adequate living conditions, the prevention of unnecessary suffering, and the provision of proper care throughout the commercial chain. Through these interconnected elements, ecological justice facilitates a shift from a legal framework that primarily regards companion animals as objects of trade toward one that recognizes them as living beings within an ecological community. Such reconstruction enables Indonesian business law to balance economic interests with ecological responsibility, thereby strengthening the doctrinal foundation of legal protection for companion animals. Ultimately, ecological justice provides the normative basis for transforming business law from a purely market-oriented regulatory system into a responsibility-based framework in which the welfare of companion animals becomes an integral component of legal governance.

Table 4. Ecological Justice-Based Reconstruction Model for Companion Animal Business Governance in Indonesia

Identified Regulatory Gap	Proposed Regulatory Reform	Expected Outcome
Companion animals are treated mainly as property	Recognize companion animals as living beings with legally relevant welfare interests	Stronger legal basis for animal welfare protection
Business licensing focuses on administrative requirements	Integrate animal welfare standards into licensing systems	Welfare becomes part of business compliance
No clear welfare responsibility for business actors	Establish a legal duty of care for breeders, sellers, and service providers	Greater accountability for animal welfare
Welfare protection remains fragmented and reactive	Strengthen supervision and enforcement mechanisms	More effective and preventive welfare protection

As shown in Table 4, the proposed reconstruction model seeks to address the regulatory gaps identified in Indonesian business law through four interrelated measures: welfare recognition, welfare-based licensing, legal duties of care, and strengthened supervision. These measures are intended to integrate animal welfare into business regulatory governance while maintaining the existing structure of Indonesian commercial law.

4. Conclusion

This study demonstrates that within the current architecture of Indonesian business law, companion animals are structurally positioned as commercial objects. This construction is reinforced through their classification as movable property, the dominance of market-oriented regulatory logic, and the fragmentation of sectoral norms. Within such a framework, legal obligations imposed on business actors primarily emphasize administrative compliance, trade control, and public health protection. Meanwhile, the welfare of animals as living beings is addressed only indirectly, inconsistently, and often as a peripheral concern. This orientation indicates that Indonesian business law has not yet fully integrated animal welfare into the normative design of corporate responsibility, resulting in structural gaps in the legal protection of companion animals in commercial contexts.

In response to these limitations, this research advances ecological justice as a normative foundation for reorienting business law—from a paradigm centered predominantly on economic efficiency toward a model grounded in ecological responsibility. From this perspective, animal welfare is no longer treated as an external or secondary issue, but as a legally relevant interest within business governance. Drawing on this framework and supported by comparative insights, the article proposes a reconstruction model that includes normative recognition of companion animals as living beings with legally significant welfare interests; the integration of welfare standards into licensing, supervision, and compliance mechanisms; and the establishment of explicit duties of care for business actors toward animals under their control.

The principal contribution of this study lies in developing a doctrinal approach that bridges animal law and business law by repositioning companion animals not merely as commodities, but as members of an ecological community whose welfare must inform the design and enforcement of commercial regulation. By embedding ecological justice within the structure of business law, this research offers a conceptual pathway toward a more balanced regulatory system—one that aligns economic activity with ecological responsibility and strengthens the normative legitimacy of legal protection for companion animals. Accordingly, the reconstruction of Indonesian business regulatory governance should be directed toward three principal reforms. First, Law Number 18 of 2009 as amended by Law Number 41 of 2014 should explicitly recognize companion animals as living beings whose welfare constitutes a legally relevant interest within commercial activities. Second, animal welfare standards should be incorporated into licensing, supervision, and compliance mechanisms governing breeders, pet shops, boarding facilities, grooming services, and other companion animal-related businesses. Third, Indonesian business law should establish a clear duty of care requiring business actors to ensure the welfare of animals under their control. These measures would enable the gradual integration of ecological justice into business regulation while preserving legal certainty and supporting responsible commercial practices.

5. References

Journals:

- Anna. (2022). *Studies on the institutional animal care and use committee operation strategy in Korea*. Seoul: Seoul National University Graduate School (Doctoral dissertation).
- Aprillian, R., & Leucci, F. (2025). Animal welfare claims in Indonesia: Comparative study of EU standards and proposed regulatory framework. *Tropical Animal Science Journal*, 48(6), 564–571.
- Asmariah, A. (2023). The ideal concept towards the welfare of non-livestock animals in the principle of utilization and utilization in realizing legal certainty in Indonesia. *International Journal of Social, Policy and Law*, 4(1), 93–103.
- Barina-Silvestri, M., Díaz-Videla, M., & Delgado-Rodríguez, R. (2024). Pet parenting: A systematic review of its characteristics and effects on companion dogs. *Journal of Veterinary Behavior*, 76(1), 13–24.
- Bhaghamma, G. (2023). A comparative analysis of doctrinal and non-doctrinal legal research. *ILE Journal of Governance and Policy Review*, 1(1), 88–94.
- Cardoso, S. D., Faraco, C. B., de Sousa, L., & Pereira, G. D. G. (2017). History and evolution of the European legislation on welfare and protection of companion animals. *Journal of Veterinary Behavior*, 19(1), 64–68.
- Chaney, P., Jones, I. R., & Narayan, N. (2023). Beyond the unitary state: Multi-level governance, politics, and cross-cultural perspectives on animal welfare. *Animals*, 14(1), 79–89.

- Fulfer, K., & Clipsham, P. (2022). Are animals always commodified in the context of business? In *Animals and business ethics* (pp. 21–41). Cham, Switzerland: Springer International Publishing.
- Gellers, J. C. (2021). Earth system law and the legal status of non-humans in the Anthropocene. *Earth System Governance*, 7(1), 100–118.
- Guntoro, B. (2021). *Animal based tourism dan isu kesejahteraan hewan*. Yogyakarta, Indonesia: Gadjah Mada University Press.
- Hårstad, R. M. B. (2024). The politics of animal welfare: A scoping review of farm animal welfare governance. *Review of Policy Research*, 41(4), 679–702.
- Hasmiati, R. A., Yulianingrum, A. V., & Ardha, D. J. (2025). Civilized legal justice: A study of legal justice construction in Indonesian positive law based on adab values. *Al-Adl: Jurnal Hukum*, 17(1), 15–33.
- Joo, S., Chun, M. S., & Park, H. (2025). Understanding public engagement in animal welfare in South Korea: A theory of planned behavior approach. *Frontiers in Veterinary Science*, 12(1), 165–172.
- Joo, S., Park, H., & Chun, M. S. (2025). Pet caregiver burden in South Korea: Key influences and the implications for veterinarians. *BMC Veterinary Research*, 21(1), 331–342.
- Kim, J. H., Kang, H., Min, M. S., Ma, S. A., & Cho, J. Y. (2025). Comprehensive welfare assessment of Eurasian otters (*Lutra lutra*) in South Korean zoos using the modified Animal Welfare Assessment Grid (AWAG) and hair cortisol concentration. *Applied Animal Behaviour Science*, 288, 106665.
- Lambert, H., Elwin, A., Assou, D., Auliya, M., Harrington, L. A., Hughes, A. C., ... & D'Cruze, N. (2025). Chains of commerce: A comprehensive review of animal welfare impacts in the international wildlife trade. *Animals*, 15(7), 971–981.
- Langbroek, P., Van Den Bos, K., Simon Thomas, M., Milo, M., & Van Rossum, W. (2017). Methodology of legal research: Challenges and opportunities. *Utrecht Law Review*, 13(3).
- Liu, Y., Chang, X., Yang, S., Li, Z., & Wu, Y. (2024). "Pets make you spend more!" Impact of pet ownership on consumer purchase decisions. *Journal of Business Research*, 183, 114838.
- Michel, M. (2023). Moving away from thinghood in law: Animals as a new legal category? *LEOH-Journal of Animal Law, Ethics and One Health*, 1(1), 29–43.
- Narayanan, Y. (2023). For multispecies liberatory futures: Three principles toward "progress" in anti-anthropocentric environmental geography. *Progress in Environmental Geography*, 2(3), 179–190.
- Padang, K., Afifah, Z., Andriansyah, M. I., Putri, A. A. D., Hafizoh, N., Hermawati, I., ... & Mardiah, S. (2025). Online illegal wildlife trade in Indonesia: Strengthening the regulatory framework and law enforcement. *Oryx*, 59(2), 210–220.

- Park, Y., Shin, H., & Park, D. (2025). South Korea's national animal welfare policies in comparison to legal frameworks and systems in other countries. *Animals*, 15(9), 1224-1274.
- Pineda-Pinto, M., Kennedy, C., Collier, M., Cooper, C., O'Donnell, M., Nulty, F., & Castaneda, N. R. (2023). Finding justice in wild, novel ecosystems: A review through a multispecies lens. *Urban Forestry & Urban Greening*, 83, 127902.
- Pongrácz, P., & Dobos, P. (2023). What is a companion animal? An ethological approach based on Tinbergen's four questions. *Applied Animal Behaviour Science*, 267, 106055.
- Pope, K., Bonatti, M., & Sieber, S. (2021). The what, who and how of socio-ecological justice: Tailoring a new justice model for earth system law. *Earth System Governance*, 10, 100124.
- Pulina, G. (2023). Anthropocentrism, natural harmony, sentience and animal rights: Are we allowed to use animals for our own purposes? *Animals*, 13(6), 1083.
- Rhee, G. S., & Ahn, R. (2025). Animal welfare and policy reforms for Korean traditional bull fighting: Harmonizing traditions with animal rights. *Animals*, 15(23), 3440.
- Rodilosso, E. (2025). Not commodities, but living beings: A critique of animal commodification. *American Journal of Economics and Sociology*, 84(4), 627–631.
- Setiabudhi, D. O., Irwansyah, I., & Yunus, A. (2023). Internalizing animal welfare norms: Legal frameworks for protecting animals from mistreatment. *Fiat Justisia: Jurnal Ilmu Hukum*, 17(4), 299–310.
- Setiawati, D., Hidayat, S., Akhmaddhian, S., & Budiman, H. (2024). Enforcing the law against animal cruelty perpetrators: The animal husbandry and veterinary health act. *Unifikasi: Jurnal Ilmu Hukum*, 11(02), 144–155.
- Si, H., Hausmann, A., & Li, Z. (2025). The exotic pet craze on Chinese social media: Trends, community dynamics, and conservation implications. *Biological Conservation*, 311, 111420.
- Sinclair, M., Lee, N. Y., Hötzel, M. J., de Luna, M. C. T., Sharma, A., Idris, M., ... & Marchant, J. N. (2022). International perceptions of animals and the importance of their welfare. *Frontiers in Animal Science*, 3, 960379.
- Thilakarathna, A. N., & Mathotaarachchi, K. P. (2025). Doctrinal legal research in common law: The good, the bad, and the ugly. *Technium Social Sciences Journal*, 75.
- Tian, M., Potter, G. R., & Phelps, J. (2023). What is "wildlife"? Legal definitions that matter to conservation. *Biological Conservation*, 287, 110339.
- van der Staay, F. J., Goerlich, V. C., Meijboom, F. L., & Arndt, S. S. (2025). Animal welfare definitions, frameworks, and assessment tools: Advancing the measurement and laying the foundation for improved animal welfare through a three-step approach. *Animal Welfare*, 34, e30.

- van Leeuwen, E. J. (2024). Animal ownership and ecological consciousness in three American horror texts. *Comparative American Studies: An International Journal*, 21(1–2), 131–146.
- Washington, H., Piccolo, J. J., Kopnina, H., & Simpson, F. O. L. (2024). Ecological and social justice should proceed hand-in-hand in conservation. *Biological Conservation*, 290, 110456.
- Wulandari, C. R., Burhanuddin, A., Faradina, P. L., Wibawati, P. A., & Abdramanov, A. (2024). Understanding the level of animal welfare and associated factors among cat owners in Banyuwangi, Indonesia. *Veterinary World*, 17(6), 1210.
- Yogar, H. N. A. (2021). The price of animal's soul: Late-stage capitalism, animal welfare and the law. *Indonesian Comparative Law Review*, 3(2), 96–104.