

**SETTING UP MODEREN STORE AS PROTECTION EFFORT  
THE MARKET'S IN MAJENE COUNTRY  
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**Abstract**

*The existence of the traditional market is one of the most obvious factors in the economic presence of the most real people in the region, the presence of traditional market in Majene city is a bit disturbed with the presence of modern shops, that is the basic for internal government forming rule number 19 year 2015 law on traditional market protection and setting up modern store in Majene Country, as a matter of fact, the implementation of the ordinance on the ground is felt to be off the level of the local government with the aid of a service force that plays a key role in law enforcement, it is still weak that the local government has been granted full authority in handling permits and the establishment of modern shops, the local government is the most familiar and able to do so periodically liable. This is because the regency is the most informed party local condition and capable of regular supervision due to a phenomenon occurring in Majene district where the establishment of a modern shop is not based on rule No 19, 2015 years, trend of government toward inclusion modern shops have drawn up a concept inside by law's formal rules are purely inadequate for an understanding of the deep formal institutions flinging the concept of the ordinance makes a rule ridiculous and is just a suggestion the rule are weak and not defined as the point of reference the modern store in Majene country*

**Keywords:** Modern Shop; Protection; Traditional Market**INTRODUCTION**

Recently, the development of the world's economy in several business sectors is growing rapidly, along with the

progress of the times, the Indonesian nation has faced challenges in competition and the economy which can be seen by the existence of trade that has infiltrated the

economic system of our country. This has clearly given rise to competition in terms of trade in various domains and processes from time to time.

The traditional market is one of the sectors that compete in the economic sector. In reality, the old actors in the trade flow that have been running for several decades, now have to face attacks from more modern, sophisticated and attractive business players, such as mini markets, Alfamart and Indomart which in this case are known as modern stores.

The market is an industry and is a link that is closely related to producers and consumers, a place that brings together sellers and buyers, as well as the business world and society, the emergence of modern retail at first did not threaten the existence of traditional markets which were identical with slum market conditions with a look and feel. poor quality, as well as low selling prices and conventional bargaining systems (Setiawan and Astuti 2018)

The existence of traditional markets is the most obvious thing in the economic activities of the people in an area. The growth of the times and the advancement of lifestyles shown by various media and the emergence of modern stores have had a major influence on traditional markets,

the existence of traditional markets has been slightly disturbed because consumers prefer to shop at modern stores. Market zoning is an urgent effort to be implemented immediately with policy support. local government.

The rule of law is essentially a state whose activities are always based on law in order to guarantee and realize justice for its citizens, the legal state aims to provide human rights protection and limit the power of the state/ruler through the division of power, Gustav Radhbruch who in his modern legal thought proposes three basic legal values that is; justice, legal certainty, and benefit to society. (Muslih; 2013) Gustav Radhbruch is of the view that if order in society has a very strong interest, it shows that every community (society) in it requires order. To realize this order, society always has several norms such as customs, decency and law

In every social life there are always legal norms, in addition to other norms, all of these norms are present in social life. So that it can be said that legal norms are classified as a social phenomenon and something that does exist in social life.

Competition between modern shops and traditional markets lately looks unfair, this is caused by people who have interests. Public policy which should be the

output of a government product in order to prioritize the common interest, but public policy is the wrong target because the policy is actually in favor of one party only. The application of policies like this can be interpreted as policies that fail to solve community problems, today's market world has been affected by modern markets or market elements who have large capital (Nurhadiyanti: 2012)

In the process of implementation, it has not been running properly or has not even been formed in a more cohesive and comprehensive manner which has resulted in the traditional market having several weaknesses which have resulted in the traditional market being less competitive than modern stores. (Nurhadiyanti: 2012) this happens in almost all regions in Indonesia, including in Majene Regency

Chambers provides an understanding of empowerment as one of the concepts of economic development that includes social values, this concept shows a new response related to development that is people centered, participatory, empowering and sustainable, (widiyanto) the idea of development which primarily empowers the community must be known as a process of change related to social, economic, cultural, and political relations of society.

In Law Number 20 of 2008, concerning micro, small and medium enterprises, it is explained that mini markets are included in the Modern Market category which does not include small and medium enterprises, because the management system is run by large companies, in terms of a more organized and organized place. run with modern management. Bargaining activities with buyers are also limited to a fixed price system. Currently Mini Markets are increasingly popular in Indonesia, and the most popular are Alfamart and Indomaret which are franchises, mini markets can easily be established because they do not require too much capital.

The emergence of mini markets such as Indomaret and Alfamart is considered to provide an attractive alternative place for shopping. The variety of products that vary in price or quality varies as well as in terms of comfort, safety, and cleanliness, which are different, they have a high ability to realize value that can make them superior in the retail industry competition.

The problem that arises is that the expansion of modern markets such as mini markets has threatened the existence of local and traditional markets, even the most prominent is the reduced turnover of

traders every month, if this is not addressed, small traders will lose their livelihood, and the market traditional markets will be eroded along with the progress of the retail world which is currently controlled by the modern market,

Regulations regarding the protection of traditional markets are a breath of fresh air for traditional market traders in protecting traditional markets in Indonesia, especially in Majene Regency, considering that the contribution of the traditional market itself to the community and the government of Majene Regency cannot be taken lightly, the competition between traditional markets and modern shops increasingly out of control in Majene Regency, with the existence of several types of modern shops such as Indomaret and Alfamidi, it has some impacts that can be in the form of positive impacts as well as negative impacts on the people of Majene Regency,

The existence of modern shops in Majene Regency which looks disorganized and also close together and the number is increasing which makes regional regulation Number 19 of 2015 concerning the protection and empowerment of traditional markets and arrangement of modern stores in Majene Regency.

In reality, instead of increasing the competitiveness of traditional markets through local regulations, the situation is actually the opposite. The implementation of local regulations is felt to be not running properly. Broadly speaking, the local government with the assistance of the official work units that play an important role in law enforcement is still weak. The local government is mandated with full authority to administer business permits and the establishment of modern shops, this is because the local government is the party most familiar with local conditions and is able to carry out regular supervision.

## **MATERIALS AND METHODS**

### ***Location and design of the study***

This research was conducted in the area of the Licensing Service and related agencies and also the the house of representatives in Majene Regency , West Sulawesi, the type of research used was normative empirical and also empirical juridical.

### ***Population and sample***

The population in this study is the the house of representatives in Majene Regency , the Licensing Service and also related agencies that are considered to be related to this research and traditional market traders, and in this study will

choose a sample from the population including, the house of representatives in Majene Regency members, staff from the Licensing Office and the local government agency. who are considered competent by a person and also a traditional market trader.

### ***Method of collecting data***

In order to obtain the data needed, the author uses several ways to obtain data, namely by conducting field studies by directly reviewing the research location to obtain data and information related to the issues raised and conducting observations and interviews related to the problems to be studied, in addition to field studies, researchers also use literature study by analyzing archives and documents in the form of articles, related laws and regulations and writings that can enrich the collected data

### ***Results and Discussion***

The lack of clarity of the concepts contained in Presidential Decree No. 112 of 2007 concerning the development of traditional markets, shopping centers and modern shops and also Permendagri No. 53 of 2008 concerning guidelines and development of traditional markets for shopping centers and modern shops, resulting in several regions deciding to form a derivative regulation, one of which was

in Majene Regency which formed Regional Regulation No. 19 of 2015 concerning the protection and empowerment of traditional markets and the arrangement of modern stores in the Regency. Majene, which in the future can provide solutions related to competition between modern shops and traditional markets in Majene Regency,

According to William Dunn, public policy is a tool in solving public problems as well as public problems and also government administration problems (Dunn; 2000) Dwidjowijoto, also puts forward a simpler definition, he argues that policy is a decision made by the State, especially the government, as a efforts to realize the goals of the country concerned. (Dwidjowijoto; 2007) Public policy is also seen as a plan to lead people through a transition period, in order to move to the society they aspire to. Based on the definition of public policy stated earlier, it can be seen that public policy can only be determined by the government, or parties known as public policy makers, who can influence the policy process regarding their respective authorities.

The concept of forming this regional regulation is to maintain the existence of traditional markets as well as other small businesses such as convenience

stores so that their consumers do not move to modern stores such as Alfamidi and Indomaret. The establishment of a modern shop in Majene Regency somewhat threatens the sustainability of traditional markets in Majene Regency, judging from the current phenomenon, namely the location of the establishment of a modern store which is located not far from the traditional market, this is what makes the government, which in this case does its duty to protect the existence of modern shops. traditional markets by making a binding rule so that no one is harmed.

The existence of traditional markets is currently under threat, it is felt by traditional market traders who have experienced a decline in turnover since the establishment of modern stores. Since the establishment of a modern shop in Majene Regency, the turnover of traders has decreased. The anxiety felt by traditional market traders towards the establishment of modern shops is very reasonable, with large capital, modern markets can implement strategies and sales management that cannot be imitated by small traders in traditional markets. Plus people's tastes are changing where they prefer to shop at modern stores

Seeing the impact of the existence of modern shops, the government of

Majene Regency has taken a stand, seeing the risks posed by the existence of modern shops in Majene Regency, especially in the trade sector, various problems that arise include the elimination of the existence of traditional stalls, which are increasingly less interested. .

In Regional Regulation No. 19 of 2015 states that the interests of the targeted target groups come from traditional markets and modern markets, related to the concept of implementing policies by Marilee S Grindle, (Subarsono; 2005) states that there are two important factors in the realization of a policy, the first which covers the content of the policy, there are six factors that influence the content of the policy, including the inclusion of the interests of the target group; type of benefit; expected level of change; decision-making position; the person running the program, as well as the resources involved. The second is the implementation environment. There are three factors that influence the implementation environment, including: power, interests and plans by the individuals involved, characteristics possessed by institutions and authorities, as well as compliance and responsiveness.

Judging from the regional regulation No. 19 of 2015 in article 4, it is stated that the

protection and empowerment of the people's market and the arrangement of supermarkets have the following objectives:

- a. Regulating, protecting and empowering people's markets and supermarkets;
- b. Realizing synergies and ensuring the implementation of partnerships between supermarket business actors;
- c. Encouraging the creation of public and private participation and partnership in the implementation of market business in Indonesia.

Referring to article 4 above, it can be seen that in fact there is already a legal umbrella in terms of implementing partnerships, related to the implementation of partnerships carried out by modern shops more towards complying with government regulations both from the center and from the regions. far from expectations. SMEs can establish cooperation with modern shops if they meet high standards of provisions, these provisions include packaging, quality of goods, SME products to be sold. in modern stores are not placed in a special place but are combined with the goods sold and are based on product lines.

Protection to the community has various points of view including from a legal point of view, the position of all people is equal in the eyes of the law, le-

gal protection itself is all efforts that allow individuals to exercise or defend the rights that have been regulated by law.

The meaning of protection in local regulations can be interpreted that the government has an obligation to provide protection for traditional markets, including, namely, protection against the emergence of unfair business competition with unscrupulous market and modern shop entrepreneurs, local governments are very influential individuals in carrying out everything related to competition between traditional market and modern shop.

There have been several things that have recently happened, this is not as expected, the implementation of regional regulations No. 19 of 2015 is seen as not going well, it can be seen that the location of modern shops is not organized and looks close, this is one of the basics he made the regulation in order to limit and organize modern shops

The existence of a modern shop in Majene Regency is an irony in enforcing the policy of Regional Regulation No. 19 of 2015, the government which is an institution that has the authority regarding the operationalization of activities has not been carried out properly, this can be seen from research conducted by the Nielsen Institute which states the development of

mini markets in Indonesia. Indonesia experienced an increase of 42 percent from 11,927 units to 16,922 units, data released by Nielsen also shows a decrease in the number of tako and also traditional markets in urban areas by 2-4 percent (Nielsen; 2010)

According to Broomley, the implementation of a policy requires at least three levels of interrelated institutions, including the level of policy making, organizational level, and operational level. (Dwijowijoto; 2007) At the policy level, general statements are discussed and formulated by the legislature, at the organizational level, power is in the hands of the executive and continued at the operational level, which is a technical level related to the application of a policy. At the operational level, it is usually connected in agencies and institutions that are seen according to the use or task of each of these institutions, from here you can see the desired goals of a policy that has an important role because it is directly related to the target group.

Policy Implementation is a continuation of the policy formation process. So that the application of policies can be interpreted as efforts carried out by individuals or groups that intend to achieve the

goals that have been stated in the policy decisions.

The establishment of a modern shop can provide an influence like traditional market traders in terms of business development. In implementing the policy, it is not only related to the attitude of government administrative actors who have the responsibility in carrying out programs and raising compliance with the target group, but also relates to individuals who have political, economic and social power, who can provide direct or indirect influence on the attitudes of the parties involved.

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The government should also pay attention to the phenomena that arise due to the weak protection of traditional markets, namely the emergence of modern shops such as Indomaret and Alfamidi which makes traditional markets empty of buyers, traditional markets still use systems that cannot be said to be modern, while



modern shops are moving towards modern itself, it can be seen. here that there is an PERMISSION TO ESTABLISH BAN-  
Galance of competition between traditional markets and modern stores

If you only look at the aspect of competition, it can be seen that the fact that the establishment of a modern store in Majene Regency does not conflict with the principles of fair business competition, the establishment of a modern store has created a positive value, namely the presence of shopping places that suit consumer tastes, including safe and affordable shopping places. comfortable, the prices of goods sold are relatively stable and there is also a large selection of goods on offer.

However, if you look at the previous analysis, in addition to the positive values that arise from the existence of modern stores, there are also negative impacts that arise from the existence of modern stores, namely the elimination of small/traditional business persons, the potential for the collapse of producers belonging to the small and medium business group, and those who no less worrying about the loss of local suppliers who are being eroded by a system that prioritizes the relationship between modern stores and manufacturers/factories. (KPPU JAKARTA 2008)

This policy was formed to protect Street vendors, especially traders whose merchandise has similarities with mini markets. Through various studies and surveys that have been carried out, it shows that the existence of mini markets has threatened the existence of traditional stalls and grocery stores. In addition, changes in consumer interest are more inclined to shop at modern stores because there are various factors that are seen by consumers.

Looking at the current facts, where modern shops have been established in several parts of Majene City, because the REGIONAL WORK UNIT which has the authority to give permits for the construction of modern shops does not know the concepts contained in the regulation. In the Regional Regulation No. 19 of 2015 concerning the protection and empowerment of traditional markets and the arrangement of modern stores, there is a legal umbrella regarding the granting of permits for modern shops to be established in Majene Regency.

In terms of carrying out the duties and functions of the REGIONAL WORK UNIT , they are only carried out based on the regulations of their respective offices, the impact of which can be noted that currently permits for the establishment of

modern shops are very easy to issue. This is based on the statement from the Office of Spatial Planning and Building (Distar-bub) in every issuance of PERMISSION TO ESTABLISH BANG permits for the establishment of modern shops. Distar-bub always refers to SOPs that apply in general and there is no difference in requirements between the establishment of modern shops and ordinary houses and buildings.

The lack of understanding from formal institutions in applying the concept of the Rule makes the regulation only a weak rule and is not used as a basis for the establishment of a modern shop in Majene Regency. Weak responsiveness and compliance coupled with the character of individuals within the government who are more supportive of modernization as well as developers, individuals in the government always see the progress of an area of development that looks modern. The government with its desire to develop the city of Majene is seen by entrepreneurs as an opportunity to set up a modern shop in Majene Regency, as stated by Mars and Olsen (Marsh David & Stoker; 2011) that the interests of political elements are always in line with individual interests as long as the interests of both mutually benefit each other. both parties

Edward III stated that the achievement of policy implementation is not only seen from the extent to which policy actors understand what must be done and the extent to which they are capable of doing it, but another thing that determines is the willingness and desire of policy makers to implement the policy seriously so that what is the objectives of the policy can be realized. (Sahya Anggara; 2014)

The government's alignment with the establishment of modern shops makes the concepts contained in the regional regulations only limited to formal rules that do not implemented, based on Regional Regulation No. 19 of 2015 concerning the protection of traditional markets and the arrangement of modern stores, in which there is an article that mentions the requirements for the location of the establishment of a modern shop. It is explained in Article 11 paragraph 2 letter I which states that the establishment of a modern shop must fulfill an analysis related to the socio-economic impact on the surrounding traditional markets, in Article 12 it is also stated that the establishment of mini markets is directed at the outskirts and/or new areas with due regard to the existence of the market. so that it becomes a new development for the region concerned.

In the Regional Regulation Number 19 of 2015 it has regulated the conditions that must be owned by investors regarding licensing, one of which is attaching the socio-economic impact before the permit is issued. In Rule number 19 of 2015 also regulates the opening hours of modern stores, namely from 10:00 am to 22:00 pm on Mondays and Fridays, and from 10:00 to 23:00 on weekends. .

It must be noted that in the Regional Regulation Number 19 of 2015, it does not clarify the rules related to the radius regulated regarding the establishment of modern shops against traditional markets that have been established previously. The local regulation only mentions that in terms of licensing, modern shops must meet requirements, which include an analysis of the socio-economic impact of the community, traditional markets, and small shops that were first established. The weakness of this rule is that many modern shop entrepreneurs use the issuance of permits.

Coordination between related regional work unit has not been well established, this can be seen by the establishment of modern shops that already have an PERMISSION TO ESTABLISH BANG issued by the Spatial Planning and Building Office, automatically a place of

business permit (SITU) is also issued directly by the Disperindagdal. The Office of Spatial Planning and Building has previously carried out an analysis of the socio-economic and social impact of the permit for the establishment of a modern shop, as a result the Disperindagdal no longer conducts the same study, this is very unfortunate because the establishment of a modern shop is close to the shopping center area where the area is the center klontong shop traders in Majene Regency, from which it can be concluded that the relevant REGIONAL WORK UNIT still have not paid attention to the socio-economic impact of the establishment of modern shops.

It is important to pay attention to the aims and objectives of the policy, because the implementation of the policy can fail if the implementers do not understand the purpose of a policy. Policy implementers will experience failure in implementing policies because they reject what is the goal of a policy, if policy implementers accept the objectives of a policy, there will be a huge potential for the success of a policy.

According to Merille C Grindelle, the implementation of policies can be influenced by two indicators: namely what depends on the policy and also the envi-

ronment in which it is implemented. Grindele believes that a policy can be implemented properly if the intent of the policy can be understood by policy implementers. In this definition, the content contained in the policy must be directly related to policy objects in a clear and concrete manner. (Subarsono; 2008).

There are visible indications that the interests of government officials for regional income through the establishment of modern shops in Majene Regency are in line with the interests of entrepreneurs who have large capital to establish modern shops, this raises cooperation between entrepreneurs and the government that is maintained and needs each other, by implementing rational thinking pattern, namely political institutions are systems of rules and pressures in which the individuals in them seek to fulfill their interests and profits, this is also included in the application of policies where certain individuals seek to benefit from the application of these policies, regardless of the impact received by the object. -objects in the policy.

## **CONCLUSIONS AND RECOMMENDATIONS**

In the implementation of regional regulation No. 19 of 2015, the city government of Majene, especially the related

REGIONAL WORK UNIT , has not carried out its duties optimally. The concept of traditional market protection contained in the regional regulation is still not getting enough attention from the government, the government seems to be neglectful in implementing the regional regulation by not giving sanctions to modern stores that do not comply with the provisions in Regional Regulation No. raises unrest for the traditional market, as well as enforcers in the relevant agencies must understand more about the implementation of Rule No.19 of 2015 Regarding licensing issues, the government has not paid much attention to business and building permits. With the implementation of public policies, it is necessary to pay attention to the underlying rules, such as those related to granting permits to the establishment of modern shops, the government in granting permits should not be based on SOPs that apply in each agency but must be based on Rule No. 19 of 2015 as a regulation. the law governing the establishment of modern shops in Majene County

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