



Repositioning of The Modern Market to The Existence of The People's Market

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ABSTRACT

The quantity of Modern Markets in Bone Regency has increased sharply, this has an impact on the existence of the people's market. Thus, this study aims to analyze the arrangement of modern markets to restore the existence of the people's market in Bone Regency. The research method used is legal research with a legislative and socio-legal approach. The results obtained are first, the number of modern markets that exceed the number of people's markets in Bone Regency is a sign that the people's markets in Bone Regency are increasingly degraded. Second, when viewed from legal aspects, both philosophical, sociological, and juridical, the people's market needs to be preserved because the people's market is a local wisdom owned by the Indonesian people which has been regulated in Permendag Number 21 of 2021 concerning Guidelines for the Development and Management of Trade Facilities. Therefore, the author suggests that local governments need to establish a regulation related to modern market structuring to restore the dignity of the people's market through regional rules.

Keywords: Modern Market; People's Market; Reposition

Citation:

INTRODUCTION

The increase in economic growth is accompanied by the rapid development of globalization. This can be seen by the increasing prevalence of various new businesses that have sprung up in the community. The existence of foreign modern shops no longer stands in urban areas but has spread to rural areas. In the last two quarters, Indonesia's economic condition has increased by 5%, the latest in the second quarter of 2024 which is estimated to reach 5.11% (April, 2024). The sectors that affect Indonesia's economic growth are transportation and manufacturing, and when viewed from the two sectors that support the Indonesian economy, they are dominated by the wealthy. Despite showing positive figures, on the one hand, Indonesia's economic growth is still constrained by social problems, including the ineffectiveness of people's economic agents. The subject of the national economy is called people who carry out simple economic activities, such as small entrepreneurs and micro, small, and medium enterprises. Therefore, the government must find a solution to this problem to grow the national economy and save projects that are mostly small people's projects.¹

¹ Fikri, M Ali, and Yusifa Pascayanti. "Return Pasar Modal Dan Pasar Rakyat.

The market as a system has many aspects that precede it, both in the conceptual sense and in the context of its position as an institution. The market system refers to the interaction mechanism between supply and demand that creates optimal added value. This concept is particularly relevant to market mechanisms based on the idea of a trade balance. Because market institutions are social constructions of society that combine more variables than demand and candidates, such as ideology, political goals, and culture, values, religion, and others².

The advantages obtained from the existence of the people's market are buyers with small capital because of their low income, buyers from the low and middle economic levels because of low prices, and the last is local market buyers. The government through the taxes paid must start managing the people's market through local government policies and laws, as well as providing good facilities and transparent market management. The existence of the people's market is one of the real indicators of the application of the principles of the people's economy. Thus, the development of a people's market in an area means that the people in that area still maintain the tradition of trading in the people's market³.

People's Market is a market created and managed by the state, local governments, private business entities, state-owned enterprises, and regional-owned enterprises, as well as in collaboration with business entities such as shops, stalls, street vendors, and small and medium enterprises. Among them are cooperation with small traders, community assistance or small businesses, small capital, and the process of buying and selling goods through bargaining.

Bone Regency is one of the districts in South Sulawesi Province that has quite a lot of people's markets with a total of 105 people's markets, namely:

Table 1. People's Market in Bone Regency

No.	Name of People's Market
1	Pompanua President's Instruction Market;
2	Ujung Market;
3	Perangeng Market;
4	Raja Market;
5	Tinco Mario Market;
6	Rakyat Cina Market;
7	Apala Market;
8	Tinco Market;

² Pratama et al., "The Regulation of Disorgement in the Indonesia Capital Market: Remaining Concerns and Lessons from US."

³ Imam Sugena, "Bank Syariah Indonesia Terbentuk, Market Share Perbankan Syariah Tumbuh?"

9	Decce Market;
10	Labuasse Market;
11	Mallari Market;
12	Lamurukung Market;
13	Kacimpang Market;
14	Kading Market;
15	Bulupasekko Market;
16	Tompong Market;
17	Pising Market;
18	Bulu Market;
19	Lea Market;
20	Dua Boccoe-Uloe Market;
21	Awang Cenrana Market;
22	Toa Sea Market;
23	Maradda Market;
24	Bune Market;
25	Benteng Market;
26	Passang Garahan Market;
27	Cumpiga Market;
28	Palongki Market;
29	Labotto Market;
30	Paku Market;
31	Sanrego Market;
32	Drs. Muh. Tahir Market;
33	Tanabatue Market;
34	Padang Luang Market;
35	Koppe Market;
36	Maccope Market;
37	Tokaseng Market;
38	Lakuang Market;
39	Welado Market;
40	Sai Long Market;
41	Cenrana Market;
42	Kahu District Market;
43	Palakka Market;
44	Pallime Market;
45	Bantazai Market;
46	Balle Market;

47	Tuju-Tuju Market;
48	Tueppo Market;
49	Camming Market;
50	Kelling Market;
51	Paripung Market;
52	Ari Market;
53	Tonronge Market;
54	Bulum Pare Market;
55	Lamuru Market;
56	Bengo Market;
57	Taccipi Market;
58	Usa Market;
59	Paccing Market;
60	Lanca Market;
61	Taretta Market;
62	East Market;
63	Pattiro Market;
64	Lacokkong Market;
65	Pattukku Market;
66	Nusa Market;
67	Kakope Market;
68	H. A. Palantei Gattareng Market;
69	Batu Lappa Market;
70	Laccibunge Market;
71	Arasoe Market;
72	Bakke Market;
73	Lonrong Market;
74	Destination Market;
75	Lippujange Market;
76	Tacipi-Cipie Market;
77	Cinennung Market;
78	Bulumpare Market;
79	Mattirowali Market;
80	Tobenteng Market;
81	Tanrung Market;
82	Panyili Market;
83	Watu Market;
84	Bojo Market;

85	Balange Salomekko Market;
86	Bulu-Bulu Market;
87	Lattobang Market;
88	Tappale Market;
89	Lerang Market;
90	Congko Market;
91	Bakunge Market;
92	Parigi Market;
93	Muttiara Market;
94	Unra Market;
95	Awalagading Market;
96	Langi Market;
97	Arallae Market;
98	Bulu Tanah Market;
99	Waji Market;
100	Cakkeware Market;
101	Kajuara Market;
102	Jawi-Jawi Market;
103	Pasaka Market;
104	Jaling Market;
105	Teje Market;

Source: Primary data (2024), edited.

With this large number, the Bone Regency Government admits that it is not effective in managing the people's market, so there are still several people's markets that are not properly managed⁴.

Many people's markets in Bone Regency are not managed properly so focusing on the people's market and managing it properly will have an impact on regional income because the community has to pay the government. Therefore, for the people's market to be effective in the Bone area, the government should formally regulate the number of people's markets that do not exist⁵.

Unlike people's markets, modern markets do not involve direct transactions between buyers and sellers. Customers check prices on the labels on the products (*barcodes*), internally and individually (supermarkets) or by salespeople Apart from foods such as

⁴ Mangeswuri and Purwanto, "Revitalisasi Pasar Tradisional Di Indonesia."

⁵ Maulidin, Marwiyah, and Khoirunnafiyah, "Kebijakan Pemerintah Daerah Dalam Pengelolaan Pasar Tradisional Di Kota Probolinggo."

vegetables, meat, and fruits, most other products are sold for a long period. Examples of modern markets are supermarkets, hypermarkets, supermarkets, and small markets⁶.

Therefore, it is undeniable that the existence of modern markets has become a demand and a consequence of the way of life that has developed in modern society. Not only in big cities but also in the small towns of our country, minimarkets, supermarkets, and hypermarkets can be easily found near where we live. These places promise comfortable places and attractive prices, but many lower-middle-class customers feel that they are not good. So, it is necessary to rearrange the Modern Market, especially those in Bone Regency⁷.

The Repositioning of the People's Market and the Arrangement of the Modern Market in Bone Regency is an effort to support the national economy based on economic democracy and prioritize the principle of justice. This research was prepared by paying attention to the aspect of justice so that the people get what they need (*equity*) which aims to improve their quality of life, not just *equality* or equal treatment. The protection and empowerment of the people's market and the rearrangement of the modern market that is not well managed in Bone Regency must prioritize the principles of justice, economic democracy, and alignment with the people's economy which is the embodiment of the people's economic system⁸.

The management of the people's market in the Bone area is very important and makes it easier for local people to market local food, agricultural products, livestock products, and fish. The landscape of Bone Regency has a coastline of 138 kilometers that stretches from north to south along the coast of Bone Bay which is mostly used by the community for fish farming. The plain is widely used by the community for rice fields because the agricultural sector is owned by Bone Regency. In such circumstances, the existence and functioning of the people's market will help the community to trade local agricultural, agricultural, fishery, and food products without paying expensive tariffs⁹.

In addition, the governance of the people's market can also collaborate with the local Village Government in optimizing the management of the people's market that has been provided by the local government. The management of the people's market by the Regional Government is expected to create innovations so that it remains in demand by the public to shop at the market. People's market innovation can be carried out using operational techniques and market maintenance, market activation techniques or methods to increase people's market income, maintain and maintain a clean, healthy, comfortable, and transparent People's Market in carrying out buying and selling transactions.

⁶ Hasim et al., "Reformulation of People's Market Management in Pinrang Regency."

⁷ Dahlan, "Rekognisi Hak Masyarakat Hukum Adat Dalam Konstitusi."

⁸ Mahargiyantie, "Peran Strategis Bank Syariah Indonesia Dalam Ekonomi Syariah Di Indonesia."

⁹ Pradana, "Modul Mata Kuliah Metode Penelitian Hukum."

Based on the above background, the problems that can be identified are as follows: 1) What is the urgency of the repositioning of modern market structuring on the existence of the people's market in Bone Regency?; 2) What is the philosophical, sociological, and juridical basis for the modern market arrangement of the existence of the people's market?

METHOD

The type of research used is a type of legal research with a legislative approach, namely Regulation of the Minister of Trade Number 23 of 2021, and a socio-legal approach by examining the extent of the implementation of regulations in the context of the existence of the people's market and the structuring of the modern market in Bone Regency. The data collection technique is by conducting literature and document studies from Bone Regency government agencies. Data analysis is carried out with a qualitative descriptive model, namely by providing a qualitative explanation of the data that has been obtained in the field and ending with a conclusion¹⁰.

DISCUSSION

The Urgency of Modern Market Arrangement for the Existence of People's Markets

The use of natural resources (SDA) and human resources (HR) to produce trade activities that can support the growth rate of distribution of "finished production" and raw materials from producers to consumers is the direction of government economic policy that can encourage and help MSMEs, including household businesses, informal and traditional businesses, as people's economic potential to increase people's income and welfare. Trading activities include buying and selling goods for distribution/distribution without changing the nature of the goods. Trading activities that are easier and simpler to observe are buying and selling activities that occur in the people's market as well as in the modern market¹¹.

The people's market, with all its situations and conditions, is still recognized as an institution for the distribution of various kinds of people's daily needs. The existence of the people's market is still important and integrated with people's lives and livelihoods, as well as to get various necessities at more affordable prices, so the people's market is considered a representation of the people's economic condition, because since ancient times, the people's market has become the basis of the lives of millions of people, starting from traders, collectors, suppliers as well as producers of basic human necessities especially agricultural products, plantations, and livestock¹².

¹⁰ Huda and S HI, *Metode Penelitian Hukum (Pendekatan Yuridis Sosiologis)*.

¹¹ Andini et al., "Stagnation Criminal Law Enforcement Post Determination Change Omnibus Law Act."

¹² Pikahulan, Andini, and Pradana, "Konsekuensi Hukum Pelaksanaan Merger Pada Bank Syariah Badan Usaha Milik Negara (BUMN)."

Social interaction that remains thick is a characteristic of the people's market that has survived to this day¹³. This can happen because the transaction mechanism still survives using the direct bargaining method. Traders or producers and buyers or consumers can directly communicate and get to know each other further, not only regarding the goods being traded but also regarding matters related to socio-cultural life.

The rapid mobility of modernization, in the end, dims the light of the people's market, among others, is the development of modern markets (*hypermarkets, supermarkets, minimarkets*) and also stalls that have been packaged in such a way by their owners that they seem modern that have penetrated to remote areas. In addition, it is also influenced by the character of people who are starting to move to a modern lifestyle in terms of shopping for their needs. Modern market players such as supermarkets, namely capital owners in the field of trading business intelligently seize the opportunities created as an effect of the modern lifestyle of society, one of the characteristics of which can be seen in shopping behavior. For people with a modern lifestyle, shopping is not only to get their necessities but also to gain prestige, because there is an assumption that shopping in modern shopping places will add to a person's "value" or "class". This potential then stimulates the innovation of business owners in the retail sector to provide a comfortable shopping place with various facility support and place arrangements that give rise to the impression of pampering that comes so that will create a great attraction for potential buyers¹⁴.

This condition is very different from the physical condition of the people's market which is relatively static, still the same as the condition decades ago, where the impression of being not neatly organized and the chaos of activities continues to occur, such as many traders who spread their merchandise are not in the existing los/stalls, but use the hallways or alleys between the los/stalls. There are also many vegetable traders next to clothing sellers, and next to them, there are rice traders and kitchen equipment sellers. On the other side, you can see rice merchants next to sea fish traders, and other scenes that all show how irregular the arrangement of traders in a people's market is. In addition, in the people's market complex, piles of garbage and puddles of wastewater are still often found at several points that spread unpleasant odors, and even close to the traders who spread their merchandise. The dark atmosphere inside the market complex is also still common because indeed the only source of lighting is the reflection of sunlight¹⁵.

The conditions outside the market complex are also no less chaotic than those inside the market complex. Many traders carry out their trade by setting up emergency stalls adjacent to vehicle parking. Many traders were found taking advantage of the entrance and exit routes of the market complex to carry out their trade. An unpleasant smell and

¹³ M. Ali Rusdi et al., "The King's Decree: Integration of Customary Law and Islamic Law in the Clove Lease Agreement."

¹⁴ Roach Anleu and Mack, "Empirical Research with Judicial Officers: The Biography of a Research Project."

¹⁵ Rahman, Dahalan, and Bakar, "Effects of an Environmental Education Intervention on Environmental Sustainability Among Youth in Malaysia."

a shabby impression were felt around the location of the market toilet. This situation is sometimes still coupled with the physical condition of the building that is starting to be damaged, both in the plasterboard and floors that are starting to break, cracked walls, and so on. Although users, namely traders, try to overcome it by installing a cover, because of its emergency nature, it adds to the impression of slums and untidy¹⁶.

The number of trade facilities in Bone Regency from 2018 to 2021 has increased, this is illustrated in the following table:

Table 2. Types of Trade Facilities by Type in Bone Regency, 2018 to 2021

Types of Trading Instruments	2018	2019	2020	2021
Market	44	47	45	48
Permanent Art Market	85	74	76	82
Market Without Buildings	15	9	8	11
Grocery Stores	9.034	10.245	11.365	11.579
Minimarket	69	59	72	81
Food Stalls	897	1.345	1.334	1.328
Amount/Total	10.144	11.779	12.900	13.147

Source: Primary data (2023), edited.

Based on Table 1. The above shows that the increase in the number of trade facilities in Bone Regency has increased significantly. Data obtained from the Bone Regency Trade Office can be seen from the number of trade facilities in 2018 which amounted to 10,144 trade facilities, and in 2021 there were 13,147 trade facilities.

Based on data from the Bone Regency Industry and Trade Office, there are 61 (sixty-one) Modern Shop Companies, including:

Table 3. Modern Shop Companies in Bone

No.	Name of Modern Shop Company
1	Karella Mart Indoretail
2	Azizah Lapawawoi
3	Surya Indah Sejahtera
4	Midi Utama Indonesia
5	Usaha Mandiri Sentosa
6	Putri Timusu
7	Putra Karella Mare
8	Surya Indah Ahmad Yani
9	Clever Bone
10	Hj Nurlela

¹⁶ Angraeni and Primadhany, "Sociological and Philosophical Study of Ijārah and Ijārah Muntahiya Bi Tamlik."

11	Sumber Alfaria Trijaya
12	Ahmad Khumaidi Hasbir
13	Surya Indah Sukawati
14	Samsualang
15	Indodui Persada
16	Darwis
17	Andi Siti Aisyah Amin
18	Afra Raodah
19	Arni
20	Mariani Sarma
21	Hanifah
22	Indomarco Prismatama
23	Karya Utama Kirana
24	KPRI Istiqamah MTSN Lappariaja
25	Fazle Labuaja Kahu
26	Nurani Karya Sulawesi
27	Fitri Kurnia
28	Wahida
29	Hasrul
30	Suniati S
31	Cahaya Sudirman Utama
32	A Irham
33	Chandra Antolis
34	Ummul Khairil A
35	Baytul Mukarromah Mabbarakka
36	Suardi Mappa
37	Pendidikan dan Dakwah Maa'rif
38	Hj Rosdiana
39	Samsu Alam
40	H Kamaruddin
41	Bagus Budiman
42	Sanatang
43	Husni Hakim
44	Nursia
45	H Muhammad Hamzah
46	Muhammad Rapi Dg Makkita
47	Haniwati
48	Syamsuddin Syam

49	Fatmasari
50	Hasniwati T
51	Sumiati
52	Cheriani
53	Hj Rosmiati
54	Sukiyana
55	Muhammad Khairul Amri
56	Mariati
57	Maryam
58	Herlina
59	Rayaza
60	Primkop Kartika Hasanuddin Toddopuli
61	Pelangi Timur

Source: Primary data (2024), edited.

Thus, based on the conditions and problems faced by the community related to the chaos of the people's market conditions and the increase in the number of trading facilities that have been described above, it can be used as a consideration in legal arrangements related to the arrangement of modern markets for the existence of people's markets in Bone Regency.

The Legal Basis of Modern Market Repositioning Against the Existence of People's Markets

Every society always has its negative side, and that is what people expect from the law, for example, the law is seen as guaranteeing justice, interests, and order as well as welfare. Legal or ideological ideals that develop in society's value system of right and wrong, their views on personal and social relationships, and so on, include a view of the infinite world. All this is philosophical, that is, it concerns the view of the essence or essence of something, a law intended to reflect a value system and as a means of maintaining values, as a means of manifesting them in human behavior¹⁷.

The people's market is a meeting place for sellers and buyers. The meeting of the two will give rise to transactions to buy and sell goods or services. Interestingly, in the people's market, there is a habit of people to bid on their goods. This is the philosophical basis for the establishment of a people's market in Bone Regency where the products in the village can be traded in the people's market as a form of regional potential management¹⁸.

In legal research or sociological research, law is conceptualized as a real social institution related to other social variables. If law as an empirical social phenomenon is studied as

¹⁷ Aditia, Dewi, and Furnamasari, "Runtuhnya Nilai-Nilai Persatuan Dan Kesatuan Bangsa Bernegara Akibat Merajarelaya Hoax."

¹⁸ Pangerang Moenta and Pradana, "Pokok-Pokok Hukum Pemerintahan Daerah."

an independent variable/cause (*independent variable*) that affects and consequently affects various aspects of social life, then this research is socio-legal *research*.

The people's market is the economic driver of the community that has a strategic function and has a close relationship with the social and cultural aspects of the community. Therefore, the people's market needs special treatment in its management, development, and preservation. Protection of People's Market Empowerment and Modern Market Arrangement are all efforts and actions carried out to optimize the function of the people's market through planning, implementation, coaching, supervision, and continuous development¹⁹.

The management of the people's market in Bone Regency empirically can be seen that there is a people's market built by the government but not managed properly, this is a small picture of the basis for the establishment of the Draft regulations for the Protection of People's Market Empowerment and Modern Market Arrangement in Bone Regency²⁰.

The study of normative law or normative law research is also known as the study of theoretical law. In this type of legal study, the law is conceptualized as what is written in the law (*Law In books*), or the law is conceptualized as a rule or standard as a norm for human behavior that is considered appropriate. The laws and regulations related to the people's market and the Modern Market are as follows:

1. Article 18 paragraph (6) and Article 33 of the Constitution of the Republic of Indonesia of 1945;
2. Law No. 29 of 1959 concerning the Establishment of Level II Regional Regions in Sulawesi (Statute Book No. 74 of 1959, Supplement to Statute Book No. 4389);
3. Law No. 12 of 2011 concerning the Establishment of Laws and Regulations (Statute Book of the Republic of Indonesia No. 82 of 2011, Supplement to Statute Book of the Republic of Indonesia No. 5234);
4. Law No. 7 of 2014 concerning Trade (Statute Book of the Republic of Indonesia No. 45 of 2014, Supplement to Statute Book of the Republic of Indonesia No. 5512);
5. Law Number 23 of 2014 concerning Regional Government (Statute Book of the Republic of Indonesia Number 244, Supplement to Statute Book of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 6 of 2023 concerning Job Creation;
6. Presidential Decree No. 112 of 2007 concerning the Development of People's Markets; and
7. Regulation of the Minister of Trade of the Republic of Indonesia Number 21 of 2021 concerning Guidelines for the Development and Management of Trade Facilities.

¹⁹ Syarif and Bin-Armiya, "The Contribution of Islamic Kingdoms in the Development of the Islamic Judiciary in Indonesia: Historical Legal Approach Analysis."

²⁰ Wiwin, Pradana, and Haq, "The Regulation of Articles on State Institutional Insults to The Right to Freedom of Expression in Indonesia: A Critical Review."

In the study of comparative law, what is often compared is the legal system of a society with the legal system of other societies. This Comparative Juridical aims to identify the similarities and differences of empirical conditions that occur in each people's market. Such as the management of people's markets and modern markets both in the city and in the village built by the Bone Regency government [Click or tap here to enter text..](#)

The empowerment of the people's market and the arrangement of the Modern Market are by the mandate of Law No. 7 of 2014 concerning trade, Regulation of the Minister of Trade No. 21 of 2021 concerning Guidelines and Development of Trade Facilities Management which contains several points so that there is no discrepancy between the people's market in the city and the people's market in the village. This comparative juridical study is a benchmark for the formulation of the Draft Regulation on the management of people's markets and modern markets in Bone Regency to provide a legal basis for managing regional potential²¹.

CONCLUSION

Based on the descriptions that have been mentioned in the previous chapters, it can be concluded that the people's market has a very important role in the economy, especially in the trade sector in Bone Regency. The growth of the modern market in the form of supermarkets and shopping centers in Bone Regency is rapid, so it is necessary to take concrete steps to create a balance in the world of trade between modern market business actors and business actors in the traditional market. Thus, the Regional Government needs to rearrange the modern market to maintain the existence of the people's market in the context of the realization of good governance.

²¹ Aditya Wijaya and Alif Imam Dzaki, "Corporate Criminal Liability on Environmental Law: Indonesia and Australia."

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