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## Social Engineering to Overcome Conflict Between People's Markets and Supermarkets in Kulon Progo Regency (Review of Regional Regulation No. 16 of 2021)

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### Abstract

Conflicts between traditional markets, small kiosks owned by individuals, and supermarkets based on modern networked markets are unavoidable, especially at the level of one-sided competition. The Regional Regulation of Kulon Progo Regency Number 16 of 2021 can be a solution in moving the wheels of the economy in the region. Modern shops greatly influence traditional markets or people's markets and small stalls owned by individuals, which can kill their business. Traditional markets or people's markets and small stalls are not only the center of people's economic activities but also a place to make a living for small communities in the Kulon Progo region. The Regional Regulation of Kulon Progo Regency Number 16 of 2021 is intended to protect, empower and organize People's Markets and structure Shopping Centers and Supermarkets. Protection for people's markets is carried out by limiting the number of supermarkets and adjusting the distance between traditional markets and shopping centers, and modern shops, the aim is that the existence of people's markets can be protected from competition that is detrimental to people's markets, so it becomes a necessity for the Government of Kulon Progo Regency to implement Regional Regulations Kulon Progo Regency Number 16 of 2021 to control the number of supermarkets and provide economic opportunities for people's markets because this arrangement can overcome conflicts and will provide fifty-fifty benefits as a win-win solution for both so that people's markets can be saved.



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## A. Introduction

The goal of national development<sup>26</sup> as mandated by the 1945 Constitution of the Republic of Indonesia (1945 Constitution) is to promote the general welfare, perfect and maintain independence and fill it with just and democratic development, which is<sup>12</sup> tried out in stages and continuously from the implementation of the national economy and placed as an effort to increase economic growth and encourage people's economic development as well as realize people's welfare in a competitive economic system. (Ary Zulfikar, 2019: 124)

Implementing this economic development effort has also penetrated the regions as an economic prospect that benefits consumers in all regions of Indonesia. The implementation of this economic development has also had an impact on the large number of modern retailers (supermarkets, mini-markets, supermarkets, and department stores) in the regions, which has narrowed the space for business actors, especially people who depend on traditional markets and their independent businesses in the form of shops or small stalls.

Traditional markets in Indonesia play an essential role in the people's economy. In Indonesia, most of the population are people with lower middle incomes. Judging from the economic condition of the Indonesian people, which is still relatively low, the existence of traditional markets and shops or small stalls is fundamental and competitive—required to meet the community's needs. The existence of modern markets also causes the level of competition between traders in traditional markets to be increasingly stringent. Modern markets that offer relatively the same prices as traditional markets force traders to lower prices to compete with modern markets. This will indirectly lead to intense competition among traders in traditional markets. (Dian Sukma Dewi, 2010: 4)

Conflicts between traditional markets or those owned by individual shops/kiosks and supermarkets based on modern networked markets are undoubtedly unavoidable, especially at the level of one-sided competition; this occurs because of the balance of

capital and modern management systems run by supermarkets.

Another problem is that the decline<sup>24</sup> in the performance of traditional markets is only partially due to modern markets. Almost all traditional markets in Indonesia are still struggling with internal market problems such as poor market management, very minimal market facilities and infrastructure such as in Brosot Market in Kapanewon Galur, Kulonprogo<sup>23</sup> Regency. (Ivan Aditya: 2023) Traditional markets as dairy cows for receiving retribution, the mushrooming of street vendors (PKL) which reduces market vendor customers. According to data for 2022, the Kulon Progo Trade and Industry Office has 1,809 street vendors (PKL). In detail, in Temon District, there were 347 street vendors, Lendah 439 street vendors, Panjatan 348 street vendors, Galur 229 street vendors, and Sentolo 378 street vendors. Total. One thousand eight hundred nine street vendors, this data does not include 215 street vendors in Wates Square (Sutarmi and Victorianus Sat Pranyoto: 2023). The lack of capital assistance available for traditional traders. According to Siti Juniafi Maulidiyah, despite minimal capital, the key to business success in Kulon Progo is innovation and effective promotion. Harnessing the power of social media and local partnerships can help expand market reach. (Siti Juniafi Maulidiyah: 2023)

According to Endi Sarwoko's research, traditional markets close to supermarkets are worse affected than those far from supermarkets. If, in the beginning, modern markets were aimed more at the upper middle-income population, now they are starting to enter the lower middle-class segment of society by opening outlets all the way to the sub-district area. Two modern markets that are incessantly opening outlets to the regions are Indomaret and Alfamart. (Endi Sarwoko, 2008: 98)

According to Mukti Fajar (2015, 248), small businesses in our homeland represent almost all work units in various economic sectors that live in our economy because the number is huge. Until now, small businesses represent around 99.85% of the number of existing business units, while medium busi-

nesses are only 0.14%, so large businesses only constitute 0.01%. Thus, the pattern of our economy in terms of the legal subject matter of business actors is the people's economy, which consists of small businesses in various sectors, especially agriculture, trade, and services and processing industries. Judging from its position in supporting the economy, small businesses occupy a strategic position because they contribute more than 88% of employment. This position is critical to ensure macro stability, especially social stability.

The availability of regulations that protect the community in the regions is very much needed, considering that Regional Regulations are a necessity to follow changes in mindset in society, as the function of law as a means of social change can also be seen from changing people's mindsets or the formation of new mindsets from society. (Satria Sukanda dan dkk: 2018, 191)

The above is because Indonesia cannot be separated from the conception of a rule of law state that is adhered to the principle of legality. The substance of the principle of legality is that every action of an administrative agency/official is based on statutory regulations. Without a statutory basis, state administrative bodies/officials are not authorized to take any action that may change or affect the legal condition of the community members. (Ni'Matul Huda: 2014, 86) In addition, a rule of law state is a state system that is governed by fair applicable laws arranged in a constitution, in which all people in the country. (Munir Fuady, 2011, 3)

In other areas, the function of law is also as a means of social engineering (changing society) is to create changes in society towards a perfect (planned) society. That is, development can be achieved based on the nation's ideals, so it is necessary to improve society through regulations. Life Society is constantly experiencing rapid changes in social, cultural, and economic developments and everything appropriate that can affect the development of society. Therefore, law formation must always follow these developments to create laws not left behind by the development of that society. (H. Zaeni Asy-

hadie & Arief Rahman, 2013: 126)

One of the areas in Indonesia that is considered a region that views the economy as a pillar in advancing people's welfare is Kulon Progo Regency, Special Province of Yogyakarta, where a regional regulation issued is specifically aimed at People's Markets and Supermarkets through the Regional Regulation of Kulon Progo Regency Number 16 of 2021 concerning Protection, Empowerment, and Arrangement of People's Markets and Arrangement of Shopping Centers and Supermarkets.

In the Kulon Progo Regional Regulation Number 16 of 2021 concerning the Protection, Empowerment, and Arrangement of People's Markets and Arrangement of Shopping Centers and Supermarkets, the critical points for the issuance of this regulation are:

The Regional Government is obligated to protect the People's Market and Business Actors within it, including legal clarity and certainty regarding the status of the People's Market land rights; The Regional Government protects the People's Market by regulating; Limiting the number of Shopping Centers and Supermarkets; and Determination of the distance between Shopping Centers and Supermarkets to the People's Market.

Suppose the arrangement of this regional regulation is related to law as a tool to change society (social engineering) related to the function and existence of law as a regulator and driver of social change. In that case, the analogical interpretation of Roscoe Pound suggests which "rights" should be regulated by law and what "rights" can be demanded by individuals in social life. (H. Zainuddin Ali: 2016, 93)

Alleviation of conflicts that occur amid local communities is the obligation of the regional government to form a regulation that can be a solution in moving the wheels of the economy in the region. This becomes important when these regulations can become social engineering (conflict). Order and order in society will be achieved because the processes within it, namely those consisting of relations between members of society, are carried out according to a specific pattern which helps create order and smoothness in



the traffic of social life. (Satjipto Rahardjo: 1991, 132-133)

It is <sup>30</sup> undeniable that the Regional Government has a very important role in dealing with **conflicts that** occur amid people's lives in the regions, especially related to economic conflicts. Therefore, the Regional Government holds the authority as a facilitator and legislator in creating order amid the ongoing wheels of the community's economy.

Previous research discusses the conflict between people's markets and supermarkets. First, Andita Eka Permatasari and Agus Machfud Fauzi's research titled "Conflicts of Market Traders and the Government in Traditional Market Relocation Policies in Ponorogo Regency." His research discusses Ponorogo Regent Regulation Number 11 of 2021 concerning Area and Zone Arrangement <sup>10</sup> the Legi Market, Ponorogo Regency using **Ralf Dahrendorf's conflict theory** which is used to analyze conflicts between traders and the government in the Legi Market relocation policy. (Andita Eka Permatasari: 2022, 11) Second, the research by Agus Triono, HS, and Tisnanta entitled "People's Market vs. Modern Market Inequality Regulation of Region <sup>14</sup> Legal Products." His research discusses the **Regional Regulation of Bondowoso Regency Number 5 of 2020 concerning the Arrangement and Development of People's Markets, Supermarkets, and Shopping Centers** with indicators of Pancasila values. (Andita Eka Permatasari: 2022, 11) Third, research by Gusti Ayu Nadina Utama Pramadani, I Made Bachelor, and I Nyoman Mudana entitled "Legal Protection of People's Markets From the Existence of Supermarkets in the Context of Preventing Unfair Business Competition in Tabanan Regency." His research discusses the Regional Regulation of Tabanan Regency Number 1 of 2016 concerning the Arrangement of Supermarkets, that supermarkets and their networks can be said to be in control of the current market trade, which can threaten the existence of people's markets, which can lead to unhealthy competition in business competition. The. (Gusti Ayu Nadina Utama Pramadani dkk: 2018, 10)

Based on the background above, re-

searchers will further examine how Kulon Progo Regency carried out social engineering through Regional Regulation Number <sup>16</sup> of 2021 to overcome conflicts between **people's markets and supermarkets**.

## B. Methods

This research uses a type of normative legal research based on research conducted on <sup>32</sup> existing legal materials by examining legal norms that require regulation in positive law. (Efendi Jonaedi & Johnny Ibrahi <sup>27</sup> 2018: 145). Namely, the relationship with **Regional Regulation Number 16 of 2021 concerning the protection, empowerment, and arrangement of people's markets as well as the arrangement of shopping centers and supermarket** <sup>20</sup> research objects; this research will collect **primary legal materials, legal materials secondary and tertiary legal materials, as well as linking legal sociology theories** related to the title of the researcher <sup>4</sup> especially Roscoe Pound's theory regarding **law as a tool of social engineering, and law as a tool of social control**.

This research method is a **statu <sup>15</sup> approach** by reviewing and analyzing **all laws and regulations or regulations related to the legal issues being handled**. (Peter Mahmud Marzuki: 2016, 137)

This data analysis comes from <sup>11</sup> the findings in the research; after the **secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials are collected, they are categorized, <sup>34</sup> classified, and interpreted**. Then an analysis of legal materials is carried out. This analysis depends on the legal material collected, the type of research conducted, and the approach used. (Nanang Martono, 2010: <sup>2</sup> 53) So Roscoe Pound's theory regarding the **law as a tool of social engineering and law as a tool of social control** will become an analytical tool in studying the conflict between people's markets and supermarkets in Kulon Progo Regency through Regional Regulation No. 16 2021 concerning the protection, empowerment, and arrangement of people's markets as well as the arrangement of shopping centers and supermarkets.

### C. Results and Discussion

#### Social Engineering Legal Sociology Perspective

The term social (social) has a different meaning from the term socialism. The term social refers to its object, namely society, while socialism is an ideology based on general principles of thought (means of production and services in the economic field). The sociological object of law at the first level is social reality. The second level is legal rules in a way that plays a role in society. (Dewi Iriani, 2011: 144-145)

In addition, according to Adam Podgorecki and Marwan Mas in the book H. Zaeni Asyhadie dan Arief Rahman (2013, 127), explains that law as a means of social engineering (changing society) must be able to create conditions that lead to the attainment of prioritized legal objectives. Thus, lawmakers must pay attention to the development of the following four basic principles: A clear description of something encountered; It analyzes existing judgments and places them in a hierarchical order. The analysis includes predictions about whether the methods to be used will not result in further aggravating the situation; Verifying hypotheses, for example, whether a method that is thought to be carried out will eventually lead to the desired goal; Measurement will lead to the desired goal.

According to Satjipto Rahardjo (1979, 158) states that sociology studies human behavior. A short definition always leaves out many aspects of the thing being defined, namely and which, if known, will clarify our understanding. The aspects left out include the following: Sociology studies human behavior within groups. In this connection, he focuses his attention on the nature of the group and public in which the private lives; He pursues social order, which is the order underlying human social behavior. To pursue social order altogether means to pay close attention to its deviations or social disorder; Describe the units as well as human social behavior, their interaction, organization, continuity, and changes; Sociology is not normative but categorical science. He attempts to describe and explain social phenomena.

The task of law is dynamic and creative to reconcile what is irreconcilable and to synthesize contradictory things; these are the big problems in law. The law specifies bonds that do not always exist between fixed points. The law must be stable but must not stop. In such conditions, the sociology of law is really needed, not only for the daily work of legal experts who use law for concrete events but also for the science of law or the work of systematic dogma. (Georges Gurvitch, 1961: 26)

In line with the above, it can be said that the scope or perspective of the sociology of law, in reality, provides benefits and uses, namely as follows: (Soerjono Soekanto: 2003, 36)

Legal Sociology is helpful for imparting abilities for understanding law in a social context; Mastery of the concepts of the sociology of law in a social context; The sociology of law provides possibilities and capabilities to evaluate the effectiveness of law in society.

#### Social Engineering of the Regional Government of Kulon Progo Regency to Avoid Conflict between the People's Market and the Supermarket

Etymologically, conflict is a quarrel, a fight, a dispute about opinions or desires, or differences; opposition opposite to or clash with. (M. Wahid Nur Tualeka, 2017: 33). In the Big Indonesian Dictionary (KBBI), conflict means strife, dispute, and conflict. Meanwhile, according to the sociology dictionary, conflict means the overt struggle between individuals or groups within a society or between nation-states, namely the open conflict between individuals or groups within or between nations. (M. Wahid Nur Tualeka: 2017, 34)

The existence of People's Markets and Supermarkets certainly causes conflict, this is empirically according to the Chairperson of the Kulon Progo Regional Representative Council (DPRD) Akhid Nuryati said, development developments in Kulon Progo such as the operation of Yogyakarta International Airport (YIA), National Tourism Strategic Area (KSPN) Borobudur, and the construction of the Southern Cross Route (JLS) are triggers

for the development of the trade sector. The trade sector's development will impact the emergence of shopping centers or modern shops and supermarkets. These modern shops will affect traditional markets or people's markets and small stalls owned by the people because the position of people's markets and small stalls could be more profitable. The people's market is not only the center of people's economic activities but also a cultural center that can maintain the local identity and traditional values of Jogja. (Hafit Yudi Suprobo, 2022)

According to Roscoe Pound, the injustice felt by the community in the legal environment must be emphasized and adjusted relations and regulate behavior because the purpose of the law is to provide justice to form a balance of demands in society. It is important to say that individuals can become enemies when their interests or desires compete. At this point, Pound's rationale for proposing this theory is maximizing demands with less friction. As Pound's theory states, it is impossible to satisfy every individual's wants, but maximizing those conditions with the least friction is possible. (Zong Xian H'ng dkk., 2022: 4)

The economic impact that people's markets or small traders will receive from the presence of modern markets will gradually experience a decrease in income and even bankruptcy; as a result, this will cause protests from the community, so the Regional Government, in addition to protecting people's markets or small traders must also reduce friction (conflict) between the people's market and the supermarket.

So it is precisely what Lawrence Friedman (2017, 21) said: social forces throw pressure on these demands from the law, and the institutions in the legal system reap these demands, dissolve them, and turn them into regulations. In carrying out this, the legal system usually acts as an instrument of orderly change, and social engineering, the most obvious example of which is the function of the legislature (DPRD).

Because of this empirical reality, finally, on December 31, 2021, the Regional Regulation of Kulon Progo Regency Number 16 of

2021 concerning the Protection, Empowerment, and Arrangement of People's Markets and the Arrangement of Shopping Centers and Supermarkets was issued, which is recorded in the Regional Gazette of Kulon Progo Regency Year 2021 Number 16.

The reason for the issuance of Regional Regulations (from now on referred to as Perda) is based on a general explanation due to the rapid development of the trade business in the form of self-service shops in the form of networks or franchises, which had become a source of anxiety for people's market businesses and traditional retailers. The emergence of franchise supermarkets that are so massive is a consequence of the rapid development of regional development which ultimately changes people's behavior in meeting their needs. For this reason, it is necessary to protect, empower and organize People's Markets and Shopping Centers and Supermarkets. Thus the existence of People's Markets, Shopping Centers, and Supermarkets can grow side by side in a balanced way and do not kill or destroy each other.

In theory, according to Satjipto Rahardjo (1979), legal sociology seeks to pay attention to/observe social reality and not to defend something. The reality referred to here is translated into human social behavior. Therefore sociology can also be called the basis of other social sciences. He studies social phenomena that can also be found in all human interactions.

Conscious use to change society is called social engineering or, in total, by law. The steps taken in what is called social engineering are systematic, starting from the identification of the problem to the way of solving it, namely Satjipto Rahardjo, *Ilmu Hukum*: Understand the problem as well as possible. Included in it is to identify carefully the people who want to be the target of the cultivation; They are mastering the values contained in society. This means that social engineering will be applied to the public with multiple life sectors, such as traditional, modern, and planning. In this session, the values of which zones are selected are determined; Making hypotheses and sorting out which ones are most feasible to implement; We are explo-



ring the course of law enforcement and measuring its effects.

The Kulon Progo Regional Government is also required to look at the condition of the interests of all aspects, as referring to Roscoe Pound's thought that social control must look at the public interest, individual interests, social interests is a 'tripartite urgency' that must be protected by the government. These three interests are considered the moral ideals of the state to provide authoritative legal certainty. The common goal to be achieved is law as a social engineering tool. (Wawan Andriawan: 2022, 7)

As social engineering mentioned above, it can be understood that the efforts of the Kulon Progo local government through the Kulon Progo Regency Regional Regulation Number 16 of 2021 aim to avoid conflict or at least minimize friction between people's markets and modern markets as a form of preventive measures. It can be seen that this effort is regulated in Article 3 of the Regional Regulation of Kulon Progo Regency Number 16 of 2021, which explains the Protection, Empowerment, and Arrangement of People's Markets and the Arrangement of Shopping Centers and Supermarkets with the aim of: Protect People's Markets, Cooperatives, and MSMEs; Regulate the existence and establishment of Shopping Centers and Supermarkets so as not to harm and kill existing People's Markets, Cooperatives, and MSMEs; Guarantee the implementation of partnerships between people's market businesses, cooperatives, and MSMEs with shopping center and supermarket business actors based on the principles of equality and fairness in running a business in the trade sector; Encouraging the creation of public and private participation and partnerships in the implementation of market business between the People's Market, and Shopping Centers and Supermarkets; and Realizing the mutual need and strengthening synergies between Shopping Centers and Supermarkets with People's Markets, Cooperatives, and MSMEs so that they can grow and develop more quickly as an effort to realize a solid, smooth, efficient, and sustainable national trade system and distribution pattern.

Meanwhile, the scope of this Regional Regulation based on Article 4 includes: People's Market Protection; People's Market Empowerment; and Arrangement of People's Markets, Shopping Centers, and Stores; Supermarket.

Regarding the protection of people's markets, the Regional Government of Kulon Progo protects people's markets by regulating them based on Article 5 paragraph (2), namely: Limiting the number of Shopping Centers and Supermarkets; and Determination of the distance between Shopping Centers and Supermarkets to the People's Market.

Furthermore, in carrying out protection for the People's Market and existing Business Actors, the Regional Government is obliged to protect aspects based on Article 5, paragraph (4) explaining: Legal certainty in terms of utilization status or rental rights to guarantee business continuity for traders, mainly if a disaster occurs that destroys the property being traded; and We are prioritizing the opportunity to obtain a place of business for existing Pasar Rakyat traders prior to the renovation or relocation of the People's Market.

The above if you look at Law Number 23 of 2014 concerning Regional Government, basically, each region, according to the character of the region, will have different priorities from one region to another to prosper the community. This is an asymmetrical approach, meaning that even though the regions are equally given the broadest possible autonomy, the priorities for government affairs that are carried out will differ from one region to another. The logical consequence of this asymmetrical approach is that the regions will have priorities for governmental and institutional affairs that are different from one another according to the region's character and the needs of its people.

Seeing the current condition of the Kulon Progo Regency, with its rapid development, the implementation of the Kulon Progo Regency Regional Regulation Number 16 of 2021 is needed. The reason is that apart from providing legal certainty, it can also create stable economic conditions because it protects people's markets and provides business



opportunities for supermarkets.

According to Soetandyo Wignjosoebroto (2013: 86), the law needed to control the life of this modern nation aspires to realize guarantees for legal certainty in terms of applying the law as a facilitator of order. The absence of normative references also creates certainty regarding what must be classified as normative references that apply to ensure order in national life.

So there is a need for legal renewal, which must be placed in the context of broader social transformation. Legal reform is not only to fulfill temporary or actual needs, such as for political stability or economic growth but more than that, it must be seen as part of an effort to transform an unequal and discriminatory social system. (H. Zainuddin Ali: 2016, 100)

In addition to legal renewal, it is also necessary to reform society; here, the law is not only used to strengthen the patterns of habits and behavior that exist in society but also to direct it to the desired goals, abolish habits that are deemed no longer appropriate, create patterns -new patterns of behavior and so on. This is called the modern view of law, which leads to the use of law as an instrument, namely law as a social engineering tool. (Martha Safira, 2017: 189)

In addition, for the Perda to be effective, there must also be a separation between law and politics, according to Philippe Nonet and Philip Selznick (2015, 66-67) which is the primary strategy for legitimacy. That is how autonomous law brings legitimacy to itself and the political order. This strategy has two aspects: a foundation is made to place politics under the law. Government work and political leadership work must always be concerned with solving problems, mobilizing resources, and gaining citizen approval. <sup>2</sup>

Because it cannot be denied that one of the primary sources of conflict in various regions is that there are still various forms of discrimination and marginalization in socioeconomic arrangements, politics and the use of natural resources, and even cultural life, various feelings of injustice and general discontent raged and exploded. (H. Zainuddin Ali: 2016, 97)

The main goal of socioeconomic regulation is for the law to be adequately implemented. The effectiveness of law in action or legal reality can be known if someone states that the rule of law succeeds or fails to achieve its goals. It is usually known whether its influence succeeds in regulating certain attitudes or behaviors so that they are by their goals. Legal effectiveness means that legal effectiveness will be highlighted from the goals to be achieved. One effort that is usually done so that people comply with the rule of law is to include sanctions. These sanctions can be in the form of negative or positive sanctions, the purpose of which is to create stimulation so that humans do not take disgraceful or commendable actions. (Galih Orlando, 2022: 52)

Quoting Meila Anugerah Putri (2019, 41) research explains that protection for people's markets in Kulon Progo Regency is carried out by limiting the number and adjusting the distance between traditional markets and shopping centers and modern shops that are not by what is in the field. A People's Owned Store (ToMiRa) is still adjacent to the traditional market.

However, Regional Regulation Number 16 of 2021 does not have criminal sanctions or civil sanctions for violators of the Regional Regulation; there are only administrative sanctions, as explained in Article 31 paragraph (4), namely, every business actor who, based on the results of supervision finds non-compliance or violations of Business Permits in the trade sector, is subject to administrative sanctions in the form of: Written warning; <sup>19</sup> Withdrawal of goods from distribution; <sup>20</sup> Temporary suspension of business activities; Warehouse closing; Administrative fines; and Revocation of Business Permit.

Enforcement of criminal and civil sanctions for supermarkets that violate regional regulations is not included. Even though enforcing criminal and civil sanctions against supermarkets can be said to be the most potent prevention of violations, or in this case, people's shops with weaknesses in competing with large modern shops <sup>18</sup> will be protected. This is when referring to the Law of the Republic of Indonesia Number 12 of 2011 con-

cerning the Formation of Legislation Article 15 paragraph (1) it is explained that the content regarding criminal provisions can only be contained in: Constitution; Provincial Regulation; or District/City Regional Regulations.

Enforcement of criminal sanctions in Provincial and Regency Regional Regulations is further regulated in Article 15, paragraphs (2) and 3. Regional Governments are limited in imposition of criminal sanctions in the form of imprisonment for a maximum of 6 (six) months or a fine of up to Rp. 50,000,000.00 (fifty million rupiah). Moreover, Provincial Regulations and Regency/City Regional Regulations can contain threats of imprisonment or fines.

The local government has the right to apply regional regulations in collaboration with the DPRD, which can be loaded based on their needs. This can be seen in the Elucidation of Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government number 8 states, in carrying out Government Affairs which are the authority of the region, the regional head, and the DPRD as administrators of the Regional Government make Regional Regulations as the legal basis for the region in implementing Regional Autonomy by the conditions and aspirations of the people and the peculiarities of the region. Perda made by the region only applies within the jurisdictional limits of the region concerned. However, regional regulations stipulated by the regions may be consistent with the provisions of laws and regulations at a higher level according to the hierarchy of laws and regulations. In addition, regional regulations as part of the system of laws and regulations may be separate from the public interest as stipulated in the rules for drafting regional regulations.

Even though the imposition of criminal sanctions is not included in the substance of the article, and this is the right of the regional government, Roscoe Pound considers that law is a tool of social engineering (law as a tool of social engineering and social control) which aims to create harmony and harmony so that it can optimally fulfill human needs and interests in society. For that ideal interest, it is necessary to have coercive force exer-

cised by the government. (Nazaruddin Lathif, 2017: 84)

The parameters of social engineering are flourishing according to Joseph Raz, directly or indirectly can be distinguished into: (H. Zaeni Asyhadie & Arief Rahman, 2013: 132): Prevention of certain acts; Encouraging certain actions; Provision of facilities for private plans; Provision of services; Settlement of disputes outside the court.

Meanwhile, as a support for the development process, according to H. Zaeni Asyhadie & Arief Rahman, (2013: 133), namely: Law as the maintainer of order and security; Law as a means of development; Law as a means of upholding justice; Law as a means of public education.

Supporting development, facilities, or means is crucial to activating specific rules. The scope of the intended facilities, especially physical facilities that function as supporting factors, often happens that a regulation that initially aims to expedite the process instead results in congestion. Then the factor that makes a regulation effective is the community members. The community members in question are the degree of compliance based on their awareness of complying with statutory regulations. In simple terms, the degree of public compliance with the law indicates the functioning of the relevant law. (H. Zainuddin Ali, 2016: 96).

Based on the statement that law is for humans, in the sense that law is only a "tool" to achieve a just, prosperous, and happy life for humans. Therefore, the law is not the goal of humans, but the law is only a tool. Substantive justice, which must take precedence over procedural justice, this matter is only so that it can show law to be a solution to humanitarian problems. (Mukhidin: 2014: 279)

Regardless of the law as "social control" or "social engineering," the law must aim to establish and function a national legal system that originates from Pancasila and the 1945 Constitution. That is, using law as a social engineering tool must pay serious attention to the plurality of legal systems that apply to intend to create order, peace, and being able to guarantee legal certainty, and being able to protect a society whose core is justice and

truth. For this to be carried out properly, it is necessary to carry out continuous guidance for all legal apparatus, complete facilities, and infrastructure and prepare legal rules that are by the personality of the Indonesian Nation. (Dewi Sukma Kristianti, 2021: 107-108)

#### D. Conclusion

The existence of supermarkets certainly causes conflict between people's shops; empirically, these modern shops will affect the existence of traditional markets or people's markets and small stalls belonging to the people. However, the people's market position and small stalls could be more profitable. The people's market is not only the center of people's economic activities but as a life opportunity for small communities who want changes in their family's economy. The Regional Regulation of Kulon Progo Regency Number 16 of 2021 is aimed at the people of Kulon Progo Regency to provide protection, empowerment, and management of People's Markets as well as arrangement of Shopping Centers and Supermarkets in their area; the aim is that the existence of People's Markets, Shopping Centers and Supermarkets can grow side by side in a balanced way and do not kill or destroy each other. As a preventive measure from the local government of Kulon Progo, limit the number of supermarkets and regulate the distance between traditional markets, shopping centers, and modern shops. This aims to control the number of supermarkets in the Kulon Progo Regency area and provide economic opportunities for the people's market to protect their existence from competition that harms the people's market. This arrangement is also aimed at overcoming conflicts between people's markets and supermarkets so that both get fifty-fifty profits as a win-win solution to save people's markets.

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