

LEGAL PROTECTION OF CONSUMERS AGAINST PRICE FLUCTUATIONS OF STAPLE GOODS IN WEST NUSA TENGGARA PROVINCE

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Abstract:

This study examines the legal protection framework for consumers facing price fluctuations of staple goods in West Nusa Tenggara Province (NTB), Indonesia. Using a mixed-method approach combining quantitative price data analysis from BPS NTB 2024 and qualitative legal document review, this research evaluates the implementation of Law No. 8 of 1999 on Consumer Protection and Law No. 7 of 2014 on Trade. The findings reveal that while Indonesia possesses a robust normative legal framework for consumer protection, implementation at the regional level remains inadequate. Analysis of 2024 price data demonstrates significant fluctuations in strategic commodities: rice prices increased by 14% in March 2024, while shallot prices fluctuated up to 120% throughout the year. These variations indicate weak enforcement of price control mechanisms and insufficient application of fairness, balance, and legal certainty principles. The study concludes that strengthening regional regulations, enhanced inter-agency coordination, and improved market surveillance mechanisms are essential to ensure price affordability and protect consumers from predatory economic practices.

Key words: consumer protection, price fluctuation, staple goods, legal certainty

Abstrak:

Penelitian ini mengkaji dinamika harga komoditas pangan strategis, khususnya beras C4 kualitas I dan bawang merah kualitas bersih besar, di tiga lokasi utama Provinsi Nusa Tenggara Barat selama tahun 2024. Menggunakan pendekatan deskriptif kuantitatif dengan data sekunder dari Badan Pusat Statistik (BPS) NTB, penelitian ini menganalisis fluktuasi harga bulanan, variasi antar wilayah, dan pola stabilitas. Hasil menunjukkan bahwa harga beras rata-rata Rp14.780/kg di Kota Mataram, Rp15.447/kg di Kota Bima, dan Rp15.361/kg di Kabupaten Sumbawa, dengan koefisien variasi berkisar 6,2% hingga 8,0%. Harga bawang merah menunjukkan volatilitas lebih tinggi, rata-rata Rp32.266/kg per tahun dengan kisaran harga Rp19.006-41.736/kg. Kota Mataram secara konsisten menunjukkan harga paling stabil karena infrastruktur pasar dan jaringan distribusi yang lebih baik, sementara Kota Bima mencatat harga tertinggi akibat faktor geografis dan biaya transportasi antar pulau. Pola musiman muncul dengan jelas, dengan puncak harga terjadi pada musim paceklik di kuartal pertama dan menjelang hari raya keagamaan. Penelitian ini merekomendasikan penguatan ketahanan pangan daerah melalui optimalisasi stok cadangan pangan, sistem logistik terintegrasi, dan peningkatan peran BUMD pangan dalam mekanisme stabilisasi harga.

Kata kunci: perlindungan konsumen, fluktuasi harga, barang kebutuhan pokok, kepastian hukum

A. Introduction

Price stability of staple goods constitutes a fundamental component of consumer rights to access commodities at fair and affordable prices. The assurance of reasonable pricing mechanisms is not merely an economic consideration but represents a legal entitlement embedded within the constitutional framework of Indonesia's social welfare state, as mandated by Article 33 of the 1945 Constitution and Article 27(2) concerning the right to a decent livelihood. In the contemporary Indonesian legal landscape, consumer protection has been explicitly regulated through Law No. 8 of 1999 on Consumer Protection, subsequently reinforced by Law No. 7 of 2014 on Trade and various derivative regulations that establish comprehensive mechanisms for market supervision and price control.

Despite this extensive normative framework, empirical evidence reveals persistent challenges in maintaining price stability for essential commodities across Indonesian regions, particularly in areas characterized by geographical remoteness, limited infrastructure, and complex supply chain dynamics. West Nusa Tenggara Province (NTB) exemplifies these challenges, where price fluctuations of staple goods remain substantially elevated despite existing regulatory interventions. According to data published by the Central Bureau of Statistics of West Nusa Tenggara Province in 2024, significant price movements have been observed in strategic commodities including rice, shallots, and beef. The price of C4 quality grade I rice experienced an increase of up to 14% in March 2024, while shallot prices demonstrated extreme volatility with fluctuations reaching 120% throughout the year. These dramatic price variations not only contribute to regional inflation rates but also fundamentally undermine legal certainty for consumers seeking to access staple goods at equitable prices.

From a legal-economic perspective, such price instability indicates systemic deficiencies in the implementation of consumer protection norms and price control mechanisms by regional governments. The phenomenon of price fluctuation in essential commodities raises critical questions regarding the effectiveness of existing legal instruments in safeguarding consumer welfare and ensuring distributive justice in market transactions. The gap between normative provisions and practical implementation suggests that while Indonesia has established a theoretically sound legal framework for consumer protection, the translation of these legal principles into effective regulatory practices at the regional level remains problematic.

The theoretical foundations of consumer protection law rest upon three fundamental principles: fairness in market transactions, balance between stakeholder interests, and legal certainty in price determination mechanisms. The principle of fairness, as articulated in Article 4(2) of Law No. 8 of 1999, guarantees consumers the right to select goods and services and to receive commodities corresponding to exchange value and promised conditions. In the context of staple goods pricing, this right encompasses assurance of reasonable and transparent pricing structures. The principle of balance mandates that government authorities equilibrate the interests of producers, distributors, and consumers to prevent market distortions that disproportionately disadvantage any single group. The principle of legal certainty requires that society have access to official price references as the basis for legitimate transactions, thereby reducing information asymmetries and preventing exploitative pricing practices.

Contemporary scholarship on consumer protection law has increasingly emphasized the role of government intervention in market regulation, particularly in sectors involving essential commodities. Research by Nugroho and Prasetyo (2021) demonstrates that effective consumer protection in developing economies requires active state participation in market surveillance, price monitoring, and enforcement of fair trading practices. Their findings indicate that passive regulatory approaches prove insufficient in markets characterized by structural imperfections, information asymmetries, and unequal bargaining power between producers and consumers. Similarly, Hidayat and Rahman (2022) argue that the legal framework for consumer protection must be complemented by robust institutional mechanisms capable of detecting market anomalies, investigating predatory pricing practices, and imposing meaningful sanctions on violators.

Within the specific context of price control mechanisms, recent studies have examined the delicate balance between market liberalization and regulatory intervention. Wijaya et al. (2023) note that while free market principles generally promote efficiency and innovation, markets for essential commodities require government oversight to prevent hoarding, speculation, and cartelization that could harm vulnerable consumers. Their research on price volatility in Indonesian agricultural markets reveals that inadequate coordination between national and regional authorities, limited capacity for real-time price monitoring, and insufficient enforcement resources contribute to persistent price instability. These findings align with international best practices in consumer protection law, which recognize the legitimacy of state intervention in markets where unregulated competition fails to serve public welfare.

The Islamic economic law perspective provides additional normative foundations for understanding the state's obligation to ensure price justice. The concept of *hisbah* in Islamic economics establishes that market surveillance (*al-muhtasib*) aims to prevent fraudulent practices, speculation, and monopolistic behaviors that distort fair pricing. This perspective emphasizes that price control is not merely an economic policy instrument but represents the manifestation of public law functions as an instrument of social protection. When price fluctuations are permitted without intervention, the state may be considered negligent in fulfilling citizens' economic rights as guaranteed under constitutional and statutory provisions.

The present study addresses critical gaps in existing literature by providing a comprehensive normative analysis of consumer protection law implementation in the specific context of NTB Province, where geographical and infrastructural challenges create unique vulnerabilities to price manipulation. Previous research has predominantly focused on national-level policy analysis or examined consumer protection in urban contexts with developed market infrastructure. Limited scholarly attention has been directed toward understanding how legal frameworks function in provinces with significant logistical constraints, limited market integration, and heightened vulnerability to supply disruptions. This research contributes to filling this gap by analyzing the intersection of normative legal provisions and empirical price data to assess the effectiveness of consumer protection mechanisms in a challenging regional context.

The objectives of this research are threefold. First, to analyze the normative foundation of legal protection for consumers against price fluctuations of staple goods in NTB Province by examining the alignment between statutory provisions and regulatory implementation.

Second, to evaluate the effectiveness of fairness and legal certainty principles in price supervision practices at the regional level through quantitative analysis of price volatility patterns. Third, to identify systemic barriers that impede effective implementation of consumer protection law and to propose policy recommendations for strengthening regulatory mechanisms. By achieving these objectives, this study aims to provide actionable insights for policymakers, regulatory authorities, and legal practitioners concerned with enhancing consumer welfare through improved implementation of existing legal frameworks.

B. Research Methods

This research employs a mixed-method approach combining normative legal analysis with quantitative data examination to provide comprehensive insights into consumer protection law implementation. The normative component utilizes legal research methodology focusing on statutory analysis, regulatory document review, and doctrinal interpretation of consumer protection principles. Primary legal sources examined include Law No. 8 of 1999 on Consumer Protection, Law No. 7 of 2014 on Trade, Minister of Trade Regulation No. 27 of 2017 concerning Staple Goods and Important Goods, and relevant regional regulations governing price control mechanisms in NTB Province. The quantitative component analyzes secondary data from the official publication of the Central Bureau of Statistics of West Nusa Tenggara Province for 2024, specifically the Statistics on Consumer Prices of Several Goods and Services in 3 Cities in West Nusa Tenggara Province 2024, which provides comprehensive monthly price data for strategic commodities including rice, shallots, beef, cooking oil, and other essential goods.

The analysis involves calculating price variation coefficients, identifying seasonal patterns, comparing actual prices against national reference prices, and assessing the magnitude and frequency of price spikes exceeding reasonable thresholds. The integrated approach enables both evaluation of normative adequacy of legal frameworks and empirical assessment of implementation effectiveness through observable market outcomes. Data analysis proceeds through three stages: inventory of legal norms governing price control and consumer protection, assessment of normative alignment with consumer protection principles including fairness, balance, and legal certainty, and evaluation of legal implementation based on empirical price data demonstrating fluctuation phenomena in NTB without conducting interviews or primary field research. This methodology provides rigorous examination of the gap between legal provisions and practical outcomes, enabling identification of specific regulatory failures and opportunities for improving consumer protection mechanisms at the regional level.

C. Result and Discussion

Legal Framework for Price Control and Consumer Protection

The Indonesian legal system establishes a comprehensive framework for consumer protection and price control through a hierarchical structure of legislation, regulations, and implementing guidelines. At the apex of this framework stands Law No. 8 of 1999 on Consumer Protection, which articulates fundamental consumer rights and establishes the normative foundation for government intervention in market regulation. Article 4(2) of this law explicitly affirms that consumers possess the right to select goods and services

and to receive commodities corresponding to exchange value and conditions as promised. This provision encompasses the right to fair and transparent pricing for staple goods, creating a legal obligation for market actors and regulatory authorities to ensure that pricing mechanisms reflect genuine economic fundamentals rather than manipulative practices or market distortions.

The constitutional basis for consumer protection extends beyond specific consumer legislation to encompass broader socioeconomic rights guaranteed under Indonesia's fundamental law. Article 33 of the 1945 Constitution establishes that the national economy shall be organized as a joint effort based on family principles, with sectors of production important for the country and controlling the livelihood of many people controlled by the state. This constitutional provision creates an affirmative obligation for state authorities to intervene in markets involving essential commodities when unregulated market forces produce outcomes inconsistent with social welfare objectives. Similarly, Article 27(2) guarantees every citizen the right to work and a decent livelihood, which has been interpreted by constitutional scholars and courts to encompass protection against exploitative pricing practices that undermine purchasing power and access to basic necessities.

Law No. 7 of 2014 on Trade operationalizes these constitutional principles by granting specific regulatory powers to government authorities at national and regional levels. This legislation empowers the Minister of Trade and regional trade officials to establish reference prices, implement stabilization measures, and sanction business actors engaging in unreasonable price increases. Article 26 of the Trade Law specifically addresses price control for staple goods, authorizing government intervention when market prices deviate significantly from reference prices or when supply disruptions threaten price stability. The law establishes a dual mechanism of preventive measures, including supply management and strategic reserves, and corrective measures, including market operations and sanctions for violations.

Minister of Trade Regulation No. 27 of 2017 concerning Staple Goods and Important Goods provides detailed implementation guidelines for the Trade Law's price control provisions. This regulation designates specific commodities as staple goods subject to government monitoring and intervention, including rice, flour, sugar, cooking oil, beef, chicken eggs, shallots, garlic, red chilies, and chicken meat. The regulation establishes obligations for business actors to report inventory levels, prohibits hoarding and speculation, and creates mechanisms for government authorities to conduct market operations when prices exceed acceptable thresholds. Furthermore, the regulation mandates regular price monitoring and public disclosure of reference prices to enhance market transparency and reduce information asymmetries between sellers and consumers.

At the regional level, provincial and district governments possess regulatory authority to implement national consumer protection and trade legislation through local regulations and executive decisions. Provincial Trade Offices bear primary responsibility for market surveillance, price monitoring, and enforcement of fair trading practices within their jurisdictions. However, the effectiveness of these regional mechanisms depends significantly on institutional capacity, resource availability, and political commitment to consumer protection objectives. In NTB Province, the regulatory framework includes

provincial regulations on trade control and consumer protection, though implementation gaps remain evident in actual market outcomes.

Empirical Analysis of Price Fluctuations in West Nusa Tenggara Province

Quantitative analysis of price data from the Central Bureau of Statistics of West Nusa Tenggara Province for 2024 reveals substantial volatility in staple commodity prices that raises serious concerns about the effectiveness of existing price control mechanisms. The data encompasses monthly price observations for key commodities across three major cities in the province: Mataram, Bima, and Sumbawa. This analysis focuses on three strategic commodities that demonstrate particularly pronounced fluctuation patterns: rice, shallots, and beef, each representing different supply chain characteristics and market dynamics.

Rice, as Indonesia's primary staple food and a commodity of critical importance to food security and social stability, exhibits concerning price trends throughout 2024. The data indicates that prices for C4 quality grade I rice, which serves as a benchmark for medium-quality rice consumed by most households, increased by approximately 14% during March 2024 compared to preceding months. This sharp increase cannot be attributed solely to normal seasonal variations or input cost adjustments, suggesting the presence of market distortions or supply chain disruptions. More detailed month-to-month analysis reveals that rice prices in Mataram began the year at approximately IDR 12,800 per kilogram in January, rose gradually to IDR 13,200 in February, then spiked to IDR 14,600 in March before stabilizing slightly at IDR 14,200 in subsequent months. This price pattern indicates a structural shift rather than temporary volatility, with the new price level representing a sustained increase that disproportionately affects low-income consumers allocating significant portions of household budgets to rice purchases.

The variation coefficient for rice prices across the three monitored cities demonstrates spatial price disparities that further compound consumer vulnerability. While Mataram, as the provincial capital with relatively developed infrastructure and market integration, experienced price increases of 14%, more remote areas such as Sumbawa recorded even higher increases approaching 18% during the same period. This spatial variation suggests that transportation costs, supply chain inefficiencies, and limited market competition in peripheral areas exacerbate price volatility, creating geographic inequality in access to affordable staple goods. The data also reveals that actual market prices frequently exceed national reference prices established by the Ministry of Trade, indicating inadequate enforcement of price control mechanisms or insufficient market operations to stabilize prices during periods of elevated demand or supply constraints.

Shallot price volatility presents an even more dramatic example of market instability, with price fluctuations reaching 120% throughout 2024. Shallots, while less critical than rice in terms of caloric intake, constitute an essential ingredient in Indonesian cuisine and represent a significant component of household food expenditures. The extreme volatility observed in shallot prices reflects the complex interplay of production seasonality, perishability constraints, and market speculation. Price data indicates that shallots traded at approximately IDR 35,000 per kilogram in January 2024, decreased to IDR 22,000 in March during peak harvest season, then surged dramatically to IDR 77,000 in June when supplies tightened due to off-season conditions and quality deterioration during rainy

periods. This more than threefold price increase within a six-month period far exceeds any reasonable cost adjustment and suggests the presence of hoarding, speculation, or cartel behavior among traders.

The seasonal pattern of shallot prices, while partially explained by production cycles, demonstrates price swings far exceeding those observed in regions with effective price stabilization mechanisms. Comparative analysis with national average prices reveals that NTB experiences more pronounced volatility than Java-based markets, likely reflecting weaker regulatory oversight, limited cold storage infrastructure to buffer seasonal production variations, and higher concentration in trader networks enabling coordinated price manipulation. The coefficient of variation for shallot prices across the three cities exceeds 45%, indicating substantial instability that undermines consumer ability to plan household budgets and access essential cooking ingredients at predictable costs.

Beef prices exhibit a different volatility pattern characterized by sustained upward pressure punctuated by periodic spikes during high-demand periods such as religious holidays and festival seasons. Throughout 2024, beef prices in NTB ranged from IDR 130,000 to IDR 160,000 per kilogram, representing a baseline volatility of approximately 23%. However, during Ramadan and Eid al-Fitr celebrations in March-April 2024, prices temporarily surged to IDR 175,000 per kilogram before gradually declining as demand normalized. This predictable but pronounced seasonal variation indicates insufficient strategic reserve management and inadequate market operations to dampen demand-driven price spikes during culturally significant periods of elevated consumption.

The beef market in NTB faces structural challenges including limited local production requiring inter-island transportation from major cattle-producing regions, high costs associated with maintaining cold chain logistics in tropical conditions, and oligopolistic market structures dominated by a small number of large-scale distributors. These structural characteristics create conditions conducive to price manipulation and reduce the effectiveness of conventional price control measures. The persistent gap between actual market prices and official reference prices suggests that existing regulatory interventions lack sufficient enforcement mechanisms or that penalties for violations remain inadequate to deter predatory pricing practices.

Analysis of Consumer Protection Principles in Price Fluctuation Context

The empirical price data analyzed above demonstrates systematic failures in implementing the three fundamental principles of consumer protection law: fairness, balance, and legal certainty. Each of these principles warrants detailed examination to understand how the normative legal framework fails to translate into effective market outcomes protecting consumer welfare.

The principle of fairness requires that prices be determined through healthy market mechanisms free from hoarding, cartelization, and other manipulative practices. Article 107 of Law No. 7 of 2014 explicitly prohibits business actors from engaging in unfair business competition, including agreements to control production, market allocation, or price fixing that harm consumers. However, the extreme volatility observed in NTB commodity markets strongly suggests that fair pricing mechanisms are not functioning effectively. The 120% fluctuation in shallot prices within a single year cannot be

explained by legitimate supply and demand dynamics alone, particularly given that production patterns and consumption needs remain relatively stable. Such dramatic price swings indicate the presence of speculative behavior, coordinated supply restrictions, or exploitation of information asymmetries by traders possessing superior knowledge of supply conditions.

The fairness principle also encompasses transparency in pricing mechanisms, requiring that consumers have access to accurate information about price determinants and that pricing structures reflect genuine costs rather than artificial mark-ups. In NTB, however, price transparency remains limited. While the Central Bureau of Statistics publishes monthly price data with a lag of several weeks, consumers lack real-time access to current market prices, reference prices, and information about supply conditions that would enable informed purchasing decisions. This information deficit places consumers at a disadvantage relative to traders and large-scale buyers who possess better market intelligence and can time purchases to exploit price cycles. The absence of readily accessible price comparison platforms or mandatory price disclosure requirements further exacerbates information asymmetries, undermining the fairness principle's objective of ensuring equitable market transactions.

The principle of balance mandates that government authorities equilibrate the interests of producers, distributors, and consumers to prevent any single group from bearing disproportionate burdens or extracting excessive benefits from market transactions. Effective implementation of this principle requires active regulatory intervention to correct market failures, prevent abuse of dominant positions, and ensure that supply chain efficiencies benefit consumers through lower prices rather than merely increasing intermediary profits. The price data from NTB suggests that current regulatory practices fail to achieve this balance, as evidenced by price levels consistently exceeding national averages and reference prices established by central authorities.

Producer interests in receiving remunerative prices for agricultural output constitute legitimate concerns that must be accommodated within price control frameworks. However, the extreme retail price volatility observed in NTB markets does not primarily benefit primary producers, who typically sell at farmgate prices determined by buyer-traders and realize only a fraction of eventual retail margins. Instead, the price volatility predominantly enriches intermediaries who exploit their control of distribution channels, storage facilities, and market information to capture surplus value. This distributional outcome violates the balance principle by concentrating benefits among middlemen while imposing costs on both producers (through depressed farmgate prices when retail prices are low) and consumers (through elevated retail prices when market conditions favor sellers).

Achieving genuine balance requires strengthening farmer bargaining power through cooperative organizations, improving price discovery mechanisms at farmgate level, reducing excessive intermediation through direct marketing channels, and implementing market operations that stabilize prices for both producers and consumers. The current regulatory framework in NTB lacks sufficient emphasis on these structural interventions, focusing instead on episodic price monitoring without addressing the underlying market power imbalances that generate volatility.

The principle of legal certainty requires that citizens have access to official price references as the basis for legitimate transactions and that regulatory authorities enforce price norms consistently and predictably. Legal certainty serves multiple functions: it enables consumers to distinguish reasonable from exploitative prices, provides business actors with clear guidance about acceptable pricing practices, and establishes objective standards for regulatory enforcement actions. In the NTB context, however, legal certainty remains elusive. Although the Ministry of Trade periodically publishes reference prices for staple goods, these reference prices frequently diverge substantially from actual market prices without triggering effective enforcement responses.

The gap between reference prices and market prices undermines the credibility of price control mechanisms and signals to market actors that violations carry minimal consequences. When rice market prices exceed reference prices by 15-20% without prompting regulatory intervention, traders reasonably conclude that reference prices function as advisory guidelines rather than enforceable standards. This perception encourages further price escalation as market actors test the boundaries of regulatory tolerance. The sporadic and unpredictable nature of enforcement actions compounds the legal uncertainty, as businesses cannot reliably anticipate which price violations will trigger sanctions and which will be tolerated.

Enhancing legal certainty requires several complementary measures: establishing clear thresholds that automatically trigger regulatory review when prices deviate from references by specified margins, implementing transparent enforcement procedures that ensure consistent application of sanctions, regularly updating reference prices to reflect genuine market conditions while preventing speculative deviations, and providing clear public communication about price control policies and enforcement actions. The current regulatory practice in NTB falls short on each of these dimensions, contributing to a market environment characterized by unpredictability and vulnerability to manipulation.

State Obligations in Ensuring Economic Justice

The analysis of price fluctuation patterns and regulatory implementation gaps in NTB Province raises fundamental questions about state obligations in ensuring economic justice for citizens. Both national Indonesian law and Islamic economic principles establish that government authorities bear affirmative responsibilities to prevent market exploitation and ensure that economic systems serve social welfare objectives rather than merely facilitating private accumulation of wealth.

The constitutional foundation for state intervention in markets stems from Article 33 of the 1945 Constitution, which establishes that the national economy shall be organized based on family principles and that sectors controlling the livelihood of many people shall be controlled by the state. This provision reflects the constitutional framers' rejection of laissez-faire capitalism in favor of a social market economy where state authorities actively shape economic outcomes to promote distributive justice. Constitutional Court decisions have consistently interpreted Article 33 as creating positive obligations for government to regulate markets, prevent monopolistic practices, and ensure that economic development benefits all segments of society rather than concentrating wealth among elites.

In the specific context of staple goods markets, state obligations encompass several dimensions. First, government authorities must monitor market conditions continuously to detect price anomalies, supply disruptions, and manipulative practices before they escalate into crises affecting consumer welfare. This monitoring function requires robust data collection systems, analytical capacity to distinguish normal price variations from problematic spikes, and institutional mechanisms to coordinate information sharing across agencies. Second, authorities must intervene proactively when market conditions deteriorate, utilizing policy tools including strategic reserve releases, market operations to increase supply, price ceiling enforcement, and sanctions against violators. Third, government must address structural market deficiencies through long-term interventions including infrastructure development to reduce transportation costs, support for farmer organizations to improve bargaining power, and competition policy enforcement to prevent cartelization.

The Islamic economic law perspective reinforces and extends these state obligations through the concept of *hisbah*, which establishes that public authorities bear responsibility for maintaining market integrity and preventing exploitation. The *muhtasib* (market supervisor) in classical Islamic governance possessed authority to inspect weights and measures, verify product quality, prevent hoarding and speculation, and sanction traders engaging in fraudulent practices. This institutional model reflects the principle that markets require active supervision to function justly and that unregulated commerce inevitably generates exploitation of vulnerable parties.

Contemporary Islamic economic scholars emphasize that price control constitutes a legitimate and necessary government function when market failures threaten access to essential goods. While classical Islamic jurisprudence generally favored free price determination through supply and demand interaction, an important exception existed for circumstances of artificial scarcity created through hoarding or monopolization. When traders deliberately restrict supply to drive up prices, government intervention to set maximum prices or compel sales at reasonable rates is not only permitted but obligatory to protect public welfare. The dramatic price fluctuations observed in NTB, particularly for commodities like shallots where price variations far exceed production cost changes, suggest precisely the kind of artificial scarcity that Islamic economic principles identify as warranting regulatory intervention.

The convergence of constitutional obligations under Indonesian law and normative principles derived from Islamic economic thought establishes a robust foundation for asserting that government authorities in NTB have failed to fulfill their duties to ensure economic justice. The persistent price volatility, inadequate enforcement of price controls, and tolerance of exploitative trading practices constitute a form of state negligence that violates citizens' fundamental rights to access essential goods at reasonable prices. This failure carries not only legal implications but also moral and ethical dimensions, as it represents a fundamental breach of the social contract between government and governed.

Institutional and Structural Barriers to Effective Implementation

Understanding why the comprehensive legal framework for consumer protection fails to translate into stable prices and effective market regulation requires examining

institutional and structural barriers that impede implementation. These barriers operate at multiple levels, from resource constraints and coordination failures to political economy factors that influence regulatory priorities and enforcement decisions.

Resource constraints represent a fundamental challenge for regulatory agencies tasked with market supervision and price control enforcement. Provincial Trade Offices in NTB, like their counterparts in many Indonesian regions, face chronic shortages of personnel, funding, and technical equipment necessary for effective market monitoring. With limited staff available to conduct inspections across geographically dispersed markets, regulatory coverage remains sporadic and unpredictable. Traders recognize that the probability of detection for price violations is low, reducing the deterrent effect of legal sanctions. Even when violations are detected, the administrative and legal process for imposing penalties proves time-consuming and resource-intensive, discouraging regulatory officials from pursuing enforcement actions except in the most egregious cases.

Coordination failures among multiple government agencies with overlapping responsibilities for food security, price stability, and consumer protection compound resource constraints. Effective price control requires seamless cooperation among Trade Offices responsible for market supervision, Statistics Offices collecting price data, Food Security Agencies managing strategic reserves, and law enforcement authorities investigating criminal violations such as cartel formation. In practice, these agencies often operate in silos, failing to share information efficiently or coordinate interventions effectively. The absence of clear protocols for inter-agency collaboration means that price spikes may be detected by one agency but fail to trigger appropriate responses from others with relevant policy tools.

Political economy factors also shape regulatory behavior in ways that disadvantage consumers relative to organized business interests. Traders and distributors possess concentrated economic power and political influence that enables them to resist regulatory interventions threatening their profit margins. In contrast, consumers represent a diffuse and unorganized constituency lacking effective lobbying capacity. This asymmetry in political influence creates incentives for regulatory authorities to adopt lenient enforcement postures that avoid confrontation with powerful business actors. Moreover, local officials may have personal or familial connections to major traders, creating conflicts of interest that compromise enforcement impartiality.

Geographic and infrastructural challenges specific to NTB further complicate regulatory effectiveness. As an archipelagic province with significant inter-island transportation costs, NTB faces structural disadvantages in market integration and supply chain efficiency. Many rural areas remain poorly connected to major production centers, enabling local traders to exploit captive markets through monopolistic pricing. The limited availability of cold storage and warehouse facilities prevents effective supply buffering to smooth seasonal price variations. These structural constraints mean that even well-intentioned regulatory interventions may prove insufficient to stabilize prices without complementary investments in market infrastructure.

The legal framework itself contains gaps and ambiguities that hinder enforcement. While price control authority is clearly established in national legislation, implementation regulations often lack specificity regarding enforcement thresholds, penalty schedules,

and procedural requirements. This ambiguity creates opportunities for regulated parties to challenge enforcement actions and for officials to exercise excessive discretion in applying standards. The absence of clear, objective criteria for determining when prices become "unreasonable" and warrant intervention leaves regulatory decisions vulnerable to inconsistency and accusations of arbitrariness.

Comparative Perspectives and Best Practices

Examining how other jurisdictions address staple goods price volatility provides valuable insights for improving consumer protection in NTB. Several countries with similar development levels and market structures have implemented innovative approaches to price stabilization that merit consideration for adaptation to the Indonesian context.

Thailand's agricultural commodity price stabilization system offers relevant lessons for rice price management. The Thai government operates a sophisticated system of minimum price guarantees for farmers combined with strategic reserve management and export controls to balance domestic supply and international market opportunities. This integrated approach addresses price volatility from both production and distribution perspectives, ensuring farmgate prices sufficient to maintain productive capacity while preventing domestic shortages and extreme price spikes. Key elements include transparent price announcement systems that provide forward guidance to producers and consumers, well-capitalized government procurement agencies capable of large-scale market interventions, and flexible export licensing that responds to domestic supply conditions.

The Philippines' price monitoring and enforcement system demonstrates the value of technology-enhanced market surveillance. Philippine authorities utilize mobile applications and web platforms enabling consumers to report price violations directly to regulatory agencies, creating a distributed monitoring network that supplements official inspections. This crowdsourced enforcement model increases detection probability while empowering consumers as active participants in market regulation. Real-time price data aggregated from multiple sources enables rapid identification of anomalies and targeted enforcement responses. Adapting this approach to NTB could significantly enhance regulatory coverage without proportional increases in agency budgets.

Malaysia's Competition Commission provides a model for addressing structural market power issues that contribute to price manipulation. The Commission possesses broad investigative authority and substantial enforcement resources to prosecute cartel behavior, abuse of dominant positions, and anti-competitive mergers. Importantly, the Commission operates with significant independence from political pressures, enabling it to challenge powerful business interests when necessary. Establishing a similar competition authority at the provincial level in Indonesia, or strengthening the national competition commission's regional presence, could address the underlying market power asymmetries that generate price volatility.

D. Conclusion

This research demonstrates that while Indonesia possesses a theoretically robust normative legal framework for consumer protection against price fluctuations of staple

goods, implementation at the regional level, particularly in West Nusa Tenggara Province, remains fundamentally inadequate. The empirical analysis of 2024 price data reveals volatility patterns that clearly violate the principles of fairness, balance, and legal certainty that should govern consumer markets, with rice prices increasing 14% and shallot prices fluctuating up to 120% during the year. These dramatic variations reflect systemic failures in regulatory enforcement, inadequate inter-agency coordination, insufficient market surveillance capacity, and structural market deficiencies that enable trader manipulation of prices. The gap between normative legal provisions and actual market outcomes indicates that legal reform alone cannot solve price volatility problems; rather, comprehensive institutional strengthening, resource allocation increases for regulatory agencies, technological modernization of market monitoring systems, and political commitment to prioritize consumer welfare over organized business interests are essential. Specific recommendations include establishing clear regulatory thresholds that automatically trigger interventions when prices deviate from references by specified margins, implementing technology-enhanced surveillance systems incorporating crowdsourced reporting mechanisms, strengthening coordination protocols among Trade Offices, Statistics Bureaus, and Food Security Agencies, increasing penalties for price manipulation to create meaningful deterrence, investing in market infrastructure including cold storage and transportation to address structural supply chain inefficiencies, and empowering farmer organizations and consumer associations to balance trader market power. Without these complementary reforms, the extensive legal framework for consumer protection will remain aspirational rather than operational, leaving vulnerable populations exposed to exploitative pricing practices that undermine food security and economic justice. Future research should examine the political economy dynamics that sustain inadequate enforcement and identify strategies for building political coalitions supporting stronger consumer protection, while also investigating the potential for regional cooperation among provinces facing similar challenges to share best practices and coordinate market interventions.

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