REGIONAL REGULATION PROBLEMS IN THE FIELD OF SALT INDUSTRY DEVELOPMENT PERSPECTIVE OF FARMERS IN SAMPANG REGENCY

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Abstract

Sampang is an area that has the largest salt field in Madura. However, abundant salt fields do not make it a developed region. Sampang has consistently been a disadvantaged area. Thus, predictably, there are various problems regarding salt in Sampang. This issue needs to be studied, especially in legal matters that hinder the development of the salt industry in Sampang. To answer this problem, empirical legal research methods are used to explore and identify legal problems related to salt issues in the field. The results and discussion in this study revealed that at least three main problems hinder the progress of the salt industry perspective of salt farmers in Sampang Regency. The three main problems are the absence of regional regulations on aquaculture, the absence of regional policies that support salt pricing that benefits farmers, and the absence of policies on the implementation of regional duties in the field of providing facilities and infrastructure that support the development of the salt industry in Sampang Regency.

Keywords*: Legal issues, salt, farmers, regional regulation, Sampang.*

Introduction

Sampang Regency is known to have the largest salt field in Madura, even in East Java, with a total land area of 5,545 Ha. Salt production in Sampang Regency is spread across five sub-districts, including Camplong, Sampang, Sreseh, Pangarengan

and Jrengik.[1] Thus, it is appropriate if Sampang Regency is referred to as the main base of national salt suppliers. The vast salt land ownership often makes Sampang one of the objects of development and improvement in national salt production.[2]

Salt is a potential and most promising strategic resource and/or commodity.[3] This is due to the Indonesian State, which has 81,000 kilometers of coastline; in other words, Indonesia's coastline is the second longest in the world after Canada's. The vast coastline should be maximized properly by managing salt land to realize this country as a salt exporting country. Even if it cannot be realized, the vast area of salt land should be an asset for Indonesia to meet its salt needs independently without importing salt.

But the fact is not as expected because until now, the national salt needs are still dominated by imported salt. 60% (sixty percent) of the national salt needs still depend on imported salt from various countries such as Australia, India, Singapore, China, etc. This suggests that the national salt policy has yet to encourage the salt industry's full improvement. Meanwhile, the increase in salt production is closely related to efforts to develop the welfare level of salt farmers.[4]

Unlike the national condition, the abundance of salt products in Sampang Regency does not seem to impact the welfare of its people significantly. As evidenced by several surveys conducted by several institutions, Sampang Regency consistently occupies a top position in various fields, including economics, education, and others.[5] Data released by the Directorate of Special Areas and Underdeveloped

[1] Sony Hendra Permana, "Kebijakan Pengembangan Produksi Garam Nasional," *Jurnal Ekonomi & Kebijakan Publik* 2, no. 2 (2015): 657–80, http://lintang2010.
[2] Ainul Yaqin and Setiani, "Karakteristik Petani Dan Kelayakan Finansial Usahatani Garam Secara Tradisional Dan Teknologi Geomembran; Studi Kasus Di Desa Pangarengan Kecamatan Pangarengan Kabupaten Sampang," *Pamator* 10, no. 1 (2017): 54–60, http://journal.trunojoyo.ac.id/pamator.
[3] Yety Rochwulaningsih, "Pendekatan Sosiologi Sejarah Pada Komoditas Garam Rakyat: Dari Ekspor Menjadi Impor," *Paramita: Historical Studies Journal* 22, no. 1 (2012): 16–17, https://journal.unnes.ac.id/nju/index.php/paramita/article/view/1840/1989.
[4] Hendra Permana, "Kebijakan Pengembangan Produksi Garam Nasional," 659.
[5] Ketut Dewi Martha Erli Handayeni and Fajrii Audrina Majida, "Tipologi Ketertinggalan Wilayah Pada Kabupaten Sampang," *Jurnal Penataan Ruang* 14, no. 1 (2019): 24, https://doi.org/10.12962/j2716179x.v14i1.7150.

Regions, Ministry of National Development Planning/National Development Planning Agency of the Republic of Indonesia, where Sampang Regency is included in the category of underdeveloped regions.[6]

With such vast salt fields, Sampang Regency should be able to develop as one of the economically advanced regions. Of course, behind the downturn in salt management, various problems take a lot of work to solve.[7] So far, there has been no policy from the government (either central or regional) that provides explicit protection and plans for the self-sufficiency of salt farming in Sampang, even though the development of the salt business depends on regional policies in preparing regulations that support the salt industry climate in Sampang Regency.

The existence of regulations to encourage the growth of the salt industry is very important because Indonesia is a state of law that requires everything to be based on the rule of law, not other factors outside the rule of law. The rule of law governing all activities of the state and its citizens will give birth to a legal protection mechanism when the state's and its citizens' legal interests are disturbed and deprived by others. This mechanism is expected to be realized when the local government prepares salt regulations that support the people's salt activities, where the legal interests of salt farmers will be more easily guaranteed and protected by the birth of the salt law product.[8]

Another problem being faced by salt farmers in Sampang is that the local government needs to take serious steps to unravel the legal issues that hinder the development of the salt industry. This legal issue has impeded the advancement of the salt industry so far. The government's knowledge of salt legal issues that farmers have felt is the main foundation in preparing regional policies in the salt field so that all salt policies implemented can alleviate the real problems. In addition, knowledge

[6] Ihsanudin, "Pemberdayaan Petani Penggarap Garam Melalui Kebijakan Berbasis Pertanahan," *Activita* 2, no. 1 (2012): 157.
[7] Fauziyah and Ihsanuddin, "Pengembangan Kelembagaan Pemasaran Garam Rakyat," *Jurnal Sosial Ekonomi Pertanian* 7, no. 1 (2014): 3–4.
[8] Hendra Permana, "Kebijakan Pengembangan Produksi Garam Nasional," 661.

of salt legal issues is also helpful in preventing the birth of regional regulations that are not on target because they are not by the regulatory material needed by the community.[9]

This research focuses on efforts to find various legal issues that can hinder farmers' performance in carrying out salt production activities. However, the legal issues explored are those that salt farmers have faced in Sampang district. This focus was deliberately chosen so that local governments in Madura, especially in Sampang Regency, have references for making local regulations to increase salt production. Adequate references from salt farmers related to legal issues faced in the process of salt production will help the performance of local governments so that the regulations prepared and enforced have a beneficial value and can overcome the problems that farmers have faced.[10]

Method

This type of empirical legal research, also known as non-doctrinal research, has a sociological legal approach that departs from the idea that law cannot be separated from other aspects of community life, such as values, attitudes, and behaviour.[11] Therefore, this approach is relevant to finding the causes and legal problems hampering the salt industry's pace in Sampang Regency. The data in this research consists of primary and secondary data sourced from all legal issues of the salt industry in Sampang Regency. The collected data is then analyzed descriptively and analytically.

[9] Yusmita Syarif and Ansori, "The Urgency of Establishing Regional Regulations on Thematic Tourism in Sumenep Regency," *Trunojoyo Law Review* 4, no. 2 (2022): 133–48, https://doi.org/https://doi.org/10.21107/tlr.v4i2.18114.
[10] N. Nuswardani, "Protection and Empowerment of Salt Farmers in Madura," in *Proceedings of the 1st International Conference on Life, Innovation, Change and Knowledge (ICLICK 2018)* (Paris, France: Atlantis Press, 2019), 313–16, https://doi.org/10.2991/iclick-18.2019.64.
[11] Johny Ibrahim, *Teori Dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, 2006), 87.

Discussion

Legal Issues in the Field of Regional Regulation Availability

As described in the introduction above, the progress of the salt industry in Sampang Regency depends on the salt regulation model implemented by the government, especially by the local government. However, the facts that occur in the field are different, namely the lack of salt regulations that can become legal instruments that protect the community's interests in the field of salt. The lack of legal rules on salt is also experienced by Sampang Regency, which has yet to have local regulations specifically discussing salt. Sampang is an area that has the most extensive salt fields in Indonesia, with a total area of around 4,382.7 ha.

Nany Nuryanti, Head of the Chemical Industry and Building Materials Section of the Sampang Regency Industry, Trade and Mining Office, confirms the absence of legal regulations related to salt. According to her, the provisions of regional regulations on salt still need to be created in Sampang Regency. However, this local regulation on salt is being drafted and discussed at the Sampang Regency Regional Representative Council (DPRD Sampang). The conclusion is that during the 70 years of Indonesia's independence, there has not been a single Regional Regulation that provides regulations on empowering people's salt.

Furthermore, according to Nany, the law on salt regulations only regulates iodized salt, enacted in 2002. However, Nany admits that the existence of this regional regulation is no longer in accordance with the development of community life, which is hit by several problems ranging from the high price of essential commodities and the soaring price of fuel oil to the weakening of the rupiah exchange rate. Therefore, Nany hopes that the local regulation drafted at the Sampang DPRD will be fresh air to empower salt farmers in Sampang Regency.

In line with Nany Nuryanti, Tamsul, an activist and leader of Madura Development Watch (MDW), also stated that there is no local regulation on salt in Sampang district. According to him, the absence of rules on salt has the potential to lead to arbitrary actions from certain parties, which results in the low level of

welfare of salt farmers in the Sampang Regency. In addition, this phenomenon also results in a sluggish economy in Sampang Regency.

The concept of a *modern* legal state, as conveyed by Philipus M. Hadjon,[12] requires the presence of legal means to protect all the interests of its people actively. These legal means prevent intersections between interests that can harm one party. In this context, legal means should be present and active in protecting the interests and sustainability of salt production in Sampang Regency. Because it is directly related to the livelihood of thousands of salt farmers who live in Sampang.

In line with this, Harjono revealed that each society, through its legal system, determines how these interests can be transformed into interests protected by law, which then become rights. In traditional societies, the development pattern is step by step, from a habit to gradually a certain interest, getting recognition of protection and then becoming protected by law.[13] Whereas in *modern* societies that recognize the existence of law-making institutions or parliaments, the transformation of certain interests into interests protected by law is carried out by the legislative process in this institution.[14]

The transformation of interest protection into law will present *legal remedies* to defend their interests. Without legal remedies, the rights the law gives are only a promise because there is no way to enforce them. In this case, the protection of interests granted by law must be protected, respected and fulfilled. Respect for interests is achieved by avoiding actions that interfere with someone enjoying their interests.[15] Meanwhile, legal interests are protected by providing

[12] Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat* (Jakarta: Rajawali Pers, 2015), 112.
[13] Harjono, *Konstitusi Sebagai Rumah Bangsa* (Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi Republik Indonesia, 2008), 212.
[14] Agung Ali Fahmi, Muwaffiq Jufri, and Ansori, "The Implementation of Islamic Value Absorption in Regional Regulations on Districts at Madura," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 15, no. 1 (2020): 157–58, https://doi.org/http://doi.org/10.19105/al-ihkam.v15i1.2682.
[15] Setiono, "Perlindungan Hukum Bagi Buruh Migran; Implementasi Undang-Undang No. 18 Tahun 2018," *Istinbath Journal of Law* 2, no. 16 (2019): 224, https://e-journal.metrouniv.ac.id/index.php/istinbath/article/view/1708/1392.

legal remedies to someone whose interests have been violated by others. Thus, the end of legal remedies is so that the interests owned by humans are protected from interference or if the interests are violated and deprived, then the rights will be restored.

This conception of legal protection will find its relevance in the context of the rule of law. This is in line with what Philipus M. Hadjon said that *legal protection* for the people (*legal protection of the individual in relations to acts of administrative authorities* or *rechtsbescherming van de burgers tegen de overheid*) is *inherent* in the concept of *rechtsstaat* and *the* idea of *the rule of law*. In Indonesia, the rule of law must be returned to Pancasila as its foundation so that by itself, legal protection for the people must be explored based on Pancasila because recognition of human dignity is *intrinsically* attached to Pancasila.[16]

The absence of legislation related to the empowerment of people's salt has led to the absence of legal protection among the Sampang salt farming community. In addition, to defend their interests, Sampang salt farmers need help in legal efforts to protect their interests.[17] So that the interests violated by various parties cannot be restored. This incident certainly causes the welfare of Sampang salt farmers to be very alarming and on the poverty line. Several survey reports place this district as one of the most underdeveloped regions in East Java.[18]

In the rule of law system, the state should be present in every legal problem the community faces. The state should be able to prepare a variety of regulations to facilitate the community in resolving all legal issues.[19] Indonesia, which adheres

[16] Philipus M. Hadjon and Tatiek Sri Djatmiati, *Argumentasi Hukum* (Yogyakarta: Universitas Gadjah Mada Press, 2016), 26.
[17] Sonia Ivana Barus, "Proses Perubahan Mendasar Konstitusi Indonesia Pra Dan Pasca Amandemen," *University Of Bengkulu Law Journal* 2, no. 1 (2017): 29–55, https://doi.org/10.33369/ubelaj.v2i1.8010.
[18] Satria Wiratama, Herman Cahyo Diartho, and Fajar Wahyu Prianto, "Analisis Pembangunan Wilayah Tertinggal Di Provinsi Jawa Timur," *E-Journal Ekonomi Bisnis Dan Akuntansi* 5, no. 1 (May 23, 2018): 16, https://doi.org/10.19184/ejeba.v5i1.7726.
[19] Putra Perdana Ahmad Saifulloh, "Penafsiran Pembentuk Undang-Undang Membentuk Kebijakan Hukum Terbuka Presidential Threshold Dalam Undang-Undang Pemilihan Umum Yang Bersumber

to the rule of law, should be able to make legal policies that facilitate salt farmers in carrying out salt production and marketing activities. The regulations should be in accordance with the ideals of the rule of law as a tool in engineering social life. This is as stated by Rescue Pound in the theory of sociological jurisprudence with the term *law is a tool as social control*.[20]

Legal Issues in the Field of Salt Price Policy

By the provisions of Article 7 Paragraph (1) and Article 7 Paragraph (2), East Java Governor Regulation Number 78 of 2011 concerning Control of Imported Salt and Empowerment of People's Salt (Pergub Salt 2011) mandates that the price of salt for KP 1 (main) is Rp. 750,000, - /ton and for KP 2 is Rp. 550,000, - /ton. At least the existence of Pergub Salt 2011 provides a reference to salt farmers in Sampang Regency to set the price of salt sold by the salt regulation.[21]

The existence of the 2011 salt regulation that regulates the empowerment of people's salt is a breath of fresh air to suppress the existence of imported salt, which is very detrimental and causes suffering to salt farmers, especially salt farmers in Sampang Regency. The advantage of this regulation is the determination of the price of salt, which is expected to be a reference for farmers in determining the price to be sold. Thus, farmers will not be easily tricked by middlemen or salt entrepreneurs who buy salt at low prices and are not worth the heavy workload of salt farmers in the processing process.[22]

However, this policy must be tested for its effectiveness in the field. Because

Dari Putusan Mahkamah Konstitusi," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 11, no. 1 (2022): 153, https://doi.org/10.33331/rechtsvinding.v11i1.867.

[20] Safi', Muwaffiq Jufri, and Ansori, *Filsafat Hukum; Mengurai Esensi Hukum Berbasis Multi-Prespektif* (Jakarta: Prenada Media, 2023), 33–34.

[21] Mukhlish Mukhlish and Muwaffiq Jufri, "Legal Counseling on Salt Pond Land Certification to Avoid Land Conflicts in Pagagan Village, Pamekasan Regency," *Jurnal Pengabdian Hukum Indonesia (Indonesian Journal of Legal Community Engagement) JPHI* 6, no. 1 (May 31, 2023): 91–108, https://doi.org/10.15294/jphi.v6i1.65030.

[22] Iskandar Dzulkarnain et al., "Nyadar: Religious and Cultural Resistance of Madurese Salt Farming Community," *Sodality: Jurnal Sosiologi Pedesaan* 8, no. 2 (November 20, 2020): 53–68, https://doi.org/10.22500/8202031832.

sometimes the rule of law is only sweet in writing and bitter in the field in accordance with the principle of "*das sollen das sein"*. *Das sollen* here is defined as rules and/or norms and normative reality as to what should be done.[23] Meanwhile, *das sein* is the implementation of everything whose occurrence is regulated by *das sollen*. It can be understood that *das sein* is a concrete event that occurs. More quickly, the meaning of das *sollen das sein* is interpreted as "law and reality".[24]

Related to this effectiveness, Soerjono Soekanto explains that legal effectiveness is at least determined by a) the rule of law itself; b) law enforcement factors, namely those who form and enforce the law; c) facilities and facilities that support law enforcement; d) legal society, namely the community environment where the rule of law is applied and enforced; and e) cultural factors, namely the work, creation, and creation of the community that affects the association of people living in the rule of law.[25]

The rules regarding the price of salt that have been determined in the 2012 Salt Governor Regulation have not been able to help much to improve the welfare of salt farmers in Sampang Regency. The reason is that the price for farmers is far below the provisions in Article 7 Paragraph (1) and Article 7 Paragraph (2) of the 2011 Salt Governor Regulation. In the Sampang area, the price of salt with the best quality (KP 1) is IDR. 650,000, - / ton, a difference of IDR. 100,000, - from the normal price. While the quality below it (KP 2) is valued at IDR. 350,000, - / ton with a difference of Rp. 200,000, - from the price determined by the legislation.[26]

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[23] Keebet von Benda-Beckmann and Bertram Turner, "Legal Pluralism, Social Theory, and The State," *The Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (September 2, 2018): 255–74, https://doi.org/10.1080/07329113.2018.1532674.

[24] Bakti, "Pluralisme Hukum Dalam Mekanisme Penyelesaian Sengketa Sumber Daya Alam Di Aceh," *Kanun: Jurnal Ilmu Hukum* 17, no. 1 (2015): 129–49, https://doi.org/10.24815/kanun.v17i1.6056.

[25] Soerjono Soekanto, *Pokok-Pokok Sosiologi Hukum*, Cetakan ke (Jakarta: Rajawali Pers, 2019), 77–78.

[26] Budi Sasongko et al., "Production Optimalization Analysis and Maximization Profit of Salt Farmers on the Madura Island," in *Proceedings of the 5th Annual International Conference on Accounting Research (AICAR 2018)* (Paris, France: Atlantis Press, 2019), 441–50, https://doi.org/10.2991/aicar-18.2019.28.

Nany Nuryanti acknowledged that the conditions conveyed by the salt farmers are true. Nani added that the price of salt in the field changes according to salt availability. In the harvest season, the price of KP 1 salt can be in the range of IDR. 550,000, -/ton, while KP 2 salt is valued at IDR. 300,000, -/ton. Furthermore, according to Nany, the discrepancy in salt prices is caused by the attitude of entrepreneurs who deduct the cost of coolies and transportation costs into the official price determined in the legislation. Meanwhile, the price determined in the legislation should be the full price received by salt farmers in Sampang Regency without any deductions.

In line with Nany Nuryanti, Muh. Hisyam, a salt farmer in Ragung Village, Pangarengan Subdistrict, Sampang Regency, as well as the leader of the Sampang Salt Farmers Association (APEGAR), argued that there is a difference in the price of salt between that determined by the 2011 Governor Regulation on Salt and the price received by salt farmers in Sampang Regency. According to Hisyam, this year's salt harvest season is the worst season felt by salt farmers in Sampang. This is because the price is very low, even lower than in previous seasons.

In fact, according to Hisham, in recent years, the price of essential commodities has continued to increase significantly and needs to be balanced with the income earned by salt farmers. The increase in the price of essential commodities should be accompanied by an increase in the price of salt, which will be very beneficial for fulfilling the needs of salt farmers in Sampang Regency to maintain their lives and livelihoods. Hisyam admitted that the existence of abundant salt fields in Sampang Regency does not bring benefits to the people in his region. Instead, those who enjoy the salt fields are salt entrepreneurs outside the Sampang area.

Some explanations about the discrepancy between salt prices in Sampang district indicate that the legal regulations on salting have yet to be successful or effective. This suggests that the rule of law still needs to improve its implementation

efforts in community life. Here, the function of law as a means of controlling people's lives so that there is no harm to interests has yet to be successfully implemented.

That way, the justice expected by salt farmers has yet to be felt. In this case, salt farmers are treated unequally by salt entrepreneurs. According to Adam Smith, the imbalance between these relationships indicates unfair behaviour or policies applied. Furthermore, according to Smith, justice only has one meaning: commutative justice, which concerns equality, balance, and harmony of relations between one person or party and another. In this case, Smith considers that justice will be achieved when there is a balance of obligations and rights from the relationship established by each person.[27]

In line with Adam Smith, John Rawls argues that justice, according to him, is a situation where no one feels disadvantaged in an activity or certain social relationships. According to Rawls, justice can be achieved when the relationship between each human being,[28] especially in contracting activities, returns to the 'original principle'. This principle emphasizes that each party to a contract or other relationship must be equal, and no one should feel superior to one another, regardless of position, social status, level of intelligence, ability, strength, and so on. With this principle, each person can make a balanced agreement without anyone having to give in and be disadvantaged.[29]

In this context, the phenomenon of salt farmers in Sampang district who feel powerless over the arbitrary treatment by salt entrepreneurs signals that justice, as conceptualized by John Rawls, is not yet present in their midst. In their transactions, salt farmers are treated as inferior people who have no power to fight and defend their rights so that their salt products can easily be bought at low prices without considering the heavy burden that the farmers must bear. Here, the balance between salt farmers, middlemen, and entrepreneurs has yet to be achieved. This means that

[27] M. Yasin Al Arif, "Penegakan Hukum Dalam Perspektif Hukum Progresif," *Undang: Jurnal Hukum* 2, no. 1 (October 28, 2019): 169–92, https://doi.org/10.22437/ujh.2.1.169-192.
[28] Muwaffiq Jufri, "Nilai Keadilan Dalam Budaya Carok," *Jurnal Yustitia* 18, no. 1 (2017): 71.
[29] Pan Mohamad Faiz, "Teori Keadilan Jhon Rawls," *Jurnal Konstitusi* 6, no. 1 (2009): 132.

an imbalance between the two makes the relationship and transaction between the two cause losses experienced by one of the parties.

According to Farid Escak, the essence of justice will be achieved when visionary ideas are supplied in interpreting a text. That is by not interpreting the text textually but with the context faced by looking at social reality and oppression. So that the existence of the text is not limited to meaningless words but becomes a rule that brings favours and benefits and keeps humanity away from all harm. Articles in laws and regulations should not be seen textually but must be positioned with the social reality they face.[30] In this condition, a policy maker and/or legislation must have humanitarian commitment and solidarity by re-reading social reality. This principle will bring up and become the starting point of the search for the hermeneutics of scriptural pluralism for liberation. Thus, true justice will be easily felt by each human being.[31]

If the concept of justice, according to Faridz Escak, is applied to the problems currently experienced by salt farmers in Sampang Regency, then justice does not touch the lives of salt farmers, especially in determining the price of salt. The phenomenon in Sampang is worse than just understanding the text textually. It has even violated the text as a whole, which is completely contrary to the text. In such conditions, the substantial justice expected by Faridz Escak has not yet found a place in the midst of the salt farming community.

Legal Issues of Increasing Salt Productivity in the Field of Availability of Facilities and Infrastructure

Article 8 Paragraph (1) of East Java Governor Regulation No. 78/2011 concerning Control of Imported Salt and Empowerment of People's Salt Business

[30] Ahmala Arifin, *Tafsir Pembebasan; Metode Interpretasi Progresif Ala Farid Essack* (Yogyakarta: Aura Pustaka, 2011), 137.
[31] Sugiyanto and Farhan Kamil, "Authority of the Bunder Village Government in Improving the Quality of Village Education," *Trunojoyo Law Review* 4, no. 114–122 (2022), https://doi.org/https://doi.org/10.21107/tlr.v4i2.18118.

confirms that to increase the production and quality of people's salt to increase the income of salt farmers, the Regional Government is obliged to help provide facilities in the form of salt production facilities and infrastructure, assist farmers' capital, and provide market access for salt farmers to sell their salt production.[32]

Based on the provisions of this article, the government of East Java Province and Regency/City in East Java is obliged to provide facilities and infrastructure so that salt farmers can develop the quality and quantity of salt production and the availability of market access that makes it easy for salt farmers to market their products. Provisions like this are expected to be applied consistently and appropriately so that the welfare of salt farmers can be improved.[33]

In addition to the facilities and infrastructure determined by the East Java governor's regulation, there are also laws and regulations that regulate the issue of providing facilities and infrastructure for salt production. Namely the Regulation of the Minister of Industry Number 88 of 2014 concerning Amendments to the Minister of Industry Number 134 of 2009 concerning the *Road Map for the* Development of the Salt Industry Cluster. Interestingly, this regulation targets Indonesia to be self-sufficient in salt by 2025. Hopefully, this regulation provides many benefits for the welfare of salt farmers. It means the national demand for salt can be met by domestic salt production and no longer requires imported salt.[34]

However, the effectiveness of this regulation only provides a few solutions faced by salt farmers in Sampang Regency. Many salt farmers still complain about the government's lack of facilities to spur production and the salt industry in

[32] Encik Muhammad Fauzan, "Konstitusionalitas Perlindungan Petambak Garam Melalui Regulasi Daerah," *Jurnal Kebijakan Sosial Ekonomi Kelautan Dan Perikanan* 10, no. 1 (June 30, 2020): 77, https://doi.org/10.15578/jksekp.v10i1.8349.
[33] Djafar Albram, "Implikasi Liberalisasi Perdagangan Terhadap Sektor Garam Nasional (Studi Kasus Kebijakan Garam Impor Di Jawa Timur)," *LITIGASI* 17, no. 1 (September 26, 2016): 43–57, https://doi.org/10.23969/litigasi.v17i1.107.
[34] Fauzin Fauzin, "Analisis Pengaturan Perlindungan Petambak Garam Di Kabupaten Sampang Dalam Kebijakan Tata Kelola Garam," *Jurnal Pamator* 12, no. 2 (2019): 113–22, https://doi.org/https://doi.org/10.21107/pamator.v12i2.6285.

Sampang Regency. Salt farmers still have difficulty dealing with the sometimes erratic weather. There are also difficulties in marketing their salt production.[35]

Muhammad Hisyam recognizes the difficulty salt farmers face. According to him, the availability of facilities and infrastructure to improve the salt industry in the Madura region and Sampang district has experienced several significant obstacles. Salt farmers in Sampang find it challenging to increase salt production. Hisyam said that salt farmers in Sampang are still dependent on weather conditions. Some countries have developed and used salt production technology so that salt production can increase without depending on the weather. Hisyam hopes the government will focus more on providing technology to boost salt production so that salt farmers are no longer dependent on the weather. That way, the targeted salt self-sufficiency will be easily achieved before the specified target time.

The provisions of Article 8 Paragraph (1) of East Java Governor Regulation No. 78 of 2011 mandate that local governments must provide facilities for access to salt marketing to make it easier for salt farmers to sell their salt agricultural products. The East Java Governor's Regulation was then strengthened and concretized by the provisions of the Minister of Industry Regulation Number 88 of 2014 concerning Amendments to the Minister of Industry Regulation Number 134 of 2009 concerning the *Road Map for the* Development of the Salt Industry Cluster.[36] The regulation states that the government will facilitate the establishment of joint business units or cooperatives that will make it easier for salt farmers to market or develop salt innovations to have more value, leading to creativity and increased income for the salt industry. A problem is more easily resolved quickly and

[35] Rizky Gelar Pangestu, "Perlindungan Hukum Terhadap Petambak Garam Rakyat Dikaitkan Dengan Berlakunya Peraturan Pemerintah Nomor 9 Tahun 2018 Tentang Tata Cara Pengendalian Impor Untuk Komoditas Perikanan Dan Pegaraman Sebagai Bahan Baku Dan Bahan Penolong Industri," *Jurnal Hukum Bisnis Dan Investasi* 10, no. 1 (2018): 77–95, https://tirto.id/banjir-garam-impor-di-antara-janji-swasembada-jokowi-cGrq,.

[36] Yety Rochwulaningsih, "Pendekatan Sosiologi Sejarah Pada Komoditas Garam Rakyat: Dari Ekspor Menjadi Impor."

efficiently with togetherness. Therefore, the existence of this joint venture is very necessary to improve salt farmers' welfare.[37]

Conclusion

Based on the discussion above, this study concludes that three main problems hinder the development of the salt industry in Sampang Regency. The three main problems are the absence of regional regulations on salt, the absence of regional policies that support the determination of salt prices that benefit farmers, and the absence of policies on the implementation of regional tasks in the field of providing facilities and infrastructure that support the development of the salt industry in Sampang Regency. These three legal perspectives also indicate that salt regulations, both at the central and regional levels of East Java, have yet to be able to lift the growth of the salt industry climate in Sampang Regency. The lack of enforcement of these regulations also impacts the welfare level of the Sampang community, which is still one of the poorest in East Java. Thus, this research contributes to salt policy makers in local governments, especially in Madura, to accommodate all the needs of salt farmers in every policy issued to increase people's salt production.

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