

Pros And Cons Of Batuah Market Revitalization Banjarmasin City (Case Study Of Banjarmasin Mayor Decision Number 109 Of 2022)

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Abstract

This research was motivated by the Mayor of Banjarmasin issuing Decree Number 109 of 2022. When the Banjarmasin City government wanted to implement this decree, there was resistance from residents who live in Batuah Market, Banjarmasin City. However, traders who traded at Batuah Market just accepted the mayor's decree. Because Batuah Market is land owned by the regional government. This research aims to determine the background to the pros and cons of Batuah Market revitalization and the obstacles in revitalizing it, as well as the solutions provided by the Banjarmasin City Government to traders and residents of Batuah Market, Banjarmasin City. The type of research used is empirical legal research with a case study approach and analyzed using qualitative descriptive methods. Collecting data from informants through interviews and documentation. The research results show that the background to the pros and cons of Batuah Market revitalization is because there is no compensation given to residents who live in Batuah Market. Apart from that, the causes of conflict are differences in interests, socialization carried out by the government is not optimal and is not going well, and residents are threatened with losing the homes they have lived in for decades. Meanwhile, traders are pro for the revitalization of Batuah Market because there is a match between the government's wishes and traders' needs for market improvements. The obstacle in revitalizing it is the resistance from residents who live on the Batuah Market land. Then the solution given by the government to traders is to occupy the same place according to the type of merchandise. The solutions provided to residents include providing flats with free rental fees for one year, being given the opportunity to trade in government-owned markets, recruiting new entrepreneurs, providing educational tools from kindergartens to junior high schools.

Keywords: Pros and Cons, Revitalization, Batuah Market

Abstrak

Penelitian ini dilatarbelakangi Walikota Banjarmasin menerbitkan Surat Keputusan Nomor 109 tahun 2022. Ketika pemerintah Kota Banjarmasin ingin mengimplementasikan surat keputusan tersebut, terjadi penolakan oleh warga yang bermukim di Pasar Batuah Kota Banjarmasin. Tetapi, pedagang yang berdagang di Pasar Batuah menerima saja terhadap surat keputusan walikota tersebut. Karena Pasar Batuah merupakan lahan milik Pemerintah daerah. Penelitian ini bertujuan untuk mengetahui latar belakang terjadinya pro dan kontra dalam

revitalisasi Pasar Batuah dan kendalanya dalam merevitalisasi, serta solusi yang diberikan Pemerintah Kota Banjarmasin kepada pedagang dan warga Pasar Batuah Kota Banjarmasin. Jenis penelitian yang digunakan adalah penelitian hukum empiris dengan pendekatan studi kasus dan dianalisis dengan metode deskriptif kualitatif. Mengumpulkan data dari informan melalui wawancara dan dokumentasi. Hasil penelitian menunjukkan bahwa latar belakang terjadinya pro kontra revitalisasi Pasar Batuah karena tidak adanya ganti rugi yang diberikan kepada warga yang bermukim di Pasar Batuah. Selain itu, penyebab terjadinya konflik adalah perbedaan kepentingan, sosialisasi yang dilaksanakan oleh pemerintah tidak maksimal dan tidak berjalan dengan baik, dan warga terancam kehilangan tempat tinggal yang sudah dihuni puluhan tahun. Sedangkan pedagang yang pro terhadap revitalisasi Pasar Batuah karena adanya kesesuaian antara keinginan pemerintah dan kebutuhan pedagang akan perbaikan pasar. Adapun kendala dalam merevitalisasi adalah adanya penolakan dari warga yang bermukim di lahan Pasar Batuah. Kemudian solusi yang diberikan pemerintah kepada pedagang yaitu menempati tempat yang sama sesuai dengan jenis dagangannya. Adapun solusi yang diberikan kepada warga seperti diberikan hunian rumah susun digratiskan biaya sewa selama satu tahun, diberikan kesempatan untuk berdagang di pasar milik pemerintah, dijanjikan perekrutan wirausaha baru, bantuan alat pendidikan dari TK-SMP.

Kata Kunci: Pro kontra, Revitalisasi, Pasar Batuah

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INTRODUCTION

Indonesia is a unitary country. Regulated in the 1945 Constitution of the Republic of Indonesia, the concept of regional autonomy gives regions the authority to regulate and implement their own policies.¹ Regional government involves regional heads and a number of state administrative apparatuses in local regional environmental governance. The regional head acts as the executive leader within the regional government who is assisted by the deputy regional head. The provincial head is led by the governor, the regent leads at the district level, while the mayor leads at the city level.²

The Mayor of Banjarmasin issued Decree Number 109 of 2022 concerning the Regional Strategic Development Program of the Banjarmasin City Trade and Industry Service in 2022. This Decree was made to implement Minister of Trade Regulation Number 66 of 2021 concerning the Assignment of Regent/Mayor in the context of implementing development/revitalization activities for trade facilities in the form of a people's market and a warehouse without a warehouse receipt system which is funded

¹ Indonesia, ed., *Kajian akademik Majelis Permusyawaratan Rakyat, Republik Indonesia*, Cetakan pertama (Jakarta, Indonesia: Badan Pengkajian MPR RI, 2018), 41–42.

² Sirajuddin dkk., *Hukum Administrasi Pemerintahan Daerah* (Malang: Setara Press, 2016), 127.

through assistance funds for the 2022 state revenue and expenditure budget. When the Banjarmasin City government wants to implement this decree, especially in attachment number 1 of the program to improve trade facilities and distribution, namely the construction/revitalization of the Batuah Market, there was rejection by residents who live around Batuah Market, Banjarmasin City. However, the traders who traded at Batuah Market just accepted the mayor's decree. Because Batuah Market is land owned by the regional government.

From the results of the researcher's interview on April 4 2023 by interviewing one of the Batuah Market traders in the city of Banjarmasin. The informant explained that traders who did not live in Batuah Market had no objection to the Batuah Market revitalization policy, the traders just followed the government, because this land belonged to the government. After that, researchers interviewed other traders who also lived at Batuah Market regarding the revitalization of Batuah Market. This informant explained that he rejected the Batuah Market revitalization policy, because there was no compensation from the government. This was followed by interviewing residents who live in Batuah Market. This informant explained that he rejected the Batuah Market revitalization policy, because there was no compensation from the government, initially he only wanted to revitalize the market, but instead he wanted to evict the settlement as well, because here it was originally a settlement.

Thus, based on the problems in the background that have been described, the researcher is interested in studying it in the form of a thesis entitled "Pros and Cons of Batuah Market Revitalization Banjarmasin City (Case Study of Banjarmasin Mayor's Decree Number 109 of 2022).

METHOD

The type of research used is empiricial legal research with a case study approach. Collecting data from twenty informants through interviews and documentation. In this research analysis, the collected data was processed and analyzed using qualitative descriptive methods.

RESULTS AND DISCUSSIONS

1. Conflict Theory

There are experts who use the term conflict, there are also those who use the term dispute. One of the experts who uses the term dispute is Richard L. Abel, who

defines dispute: "public declarations relating conflicting allegations (inconsistent claims) against anything".³ This means that what Salim quoted was a public statement regarding inconsistent claims for something of value. Richard L. Abel views conflict from the aspect of the parties' incompatibility or incompatibility regarding something of value.⁴

Simon Fisher and friends quoted by Salim, identified six factors that can analyze and study the causes of disputes or conflicts, namely: 1) Public relations, 2) Negotiation of principles, 3) Identity, 4) Intercultural misunderstanding, 5) Conflict transformation, 6) Human needs.⁵ According to Salim, who refers to Nader and Tood, there are seven approaches to resolving conflict, both conflicts that occur in modern and traditional societies, which can be divided into three ways of resolving disputes, namely traditional (lumping it, avoidance) and coercion. Dispute Resolution (negotiation, mediation and arbitration) and Court.⁶

2. Harmony Theory

Social harmony activity programs are created as a peaceful solution to resolve conflicts. Social harmony is a social condition that guarantees the creation of dynamic, harmonious, and balanced relationships and social interactions among community members so that they can live side by side peacefully based on equality, mutual respect, and true brotherhood. The maintenance of peaceful conditions in the community is characterized by a harmonious community life (full of tolerance and mutual support) to create social cohesiveness.⁷

3. Ihya' Al-Mawat

Originally, ihya al-mawat included the act of clearing land that was not owned by anyone or had been neglected, so that the person caring for it had the rights to the land. The opinion of Hanafiyah scholars regarding the authority's permission in Ihya al-Mawat is that a person must obtain permission from the authority before opening or reviving non-functional land. This land must be cared for and must not be left

³ Khusnul Khatimah, "The Dispute Settlement Over Foreign Investment in Indonesia," *UNES Law Review* 5, no. 4 (4 Juni 2023): 2759.

⁴ Salim HS, *Perkembangan teori dalam ilmu hukum* (Jakarta: Rajawali Pres, 2010), 81.

⁵ HS, 90–93.

⁶ HS, 96–97.

⁷ T Arsal dkk., "Social Harmony Model for Social Conflict Management in Central Java," *IOP Conference Series: Earth and Environmental Science* 747, no. 1 (1 Mei 2021): 8–9, <https://doi.org/10.1088/1755-1315/747/1/012087>.

neglected. If abandoned for three consecutive years, ownership rights to the land will be lost for the owner.⁸

Hadith about ihya' al-mawat:⁹

حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. قَالَ: حَدَّثَنَا عَبْدُ الْوَهَّابِ، قَالَ: حَدَّثَنَا أَيُّوبُ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ وَهْبِ بْنِ كَيْسَانَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ ﷺ، قَالَ: «مَنْ أَحْيَا أَرْضًا مَيْتَةً فَهِيَ لَهُ».

"Muhammad bin Basyar told us, Abdul Wahhab told us, from Ayyub from Hisyam bin Urwah from Wahab bin Kaisan from Jabir bin Abdillah from the Prophet ﷺ said, "Whoever revives dead land (opens new land), then the land becomes his." (HR. Tirmizi)

4. Public Policy Theory

Policy in English is known as policy. Meanwhile, in the Big Indonesian Dictionary, policy is defined as a series of concepts and principles that form the outline and basis of plans for carrying out work, leadership and ways of acting (regarding government, organizations, etc.); a statement of ideals, goals, principles and guidelines for management in an effort to achieve targets.¹⁰

Van Meter and Van Horn put forward six variables that form the relationship between policy and performance. The six variables are: 1) Size and objectives of the policy, 2) Sources of the policy, 3) Characteristics or nature of the implementing agency/agency, 4) Communication between related organizations and implementation activities, 5) Attitude of the implementers, 6) Economic and social environment and politics.¹¹

5. John Rawls' Theory of Justice

John Rawls put forward two principles of justice, namely:

- 1) The principle of freedom, which includes: freedom to participate in political life; freedom of speech; freedom of belief; freedom to be yourself; the right to retain private property.¹²

⁸ Nur Fadlilatul Choiriyah dkk., "Tinjauan Hukum Islam terhadap Ihya' Al-Mawat atas Hak dan Pemanfaatan Government Ground," *Al-Faruq: Jurnal Hukum Ekonomi Syariah dan Hukum Islam* 1, no. 2 (2023): 97–99.

⁹ Imam al Hafidz Abi Isa Muhammad bin Isa At Tirmidzi, *al Jami' al Kabir*, 1 (Beirut-Lebanon: Dar al Gharab al Islami, 1996), 55.

¹⁰ Taufiqurakhman, *Kebijakan Publik: Pendelegasian Tanggungjawab Negara Kepada Presiden Selaku Penyelenggara Pemerintahan* (Jakarta Pusat: Fakultas Ilmu Sosial dan Ilmu Politik, 2014), 2.

¹¹ Awan Y. Abdoellah dan Yudi Rusfina, *Teori dan Analisis Kebijakan Publik* (Bandung: Alfabeta, 2016), 64–65.

¹² Damanhuri Fattah, "Teori Keadilan Menurut John Rawls," *Jurnal Teropong Aspirasi Politik Islam* 9, no. 2 (2013): 35.

- 2) The principle of difference, related to the principle of social and economic inequality, is designed to provide maximum benefits to those who are disadvantaged in social and economic terms.¹³

6. Background to the Pros and Cons of Batuah Market Revitalization

Richard L. Abel, quoted by Salim, wrote that: "Public statements regarding inconsistent claims for something of value." Richard L. Abel sees conflict from the aspect of the parties' incompatibility or incompatibility regarding something of value which is defined as something that has a price or is worth money.¹⁴

From the research results obtained directly from the field, the background to the pros and cons of the revitalization of the Batuah Market in Banjarmasin City is that there is conflict from the aspect of the parties' incompatibility regarding something of value. As happened at the Batuah Market in Banjarmasin City, this conflict arose because of the publication of Banjarmasin Mayor's Decree Number 109 of 2022 concerning the Regional Strategic Development Program for the Banjarmasin City Trade and Industry Service in 2022. In the attachment to the decision letter it was written about the construction/revitalization of Batuah Market. However, in the Batuah Market area there are residential areas, and the residents on the Batuah Market land refuse to move from the land, because they have been here for 60 years.

Even though the residents know that the land belongs to the Banjarmasin City Government which was equipped with a 1995 SHP. However, the building where the residents live is privately owned. The government does not provide compensation for buildings owned by residents, because the Batuah Market land has a Use Rights Certificate Number 98 of 1995 in the name of the right holder of the Banjarmasin Level II Regional Municipal Government, which is intended for the market. However, residents have lived on the land for decades and are subject to Building Land Tax (PBB). Some residents received the Batuah Market land as a result of an exchange with the Banjarmasin City Government in 1963. Meanwhile, some other residents bought land from landlord H. Makki.

Apart from that, this conflict arises because there are several causal factors, including:

- a. Differences in Interest. Differences are something that always exist in the social life of society, both differences between individuals and other groups, as well

¹³ Nafiatul Munawaroh, "8 Teori Keadilan dalam Filsafat Hukum," *Hukum Online* (blog), 21 Januari 2024, <https://www.hukumonline.com/klinik/a/8-teori-keadilan-dalam-filsafat-hukum-lt62e268cc4bb9b>.

¹⁴ HS, *Perkembangan teori dalam ilmu hukum*, 81.

as differences in interests. It can be said that people's needs or interests for the same object sometimes vary, and this also applies to the Batuah Market area in Banjarmasin City. The Banjarmasin City Government is revitalizing Batuah Market with the aim of changing the traditional market into a modern traditional market in terms of buildings to increase trade transactions at Batuah Market. Meanwhile, on the other hand, residents who live in the Batuah Market land area reject the Batuah Market revitalization program, because on the Batuah Market land there are residents' houses.

- b. Communication. Misunderstandings relating to sentences, language that is difficult to understand and incomplete information. Poor or ineffective communication often gives rise to misunderstandings and is one of the causes of conflict. This communication can take the form of letters, decrees, and outreach to traders and local residents. As has been done by the Banjarmasin City Government, namely making a Banjarmasin Mayor's Decree Number 109 of 2022 which includes the revitalization of the Banjarmasin City Batuah Market, and socialization that has been scheduled nine times, however traders and residents only attended the socialization once at the first meeting. The Banjarmasin City Government has indeed carried out outreach to traders and residents of Batuah Market. However, the socialization carried out by the government was not optimal and did not go well, because the information that was to be conveyed during the socialization had not been fully conveyed. Apart from that, the socialization held by the government was also late, because the mayor's decree was issued earlier than holding the socialization. Because of this, there was a misunderstanding among the residents of Batuah Market.
- c. Identity threat. Conflict arises because of a threatened identity such as loss or unresolved experiences of suffering in the past. The loss of something important, such as the rights, freedoms and wealth of an individual or group, is at risk of being lost, and can lead to conflict. If Batuah Market is revitalized without the government providing building compensation to residents, residents are at risk of losing the homes they have lived in for decades. Even though the government had offered free rental flats for one year, the flats provided were only 90 units and that was only for elderly residents.

There are many ways to resolve conflicts so that there is a mutual agreement that can be accepted by the conflicting parties. The methods that have been used to resolve the conflict between Batuah Market residents and the Banjarmasin City Government include:

- a. Negotiation. According to Nasikun, quoted by Irwandi and Endah, negotiation is a bargaining process by negotiating to reach a mutual agreement between one party and another.¹⁵ Batuah Market residents are negotiating with the Banjarmasin City Government to postpone bringing order to Batuah Market. The negotiations were carried out in the Batuah Market land area on the day of bringing order to the Batuah Market land area. So, the first method of resolving the conflict was successful, because it resulted in an agreement between the Batuah Market residents and the Banjarmasin City Government to postpone the control of the Batuah Market land area in Banjarmasin City.
- b. Mediation is an effort to resolve problems with the help of someone outside the two parties in conflict, where this person can be chosen by the parties in dispute or appointed by the authorized party to carry out mediation. Apart from negotiations, mediation was also carried out by Batuah Market residents and the Banjarmasin City Government to resolve the conflict. Komnas HAM has facilitated mediation between the two parties to discuss resolving the conflict that occurred. Komnas HAM has made efforts to mediate between the two parties, but has not found an agreement between the Banjarmasin City Government and the residents of Batuah Market.
- c. Justice. The third party here has the authority to intervene in problem solving, regardless of the wishes of the parties to the dispute, and also has the right to make decisions and enforce them. Residents who live in Batuah Market filed a lawsuit with the PTUN and District Court through their attorney, LBH Ansor, South Kalimantan. Residents filed a lawsuit with the PTUN because they considered that the decree issued by the Mayor of Banjarmasin was flawed in terms of legal procedures.

Batuah Market residents and the Banjarmasin City Government have used various methods to resolve the conflict that occurred. However, at the judicial stage, the Batuah Market residents' lawsuit was rejected by the PTUN at the cassation level and the District Court at the appeal level.

In the context of harmony theory, this theory focuses on achieving harmony between the Banjarmasin City Government, Batuah Market traders, and residents who live on the Batuah Market land. The government aims to improve markets and create modern traditional markets. Traders agree to the revitalization, meaning that there is

¹⁵ Irwandi dan Endah. R Chotim, "ANALISIS KONFLIK ANTARA MASYARAKAT , PEMERINTAH DAN SWASTA (Studi Kasus di Dusun Sungai Samak, Desa Sungai Samak, Kecamatan Badau, Kabupaten Belitung)," *JISPO: Jurnal Ilmu Sosial dan Ilmu Politik*, no. 2 (2017): 32.

a match between the government's wishes and traders' needs for market improvements. To create agreement and harmony, the government should first hold deliberations and socialization with residents who live in Batuah Market before issuing a decree and providing compensation to residents who live on Batuah Market land.

As for the context of *ihya' al-mawat*, Hanafiyah is of the view that a person must obtain permission from the authorities before clearing or reviving non-functional land.¹⁶ In the case of Batuah Market revitalization, initially the Batuah Market land was empty land that did not function. When the government wanted to widen Jalan Veteran, the residents who lived on Jalan Veteran were moved by the government to empty land on Jalan Manggis or now known as Pasar Batuah. Then the government gave the empty land to residents to use as a place to live, this was a form of *ihya' al-mawat* in revitalizing abandoned land for residential purposes. In this way, residents who live on empty land receive permission from the authorities to use land that does not function according to Hanafiyah's views.

As time went by, more urban residents came to occupy empty land, some of which they bought from landlord H. Makki to be used as residences. Population development was increasing, so in 1963 the Banjarmasin City Government took the initiative to build a people's market called Batuah Market, and it was inaugurated in 1964. However, over time the Batuah Market did not develop because traders preferred Kuripan Market. As a result, the land was neglected and changed its function to become a residence for new immigrants. Thus, in the context of *ihya' al-mawat*, residents who live in the area of Batuah Market land have the right to own the land, because they have maintained and put the abandoned Batuah Market land to function.

7. Obstacles in Revitalizing Batuah Market, Banjarmasin City

To determine the implementation process of the Banjarmasin City Batuah Market revitalization policy, researchers analyzed using the theory put forward by Van Meter and Van Horn, with six variables that form the relationship between policy and performance:

- a. The size and objective of the Batuah Market revitalization policy in Banjarmasin City is to create a modern traditional market, both in terms of management and in terms of buildings, which will serve as an example for

¹⁶ Choiriyah dkk., "Tinjauan Hukum Islam terhadap *Ihya' Al-Mawat* atas Hak dan Pemanfaatan Government Ground," 99.

other traditional markets in Banjarmasin, and to increase trade transactions in the market. Batuah.

- b. The sources for the Batuah Market revitalization policy in Banjarmasin City consist of human resources, budget resources and facilities. Human resources in the Batuah Market revitalization policy are not only from the Banjarmasin City Trade and Industry Department, but also involve the East Banjarmasin District, Banjarmasin City Satpol PP, Police, TNI, Banjarmasin City Transportation Service, and other SKPD involved in the Market revitalization policy Batuah. The budget used in the revitalization of Batuah Market comes from the APBN amounting to Rp. 3,500,000,000 (three billion five hundred million rupiah) and some also come from the Banjarmasin City APBD.
- c. The characteristics or nature of the implementing agency/institution of the Batuah Market revitalization policy, in this case the Banjarmasin City Trade and Industry Service, has implemented it in accordance with the Decree of the Mayor of Banjarmasin Number 109 of 2022 concerning the Regional Strategic Development Program of the Trade and Industry Service. However, in its implementation, the Batuah Market revitalization policy has several obstacles. Apart from the Banjarmasin City Trade and Industry Service, related SKPDs such as Satpol PP, Transportation Service, and others, also contributed to the revitalization process of Banjarmasin City Batuah Market.
- d. Communication between related organizations and implementing activities regarding the revitalization of Batuah Market, the Banjarmasin City Government has held outreach to traders and residents who live in the Batuah Market area. However, the socialization held by the government did not go well and was not optimal, because residents and traders only attended once at the first meeting, and not all residents attended the socialization, only a few representatives attended and were accompanied by LBH Ansor South Kalimantan.
- e. The attitude of the implementers in the revitalization of Batuah Market, namely the Banjarmasin City Government, especially the Banjarmasin City Trade and Industry Office, is very supportive, starting from collecting data on Batuah Market traders, residents who live in Batuah Market, until the planning process is already running well. The government is also not arbitrary in executing the Batuah Market land, because it is in accordance with the advice of the National Human Rights Commission to resolve community rights in a good manner and persuasively.

- f. Economic, social and political environment. The revitalization of Batuah Market aims to improve welfare in the economic sector, and residents who live on the Batuah Market land also trade at Batuah Market. The condition of the social environment in Batuah Market related to the Batuah Market revitalization policy is that the community refuses, because in this policy, residents who live in Batuah Market are not given compensation in the form of money for the buildings used as residences for residents, the government only provides solutions such as rental flats. which is free for one year, and other solutions. In the political environment, the Banjarmasin City Government supports this policy by issuing Banjarmasin Mayor Decree Number 109 of 2022 concerning the Regional Strategic Development Program for the Department of Trade and Industry.

Based on the results of research in the field, interviews with several informants, there are obstacles to the Banjarmasin City Batuah Market revitalization program. When the Banjarmasin City Government wanted to revitalize Batuah Market, there were several obstacles, such as resistance from residents. The reason residents refused was because there was no compensation from the government and the solutions offered by the government did not match their wishes.

Apart from that, the information that the government wanted to convey never reached its citizens directly, and the information circulating among Batuah Market residents was completely contradictory to the government's plans to convey it. The Banjarmasin City Government has scheduled nine socializations, but residents only attended the first socialization once. Only representatives of the residents attended the socialization and were accompanied by LBH.

On the day of bringing order to Batuah Market, there were also obstacles faced by the Banjarmasin City Satpol PP. As explained by Mr. Mulyadi, when he wanted to bring order to Batuah Market, there was a lawsuit filed by Batuah Market residents, because the residents did not want to be moved or relocated temporarily. Then Batuah Market residents also directed the crowd to block the officers from carrying out control. These obstacles are obstacles faced by the Banjarmasin City Government when it wants to implement a revitalization program, and have caused delays in the Banjarmasin City Batuah Market revitalization program until now.

Apart from the obstacles faced by the Banjarmasin City Government, there are also obstacles from traders and residents if Batuah Market is revitalized. The obstacles faced by traders are the solutions offered by the government, such as the trading place next to the Kuripan sub-district is not feasible, traders feel that it will be difficult to

move the merchandise and are afraid of losing the merchandise if it is not in the form of a shop. Meanwhile, the obstacles faced by residents who live in Batuah Market are such as having a business in Batuah Market, and there is no compensation provided by the government to residents, so residents cannot buy or rent houses elsewhere.

8. Solutions Provided by the Banjarmasin City Government to Traders and Residents of Batuah Market

The government has offered various programs aimed at maintaining balance and encouraging harmonious collaboration in the market environment. The solution given by the Banjarmasin City Government to traders is to occupy the same place according to the type of merchandise that has been determined by the government. In fact, this already reflects the elements of harmony, namely in terms of realizing conformity. When merchants selling similar goods are placed together, they can support each other and share knowledge or business strategies. Thus creating a harmonious environment in the market.

However, the solution offered to traders to temporarily relocate to a market created by the government next to the sub-district office can create tension and dissatisfaction among traders, because their needs are not met, such as the facilities provided are inadequate or inappropriate, and could also experience a decline. customers because of their moving location.

The solution provided by the Banjarmasin City Government to the residents of Batuah Market is reflected in an approach that reflects the theory of harmony in various aspects. Double Maghfirah Pekauman rental flats are available. However, the number of flats provided by the government is only 75 units, and there are criteria too, namely for residents aged 60 years, and for residents who are married.¹⁷ The approach of providing free rental housing for one year shows the government's awareness of the basic needs of citizens and its efforts to create a balance between economic interests and social life. However, when the rental fee is imposed after a year, this may become a tension point that can create an economic imbalance among Batuah Market residents, due to the absence of compensation provided by the government.

Providing opportunities for residents who have homes elsewhere to trade at kiosks owned by the Banjarmasin City Government shows efforts to foster collaboration and fair opportunities among traders. Apart from that, providing easy

¹⁷ Aprianoor, "Pertemuan Berujung Buntu, Warga Pasar Batuah Tolak Mentah-Mentah Tawaran Pemkot Banjarmasin!," *apahabar banjarmasin* (blog), 18 Januari 2024, <https://banjarmasin.apahabar.com/post/pertemuan-berujung-buntu-warga-pasar-batuah-tolak-mentah-mentah-tawaran-pemkot-banjarmasin-l7ctsd3f?page=1>.

facilities for processing population documents when residents choose to move from Batuah Market is an effort to create balance and harmony between the various interests involved.

The offer of recruiting new entrepreneurs for the productive age shows a desire to strengthen the local economy while facilitating the development of individuals and groups in the market. Furthermore, providing educational equipment from Kindergarten to Middle School to the children of Pasar Batuah residents shows a commitment to ensuring proper education for future generations, underscoring that the government cares about social and educational aspects in achieving community balance. Although there is no compensation in the form of money, this solution focuses on providing facilities, opportunities and support that support harmony between the individual and collective needs of the Batuah Market community. However, residents who live in the Batuah Market area want a solution such as compensation in the form of money.

In the context of the theory of justice put forward by John Rawls, there are two principles of justice, namely:

- a. The principle of freedom, residents who live in Batuah Market have the freedom to maintain their privately owned residential buildings. The Banjarmasin City Government provides solutions such as rental flats which are free for one year, but not all residents who live on the Batuah Market land get these flats, because the flats are for elderly Batuah Market residents only. The government must involve all citizens in the decision-making process to achieve more justice. In this case, the principle of freedom must be equal, because every just citizen has the same basic rights. These freedoms must be equally accessible to all members of society. Justice in society cannot be achieved if only one group is allowed.¹⁸
- b. The difference principle, is that it is necessary to measure social and economic differences in order to provide maximum benefits to those in the most disadvantaged situations. The term "socioeconomic disparities" refers to inequalities in a person's opportunities for wealth, income, and authority. Meanwhile, the term "the most disadvantaged" refers to individuals or groups who have the least opportunities or opportunities and authority.¹⁹ In this case, the Banjarmasin City Government has provided benefits or solutions to

¹⁸ Mawardi, "Keadilan Sosial Menurut John Rawls" (Skripsi, Jakarta, Universitas Syarif Hidayatullah, 2010), 64–65.

¹⁹ Fattah, "Teori Keadilan Menurut John Rawls," 44.

residents who live on the Batuah Market land to improve the welfare of the residents. Batuah Market residents want compensation in the form of money, reflecting differences in perceptions regarding justice and individual needs. The Banjarmasin City Government has made efforts to provide fair solutions and reduce inequality in these policies.

CONCLUSION

- 1) The background to the pros and cons of the revitalization of the Batuah Market in Banjarmasin City is that there is a conflict from the aspect of the parties' incompatibility regarding something of value, such as the absence of compensation given to residents who live in the Batuah Market. Apart from that, the cause of conflict is differences in interests. Then, another cause is because the socialization carried out by the government is not optimal and is not going well. The final cause is the threat of identity, such as residents being threatened with losing the homes they have lived in for decades. There are traders who are pro towards the revitalization of Batuah Market because there is a match between the government's wishes and traders' needs for market improvements.
- 2) Obstacles in Batuah Market Revitalization. Although the Batuah Market revitalization policy is in accordance with the public policy implementation model proposed by Van Meter and Van Horn. However, there are obstacles faced by the Banjarmasin City Government in revitalizing the Batuah Market in Banjarmasin City: There is resistance from residents who live on the Batuah Market land. The information the government wants to convey never reaches its citizens directly. There was a lawsuit filed by Batuah Market residents at the PTUN and PN. Batuah Market residents mobilized a crowd to prevent officers from bringing order to Batuah Market. Meanwhile, the obstacles faced by traders and residents of Batuah Market: The trading place provided by the government next to the Kuripan sub-district office is not in the form of a shop. Residents cannot buy or rent houses elsewhere, because there is no compensation provided by the government.
- 3) The solutions provided by the Banjarmasin City Government to Traders and Residents of Batuah Market. The solution given to traders is to occupy the same place according to the type of merchandise that has been determined by the government. The solutions provided to residents include providing rental flats with free rental fees for one year. For residents who have houses elsewhere, they are given the opportunity to trade in shops or markets owned by the Banjarmasin City Government. Apart from that, convenience facilities are also provided in processing population documents. Promised to recruit new entrepreneurs for

productive ages. Provided to residents' children in the form of educational tools from Kindergarten to Middle School. Indeed, there is no compensation in the form of money. However, residents who live in the Batuah Market area want a solution such as compensation in the form of money.

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