

# Protection and Empowerment of Salt Farmers in Madura

N. Nuswardani

Universitas Trunojoyo Madura  
Faculty of Law  
Madura, Indonesia  
[nooq.fh@gmail.com](mailto:nooq.fh@gmail.com)

**Abstract**— The Madura island is known as the salt island. This is supported by data from the Ministry of Marine Affairs and Fisheries (KKP) in April 2015 indicated that out of approximately 3.2 million tons of national salt demand, more than 60% of it is supplied from East Java (spread over 11 districts), the data also mentioned that, the largest salt supplier (about 60%) in East Java are 4 districts located at the Madura island. The salt farmers consist of the salt farmers / farmers and the salt farmers. The number of saltwater farmers is much larger than the salt farmers / salt farmers. In general, in one harvesting season, for 3 hectares (ha) salt ponds are done by 6 farmers of salt pond. The high level of salt farmers 'salt production in East Java is not followed by the high level of salt farmers' welfare, the farmers working on the salt pond. The results of this study reveal information that the low level of welfare of farmers farmers salt pond caused: the low price of salt people. and although salt production in East Java is abundant (surplus), but the Government still permits import of salt, so local salt production is not entirely absorbed. The results of this study also reveal how to eliminate the conflict of norms and differences of interpretation that occurred in the Law of Fishermen Protection, and eliminate and prevent the destruction of salt farmers in Madura.

**Keywords**—component; formatting; style; styling; insert (key words)

## I. INTRODUCTION

Salt farmers in Madura spread over four districts on the Madura island namely in Sumenep, Pamekasan, Sampang, and Bangkalan. That is why Madura Island located in East Java Province is called GARAM ISLAND. The total area of people's salt is 11,554.61 ha and the largest is in Madura, which is Sampang Regency with 4,200 ha spread in 11 districts. However, the nickname of Salt Island does not indicate the welfare of its salt farmers, which appears to be poor poverty and low salt. Salt farmers consist of: salt farmers and salt farmers (mantong). The more active salt area, also giving job opportunities for local people. This is seen when salt season arrives. Example: in Gresik Regency, there are about 200 thousand people working as farmers land (mantong). Salt in Indonesia is produced by salt farmers (people's salt) and PT. Salt (Persero). The salt production process by salt farmers is done by the process of evaporation of seawater in the pond area (crystallization) is done in total (evaporation of water done in one area of crystallization), so that only salt obtained with low

levels of NaCl and contain the relative levels of Ca and Mg high and tend to dirty (high impurities).

While the salt production of PT. Garam (Persero) production process is done by multilevel processing where the evaporation process of sea water is done in the evaporator area and the crystallization process is done in the area of crystallization so that the salt obtained with good quality. It is related to these qualities that often trigger the low price of people's salt. Currently, the price of one people's quality of salt (KP I) is only Rp.480 / kg, the quality of two (KP II) is only Rp 410 / kg. The price is still far from the benchmark price set by the Ministry of Trade namely: the lowest Rp 750 / kg for KP I, and Rp 550 / kg for KP II. Salt production begins in May while the high harvest falls from August to November. In those months every year, the income of hundreds of thousands of salt farmers is Rp 12,000 to Rp 50,000 per day, with working hours starting at 7:00 am until 4:00 pm. Revenue of salt farmers in some districts under Regency Minimum Wage. This very low income cause the saltwater areas to be listed as pockets of poverty in East Java. The results of preliminary investigations indicate that the lack of welfare of salt farmers can lead to: a. The incidence of salt farmers' disbelief potential to the Government due to the regulation that salt importers do not pay attention to, salt imports are still applied for all types of salt, both consumption salts and processed salts for industry, thus harming salt farmers; b. The main problem of salt farmers is about price fixing that does not follow the benchmark price as stipulated by the Ministry of Industry and Trade; Efforts 'protection' of salt and salt farmers have been done by the Governor of East Java by issuing : (1). Governor Regulation Number 78 Year 2011 on import salt control and empowerment of people salt business; (2) East Java Governor Regulation No. 2 of 2013 on Control of Imported Products Distribution in East Java. However, the real condition in the community shows that the East Java Governor Regulation has not been able to 'protect' the salt of the people and salt farmers, so the effect of succession is not yet the increase of salt price which means that the salt farmers welfare has not increased yet. The legal objectives of a regulation are: justice, legal certainty, and expediency.

Therefore, a rule is mandatory based on these three principles. If any considered not meet the criteria of expediency, the East Java Governor Regulation related to salt farmers can still be enforced: (1) In the case of salt pricing and salt imports,

everyone should implement the applicable regulations (both the East Java Governor's Regulation and the Regulation of the Ministry of Industry and Trade), since in this case the legal fiction applies, that everyone is considered to know the law; (2) Whereas the handling of the salt farmer problem that has not been resolved due to non-compliance with the Governor's Regulation, the Governor of East Java can improve the Governor's Regulation into a regulation that can impose sanctions. Issues that arise in the community in terms of events related to the salt farmers' income, such as: (1) Mutual suspicion among farmers (horizontal suspicion) is related to the rejection of the assessment result (estimate) of people's salt price that leads to anarchic acts disturbing peace and public order; (2) Suspicion (vertical) society to the government apparatus about the determination that can not be a fixed price parameter. Rules are regarded only as a means to achieve the interests of the Government, the politics of individual persons or groups; (3) Forcing the owners of funds (skipper / factory) to the salt farmers community, because: - type assignment issues, and - the quality of salt is not done openly and done arbitrarily;

## II. METHOD

This research is a legal research with the method of observation on facts in research sites and cases of conflict of norms as the basis of search results of research in the form of integration efforts that refer to the applicable legislation. From the observation to reveal how the operation of laws or regulations in the field of management of salt farming permits. Whether there is a conflict of interest in salt management and so on, will be examined through methods of observation and investigation of the respondents. Analysis of various laws and regulations on salt agriculture. It primarily analyzes the formation of holding companies between licensors and salt farm managers, the opportunities and constraints that exist in the idea of integrated institutions.

## III. RESULTS AND DISCUSSION

Based on the answers presented by the respondents it appears that there are differences of views and differences in real conditions in society. The answer to the first question: there is a difference of opinion because the question is made on the salt farmers in different places and in the field. However, the percentage who answered that salt farmer life below the poverty line is more the percentage (70%). The answer to the second question: about the wages of the farmers, the average answer per person is 12-50 thousand rupiah / day, depending on the salt selling price of 60%. This is because most of the tiller farmers agree on a wage or profit share (between the landowner and the cultivator) on the condition that it will get more than the promised results if the price of salt rises. However, the fact is that the price of salt is always low / cheap, so often their wages do not match their hard work during the harvest season. The answers to the third question: the respondent can not determine the exact number of the salt farmers, but the Vice Regent of Sampang District states that the number of mantong (salt farmers) in Sampang Regency is not less than 200 thousand people in one harvest season because salt land in Sampang Regency spread over 11 districts. and in each sub-district over 10 thousand people work as mantong (salt farmers). Answer to

the fourth question: Why are their wages low? Is it because the price of salt is low? What is the average salt price in each regency, almost all answer the same, namely: Low wages because the price of salt is below the price of the Principal Guideline (HPP) from the Government. In comparison, in accordance with the Rambat Bumi Indonesia (RBI), the area of salt in Gresik Regency in 1994 reaches 1,006 ha. In 2009 the land was reduced to 488 ha, while the productive only 328 ha. Within a year, salt farmers in Gresik Regency now only produce 11,770 tons of salt. Polemics about the import of salt lately often appear in the mass media, both electronic and print media, such as salt import data in 2009 reached Rp. 900 billion that not only causes a lot of national salt production is not sold at the right price but more likely to cause unemployment because not a bit of salt land is not produced anymore. As is known, that salt is a strategic commodity as food and industrial raw materials that require attention, especially in the production sector including quality of products, supply, procurement, distribution and all aspects concerning the salt land [1]. Answers to the fifth question: Are there other causes besides the price issue? There has been a Governor Regulation on the Prohibition on Import of Salt, is it still salt imported? The answer to its cause is balanced percentage, namely, (a) Weather is erratic, (b) Limitations of the Machine, (c) Less Counseling, (d) Salt sold in the collectors so cheap, (e) Another answer states, (f) Low salt quality, (g) Which does not include PT. Salt if the rainy season is not working, These answers indicate the desire of the salt farmer community to get the Government involved in resolving salt farming issues either by legal action (issuing regulations) or by concrete actions (providing assistance, counseling and others).

Salt production in Madura has not been able to provide welfare to salt workers because in addition to quantity also the quality of production is still low. Madura salt is still dependent on the natural weather. Residents in Madura many have salt farms, but still minimal experience of industrial salt production. The area has great potential because of the water quality and favorable climates, ie 9-10 months of solar heat, not much different from Australia which has 11 solar hot moons.[3]

Fereshteh in his research stated : Water temperature, reflecting seasonal climate change, varied seasonally but showed no differences between ponds. No stratification was evident in any pond, due to both shallow depth and exposure to wind. At all seasons, water and air temperatures were similar but generally water temperature was slightly higher than air temperature. This can be explained on the basis of the specific heat of water and high salinity [4]. So there is a natural influence on the manufacture of salt. However, Zainuri states : Overall, salt farmers are clever and understand how to make salt, they generally have at least 5 years experience in salt making. Capital limitations, land conditions and powerlessness in marketing often make the quality of salt produced unlike which is actually desirable. Data validation is necessary considering several reasons, especially with regard to efforts to import salt on the grounds of inadequate domestic salt production [6].

The Governor's action against the 'protection' request against the salt of the people and the salt farmers, ie, has been done by issuing: (a) Governor Regulation (Pergub) Number 78 Year 2011 on import salt control and empowerment of people salt business; (b) East Java Governor Regulation number 2 of 2013

on Control of Imported Products Distribution in East Java. Constraints of non-compliance with the Governor's Regulation is actually a responsive expression of the real conditions in society which for various reasons and interests results in the non-compliance of a rule. So the cause sometimes arises because of ignorance of the process of goods produced. Thus, the assistance provided, in addition to equipping the salt farmers about the way of processing, also facilitate the means that can support the production of salt with optimal Geomembrant one of the equipment that must be used salt farmers to process salt. Geomembrant is a thick mica that is spread over the pond to reduce water absorption. Because to produce salt is necessary condition of stable water. For example, salt farmers in Gresik lay and their production systems are still traditional. Though salt is very

promising if worked with human resources is qualified. Because the salt market opportunity of the people is now very large, considering there are currently about 14,000 business units in Indonesia bound by basic raw materials of salt, ranging from food to pharmaceutical fields are in dire need of salt. In addition, salt farmers also lay to the potential of 'banyu tuwo' or old water and artemia produced from the salt production process. "Banyu tuwo or dark brownish-colored water appears at the time of the salt-making process. If consumed it tastes very bitter, but it is able to be used for medical, strengthen bone or prevent osteoporosis [7].

Information in various media states that the price is very expensive, 100 milliliters can reach Rp 80 thousand. However, farmers in Gresik Regency do not understand this potential. Info from the Head of KKP Gresik states: Gresik salt farmers are often cheated by a number of people who claim to be from Surabaya. They ask for old water with a reason to research, when actually for sale. After the salt is harvested, artemia actually appears, a type of plankton that can be used for seed food or shrimp fries. Usually, old water and artemia appear during extreme heat. If these two potentials are utilized maximally, it will bring additional income for salt farmers in Gresik. Especially in 2012 predicted the weather will be total heat. Therefore, it is necessary to give input for salt farmers who want to convert their land to other business, because the reason is minimal result, because salt farming is quite profitable as long as it understands the potential that is produced.

Many people assume that salt production is always linked to the vastness of the sea owned by the country. it can not be a measure. In Kenya, although the coast was involved in considerable local and long-distance trade in salt, there seems to have been little large-scale production of this item until recent times.[5]

In Madura, improving the welfare of the salt farmer community can begin by diversifying how to make salt and salt quality improvement. Salt is no longer made for consumption but salt products should be upgraded to industrial salts. In addition to the 400 ha that will be managed with the local community, there are still about 700 ha of its surroundings that have great potential for industrial salt production. Cooperation with farmers in there core and plasma models as long as they are willing to cooperate.[9] Investment for the operation of the land, it takes about Rp20 billion. Industrial salt yields above 97%

NaCl is estimated at 60 thousand tons per year or about half of the factory in Sumenep, Madura.[10]

In 2015 Madura Salt Farmers Demonstrate Reject Import Salt. Salt farmers protest government policy on salt imports, because imported salt is not only industrial salt but also consumption salt. Farmers from three districts, Sumenep, Pamekasan and Sampang, rallied to the Ministry of Industry, at the Ministry of Marine Affairs and Fisheries and the Ministry of Trade. During their visit to the three ministries, they fully supported the Ministry of KKP and Police to complete the investigation of alleged salt mafia. In addition, they demand the Ministry of Trade to revoke a letter of import approval of salt and to hold the Ministry of Industry accountable for recommending imported salt.

Maria in his book entitled *Laws and Inventions: The Process and Technique of Formation*, said that the criminal provision is a provision that is not absolute in the legislation, so the formulation of the criminal provisions depends on each legislation. Nevertheless, legislation that can include Criminal Provisions is only the Laws and Local Regulations (page 99). The word "can" used by Maria Farida indicates that the law does not necessarily have criminal provisions in it. Maria's opinion is in accordance with the provisions of Article 15 paragraph (1) of Law 12/2011 which states that the material content penalty can only be contained in: (a) Constitution; (b) Provincial Regulations; and (c) Regency/City Regulations. [8]. Therefore, based on the above matters can be concluded that the formation of a law or other legislation should pay attention to various principles of formation of good legislation, including also in formulating provisions on sanctions. However, there are laws that do not regulate the sanctions or the provisions of such sanctions are not explicitly stated because the sanctions have been mentioned in other regulations that are still related to the law. However, it does not mean the enforcement of the law becomes invalid or unworkable. In terms of the regulation of salt and salt farmers, with the various reasons and arguments that have been put forward, it is time for the Governor to propose a Regional Regulation as an arrangement that embraces the target, the strategy of policy fund policy related to poverty reduction of salt farmers as well as to affirm sanctions for violators of the rules.

#### IV. CONCLUSION

Recommendations that can be given about the regulation of salt and saltwater farmers need to be issued in the form of arrangements capable of sanctions for violators of the regulations. It has also been explained that the Law on the Establishment of Laws and Regulations stipulates that the lowest regulation that can accommodate sanctions for violators is the Regional Regulation. Thus, for the purpose of 'protecting', it is recommended to issue a law as a regulatory solution on people's salt and salt farmers. The description of the recommendations can be elaborated on the basis of the law of Article 15 paragraph (1) of Law 12/2011 which states that the material on the criminal provisions can only be contained in constitution; provincial regulations; or regency / city regulations. Article 15 paragraph (1) of Law 12/2011 reinforces that within the law does include the provisions of sanctions in it. To answer your question, along our searches, sanctions are usually set in a special chapter

entitled "Sanctions" or may also be subject to the title "Criminal Provisions".

#### REFERENCES

- [1] Adi. T. R. 2010, Increased production and quality of salt can be aided by the help of "membrane" for salt farmers. *Development and Application of Science and Technology*
- [2] Adrian Sutedi, 2010, *Law of Licensing in the Public Service Sector*, Jakarta : Sinar Grafika.
- [3] Ahmad Budiono, PT Garam Adds Industrial Salt Production in Madura, Ministry of Industry, Jakarta, *Media Indonesia*, Tuesday (8/3).
- [4] Fereshteh Ghassemzadeh, 1997, Biological and Chemical Features Associated with Salt Production in Solar Saltfield at Drycreek, South Australia, Dept of Zoology, University of Adelaide.
- [5] Inez Sutton, 1884, Salt In Kenya: A Survey Of Literature, *Journal of Eastern African Research & Development* Vol. 24 (1994), pp. 163-182.
- [6] Muhammad Zainuri; Hafiludin; Firman Farid Muhsoni. Validation of Production and Productivity Data of Mass Salt Regency 2014. Departement of Marine, University of Trunojoyo Madura.
- [7] Soerawidjaja.T.H. 2010, Characteristics of Socio-Economic and Institutional of People's Procurement Efforts. Marine and Fishery Research and Development Agency of the Ministry of Marine Affairs and Fisheries. Technical Review of Salt and its Derivative Products. Seminar on "Reconstructing People's Garbage in Technical, Social and Institutional Perspectives", Departement of Chemical Engineering, Bandung Institute of Technology.
- [8] Maria Farida Indrati Soeprapto. 2007. *Science of Process Law and its Formation Technique*. Kanisius: Yogyakarta.
- [9] Teodora Nirmala Fau cs, Madura does not taste the sweetness of salt crystals, *Validnews.co*, Madura#salt#poverty, Jakarta, 07/2017.
- [10] Zed Abidin, Salt Farmers Demonstrate Reject Import Salt, *Tempo.co*, home#bussiness#Madura, Jakarta, 08/2015.