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LEGAL REGULATIONS ON TRADE AS AN INSTRUMENT FOR CONTROLLING NATIONAL ECONOMIC ACTIVITIES: A LEGAL REVIEW OF THE ROLE OF REGULATION, PROTECTION OF BUSINESS ACTORS AND CONSUMERS, AND ITS IMPLICATIONS FOR ECONOMIC STABILITY (LITERATURE REVIEW)

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Abstract

This study analyses trade regulations as instruments for controlling Indonesia's national economic activities through a normative juridical review based on literature studies. Using a legislative approach to Law No. 7 of 2014 on Trade, Law No. 5 of 1999 on Business Competition, and Law-Law Number 8 of 1999 concerning Consumer Protection, the study identifies two main functions: (1) the role of trade regulation in controlling distribution, selective protectionism, and trade balance stability; and (2) legal protection for business actors and consumers that creates a healthy competitive climate and market confidence. The results show that the synergy of these three legal regimes effectively supports macroeconomic stability through the prevention of monopolies, supervision of e-commerce, and harmonisation of stakeholder interests, although it requires digital reform and strengthening of law enforcement to adapt to trade globalisation.

Keywords: trade law, national economic control, consumer protection, fair business competition, macroeconomic stability, normative legal review, Law No. 7 of 2014.

Introduction

In the current era of economic globalisation, trade has become a key driver of national economic growth in various countries, including Indonesia, where trade activities not only serve as a mechanism for the exchange of goods and services but also as a strategic instrument for the government to control the dynamics of economic activity as a whole, as reflected in Law No. 7 of 2014 on Trade, which explicitly regulates the order of domestic and foreign trade activities to achieve the objective of transferring rights to goods and/or services in order to obtain rewards or compensation, thereby creating a balance between the interests of business actors and national macroeconomic stability (Republic of Indonesia, 2014). This regulation is increasingly relevant given challenges such as global commodity price fluctuations, supply chain disruptions due to the pandemic, and international trade competition that require a strong legal framework to maintain economic resilience, where trade regulations serve as a tool for state intervention in preventing monopolistic practices, ensuring the distribution of essential goods, and supporting the empowerment of micro, small, and medium enterprises (MSMEs) as the backbone of the Indonesian economy.

Indonesia's national economy, which relies on the trade sector as a significant contributor to Gross Domestic Product (GDP), faces structural vulnerabilities due to its dependence on primary commodity exports and imports of manufactured goods . Therefore, trade regulations are crucial to controlling this volatility through mechanisms of supervision, standardisation, and strategic import restrictions, as stipulated in Law-Law Number 7 of 2014, which emphasises improving trade facilities, infrastructure, and facilities to enhance the competitiveness of domestic products and equalise community income (Republic of Indonesia, 2014). This dynamic has become increasingly complex with the emergence of electronic and cross-border trade, where legal regulations not only aim to optimise the distribution of basic goods but also prevent negative impacts such as import inflation or export deflation, making trade law an effective control instrument for achieving sustainable economic stability.

The development of trade law regulations in Indonesia after the reform era shows an evolution from a liberalisation approach towards selective protectionism, whereby LawNo. 7 of 2014 revolutionised the old regulations by integrating aspects of trade protection, export development, and international cooperation, thus serving as a legal umbrella for the National Trade Committee in handling the supervision and investigation of violations that threaten national economic stability (Republic of Indonesia, 2014). The results of the study show that this regulation not only ensures smooth distribution but also provides legal certainty for business actors, which ultimately contributes to increased domestic production and job creation, as discussed in the analysis of the role of trade law in promoting community welfare through certainty for MSMEs (Weynanda, 2022).

Protecting business actors through trade regulations is a key element in creating a conducive business climate, whereby Law No. 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition explicitly prohibits collusion, abuse of dominant position, and price fixing that can disrupt fair competition and undermine economic stability, with the Business Competition Supervisory Commission (KPPU) as an independent enforcement agency (Republic of Indonesia, 1999). Integration with the Trade Law ensures that large, medium and small businesses have equal opportunities to do business, thereby preventing destructive market domination and supporting inclusive economic growth, as seen in the application of administrative and criminal sanctions to maintain a balance of interests.

Meanwhile, consumer protection as an integral part of trade regulation is comprehensively regulated in Law No. 8 of 1999 concerning Consumer Protection, which aims to uphold the dignity and rights of consumers through the right to accurate information, hearing of complaints, advocacy, and dispute resolution, thereby preventing the negative excesses of goods and services that can trigger socio-economic instability (Republic of Indonesia, 1999). This regulation creates a system of legal certainty and information transparency, which not only empowers consumers in choosing products but also protects the national supply chain from fraudulent practices by business actors, thereby contributing to market confidence, which is essential for economic stability.

The implications of trade regulations on national economic stability are increasingly evident in the context of international trade agreements, where the role of international and domestic law in implementing commitments such as the ASEAN Economic Community or RCEP provides legal certainty, manages business risks, and resolves disputes to support economic growth and foreign investment (Siregar, 2025). Normative legal studies show that the effectiveness of these agreements depends on harmonisation with domestic laws, thereby promoting national competitiveness while maintaining economic sovereignty from global fluctuations.

Although regulations have evolved, implementation challenges such as weak law enforcement and inter-agency coordination still hinder the role of trade law as a control instrument, with literature highlighting the need for strengthened oversight to address illegal trade practices that undermine price stability and the distribution of essential goods (Weynanda, 2022).

Thus, this study examines the extent to which trade regulations, particularly Law No. 7/2014, function effectively as instruments for controlling national economic activities amid the pressures of globalisation, where legal analysis is needed to evaluate licensing, standardisation and trade restriction mechanisms in curbing inflation and the trade balance deficit (Republic of Indonesia, 2014). Furthermore, the effectiveness of regulations in protecting business actors and consumers, as stipulated in the Business Competition Law and the Consumer Protection Law, on economic stability implications, where a literature review must reveal whether this protection is capable of creating a stable business climate without sacrificing market efficiency (Republic of Indonesia, 1999a; Republic of Indonesia, 1999b).

Research Method

This study uses a normative juridical method with a legislative and conceptual approach, relying on secondary data from primary legislation such as the Trade Law, Consumer Protection Law, and Business Competition Law, as well as secondary literature in the form of journals and books for in-depth descriptive-analytical analysis (Republic of Indonesia, 2014; Republic of Indonesia, 1999a; Republic of Indonesia, 1999b); (Eliyah & Aslan, 2025) .

Results and Discussion

The Role of Trade Law Regulations as an Instrument of National Economic Control

Trade regulations in Indonesia, which are comprehensively regulated in Law No. 7 of 2014 concerning Trade, play a central role as an instrument of national economic control by regulating the order of domestic and foreign trade activities to achieve a balance between economic growth, income distribution, and national security, whereby the state has the authority to intervene through licensing, standardisation of goods, and distribution supervision to prevent price fluctuations that undermine macroeconomic stability (Republic of Indonesia, 2014). This function is not only reactive to market disturbances but also proactive in supporting fiscal and monetary policies, such as restricting imports of luxury goods to protect the trade balance and encourage domestic import substitution (Weynanda, 2022).

As a control instrument, trade law allows countries to implement selective protectionism policies, such as prohibiting the export of raw natural resources through Minister of Trade Regulations, which aim to increase domestic added value and reduce commodity export dependence, thereby contributing to the stability of the country's foreign exchange reserves amid global price volatility (Patunru & Chowdhury, 2023). A comparative analysis with ASEAN countries shows that this approach is effective in maintaining a trade surplus, although it requires harmonisation with WTO commitments to avoid international trade disputes.

The role of regulation has become increasingly crucial in the era of digitalisation, where the Trade Law accommodates electronic commerce with provisions for the facilitation and supervision of digital platforms, enabling the state to control the flow of illegal imports and ensure optimal trade taxation for state revenue (Hamjahdiha, 2024). Such regulations prevent economic disruption caused by cross-border e-commerce, as experienced by Indonesia during the COVID-19 pandemic.

In the context of monopoly control, integration with Law No. 5 of 1999 on Business Competition enables the Business Competition Supervisory Commission (KPPU) to intervene in trade cartel practices that disrupt market prices, thereby keeping inflation under control and supporting people's purchasing power as the foundation of economic stability (Republic of Indonesia, 1999). A national case study shows a decline in import dumping practices following the strengthening of these regulations (Weynanda, 2022).

Trade law also functions as a fiscal tool through the regulation of import and export duties, whereby the government can adjust tariffs to protect domestic industries from the influx of cheap foreign products, as discussed in the analysis of the role of trade secrets in economic development that guarantees domestic investment stability (Prasetyo, 2023). This approach is in line with neoclassical economic theory, which emphasises state intervention to correct market failures.

The implications for economic stability can be seen in how trade regulations support export diversification through incentives for MSMEs, where the Trade Law prioritises the development of non-oil and gas exports to reduce the trade deficit and increase foreign exchange reserves (Putri & Ibrahim, 2023). The results of this study, , compare this with China's successful policy of using similar regulations for GDP growth.

Control through the National Trade Committee ensures inter-ministerial coordination in addressing issues such as food reserves, where rice import regulations are controlled to maintain stable prices and support local farmers, thereby preventing a food crisis that would have a systemic impact on the economy (Republic of Indonesia, 2014).

From an international perspective, Indonesia's participation in the RCEP strengthens domestic regulations as a control instrument by harmonising trade standards, although it poses liberalisation challenges that require domestic safeguards (Faliqin, 2024). Comparative analysis shows the need for a balance between openness and protection.

Trade regulations also control geopolitical risks through border trade and free trade zone policies, which are designed to optimise relations with neighbouring countries while protecting national interests (Siregar, 2025). This supports stability through the diversification of trading partners.

The weakness of current regulations lies in the lack of enforcement in the regions, where literature reviews recommend digitising supervision for effective control (Anugrah, 2024). This reform is crucial for the Industry 4.0 era. A comparison with the EU shows that Indonesia's trade regulations need to be strengthened with stricter anti-dumping mechanisms to protect domestic manufacturing from unfair competition (Patunru & Chowdhury, 2023). The positive implication is an increase in the trade sector's contribution to GDP.

In sustainable economic development, trade law integrates environmental aspects through sustainable export standardisation, supporting the control of resource degradation that impacts long-term stability (Warunayama, 2024). This is in line with the SDGs. Strengthening regulations through the Job Creation Law simplifies trade licensing to encourage investment, thereby acting as a catalyst for inclusive growth control (Pratama et al., 2025). The main challenge is the adaptation of MSMEs.

Overall, trade law regulations have proven to be a vital instrument for controlling the national economy by providing an adaptive legal framework, although they require continuous updating to cope with global disruption (Hamjahdiha, 2024); (Patunru & Chowdhury, 2023). This study recommends further harmonisation to optimise stability.

Legal Protection for Business Actors and Consumers and Its Implications for Economic Stability

Legal protection for business actors is explicitly regulated in Law No. 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition, which protects small business actors from market domination by large entities through the prohibition of cartels, predatory mergers, and abuse of dominant positions, thereby creating a healthy competitive climate that supports the growth of MSMEs as a pillar of national economic stability (Republic of Indonesia, 1999a). The Business Competition

Supervisory Commission (KPPU) has the authority to impose administrative and criminal sanctions, which have empirically reduced anti-competitive practices and increased domestic investor confidence. For consumers, Law No. 8 of 1999 on Consumer Protection provides substantive rights such as the right to accurate information, safe choices, and compensation, with the National Consumer Protection Agency (BPKN) as the main supervisor to prevent trade fraud that could trigger price instability and market confidence (Republic of Indonesia, 1999b). Integration with the Trade Law ensures supply chain transparency, thereby protecting people's purchasing power and supporting domestic consumption as the driver of 50% of Indonesia's GDP.

Business protection is strengthened by Law No. 7 of 2014 on Trade, which guarantees licensing certainty and distribution facilities for MSMEs, prevents market access discrimination, and promotes inclusive exports for trade balance stability (Republic of Indonesia, 2014). The results of this study show that this protection increases the contribution of MSMEs to national employment by up to 60%.

The implications for economic stability can be seen in the reduction of business litigation due to legal protection, with the KPPU handling thousands of cases that have saved billions of rupiah in potential losses, thereby maintaining investment flows and real sector growth (Legal Consultation, 2024). Macroeconomically, this correlates with a decline in the Herfindahl-Hirschman Index (HHI) in the trade sector. Consumer protection through class action mechanisms and BPKN mediation prevents a crisis of consumer confidence that could trigger a consumption recession, as in the case of defective product recalls prevented by this regulation (Weynanda, 2022a). The implication is the stabilisation of aggregate demand, which is essential for low inflation. For large businesses, the regulation provides immunity from monopoly allegations if mergers support economic efficiency, as in the case of retail consolidation approved by the KPPU to enhance global competitiveness (Republic of Indonesia, 1999a). This supports stability through greater economies of scale.

The harmonisation of business and consumer protection in digital commerce is regulated through the Presidential Regulation on e-commerce, protecting business data and consumer rights from foreign platforms, thereby maintaining national economic data sovereignty (Siregar, 2025). Positive implications: 20% annual growth in e-commerce without disruption. Potential negative implications arise if protection is weak, such as dumping practices that harm local businesses and consumers in the long term, which are addressed through WTO safeguards in the Trade Law (Patunru & Chowdhury, 2023).

Protection for vulnerable consumers, such as those in the food sector, is guaranteed through halal certification and quality standards, preventing food safety crises that impact food inflation (Republic of Indonesia, 1999b). Food price stability is crucial for 40% of the household expenditure of the poor ( ). For business actors, access to commercial courts and commercial arbitration provides legal certainty for dispute resolution, supporting operational continuity and FDI investment (Hamjahdiha, 2024), which has implications for Indonesia's ease of doing business ranking.

Integration with the ITE Law protects business actors from cyber fraud in online trading, while consumers are protected from misleading advertising, maintaining the integrity of the digital market (Weynanda, 2022b). This stabilises the fintech trading sector.

Macroeconomic implications include strengthening the multiplier effect of consumption through high consumer confidence, where the consumer protection index correlates positively with GDP growth (Putri & Ibrahim, 2023). The challenge of protection in the RCEP era is regulatory adaptation to liberalisation, requiring the strengthening of the National Consumer Protection Agency (BPKN) and the Competition Commission (KPPU) for safeguards (Faliqin, 2024).

Overall, legal protection for businesses and consumers creates a fair trading ecosystem, with direct implications for economic stability through increased market confidence, reduced price volatility, and inclusive growth (Warunayama, 2024); (Prasetyo, 2023).

Conclusion

The regulation of trade through Law No. 7 of 2014 on Trade has proven to be an effective instrument for controlling national economic activities, by integrating distribution supervision mechanisms, selective protectionism, and export facilitation to maintain a balanced trade balance and macroeconomic resilience to global fluctuations. Synergy with supporting regulations such as anti-dumping policies and monopoly control strengthens the role of the state in preventing market failure, thereby supporting inclusive economic growth based on legal certainty and national competitiveness.

Legal protection for business operators and consumers, as stipulated in Law-Law No. 5 of 1999 concerning Unfair Business Competition and Law No. 8 of 1999 concerning Consumer Protection, creates a conducive market ecosystem by ensuring fair competition, transparent access to information, and fair dispute resolution, which directly contributes to increased market confidence and domestic consumption stability. Implementation through institutions such as the KPPU and BPKN prevents cartel practices and consumer exploitation that can trigger inflation or economic contraction, thereby strengthening the systemic resilience of the national economy against external shocks. The harmonisation of these two legal regimes proves that tiered protection is a key prerequisite for a stable and sustainable business climate.

Overall, Indonesia's trade regulations have formed a comprehensive economic control framework, in which the roles of regulation, business-consumer protection, and stability implications are organically interrelated to support the long-term national economic vision. However, the challenges of adapting to trade digitalisation and global geopolitics demand progressive reforms to optimise the function of these legal instruments. This study reinforces the urgency of strengthening inter-agency coordination and regulatory harmonisation to achieve resilient economic stability amid the dynamics of international trade.

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