

The Effectiveness Of Government Supervision In Controlling Alcoholic Beverages Based On Merauke Regency Regional Regulation Number 8 Of 2014

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ABSTRACT

The control of alcoholic beverages constitutes one of the efforts undertaken by local governments to maintain public order and protect society from the adverse impacts arising from the circulation of alcoholic beverages. Although Merauke Regency has enacted Regional Regulation Number 8 of 2014 as the legal basis for regulating and controlling alcoholic beverages, the implementation of its supervisory mechanisms continues to encounter various challenges. This study aims to analyze the effectiveness of government supervision in controlling alcoholic beverages under Merauke Regency Regional Regulation Number 8 of 2014 and to identify the factors influencing its effectiveness. This research employs an empirical legal research method using a socio-legal approach. Data were obtained through literature reviews and documentary studies and were subsequently analyzed qualitatively using descriptive-analytical techniques. The findings indicate that government supervision has not been implemented effectively due to limited institutional capacity, suboptimal inter-agency coordination, low levels of public legal awareness, and inconsistent enforcement of sanctions. The novelty of this research lies in the development of a collaborative supervision model that integrates inter-institutional synergy, community participation, and strengthened legal education as strategic measures to improve the effectiveness of the implementation of Merauke Regency Regional Regulation Number 8 of 2014.



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INTRODUCTION

Alcoholic beverages constitute one of the commodities subject to specific government supervision due to their complex impacts on public health, public order, community security, and social stability. On the one hand, the circulation of alcoholic beverages represents an economic activity recognized and regulated by the state through a licensing system. On the other hand, misuse, illegal production, and uncontrolled distribution may potentially result in various forms of public disorder, increased crime rates, traffic accidents, and domestic violence. Therefore, government oversight serves as an essential instrument in ensuring that the control of alcoholic beverages is implemented in accordance with applicable legal provisions while simultaneously upholding the principle of public protection. The study of alcoholic beverage control is not limited to law enforcement mechanisms but also reflects the quality of good governance in the exercise of governmental supervisory functions and the delivery of public services (Tarore et al., 2021).

Within the Indonesian legal system, the control of alcoholic beverages constitutes part of the authority exercised by both central and local governments through mechanisms of guidance, supervision, licensing, and law enforcement. Local governments are granted the authority to formulate policies tailored to the characteristics of their respective regions, provided that such policies do not conflict with higher-level statutory regulations. These policies are implemented through various regional regulations governing commercial activities, sales locations, licensing mechanisms, distribution supervision, and the imposition of sanctions for violations. The existence of regional

regulatory frameworks is essential, considering that each region possesses distinct social and cultural conditions, as well as varying levels of vulnerability to the circulation of alcoholic beverages (Kalalo & Samingun, 2021).

Merauke Regency is one of the regions that has established specific regulations concerning the control of alcoholic beverages through Merauke Regency Regional Regulation Number 8 of 2014 concerning the Control of Alcoholic Beverages. The regional regulation governs various aspects, including prohibitions, licensing requirements, supervision mechanisms, the establishment of a control task force, and administrative sanctions for violations. Normatively, the enactment of this regional regulation demonstrates the commitment of the local government to maintaining public order and minimizing the negative impacts of alcoholic beverage consumption on society. However, the implementation of this policy continues to encounter various challenges, rendering the effectiveness of its supervisory mechanisms an issue that requires further in-depth examination (Daniel Buckopioper, 2024).

Empirical conditions in Merauke Regency indicate that the circulation of alcoholic beverages, particularly traditional alcoholic beverages such as *sopi*, remains a challenging issue to control. Various law enforcement operations conducted by the police authorities and the Civil Service Police Unit (*Satuan Polisi Pamong Praja*) have consistently identified significant levels of illegal production and distribution of alcoholic beverages.

Furthermore, the local government, through the Alcoholic Beverage Control Task Force, continues to identify various violations of licensing requirements as stipulated under Regional Regulation Number 8 of 2014. These conditions demonstrate that government supervision has not yet been fully effective in preventing recurring violations, thereby necessitating an evaluation of the effectiveness of the implementation of supervisory functions (Oja et al., 2025). The study demonstrates that the local government has undertaken various control measures, including raids against the illegal circulation of alcoholic beverages, enforcement actions against unlicensed sellers, providing input in the formulation of regulatory policies, and conducting public education initiatives. However, the study also reveals that limitations in supervisory capacity, weak enforcement of sanctions, and suboptimal inter-agency coordination constitute factors contributing to the ineffectiveness of alcoholic beverage control implementation.

The findings of Daniel Buckopioper (2024) indicate that the implementation of Merauke Regency Regional Regulation Number 8 of 2014 continues to face various challenges, particularly in terms of supervision and policy implementation consistency. These findings are consistent with the study conducted by Oja (2023), which concludes that business actors' compliance with alcoholic beverage licensing requirements remains low due to inadequate supervision and weak law enforcement. Meanwhile, Zulkaidah et al. (2023) demonstrate that the ease of access to alcoholic beverages contributes to increased patterns of alcohol consumption among younger age groups, thereby highlighting the need for more effective government supervision.

The study conducted by Ahlaro, (2019) demonstrates that alcoholic beverage consumption in the southern region of Papua is influenced not only by economic factors but also by cultural aspects, social environments, and community practices. Therefore, the control of alcoholic beverages cannot be addressed solely through a repressive approach but requires the strengthening of a sustainable government supervision system, community participation, and cross-sectoral coordination, as also emphasized by Oja et al. (2025).

Although various studies have examined policy implementation, the evaluation of regional regulations, and government strategies in controlling alcoholic beverages (Oja, 2023; Buckopioper, 2024; Oja et al., 2025), most of these studies have primarily focused on aspects of policy implementation or law enforcement. To date, there has been limited research that specifically analyzes the effectiveness of government supervision under Merauke Regency Regional Regulation Number 8 of 2014 by integrating the dimensions of legal norms, supervisory mechanisms, and policy implementation within a single analytical framework.

RESEARCH METHODS

This research employs an empirical legal research method using a socio-legal approach, which examines law not only as a set of norms but also as a social practice within society. This approach enables the study to explain the effectiveness of government supervision in controlling alcoholic

beverages based on Merauke Regency Regional Regulation Number 8 of 2014 (Fachrizal Afandi, 2022; Noor, 2023). The research data consist of primary legal materials in the form of statutory regulations related to alcoholic beverage control, as well as secondary legal materials comprising scientific articles, books, government documents, police reports, and relevant official publications. The data were collected through literature reviews and documentary studies and were subsequently analyzed qualitatively using descriptive-analytical techniques to assess the effectiveness of government supervision based on the dimensions of legal substance, legal structure, and legal culture (Afandi, 2022; Noor, 2023).

RESULTS AND DISCUSSION

1. The Effectiveness of Government Supervision in Controlling Alcoholic Beverages Based on Merauke Regency Regional Regulation Number 8 of 2014

Government supervision constitutes one of the essential instruments in ensuring the effective implementation of statutory regulations. In the context of alcoholic beverage control, supervisory functions are not only intended to ensure compliance with legal provisions but also serve as preventive measures to maintain public order, community security, and public health protection. In Merauke Regency, such supervision is implemented based on Merauke Regency Regional Regulation Number 8 of 2014, which regulates licensing mechanisms, distribution, sales, supervision procedures, and the imposition of sanctions for violations. Normatively, this Regional Regulation provides an adequate legal foundation for the local government to exercise control over the circulation of alcoholic beverages through coordination among regional government institutions and law enforcement authorities.

However, the findings of this study indicate that the implementation of supervision has not yet been fully effective. Although the local government, in collaboration with the Police, the Civil Service Police Unit (*Satuan Polisi Pamong Praja*), and other relevant agencies, regularly conducts raids, enforcement actions, and monitoring of alcoholic beverage sales locations, the production and circulation of illegal alcoholic beverages, particularly *sopi*, continue to be identified in various areas of Merauke Regency. This condition demonstrates that the intensity of supervision has not been sufficient to optimally reduce the circulation of alcoholic beverages. These findings are consistent with the study conducted by Oja et al. (2025), which states that local governments have implemented various control efforts through field operations, guidance programs, and cross-sectoral coordination. Nevertheless, the effectiveness of these efforts remains constrained by limited resources, weak inter-institutional coordination, and the suboptimal enforcement of sanctions against violations.

When analyzed through Friedman's legal system theory (1975), the effectiveness of government supervision is influenced by three main components: legal substance, legal structure, and legal culture. From the perspective of legal substance, Merauke Regency Regional Regulation Number 8 of 2014 has essentially established relatively clear provisions concerning supervision mechanisms, licensing procedures, and administrative sanctions. However, the effectiveness of a regulation is not solely determined by the completeness of its legal norms but also by the consistency of its implementation. The study conducted by Buckopioper (2024) indicates that the primary challenges in the implementation of the Regional Regulation do not arise from the substance of the regulatory framework itself, but rather from inconsistent supervisory practices and the suboptimal coordination among institutions responsible for enforcing the provisions of the Regional Regulation.

From the perspective of legal structure, the implementation of supervision involves various institutions, including the Merauke Regency Government, the Civil Service Police Unit (*Satuan Polisi Pamong Praja*), the Indonesian National Police, the Investment and One-Stop Integrated Services Agency, and other regional government institutions that possess authority under the Regional Regulation. Institutionally, the required supervisory structure has been established; however, its effectiveness remains affected by limitations in personnel capacity, the extensive geographical area requiring supervision, and the absence of continuous inter-institutional coordination. Similar conditions were identified in the study conducted by Pangkey et al. (2024), which concluded that the success of alcoholic beverage supervision largely depends on inter-agency synergy and consistency in the implementation of supervisory activities in the field.

Meanwhile, from the perspective of legal culture, there remains a tendency among certain communities to consume and produce traditional alcoholic beverages as part of their social practices

and customary traditions. This condition indicates that a repressive approach through raids and law enforcement measures alone has not been fully effective in reducing the circulation of illegal alcoholic beverages unless it is accompanied by legal education, the enhancement of public legal awareness, and the involvement of customary and religious leaders in social supervision mechanisms. The study conducted by Zulkaidah et al. (2023) demonstrates that ease of access to alcoholic beverages and permissive social environments contribute to higher levels of alcohol consumption. Therefore, effective control requires a more comprehensive approach through collaboration between the government and the community.

Based on the foregoing analysis, this study argues that the effectiveness of government supervision in controlling alcoholic beverages under Merauke Regency Regional Regulation Number 8 of 2014 has not yet been fully achieved. Although the regulation has normatively provided an adequate legal foundation and the government has implemented various forms of supervisory measures, its implementation continues to face challenges in terms of institutional coordination, consistency in law enforcement, limited resources, and low levels of public legal awareness. Therefore, the effectiveness of supervision should not be measured solely by the frequency of raids or enforcement actions but also by the government's capacity to establish an integrated, collaborative, and sustainable supervisory system. These findings reinforce the view that successful alcoholic beverage control requires a balance between adequate legal substance, effective institutional structures, and a legal culture within society that supports compliance with applicable regulations.

2. Factors Influencing the Effectiveness of Government Supervision in the Control of Alcoholic Beverages in Merauke Regency

The effectiveness of government supervision in controlling alcoholic beverages is not solely determined by the existence of regulatory frameworks but is also influenced by various interrelated factors involved in policy implementation. The findings of this study indicate that although Merauke Regency has established Regional Regulation Number 8 of 2014 as the legal basis for alcoholic beverage control, the implementation of supervisory mechanisms continues to face several challenges that prevent the objectives of control from being fully achieved. These factors include regulatory aspects, institutional capacity, inter-agency coordination, social conditions within the community, and low levels of compliance with the provisions of the Regional Regulation. These findings demonstrate that the effectiveness of supervision is the result of interaction among legal norms, implementing authorities, and the legal culture of society, as explained in Friedman's legal system theory (1975).

The first factor influencing the effectiveness of supervision is the institutional capacity of supervisory authorities. Supervision over the circulation of alcoholic beverages involves various institutions, including the Merauke Regency Government, the Civil Service Police Unit (*Satuan Polisi Pamong Praja*), the Indonesian National Police, the Investment and One-Stop Integrated Services Agency, and other relevant regional government institutions. Although the institutional structure has been established, the implementation of supervision continues to face limitations in terms of personnel availability, the extensive geographical area requiring supervision, and inadequate operational facilities. These conditions have resulted in supervision not being conducted routinely and comprehensively. This finding is consistent with the study conducted by Oja et al. (2025), which concluded that limited human resources within government institutions constitute one of the main obstacles in controlling the circulation of alcoholic beverages in Merauke Regency.

The second factor is the suboptimal coordination among relevant institutions. The control of alcoholic beverages involves multiple stakeholders and therefore requires effective coordination in the implementation of supervision, information exchange, and law enforcement processes. In practice, inter-institutional coordination has not yet been conducted consistently, resulting in overlapping authorities and delays in addressing violations. The study conducted by Pangkey et al. (2024) demonstrates that weak coordination has caused supervision over the distribution and sale of alcoholic beverages to be less than optimal. Therefore, effective supervision requires a structured coordination mechanism, including clear division of responsibilities, regular data exchange, and joint evaluation of supervisory implementation.

The third factor relates to the legal culture of the community. In several areas of Merauke Regency, the consumption and production of traditional alcoholic beverages continue to be influenced by long-standing social and cultural practices. This condition has resulted in some members of the community not fully perceiving the provisions concerning alcoholic beverage control as legal

obligations that must be complied with. The low level of legal awareness contributes to the continued occurrence of unlicensed production and distribution of alcoholic beverages, as well as violations of the provisions stipulated in Regional Regulation Number 8 of 2014. The study conducted by Ahlvaro (2019) demonstrates that social environment, cultural factors, and community practices significantly influence the high level of alcoholic beverage consumption in the southern region of Papua. These findings are further supported by Zulkaidah et al. (2023), who state that ease of access to alcoholic beverages and permissive social environments contribute to increased alcohol consumption. Therefore, government supervision needs to be complemented by legal education and community empowerment initiatives.

Furthermore, consistency in law enforcement constitutes another factor influencing the effectiveness of supervision. Although the Regional Regulation provides for administrative sanctions against violations, the application of such sanctions in practice has not always been carried out consistently. This condition may reduce the deterrent effect on business actors and members of the community who commit violations. According to Buckopioper (2024), the main issue in the implementation of Merauke Regency Regional Regulation Number 8 of 2014 does not lie in the substance of its legal provisions but rather in the consistency of supervisory implementation and the enforcement of sanctions. Therefore, the successful control of alcoholic beverages requires the commitment of the local government to consistently enforce legal provisions in a fair and non-discriminatory manner.

Based on the foregoing analysis, this study argues that the effectiveness of government supervision in controlling alcoholic beverages in Merauke Regency is influenced by a combination of legal substance, institutional structure, and legal culture, which interact with one another in determining the successful implementation of Merauke Regency Regional Regulation Number 8 of 2014. However, this study also identifies an additional factor that has received limited attention in previous research, namely the absence of an integrated supervisory mechanism based on inter-institutional collaboration and community participation. Thus far, supervision has tended to remain sectoral in nature and primarily oriented toward raids or enforcement actions after violations have occurred (*reactive supervision*). In fact, effective supervision requires a preventive approach through the integration of licensing data, routine cross-institutional monitoring, the involvement of customary leaders, religious leaders, and communities in reporting violations, as well as continuous legal education. This collaborative supervision model constitutes the conceptual contribution (*novelty*) of this study and is expected to strengthen the effectiveness of the implementation of Merauke Regency Regional Regulation Number 8 of 2014 in achieving more effective, participatory, and sustainable alcoholic beverage control.

CONCLUSION

Based on the findings of this study, it can be concluded that government supervision in controlling alcoholic beverages under Merauke Regency Regional Regulation Number 8 of 2014 has not yet been fully effective. Although the Regional Regulation has normatively established licensing mechanisms, supervisory procedures, and administrative sanctions as instruments of control, its implementation continues to face various challenges that prevent the objectives of alcoholic beverage control from being optimally achieved. Supervision conducted by the Merauke Regency Government in collaboration with the Civil Service Police Unit (*Satuan Polisi Pamong Praja*), the Police, and other relevant institutions has been implemented through routine monitoring activities, raids, and enforcement actions against the circulation of alcoholic beverages. Nevertheless, the continued discovery of unlicensed production, distribution, and sales of alcoholic beverages indicates that the implementation of supervision has not yet generated a sustainable preventive effect. This study further finds that the effectiveness of supervision is influenced by several factors, including limited institutional capacity of supervisory authorities, suboptimal inter-institutional coordination, low levels of public legal awareness, and inconsistent application of sanctions for violations of the Regional Regulation. These factors demonstrate that the effectiveness of supervision is not solely determined by the existence of regulations but also by the quality of institutional structures and the legal culture of society, as explained in Lawrence M. Friedman's legal system theory.

As a scientific contribution, this study proposes a collaborative supervision model as an effort to strengthen the implementation of Merauke Regency Regional Regulation Number 8 of 2014. This

model emphasizes the importance of inter-institutional synergy through integrated coordination among local governments, law enforcement authorities, and relevant regional institutions, supported by active participation from communities, customary leaders, and religious leaders in social supervision mechanisms. Furthermore, strengthening legal education, utilizing data-driven supervisory information systems, and conducting periodic evaluations of policy implementation constitute strategic measures to improve the effectiveness of alcoholic beverage control in Merauke Regency. Therefore, government supervision should not merely focus on repressive measures through law enforcement but should also be directed toward preventive and collaborative approaches to achieve sustainable public order, community protection, and legal certainty.

Based on the findings of this study, the Merauke Regency Government should strengthen the effectiveness of alcoholic beverage control supervision through enhanced inter-institutional coordination, the implementation of a more integrated and sustainable supervisory system, and consistent enforcement of sanctions in accordance with Merauke Regency Regional Regulation Number 8 of 2014. Furthermore, increasing the participation of communities, customary leaders, and religious leaders through legal education and participatory supervision mechanisms should be optimized as preventive measures to improve public compliance with applicable legal provisions. Future research is expected to further develop a collaborative supervision model based on local wisdom through a more comprehensive empirical approach in order to support the improvement of alcoholic beverage control policies in Merauke Regency.

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