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Digital trade transformation and traditional market resilience: An empirical-legal study of e-commerce flash sale practices and the sustainability of small traders' businesses in Mauk, Indonesia

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ABSTRACT
This study examines e-commerce flash sales and traditional traders' business sustainability in Mauk Market, Tangerang Regency, Indonesia. An exploratory empirical-legal design combines questionnaires from 25 traders, structured interviews with 15 traders, and doctrinal analysis of Indonesian competition and electronic commerce regulation. Mean scores indicate high perceived exposure to flash-sale-related consumer behaviour (3.94), business impact (4.26), competitive inequality (4.26), and protection needs (4.24). Interview themes suggest that online discounts become reference prices in offline bargaining, while traders face unequal access to promotional subsidies, data, and logistics. These perceptions do not establish predatory pricing under Article 20 of Law No. 5 of 1999, which requires additional market and cost evidence. The study proposes proportionate competition monitoring, transparent promotion rules, accessible complaints, digital capacity-building, and market revitalisation to support small traders without rejecting digital innovation. Findings are local and descriptive, limiting statistical generalisation.

Keywords: Flash Sale; E-Commerce; Competition Law; Traditional Market; Small Traders

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1. Introduction

Digital commerce has fundamentally transformed the dynamics of price competition by intensifying its speed, scale, and visibility across consumer markets. In Indonesia, e-commerce platforms have increasingly deployed short-duration promotional mechanisms—including flash sales, vouchers, free delivery, ranking algorithms, and personalised recommendations—to attract and retain consumers. While these mechanisms may yield consumer benefits through lower prices, wider product selection, and reduced search costs, they simultaneously generate unprecedented competitive pressures for traditional market traders who typically operate with limited capital, constrained digital literacy, and location-dependent customer relationships (Ardiansyah et al., 2024; Gunawan et al., 2022). The proliferation of modern retail formats and digital platforms has been documented as a significant threat to the sustainability of traditional markets, with studies confirming that traditional traders face declining market share and diminishing consumer traffic as modern and digital competitors expand their reach (Ali and Nurani, 2024; Sodiq and Widjanarko, 2024). Indeed, the competitive asymmetry between well-capitalised platform-based retailers and small-scale traditional traders mirrors the documented displacement effects observed in the physical retail sector, where modern stores have progressively marginalised traditional markets through superior facilities, pricing strategies, and promotional capabilities (Asmah, 2019; Moechtar, 2011). This phenomenon is further compounded in the digital sphere, where e-commerce platforms can leverage algorithmic amplification and cross-subsidised pricing to reshape consumer expectations regarding acceptable price levels (Bintoro, 2010; Fajriawati, 2018).

The analytical challenge, however, is not whether digital commerce should be rejected, as a defensible legal and policy analysis must avoid anti-digital assumptions. Flash sales and promotional discounts are not inherently unlawful; rather, they constitute normal instruments of market competition (Tradisional et al., 2024). The problem arises when repeated extreme discounts, platform subsidies, and algorithmically amplified promotions transform the benchmark by which consumers evaluate offline prices, potentially constituting practices akin to predatory pricing that distort fair competition (Bintoro, 2010; Fajriawati, 2018). Indonesian competition law, principally Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition, prohibits market domination and predatory pricing under Articles 17 and 20, yet its application to digital platform-mediated competition remains inadequately developed (Aksa et al., 2023; Gunawan et al., 2022; Sucipto, 2017). The regulatory framework governing e-commerce, including Minister of Trade Regulation Number 31 of 2023 amending Regulation Number 50 of 2020, has attempted to address platform governance by separating social commerce from e-commerce functions, but scholars have noted that these measures remain insufficient to protect MSMEs from the structural advantages enjoyed by large digital platforms. The Business Competition Supervisory Commission (KPPU) plays a critical role in monitoring unfair competition, yet its supervisory capacity in the digital economy has been assessed as suboptimal, necessitating amendments to existing legislation to strengthen enforcement in platform-mediated markets (Aksa et al., 2023; Sucipto, 2017).

Mauk Traditional Market in Tangerang Regency provides an instructive local case for examining these dynamics empirically. Field findings indicate that the market continues to serve buyers from villages in Mauk District and neighbouring areas, functioning as both a social and economic space for families, students, household consumers, and small traders. The dominant commodities—clothing and related products including school uniforms, Muslim clothing, children's clothing, everyday apparel, accessories, and baby equipment—are highly susceptible to visual and price comparison in e-commerce, as consumers can readily compare models, prices, and promotions before deciding whether to purchase online or offline (Hartati et al., 2023; Sucipto, 2017; Tradisional et al., 2024). This vulnerability reflects broader patterns documented across Indonesian traditional markets, where traders with small capital bases struggle to compete against digitally-enabled competitors offering lower prices and greater convenience (Ali and Nurani, 2024; Ardiansyah et al., 2024; Sodiq and Widjanarko, 2024). This article therefore poses three research questions: first, how do e-commerce flash sales affect the business activities of traders in Mauk Traditional Market; second, how do traders perceive the competitive relationship between traditional markets and e-commerce platforms; and third, how should Indonesian competition law and electronic commerce governance respond to these risks without undermining digital innovation. The novelty of this article lies in its integration of empirical trader perceptions with doctrinal legal analysis, examining how small traders experience platform-mediated competition in everyday transactions rather than employing competition law solely as a normative framework. Because it explores how law, social resilience, and technology governance can be harmonised in a sustainable digital society .

Literature review and legal framework

a. Digital platforms, multi-sided markets, and flash-sale pricing

Digital platforms do not operate as ordinary single-sided markets. They coordinate multiple user groups, often combining sellers, buyers, advertisers, logistics providers, and payment systems. Platform literature explains that network effects, data accumulation, and control over

market architecture may allow platforms to shape visibility, pricing incentives, and access to consumers (Evans, 2003; Hagiu and Wright, 2015; Rochet and Tirole, 2003). In retail e-commerce, these features can make promotions more powerful than conventional discounts because the platform can combine time limits, ranking visibility, vouchers, free shipping, seller subsidies, and recommendation systems.

Flash sales are commercially rational because scarcity of time and limited promotional windows can accelerate purchase decisions. However, from a competition and social policy perspective, the concern is not merely the low price but the unequal capacity to finance and amplify that price. Traditional traders must absorb rent, transport, inventory, and working capital constraints, whereas platform-based actors may distribute promotional costs across sellers, platforms, logistics partners, and data-driven advertising systems. The OECD (OECD, 2024) therefore emphasises that digital competition policy increasingly examines how large platforms use and potentially misuse market power through conduct that may not fit neatly into conventional market categories.

b. Predatory pricing and the limits of legal inference

Predatory pricing doctrine distinguishes aggressive competition from exclusionary pricing. Classic antitrust scholarship treats predation as a strategy in which a firm prices below an appropriate measure of cost to eliminate rivals and later recoup losses through market power (Areeda and Turner, 1975; Bolton et al., 2000). Under this logic, the mere existence of a low price does not prove illegality. A legally meaningful finding requires analysis of price-cost relations, market structure, exclusionary intent, likelihood of recoupment, and competitive effects.

In Indonesia, Article 20 of Law No. 5 of 1999 prohibits the supply of goods or services by selling at a loss or setting very low prices with the intent to eliminate or destroy competitors in the relevant market, thereby potentially causing monopolistic practices or unfair business competition (Republic of Indonesia, 1999). KPPU Regulation No. 6 of 2011 provides guidance on Article 20 and confirms that predatory pricing analysis requires more than observing cheap prices (Komisi Pengawas Persaingan Usaha, 2011). This is essential for the present study: traders' perceptions are important empirical signals, but they do not by themselves establish a legal violation.

Recent Indonesian legal scholarship has also warned against equating every flash sale with predatory pricing. Prior studies argue that flash sales may indicate predatory conduct only when supported by evidence of prices below cost, exclusionary purpose, market power, and harmful effects on competition (Fitri and Lesmana, 2021; Jayani et al., 2022; Lauran and Sarjana, 2021; Narusweta and Setiawati, 2024). The present article follows this cautious position.

c. Electronic commerce governance and the protection of small traders

The regulatory environment for electronic commerce in Indonesia has developed rapidly. Minister of Trade Regulation No. 31 of 2023 governed business licensing, advertising, guidance, and supervision of business actors in trade through electronic systems. At the time this manuscript was prepared, that regulation had been revoked and replaced by Minister of Trade Regulation No. 19 of 2026 on the operation of electronic commerce business. This regulatory shift is important because it shows that platform commerce is not a static field; policy instruments must adapt to changing digital market structures.

Internationally, UNCTAD has emphasised that digital market governance often requires synergy between competition policy and consumer protection policy, particularly in developing economies where platform access, small business capacity, and consumer welfare are interlinked (UNCTAD, 2021, 2024, 2025). For traditional markets, this means legal

protection should not be framed merely as prohibition. A more proportionate model combines competition oversight, digital capacity-building, complaint mechanisms, market revitalisation, and distribution-chain transparency.

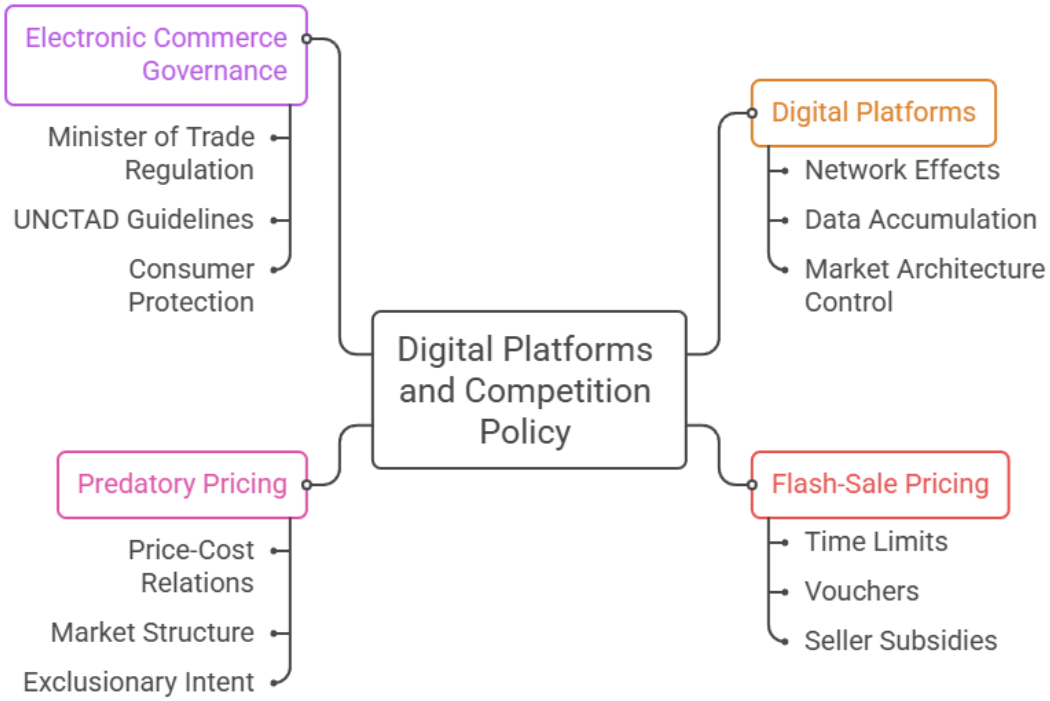


Figure 1. Digital Platforms and Competition Policy

2. Method

This study employed an empirical-legal design with a socio-juridical orientation, integrating both doctrinal and empirical components to examine the phenomenon under investigation. The socio-legal approach combines legal and social science perspectives, enabling researchers to analyze not only the doctrinal study of law but also how law functions within society (Irawan et al., 2024; W. Nalle, 2015). The empirical component examined how traders experience and interpret flash-sale competition, while the doctrinal component analysed the relevance and limits of Indonesian competition law, especially Law No. 5 of 1999 and the Article 20 guidance on predatory pricing (Susilo et al., 2024). This design is exploratory and descriptive, not confirmatory, as its purpose is to map risks, perceptions, and policy needs rather than to produce a final legal finding against any specific platform or seller.

The study applied a mixed evidence strategy, combining quantitative and qualitative methods within a single investigation to achieve more comprehensive findings (Creswell, 2018; Mustikaningsih et al., 2019). Quantitative questionnaire data were used to identify the intensity of perceived exposure, business impact, competitive inequality, and protection needs, while qualitative interview data were used to explain mechanisms behind those perceptions (Suhandano et al., 2023). Such integration of quantitative and qualitative techniques enables researchers to address both confirmatory and exploratory questions while providing stronger inferences (Rakpanitmanee & Pathranarakul, 2023). Triangulation was then used to compare the statistical patterns with interview themes, a technique that enhances data accuracy and increases confidence in findings (Jaman et al., 2023).

The research site was Mauk Traditional Market, Tangerang Regency, Indonesia. The selected commodity focus was clothing and related products because these items are easy to

compare through e-commerce platforms and are regularly affected by price promotions. The quantitative sample consisted of 25 traders. The qualitative component involved 15 trader informants, anonymised as P01-P15. Secondary data consisted of laws, regulatory instruments, competition policy guidance, journal articles, and international policy reports.

The study intentionally used a small local dataset. This is appropriate for an empirical-legal exploratory study, but it limits statistical generalisation. A further coding note is necessary: one tenure category in the field data was recorded as "<10 years", which overlaps conceptually with "3-5 years" and "6-10 years". For that reason, tenure data are reported descriptively and not used for inferential claims.

The questionnaire used a five-point Likert-type scale to measure four dimensions: exposure and consumer behaviour, business impact, competitive inequality and competition indications, and legal awareness/protection needs. Analysis used means, standard deviations, coefficient of variation, and selected subgroup descriptions. Interview data were coded thematically, focusing on consumer behaviour, price comparison, turnover, promotion inequality, digital capacity, and protection needs. Legal analysis assessed whether the field findings could support policy concern while remaining insufficient to prove predatory pricing without additional evidence on costs, market definition, responsibility for price-setting, and exclusionary intent.

Ethically, the article anonymises all informants and uses aggregated data for quantitative reporting. Interview quotations were edited only for clarity and translated into English without changing substantive meaning.



Figurer 2. Research Design and Methodology

3. Results and Discussion

Mauk Market remains economically and socially important for local communities. Buyers come not only from Mauk villages but also from neighbouring areas in the northern coastal and central parts of Tangerang Regency. The market remains a place where buyers can touch materials, try sizes, inspect colours, bargain directly, and obtain personal exchange services. These advantages represent the social value of traditional markets: trust, proximity, and embodied inspection.

Nevertheless, the field findings show that physical accessibility no longer guarantees competitiveness. Clothing and related products are easily displayed and compared online. Consumers can check models, compare prices, wait for flash sales, and use online prices as bargaining references in the physical market. The competitive arena has therefore shifted from intra-market rivalry among stalls to cross-channel competition between offline traders and e-commerce ecosystems.

Table 1. Selected profile of quantitative respondents (n = 25)

Variable	Category	n (%)
Gender	Female	15 (60.0%)
Gender	Male	10 (40.0%)
Education	Junior secondary school	12 (48.0%)
Education	Senior secondary school	7 (28.0%)
Education	Elementary school	5 (20.0%)
Education	Diploma/undergraduate	1 (4.0%)
Trading experience	>10 years	9 (36.0%)
Trading experience	6-10 years	6 (24.0%)
Trading experience	3-5 years	5 (20.0%)
Trading experience	Field-coded <10 years	4 (16.0%)
Trading experience	1-2 years	1 (4.0%)
Goods available in e-commerce	Yes	17 (68.0%)
Goods available in e-commerce	No	8 (32.0%)
Uses online media for selling	No	17 (68.0%)
Uses online media for selling	Yes	8 (32.0%)
Capital source	Personal capital	17 (68.0%)
Capital source	Family capital	4 (16.0%)
Capital source	Loan	4 (16.0%)

The respondents were aged 26-58 years, with a mean age of 41.2 years. The profile indicates two central vulnerabilities. First, most traders have substantial market experience, so their perception of competitive pressure is not merely a short-term reaction. Second, a digital paradox appears: 68% of the goods sold by respondents are available or easily found in e-commerce, but 68% of traders do not use online media for selling. Their products are already exposed to digital substitution, while their ability to participate in digital promotion remains limited.

Table 2. Descriptive statistics of research dimensions

Dimension	Mean	SD	Category
Exposure and consumer behaviour	3.94	0.59	High
Impact on traders' business	4.26	0.48	Very high
Competitive inequality and competition indications	4.26	0.32	Very high
Legal awareness and protection needs	4.24	0.38	Very high

All dimensions were high or very high. The highest means were business impact and competitive inequality, both at 4.26. Competitive inequality also had the lowest standard deviation (0.32), suggesting relatively uniform perceptions among traders. This pattern is important because it shows that traders do not simply notice flash sales; they connect them with declining business performance, unequal competitive capacity, and a need for public intervention.

Table 3. Selected high-priority indicators

Code	Indicator	Mean	SD
X26	Need for firmer government policy	4.76	0.52
X7	Business turnover has decreased	4.52	0.71
X27	Need for digital capacity-building	4.52	0.65
X16	Flash sales may eliminate small businesses	4.48	0.59
X8	Number of buyers at stalls has decreased	4.44	0.65
X17	Competition between markets and platforms is unequal	4.40	0.58
X9	Sales volume has decreased	4.36	0.76
X25	Existing legal protection is inadequate	4.32	0.69

Indicator-level findings show that traders' strongest response is not an abstract rejection of online commerce. The highest mean concerns the need for firmer government policy, followed by decreased turnover and demand for digital training. This sequence suggests a rational policy expectation: traders experience economic pressure, perceive unequal competitive capacity, and then request both protection and empowerment.

Table 4. Main qualitative themes from trader interviews

Theme	Substantive meaning	Illustrative informants
Market accessibility and buyer origin	Mauk Market remains a local transaction hub serving nearby villages and neighbouring districts.	P07, P10
E-commerce price comparison	Flash-sale prices become reference points in offline bargaining; physical market prices are no longer the only benchmark.	P01, P02, P03, P05
Turnover and sales-volume decline	Traders describe fewer visitors, lower sales, and pressure to sell near cost to maintain buyers.	P02, P04, P05, P13
Strength of the physical market	Material quality, size suitability, exchange services, and personal relations remain competitive assets.	P03, P09
Promotion and capital inequality	Platforms, large sellers, and distributors are perceived as having unequal capacity to subsidise prices and amplify promotions.	P08, P11, P13, P14
Need for protection and empowerment	Traders do not reject digitalisation, but request digital training, legal literacy, fair-price monitoring, and accessible complaint channels.	P12, P15

The qualitative findings explain the mechanisms behind the quantitative scores. First, consumers bring digital price references into offline transactions. Second, traders experience lower turnover, weaker bargaining power, and pressure to reduce prices. Third, these pressures are aggravated by unequal access to capital, promotion, logistics, and platform visibility. Fourth, traders request a combination of supervision, complaint mechanisms, digital training, and market revitalisation.

Table 5. Triangulation of quantitative and qualitative findings

Issue	Quantitative evidence	Qualitative evidence	Interpretation
Consumer behaviour	X2 = 4.08; X5 = 3.96	Buyers check online prices before purchasing and postpone decisions while waiting for online promotions.	Flash sales operate as digital reference prices in offline bargaining.
Business impact	X7 = 4.52; X8 = 4.44; X9 = 4.36	Traders report decreasing turnover, buyers, and sales volume.	Economic impact is the strongest finding because survey scores and interview narratives converge.

Issue	Quantitative evidence	Qualitative evidence	Interpretation
Competitive inequality	X16 = 4.48; X17 = 4.40; X21 = 4.24	Traders emphasise unequal promotion budgets, subsidies, logistics, and distribution access.	Inequality is not only about low prices but also about unequal market infrastructure.
Protection needs	X25 = 4.32; X26 = 4.76; X27 = 4.52; X28 = 4.32	Traders request digital training, fair-price monitoring, and accessible complaint channels.	Policy should combine monitoring, literacy, market strengthening, and complaint mechanisms.

Discussion

a. Flash sales as cross-channel reference prices

The central empirical finding is that flash sales influence offline markets not merely by transferring transactions online but by restructuring price expectations. Traders report that consumers use online prices as bargaining references, even when the offline product differs in material, size certainty, service, and exchange options. The market therefore faces a cross-channel reference-price effect: digital promotion changes the meaning of a "reasonable" price in the physical market.

This finding is consistent with platform theory. In a multi-sided platform, the visible price paid by consumers may not reveal the full economic structure behind the transaction. Discounts can be financed by sellers, platforms, logistics partners, or promotional campaigns. Traditional traders, by contrast, must often finance price reductions directly from thin margins. The resulting inequality is perceived as structural rather than merely competitive.

b. Why flash sales are not automatically predatory pricing

A crucial legal distinction must be maintained. The data support a finding of perceived competitive pressure and policy risk, but they do not prove predatory pricing. To establish predatory pricing under Article 20 of Law No. 5 of 1999, further evidence would be required: whether prices are below cost, who determines the price, who bears promotional subsidies, whether the relevant product and geographic market can be defined, whether there is intent to eliminate competitors, and whether the conduct could cause monopolistic practices or unfair competition.

This cautious position strengthens rather than weakens the article. Overclaiming would make the analysis vulnerable. A more rigorous conclusion is that flash sales constitute empirical risk signals that justify monitoring and capacity-building, while legal enforcement requires product-specific and actor-specific evidence. This distinction also prevents the study from collapsing social protection into anti-innovation policy.

c. Proportional protection: not anti-digital, but pro-equal opportunity

The policy problem is best framed as unequal opportunity rather than a simple conflict between old markets and new technology. Traditional traders need support to participate in digital commerce without being forced to imitate extreme discounting strategies that they cannot finance. Protection should therefore be proportional: monitor potentially exclusionary promotion, improve transparency, build digital and legal literacy, revitalise physical market advantages, and provide accessible complaint channels.

This approach aligns with the broader international trend toward combining ex post competition enforcement with ex ante governance of digital market conduct. OECD and UNCTAD policy discussions emphasise that digital markets require attention to platform power, data, consumer protection, and inclusive development. For Indonesia, local governments and market managers can translate these concerns into practical programmes for traders.

Table 6. PESTEL-informed model of legal protection for traditional market traders

Dimension	Key risk	Recommended intervention	Implementation form
Political	Fragmented responsibility among central government, local government, market managers, and competition authorities.	Create coordinated local-digital market governance.	Regular coordination between local trade offices, market managers, KPPU outreach units, and trader associations.
Economic	Extreme discounts may pressure margins and redefine consumer price expectations.	Monitor repeated extreme promotions and price-subsidy patterns.	Collect price screenshots, dates, seller identity, market prices, and trader impact reports.
Social	Traditional markets are social spaces for families, students, and local communities, but traders have limited bargaining power.	Strengthen social resilience and consumer trust in local markets.	Market campaigns on material inspection, size certainty, exchange service, and local economic value.
Technological	Many traders lack skills in product photography, digital catalogues, online orders, and platform-cost calculation.	Provide practical digital capacity-building.	Training on WhatsApp Business, product photos, descriptions, stock records, cost calculation, customer service, and return-risk management.
Environmental/physical	Physical markets may lose appeal if their experiential advantages are not organised collectively.	Revitalise market environment and shopping experience.	Cleanliness, stall arrangement, parking, information boards, thematic market days, and safe walking paths.
Legal	Traders have limited knowledge of unfair competition rules and lack simple reporting channels.	Develop accessible legal literacy and complaint mechanisms.	Simple complaint form: product, offline price, online price, promotion date, screenshots, suspected seller/platform, and observed impact.

d. Theoretical and practical implications

Theoretically, the article contributes to empirical competition law by showing how platform-based promotion can affect offline markets through reference-price formation, not only direct transaction substitution. It also connects competition law with social resilience by treating small traders not as passive victims but as economic actors who require both legal protection and capacity enhancement.

Practically, the findings suggest that local government and market managers should not limit digitalisation programmes to account creation on marketplaces. Traders require training in margin calculation, minimum viable pricing, stock management, return risk, product differentiation, service quality, and online customer communication. KPPU and trade offices should also develop simplified competition-law literacy materials that help traders distinguish between lawful discounting, suspicious extreme pricing, and evidence required for complaints.

e. Limitations and future research

This study has four limitations. First, the quantitative sample consists of 25 traders and the qualitative sample consists of 15 informants; therefore, the findings should be interpreted as exploratory and descriptive. Second, the business impact data are perception-based and are not yet supported by longitudinal turnover, sales volume, or profit-margin records. Third, the

study did not compare identical products across offline and online channels in terms of brand, size, material, seller identity, delivery cost, and exchange service. Fourth, the study did not investigate the cost structure and subsidy responsibility behind flash-sale prices; thus, it cannot prove below-cost pricing or predatory intent.

Future research should collect longitudinal monthly turnover data, transaction volume, matched product prices, platform voucher structures, seller interviews, distributor relations, and consumer perspectives. Additional interviews with local government, KPPU, market managers, platform representatives, and distributors would allow more precise analysis of relevant markets, responsibility for price-setting, and possible exclusionary effects.

4. Conclusion

Mauk Traditional Market remains socially and economically relevant, but its competitiveness is increasingly shaped by digital reference prices created through e-commerce flash sales. Traders perceive substantial business impacts, including declining turnover, fewer buyers, reduced sales volume, pressure to lower prices, and uncertainty about business sustainability. They also perceive competition with platforms as unequal because of asymmetries in promotion, subsidy, data, algorithms, logistics, and capital.

Legally, these findings should not be overstated. Flash sales do not automatically constitute predatory pricing under Law No. 5 of 1999. A final legal conclusion would require detailed evidence on price-cost relations, relevant market, actor responsibility, exclusionary intent, and competitive effects. Nevertheless, the empirical findings are strong enough to justify policy concern and preventive governance.

The article therefore proposes proportional legal protection: competition monitoring, transparent promotion governance, accessible complaint channels, digital and legal literacy, traditional market revitalisation, and supply-chain transparency. Such a model harmonises humanity and technology by preserving the benefits of digital commerce while strengthening the resilience and dignity of small traders in traditional markets.

Declarations

Ethics statement: All trader identities are anonymised. Interview quotations are reported through codes and are paraphrased or translated without changing substantive meaning.

Data availability: The aggregated data used in this manuscript are derived from field questionnaire and interview summaries. Raw respondent-level data should be shared only after anonymisation and author approval.

Conflict of interest: The authors declare no conflict of interest.

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