

## DEFINITION AND CRITERIA OF MSME IN INDONESIA: DOES IT HAVE AMBIGUOUS INTERPRETATIONS?

Henrycus Winarto Santoso

Noviaty Kresna Darmasetiawan

Priscilla Levina

Theresya Jeini Astanto

Fritz Ajiedragono

Raymond Lim

### ***ABSTRACT***

*The definition and criteria of Micro, Small, and Medium Enterprises (MSMEs) are essential and valuable in constructing statistics and observing economic aspects. Moreover, precise definition and criteria can provide arbitrary thresholds for imposing the regulations to determine qualification for particular forms of public support, especially empowerment of MSME. Therefore, it is necessary to get clear and unambiguous MSMEs' definitions by fulfilling good criteria provisions that are consistent, non-redundant, and complete. This paper aims to analyze if the definition and criteria of MSMEs in Law No. 20 of 2008 the Government of Indonesia on MSME have a clear and unambiguous interpretation. This paper only evaluates the law object by content analysis that uses conceptual thinking, primarily determined by cognitive mapping, to verify whether there is an ambiguous definition and criteria. The analysis method uses an in-depth interpretation of the definition and criteria of MSME as stated in Law No. 20 of 2008 through a descriptive approach using verificative-evaluative design and library research to provide the data from prior studies. The results of this paper discover that the criteria do not meet the requirements to be considered good criteria, which raises unclear and ambiguous interpretations in the classification of MSME into Micro, Small, and Medium enterprises. To resolve this, we suggest removing or changing one or more criteria. This topic could become the foundation for future research to explore more empirical work.*

**Keywords:** *ambiguity, criteria, definition, MSME*

## INTRODUCTION

Micro, Small, and Medium Enterprises (MSME) has been the long-standing backbone of Indonesian economy. The developments of MSME have contributed greatly in job creation, poverty alleviation and economic development (Valaei, Rezaei, & Wan Ismail, 2017). Alongside with the growing importance of MSME in Indonesia, further attention must be dedicated toward how the MSME is defined clearly in the current status quo. The increased complexity of the nature and behavior of the smaller firm and the increased interest that these researchers have found in the study of MSMEs have resulted in the continuing evolution of its definition. On the other hand, this evolution also reflects the inadequacies of existing definitions. While researchers have been able to describe the behaviors of the smaller firms, yet they have been unable to reverse the process by establishing an internationally portable and consistent definition of smaller firms (Newman, 1996).

To boost the economic growth, the government has a certain attention to empowering sustainability of MSMEs. In providing empowerment such as training or financial subsidization, the government needs to determine whether the company level is at micro, small, or medium. Policy makers for small businesses must have a clear and concise definition in order to insure that any funds spent are targeted correctly (Osteryoung & Newman, 1993). Therefore, the definition and criteria of MSMEs must be clear and specific, so that it would not cause overlapping perceptions and policies. This condition must be fulfilled in order to empowering and funding the MSMEs according to their necessities and needs, also to prevent any other party from being harmed. The study aims to verify and evaluate the definition and criteria of MSME in Law No. 20 of 2008 Government of Indonesia and indicate whether the MSME criteria have a clear and unambiguous interpretation or not.

## LITERATURE REVIEW

### A. A Good Definition

Definitions are useful in almost any field. We need definitions to figure and convey certain words more clearly. It helps us to have a better understanding of our business which includes customers, processes, products, value proposition, and so on. To make a good definition, there are several conditions that must be fulfilled (Veerassamy, 2013). Firstly, the definition should be clear. It means that the definition is not vague or complicated. It should have a clear understanding and unambiguous meaning. Secondly, the definition should be falsifiable. This condition requires precise explanation. The more appropriate definition of something, then the clearer meaning of the something will be. With a proper definition, it might be easier to conduct constructive discussions that are focused on the result objectively rather than on individual perspectives. Other than that, this is a great thing because it can reduce misunderstandings between society.

### B. Criteria for a Good Definition

In the process to create a good definition, profound experiments are needed to determine the exact definition. A good definition demand certain requirements that must be met, including focus, common usage, and clarity and lack of ambiguity (ONF, 2021). Focus means that the definition should not have unnecessary meanings. This will affect continuous confusion that usually comes up in group discussions. As some things considered, it may be appropriate to define particular interpretations, implications, cautions, and other points of view. Meanwhile, what needs to be bold and underlined, the discussion should not change the true meaning of the definition itself. A good definition should be focused on and made as short as possible.

Furthermore, if there is a term that is already in common usage, the definition should not overlap the context to common usage beyond than necessary. The similarity of some definitions will

lead to dissent discussions if the common usage has an ambiguous and inappropriate explanation. However, this could be resolved by stating a proper definition, provided that it's not deal with erroneous interpretations. Moreover, the early creation of definitions, starts from the thoughts of many experts which create a new concept of the term. Besides, there is an arbitrary entity that makes people from various perspectives include naïve and experts have to agree on how the definition is formed.

### **C. A Good Criterion**

A definition consists of any requirements that are determined to divide something into several groups, including the MSME. A requirement must achieve certain criteria to be considered as a good requirement. There are three criteria that apply to the set of requirements (InformIT, 2008).

The first one is consistency. Good requirements must not contain meanings that trigger conflicts between requirements. Conflict can be direct or indirect. First, direct conflicts appear when two or more requirements are in the same situation but behave differently. Indefinitely, this problem can be resolved by evaluating conditions under which these requirements apply. So, the location can be included in the requirement. Instead, in the case when direct conflicts cannot be done by adding certain conditions, then one of the requirements should be changed or deleted. Second, indirect conflicts occur when requirements have no conflict explicitly because they describe the different functionality of term, but it is not possible to fulfill both requirements at the same time. This does not cause conflicts, but they use inconsistent terminology. Good requirements must be consistent and clear.

Secondly, good requirements should be non-redundant. Each requirement must be stated once and not clash with another requirement. The requirements should be as efficient as possible to make people easily understood, but the message has been fully delivered.

Lastly, good requirements should also be complete. A requirement ought to be specific for all conditions. All possibilities that would occur must be estimated and clearly stated. It aims to avoid confusion about strange conditions that might happen in the future. Many studies suggest that good definitions and criteria are used to be the basis to create an unambiguous definition (InformIT, 2008; Veerasamy, 2013; ONF, 2021). The above requirements will be compared with the definitions and standards for MSME in Law No. 20 of 2008.

If there is even one requirement unfulfilled, then the criteria are not considered good which potentially causes ambiguity. In the condition where ambiguity arises, corrective actions can be applied by either removing or changing one of the overlapping (InformIT, 2008).

## **METHODOLOGY**

This study uses a descriptive approach which described in verificative-evaluative design. To collect the data, the researcher using library research as kind of method that is conduct the data using prior study and literature research (Bungin, 2020). And this study uses content analysis to evaluate the definition and criteria of MSMEs, particularly using cognitive mapping to figure out the ambiguity definition in law number 20, 2008.

The content analysis method is used to analyze the relationship of the concepts contained in the pertinent law. Content analysis is a tool used by researchers to quantify and analyze the presence, meanings and relationships of words and concepts within texts or sets of texts. These texts can be books, book chapters, essays, interviews, discussions, newspaper headlines and articles, historical documents, speeches, conversations, advertising, theater, informal conversation, or really any other occurrence of communicative language. This study aims to evaluate the meaning of Indonesian Law Number 20 of 2008 and also assess the relationships of concepts within the law in order to prove that the law contains ambiguity which can be confusing. The appropriate method based on the goals of the study is relational analysis. Generally, content analysis method can be grouped into two categories, which are conceptual analysis and relational analysis. Conceptual analysis establishes the existence

and frequency of concepts most often represented by words or phrases in a text. On the other hand, relational analysis goes one step further by examining the relationships among concepts in a text.

The first in relational analysis begins with identifying concepts present in a given text or set of texts. But unlike conceptual analysis, relational analysis aims to go beyond presence by exploring the relationships between the concepts identified. According to Palmquist, Carley, and Dale (1997), relational analysis has also been termed semantic analysis. Furthermore, relational analysis is subcategorized into three different types which are affect extraction, proximity analysis, and cognitive mapping. Each type uses different approach to conduct the analysis. Affect extraction is used when researchers aim to provide emotional evaluation of concepts explicit in a text or a set of texts. The method can be a tool to explore the emotional/psychological state of the speaker and/or writer of the texts. In contrast, proximity analysis focuses on the co-occurrence of explicit concepts in the text. This method determines a given length of words which is called window and then scan it across a text to find the co-occurrence of concepts. This method will result in the creation of a concept determined by the concept matrix. The third method, cognitive mapping, allows further analysis by attempting to represent these relationships visually for comparison. Unlike affective and proximal analysis which works mainly within the preserved order of the text, cognitive mapping seeks to create a model of the overall meaning of the text by comparing semantic connections across texts.

This study uses cognitive mapping to compare the indicators used in Indonesian Law Number 20 of 2008 to classify the enterprises as micro, small, medium, and large categories. If by using cognitive mapping results in only one scenario, then the MSMEs' criteria in Indonesian Law Number 20 of 2008 is clear and free of ambiguity. However, if by using cognitive mapping results in more than one scenario, then there is high probability that the MSMEs' criteria in Indonesian Law Number 20 of 2008 is unclear and contain ambiguity.

## RESULTS AND DISCUSSION

The criteria of micro, small, medium, and large enterprises can be inferred by the following table:

**TABLE 1. Types of Enterprises**

Types of Enterprises	Criteria	
	Net Worth (Million Rupiah)	Annual Sales (Million Rupiah)
Micro Enterprises	$NW \leq 50$	$AS \leq 300$
Small Enterprises	$50 < NW \leq 500$	$300 < AS \leq 2,500$
Medium Enterprises	$500 < NW \leq 10,000$	$2,500 < AS \leq 50,000$
Large Enterprises	$10,000 < NW$	$50,000 < AS$

Source: Summarized from Indonesian Law Number 20 of 2008

Even though some people consider the definition as clear and straightforward, it does contain ambiguity and can cause controversies when it comes to the classification of enterprises. This happens because the Indonesian Law uses two underlying indicators in determining the types of an enterprise. In reality, these indicators, which consist of net worth and annual sales, often give opposite results in determining the business scale. In many cases, by using net worth as the indicator, a business can be categorized as micro business, but if annual sale is used as the indicator, the same business can be categorized as small, medium, or even large enterprise. In other words, there is no guarantee that both indicators can produce similar results. This is when the ambiguity arises. The conditions when using both indicators lead to different classifications are described in Table 2.

**TABLE 2. Probable Classifications of Enterprises**

Net Worth (Million Rupiah)	Annual Sales (Million Rupiah)			
	AS ≤ 300	300 < AS ≤ 2,500	2,500 < AS ≤ 50,000	50,000 < AS
	1	2	3	4
NW ≤ 50	1 Micro/Micro	Micro/Small	Micro/Medium	Micro/Large
50 < NW ≤ 500	2 Small/Micro	Small/Small	Small/Medium	Small/Large
500 < NW ≤ 10,000	3 Medium/Micro	Medium/Small	Medium/Medium	Medium/Large
10,000 < NW	4 Large/Micro	Large/Small	Large/Medium	Large/Large

Source: Summarized from Indonesian Law Number 20 of 2008

Table 2 indicates that both indicators provide consistent results in conditions when using both indicators lead to the same classifications. However, in many cases, as shown in Table 2, using both indicators can lead to different conclusions. The conditions when there are two possible alternatives then create the opportunity to choose between both alternatives. For example, in cell (1,4) if net worth is used as the indicator, then the business is categorized as micro, but if annual sales is used instead, then the same business will be categorized as large enterprise. It means that the same business can be categorized as micro and large enterprise at the same time simply by exchanging the underlying indicator.

**TABLE 3. Selectable and Un-selectable Alternatives of Enterprises Classification**

Net Worth (Million Rupiah)	Annual Sales (Million Rupiah)				
	AS ≤ 300	300 < AS ≤ 2,500	2,500 < AS ≤ 50,000	50,000 < AS	
	1	2	3	4	
NW ≤ 50	1	Un-selectable	Selectable	Selectable	Selectable
50 < NW ≤ 500	2	Selectable	Un-selectable	Selectable	Selectable
500 < NW ≤ 10,000	3	Selectable	Selectable	Un-selectable	Selectable
10,000 < NW	4	Selectable	Selectable	Selectable	Un-selectable

Source: Summarized from Indonesian Law Number 20 of 2008

Table 3 indicates that un-selectable conditions can be found only in four cells, which are (1,1), (2,2), (3,3), and (4,4), while the rest twelve possibilities are categorized as selectable options. The un-selectable choices are defined as single scenario where there is only one option that can be selected. On the other hand, selectable conditions have more than one scenario. It means that the authority can choose between two possible types of a business. This evaluation proved that the MSMEs' criteria in Indonesian Law Number 20 of 2008 is unclear and contain ambiguity. There is not clear indication in the Law that commands to use one particular indicator in the selectable conditions. In other words, the authority can make a choice based on their own will or their own advantages. In this case, there are two possible conditions. First, the authority will choose to classify enterprises as large as possible. Secondly, the authority will choose to classify enterprises as small as possible.

**TABLE 4. Simulation When Large Enterprises are Preferable**

Net Worth (Million Rupiah)	Annual Sales (Million Rupiah)				
	AS ≤ 300	300 < AS ≤ 2,500	2,500 < AS ≤ 50,000	50,000 < AS	
	1	2	3	4	
NW ≤ 50	1	Micro	Small	Medium	Large
50 < NW ≤ 500	2	Small	Small	Medium	Large
500 < NW ≤ 10,000	3	Medium	Medium	Medium	Large
10,000 < NW	4	Large	Large	Large	Large

Source: Summarized from Indonesian Law Number 20 of 2008

If bigger categorization are more advantageous, then the authority will tend to classify MSMEs as big as possible. In this condition, all firms in row 4 (which are cell (4,1), (4,2), (4,3), and (4,4)) and all firms in column 4 (which are cell (1,4), (2,4), (3,4), and (4,4)) will be classified as large enterprises. Next, there are five firms that will be categorized as medium enterprises which are cell (3,1), (3,2), (1,3), (2,3), and (3,3). Moreover, there are three firms that will be classified as small enterprises which are cell (1,2), (2,1) and (2,2). Lastly, only one firm which is cell (1,1) that will be categorized as micro enterprise.

**TABLE 5. Simulation When Small Enterprises are Preferable**

Net Worth (Million Rupiah)	Annual Sales (Million Rupiah)				
	AS ≤ 300	300 < AS ≤ 2,500	2,500 < AS ≤ 50,000	50,000 < AS	
	1	2	3	4	
NW ≤ 50	1	Micro	Micro	Micro	Micro
50 < NW ≤ 500	2	Micro	Small	Small	Small
500 < NW ≤ 10,000	3	Micro	Small	Medium	Medium
10,000 < NW	4	Micro	Small	Medium	Large

Source: Summarized from Indonesian Law Number 20 of 2008

Table 5 indicates that if smaller categorization is more beneficial, then the authority will choose to classify enterprises as small as possible. This condition will lead to the number of enterprises that is dominated by micro enterprises. In this case, all firms in row 4 (which are cell (4,1), (4,2), (4,3), and (4,4)) and all firms in column 4 (which are cell (1,4), (2,4), (3,4), and (4,4)) will be classified as micro enterprises. Furthermore, there are five firms that will be categorized as small enterprises which are cell (3,1), (3,2), (1,3), (2,3), and (3,3). Moreover, there are three firms that will be classified as medium enterprises which are cell (1,2), (2,1) and (2,2). Lastly, only one firm which is cell (1,1) that will be categorized as large enterprises.

This scenario will give biased category and imprecise numbers of Indonesian enterprises. Based on those analyzes, it shows no guarantee that the results of enterprise categorization in Law Number 20 of 2008 is clear and consistent. This matter give rise to an ambiguous meaning of Law Number 20 of 2008. Our study found that there is ambiguity and unclear definition and criteria within Law Number 20 of 2008. It occurs because the definition and criteria contain inconsistency (which causes direct conflicts), redundancy, and uncomplete statement (InformIT, 2008). Therefore, the authority can choose between two different alternatives. then they will choose to classify the enterprises as their preferable categorize for some reasons.

## CONCLUSION

This paper is a conceptual work and is meant to be a stepping stone for encouraging further empirical works on delineating and defining small businesses in Indonesia using content analysis method specifically on the definition and criteria of MSME in Law No. 20 of 2008 Government of Indonesia. The goal of this study is to find out whether the MSME criteria in Indonesian Law No. 20 of 2008 is free of ambiguity or not. Based on the results, there are indications that the MSME criteria contain ambiguity and do not fulfill the requirements to be considered as good criteria which are consistent, non-redundant, and complete. Firstly, the criteria are inconsistent because the usage of net worth or annual sales have some direct conflicts. Secondly, by using those two criteria (which are net worth and annual sales) at the same time causes redundancy in the MSME classification. The inconsistency and redundancy then give the authority opportunity to choose between two indicators based on their own advantages. Thirdly, it is also incomplete because there is no further explanation or clear statements in the Law regarding other specific conditions which can possibly occur. In response to the conflicting results due to usage of net worth or annual sales criteria which confuse the authority, for instance, there should be clear provision under which the criteria take place. Based on our research, we suggest that those conflicts could be resolved by removing or changing one of those two criteria.

This paper only evaluates impacts of the ambiguity of the MSME criteria in Law No. 20 of 2008 from the economic perspective. Moreover, evaluations on this present study are solely based

on conceptual thinking. Thus, further empirical studies, especially on the following topics are very suggested for future researches.

1. Empirical studies to prove whether the two criteria which consist of annual sales and net worth are the ones used to make business licenses / SIUP.
2. Empirical studies to discover the tendency of entrepreneurs or business owners to classify their enterprises into smaller or larger categories in conditions where they can choose between several alternatives.
3. Lastly, empirical studies to determine whether some parties consider tax percentage while choosing to classify the enterprise category or not.



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# Dynamic of Laws amidst the Crisis and Its Aftermath



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“Dynamic of Laws amidst the Crisis and Its Aftermath”

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# Proceedings

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Faculty of Law, Chiang Mai University

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# Conference Schedule



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09.00 - 09.30	<b>Log in to Zoom</b>
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14.40 – 14.55	<b>Chinese Unfair Competition Law and IPRs Management</b>	<i>Presenter: Nitibhat Homla-or</i>
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