

Implementation of the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 and the Mashlahah Concept in the Phenomenon of Fluctuations in Chicken Egg Prices During the Covid-19 Pandemic

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Abstract

The Covid-19 virus that came to Indonesia in early 2020 was able to make many economic sectors, especially trade, experience adverse consequences for the community these economic activists, as in the livestock sector, as chicken eggs which, were disrupted and experienced significant losses. This study aims to mention the impact of fluctuations in chicken egg prices on farmers from the perspective of the Regulation of the Minister of Trade of the Republic of Indonesia number 07 of 2020 and explain the concept of Maslahah in Islamic fiqh related to fluctuations in the price of chicken eggs that occur in Indonesia. Research methods used qualitative research with descriptive analysis. The results of this study show that (1) The response of egg farmers in Turirejo Lawang Village regarding the impact of the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is relatively the same, namely feeling happy because for them this is quite profitable and helpful for farmers even though some expect other more significant steps. (2) The concept of Maslahah in the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 by the Government of Indonesia is Maslahah Al-'Ammah, which is the public interest that has an impact on the interests of the people, where general profit does not mean the profit of all, but the profit of most humans and maslahah al-hajiyah, which, is to complement the previous main advantage in the form of maintenance and facilities for maintenance.

Keywords: Price Fluctuations; buying and selling; mashlahah.

Introduction

As social beings, humans still need other people for social interactions to take place. Basically, human needs are still incapable of being met by himself. In meeting his needs, as a human being does things that are demanded or forced for the sake of his sustainability. To do all that, they do it in different ways. Among them are on farming, working as civil servants, merchants, fishermen, and so on. Of all these business activities, among others, also includes buying and selling (Desriani 2017).¹

Buying, selling, and trading have complicated problems and twists and turn. if carried out without the right rules and norms, it will cause problems, losses, and damage

¹ Desriani, Skripsi, "Tinjauan Hukum Islam tentang Perbedaan Harga dalam Jual Beli Bahan Pokok dengan Jumlah Banyak dan Sedikit", (Undergraduate thesis, IAIN Raden Intan 2017), http://repository.radenintan.ac.id/643/1/SKRIPSI_DESRIANI LENGKAP.pdf

to society. In essence, buying and selling is an exchange agreement for objects or goods that have a voluntary value between the two parties, one gives up the object, and the other party accepts it in accordance with the provisions or agreements that have been justified by the syara' and have been agreed upon. Buying and selling and trading have complicated problems and twists and turns, if carried out without the right rules and norms, it will cause problems, losses, and damage in society. In essence, buying and selling is an exchange agreement for objects or goods that have a voluntary value between the two parties, one gives up the object and the other party accepts it in accordance with the provisions or agreements that have been justified by the syara' and have been agreed upon (Sari 2017).²

Buying and selling are based on the consensus of the Muslims (Ijma') because human life cannot be denied without buying and selling. In the law of buying and selling can be justified in the Qur'an and As-Sunnah. The people agree that buying and selling and its implementation have been valid or applied since the time of the Prophet Muhammad SAW until now, namely as contained in the letter of Q.S Al-Baqarah (2):275, Allah Almighty said which, means "Even though Allah has justified buying and selling and prohibiting usury."

Allah Almighty recommends buying and selling as a gift from his family and from Him for his servants to hold trade exchanges and all that is deemed useful. And, of course, every human being has needs in the form of clothing, food, shelter, and other needs.

From each person who pursues the business world or business, they must understand the things or points that can make buying and selling legal or not fasid (damaged). This has the intention that the activities of amalgamation run legally, in accordance with sharia, and that every activity is far from the qualities of ugliness and damage that are not justified in Islam.

Buying and selling are considered good and complete according to Islamic recommendations, that is if it has fulfilled each pillar and condition of buying and selling. Islam allows the practice of buying and selling in which, there is an element of mutual benefit between the seller and the buyer as regardless of the elements that contain usury. And including prohibitions too, if, between sellers and buyers, they tyrannize each other when making buying and selling transactions.

Buying and selling in practice can be carried out in public places where people usually interact with other people, such as, for example, in the market. The market is one of the places where buying and selling transactions occur, which, are very common to be found, with various types sold by sellers and various prices offered. The market is also the best choice for the surrounding community to buy and meet their daily needs, such as basic necessities, which, of course, cost less than having to shop at the mall or at the supermarket in their area. Basic necessities in the market are the type that greatly dominates traders there, such as selling rice, cooking oil, corn, beef sugar, chicken eggs, and others, because these needs are the main target for the surrounding community to meet their daily needs.

Eggs as a staple food make many people who almost every day need them. Starting from the sellers of ready-to-eat food for the cake business, as well as for daily food consumption. The increasing egg consumption of many people changed their professions to become laying hen farmers, and egg traders. Laying hen farmers usually sell it to sellers

² Ayu Komala Sari, Skripsi, " Tinjauan Hukum Islam tentang Jual Beli Telur Ayam Tanpa Cangkang (Studi Kasus Pasar Tempel Kecamatan Sukarame Bandar Lampung)", (Undergraduate thesis, IAIN Raden Intan, 2017), http://repository.radenintan.ac.id/view/creators/Sari=3AAyu_Komala=3A=3A.html

of grocery stores or grocery stores and then it will be released to the community (Novita and Harun 2019).³

Covid-19 pandemic hit Indonesia, several sectors of life experienced a decline, such as in the fields of transportation, tourism, MSMEs, education, and especially the economy. Not a few people also lost their livelihoods due to dismissal or termination of work rights. Of course, this greatly affects their income. In addition, many traders, and entrepreneurs have suffered a lot of losses, and even some big food brands had to close their businesses because of the losses they have suffered. This includes affecting the price of staples that have experienced very significant ups and downs, such as the price of rice, chili, sugar, beef and chicken, and chicken eggs. The phenomenon of price fluctuations is very influential for many farmers. Especially for the lower middle class, if there is a high decline in the price of basic necessities, they must greatly save on expenses in the midst of economic difficulties during this pandemic.

The experienced by one of the chicken egg farmers in Turirejo Village, Lawang District, Malang Regency, he felt the impact of the Covid-19 pandemic in his livestock business which, experienced an up and downs in the selling price of chicken eggs in such a short period of time. This has been felt by egg farmers from August 2020 until a few months later. Sales of chicken eggs at relatively declining prices due to the impact of this pandemic, are not directly proportional to the costs of chicken egg farmers in spending costs for chicken feed that must be routinely given to their chickens. The price of chicken feed, which, is felt to have increased in price, is very influential for farmers, so if the selling price of chicken eggs decreases but the price of feed increases, chicken egg farmers will feel a very significant loss in the midst of this difficult period of the Covid-19 pandemic. Although the chicken egg farmer tried to maintain the price he considered according to the calculations of the care of chickens and their feed. Still the market price and some other traders also followed the decline.

On the Regulation of the Minister of Trade, number 07 of 2020 concerning Pricing of Reference Purchases in Farmers and Reference Prices for Consumer Sales has regulated the price of staples. There are 9 staples that have been regulated in the Regulation of the Minister of Trade, including rice, corn, soybeans, sugar, cooking oil, shallots, beef, chicken meat, and chicken eggs. The pricing of chicken eggs is IDR 18,000, which, is the purchase price from chicken farmers (KEMENDAG 2020). So if there is a decrease in market prices, it will be very detrimental to chicken egg farmers. This phenomenon also occurs in several cities in Indonesia. Many chicken egg farmers feel that their business does not make a profit. Due to the factor of rising chicken feed prices, if the price of chicken eggs is decreasing.

In Islam, there is no postulate that sets the price of an item. But in Ushul Fiqih there is Mashlahah. Mashlahah, according to the syara' definition is basically among ushul scholars having the same view, although it differs in giving definitions, Jalaluddin Abdurrahman, for example, gave a definition of the problem as "to maintain the law of shari'a against the various good that has been outlined and set its boundaries, not based on the desires and passions of mere human beings." Meanwhile, Imam Abu Hamid Al-Ghazali (W.505H), defines maslahat as essentially trying to achieve and realize benefits or reject emergencies. Imam Ibn Taimiyyah (D.728H), as quoted by Muhammad Abu

³ Sella Novita, Skripsi, "Tinjauan Hukum Islam Terhadap Jual Beli Telur Ayam di Ronowijayan Siman Ponorogo", (Undergraduate thesis, Universitas Muhammadiyah Surakarta 2019), <http://eprints.ums.ac.id/72052/11/HALAMAN%20DEPAN%20R.pdf>

Zahrah said that the problem is the mujtahid's view of deeds that contain clear goodness and not acts contrary to syara'(Pasaribu 2016).⁴

Of the three definitions above, both those put forward by Jalaluddin Abdurrahman, Imam Abu Hamid Al-Ghazali (D. 505H), and Imam Ibn Taimiyyah (W.728H), the principle is that they contain the same essence. That is, the problem that is intended is the benefit to which the syara is intended, not the benefit which is solely based on human desires and passions alone. For it is fully realized that the purpose of law enforcement is none other than to realize the benefit of man, in all aspects and aspects of life in the world, in order to avoid various forms that can lead to damage. In other words, every provision of the law that has been outlined by shari'a is aimed at creating benefits for man. And there can be no doubt, that the chelate cannot be examined carefully and is not responded to with appropriate provisions, fixating only on the existence of a postulate governing it. The position of mashlahah mursalah is part of sharia, which should not be ruled out, although it is not mentioned in nash textually substantially by men in building their lives (Pasaribu 2016).⁵

From the explanation above, it can be concluded that although Islam does not regulate in detail the determination of the price of staples, the regulation of the Minister of Trade, which makes regulation number 7 of 2020, is a benefit that can be felt by the people of Indonesia and can be used as a reference for sellers or breeders in setting the price of staples. And if there is a fluctuation in the price of staples, as long as it is in accordance with the Regulation of the Minister of Trade, it will not be too detrimental to sellers or breeders. And if there is a fluctuation in the price of staples, as long as it is in accordance with the Regulation of the Minister of Trade, it will not be too detrimental to sellers or breeders. Research related to fluctuations in the price of chicken eggs has previously been also researched by Nyak Ilham with the title Fluctuations in the Price of Purebred Chicken Eggs and Their Causative Factors. Research related to fluctuations in the price of chicken eggs has previously been also studied by Nyak Ilham with the title Fluctuations in the Price of Purebred Chicken Eggs and Their Causative Factors. This study focuses on analyzing fluctuations in the price of purebred chicken eggs and identifying factors that influence fluctuations in the price of purebred chicken eggs. The expected output is the policy recommendations for controlling the price of purebred chicken eggs. Then it resulted in the conclusion that The price of eggs over the past five years has been steadily increasing. This study discusses in more detail in the factors causing fluctuations in the price of chicken eggs from the agricultural sector.

Based on the description above, the author is interested in conducting research on the Effect of Fluctuations in Chicken Eggs Prices During the Covid-19 Pandemic on Farmers From the Perspective of the Minister of Trade Regulation Number 7 of 2020. Because eggs are a staple that is needed by the community, if there is an up and downs in prices, it will affect sellers or consumers, so the author wants to examine the rise and fall of egg prices in chicken farmers in Turirejo Village and the application of the Minister of Trade Regulation in setting egg prices and the integrity of these regulations with Mashlahah in Islamic fiqh. So based on the description above, the author is interested in conducting research on the Effect of Fluctuations in Chicken Egg Prices During the Covid-19 Pandemic on Farmers From the Perspective of the Minister of Trade Regulation Number 7 of 2020.

⁴ Muksanan Pasaribu, "Maslahat dan Perkembangannya sebagai Dasar Penetapan Hukum Islam," *Jurnal Justitia*, No.04(2014): 352. <https://core.ac.uk/download/pdf/235121653.pdf>

⁵Pasaribu, *Maslahat dan Perkembangannya sebagai Dasar Penetapan Hukum Islam*, 352.

Research Methods

This article is included in the type of empirical legal research, namely research with the existence of field data (Field Research) as the main source of data, such as the results of interviews and observations. This article uses a sociological juridical approach by interviewing several informants and sources related to this research to be able to analyze the problems that occur. This research is referred to as an empirical study because the author conducted a study and interviewed a resource person from a Chicken Egg Farmer in Turirejo Lawang Village about the phenomenon of fluctuations in chicken egg prices during the ongoing Covid-19 pandemic and the role of the Minister of Trade Regulation and the concept of *maslahah* in this phenomenon. A sociological juridical approach is an approach with a legal reality in society. This approach is an approach used to look at legal aspects in social interactions in society and serves as a support for identifying and declaring findings of non-legal materials for research purposes (Amiruddin 2004)⁶. (Amiruddin 2004). Researchers use a sociological juridical approach by interviewing several informants and resource persons related to this study to be able to analyze the problems that occur.

This research was conducted by a chicken egg farmer named Mr. Djoko Warsito, located in Turirejo Village, Lawang District, which is a place where there are chicken farms that are experiencing fluctuations in the price of chicken eggs. This research was conducted in that place with the aim of obtaining information related to the phenomenon of the rise and fall of chicken egg prices that are being experienced by farmers and how farmers respond to the phenomenon. The primary data was obtained through interviews with informants related to the object of study was sourced from chicken egg farmers in Turirejo Village, Lawang District, namely Mr. Djoko Warsito, Mrs. Rahayuningsih, Mr. Wanto, Mr. Muhammad, Mr. Donny, Mrs. Ikke Rury, and related parties. Secondary data is the source of reading materials such as books, research documents, and so on that can support primary data. Secondary data is supporting data related to research on the effect of price fluctuations on income and the number of stock purchases of chicken egg farmers. Tertiary data is supporting data against primary materials and secondary materials. In this study, the tertiary data that the researcher will use are dictionaries, encyclopedias, and other data that can support primary and secondary data.

The data collection method in this article uses a literature review and interviews. Literature study is a method of collecting data through reading and understanding the literature related to the theme of this study, namely the concept of buying and selling, the concept of price fluctuations and their factors, regulations governing the reference of staple materials, the concept of *Maslahah*, and other theories related to this research theme. An interview is a method of obtaining information by asking a source or informant. In this study, the researcher used the guided free interview method, namely, the researcher asked the informant about the outline of things related to the object of study. The data processing method uses data inspection, data systematics, verification, analysis, and withdrawal of the data. Data checking or editing is checking or correcting the data that has been collected because the possibility of incoming data or (raw data) being collected is illogical and dubious. The goal is to eliminate errors that are contained in the recording in the field and are corrective so that the shortcomings can be completed and corrected. Aims to place data according to the systematic framework of the discussion

⁶ Amiruddin, *Pengantar Metode Penelitian Hukum*, (Jakarta: PT. Raja Grafindo Persada, 2006) 30.

based on the order of the problem by grouping data that has been edited and then marked according to categories and order of problems (Sari 2017)⁷. Verification is checking data and information obtained from the field so that the accuracy of the data can be recognized and used in research (Sudjana and Kusumah 2008)⁸. In this process, the researcher met the public in the Sedan Market to clarify whether the data that had been written in this study was in accordance with what was provided by the informant. It is a process in research to systematically search and compile data that has been obtained from informants, field records, and documentation (FS UIN Maulana Malik Ibrahim 2012)⁹.

According to Saifullah, in a study, there are several alternative data analyses, namely: descriptive qualitative, descriptive comparative, qualitative or non-hypothesis, deductive inductive, inductive, content studies, quantitative, and statistical tests (Saifullah 2006)¹⁰. It is the last stage in the data processing process. It is these conclusions that produce data related to the theme of the study. This conclusion is the conclusion of the previous four stages, namely: editing, classifying, verifying, and analyzing. Meanwhile, the data analysis method in this article is carried out by inductive thinking, namely drawing conclusions starting from specific statements or facts, towards conclusions that are general in nature but from special data or facts based on observations in the field compiled, processed, and studied and then drawn meaning in the form of general conclusions. The analysis in this study was carried out based on data from interviews with chicken egg farmers in Turirejo Village, Lawang District, to then draw general conclusions about the influence of fluctuations in chicken egg prices during the Covid-19 pandemic and the role of the Minister of Trade Regulation and the Concept of Maslahah in Islamic Fiqih.

Results and Discussion

Analysis of the Implementation of the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 in the Phenomenon of Fluctuations in Chicken Egg Prices during the Covid-19 Pandemic in Turirejo Village, Lawang District, Malang Regency

Animal food products are normal goods with an income elasticity value generally higher than vegetable food products. Changes in demand for animal food products are more sensitive to changes in people's incomes. The PSBB policy to suppress the transmission of Covid-19 has caused industrial raw material distribution activities to be hampered and production activities to stop. The continued impact is to increase layoffs so that some members of the community lose income and purchasing power. The layoffs that occurred in the industrial and service sectors due to the PSBB policy were mostly lower-middle-income groups. PSBB also made a lot of business closures that had an impact ranging from small to large industrial businesses.

Under normal conditions, the national need for livestock products still needs the support of imported products. The Covid-19 pandemic in various countries has affected production and distribution activities between countries. For example, during the pandemic India went into lockdown, so the export of Indian buffalo meat to Indonesia

⁷ Sari, *Tinjauan Hukum Islam tentang Jual Beli Telur Ayam Tanpa Cangkang (Studi Kasus Pasar Tempel Kecamatan Sukarame Bandar Lampung*.

⁸ Nana Sudjana, Ahwal Kusuma, *Proposal Penelitian di Perguruan Tinggi*, (Bandung: Sinar Baru Argasindo, 2002), 84.

⁹ Fakultas Syari'ah UIN Maulana Malik Ibrahim Malang, *Pedoman Penulisan Karya Ilmiah* (Malang: UIN Press, 2012), 48.

¹⁰ Saifullah, *Buku Pedoman Metodologi Penelitian*, (Malang: Fakultas Syariah UIN, 2006), 59.

was hampered (Pratama 2018)¹¹. The change in income causes the demand curve to shift to the left and will theoretically cause product prices to decline. The impact of the pandemic on income changes has only lowered the consumer price of eggs in Indonesia but not on producer prices. The clarity can be seen from the value of the coefficient X (time) before and during the pandemic in the linear area. Another factor affecting demand and supply is marketing techniques. The existence of the PSBB policy, on the one hand, while on the other hand, the community needs food for life.

Picture 1: Egg Price Dynamics Before and During the Pandemic in Several provinces



Sumber: Harga produsen: Ditjen PKH (2020); harga konsumen: Bank Indonesia (2020)

in Indonesia, Januari-September 2020

The phenomenon of price fluctuations that occurred during the pandemic had made egg farmers in Turirejo Lawang Village worried. In an interview conducted in Turirejo Lawang Village, all breeders were worried. Mr. Djoko Warsito stated that the price fluctuations that occurred at the beginning of the pandemic had made him panic because a lot of egg demand dropped drastically. All the subscriptions that were on him did not even order in a few months, so the existing egg production was sold at a very low price. All the subscriptions that were on him did not even order in a few months, so the existing egg production was sold at a very low price. Warsito (Warsito 2021)¹² felt a sense of panic when the demand for eggs dropped drastically. In addition, due to the news about the pandemic that was able to close people's businesses, Warsito was also affected when customers usually hadn't ordered for months so that the production for the capacity was better sold cheaply than being stale and not selling.

Mrs. Rahayuningsih, in her statement, stated that the price fluctuations that existed during the pandemic were a nightmare for every farmer. Income in 2019, which is still safe, suddenly decreased in mid-2020 because the pandemic made the price of eggs decrease drastically and even unsold. Kekhawatiran ini sempat membuat Ibu Rahayuningsih menjual telurnya dengan harga rugi agar mampu membayar beberapa biaya operasional. This concern had made Mrs. Rahayuningsih sell her eggs at a loss in order to be able to pay some operational costs. These difficult conditions made Mrs. Rahayanungsih sell her eggs in exchange for the cost of feed needs and paying employees (Rahayuningsih 2021)¹³

¹¹ Pratama AM, "Pandemi corona, impor daging kerbau dari India terkendala" Kompas, 18 Mei 2020, diakses 09 November 2021, <https://money.kompas.com/read/2020/05/18/194300926/pandemi-corona-imp-or-daging-kerbau-dari-india-terkendala>

¹² Djoko Warsito (Pemilik peternak ayam telur), hasil wawancara, 08 November 2021.

¹³ Rahayuningsih (Istri pemilik peternak ayam telur), hasil wawancara, 08 November 2021.

Meanwhile, Mr. Wanto, did not believe that Indonesia had been affected by the pandemic, which resulted in the closure of the entire country. In addition, all buyers who are used to being loyal customers of Mr. Wanto contacted him and asked not to deliver anymore because their business had to go bankrupt. Of course, for Mr. Wanto, this is the biggest loss he has ever experienced during his raising stock because the existing production exceeded the quota and was not even sold. Because he did not expect that Covid-19 would become a pandemic, Mr. Wanto also did not expect that there would be road closures everywhere to hinder the distribution of existing eggs. This is what makes him lose a lot because he has to lose his biggest subscription and make production.

Mr. Muhammad stated that the price fluctuations that occurred made his business almost closed because of the massive losses that occurred. Excessive production with a low level of consumption makes many eggs rarely bought even though they are sold very cheaply, or when sold, they are still unable to provide profits, where these prices are really detrimental to farmers. (Mohammed 2021)¹⁴

Mr. Donny also agreed that the losses that occurred during the pandemic had worried farmers like himself to continue the business or switch. Because there are so many farmers who have suffered losses and are even willing to sell their eggs below the standard price just to continue the operational costs, this makes it more difficult for farmers when carrying out daily operations. (Donny 2021)¹⁵

Mrs. Ikke Rury stated that the decline in egg prices due to fluctuations that occurred was really never expected by her. For him, an increase or decrease in prices can usually be foreseen by some breeders. But unlike when the pandemic occurred, farmers really did not expect that many businesses would close which disrupted the cycle of buying eggs in some communities (Rury 2021)¹⁶

This shows that the influence of price fluctuations on farmers is very worrying about the egg farmers of Turirejo Lawang Village. This is because overproduction from demand has resulted in a drastic price reduction during the pandemic, so farmers have to sell a lot of their eggs to finance daily operations. Through this, the Government then responded by issuing a Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 to overcome the phenomenon of price fluctuations that occurred.

The government itself has previously been several times in regulating price fluctuations, one of which is by Law Number 18 of 2012 concerning Food, where the Central and Regional Governments are in charge of controlling and being responsible for the availability of basic and strategic foodstuffs in all regions of the Unitary State of the Republic of Indonesia (President of the Republic of Indonesia 2012)¹⁷. In 2017, the Government established regulations to create an equitable rice trade system through the issuance of Minister of Trade Regulation (Permendag) Number 57 of 2017 concerning Determination of the Highest Retail Price of Rice and the issuance of Regulation of the Minister of Agriculture (Permentan) Number 31 of 2017 concerning Rice Quality Class. The Regulation of the Highest Retail Price (HET) for rice commodities in Permendag 57 of 2017 has considered a reasonable cost structure in terms of production costs, distribution, profits of all actors, and other costs. The predetermined amount of HET must be a reference for all business actors in rice marketing at the retail level. In this regulation, business actors are required to include: (a) Medium / Premium Labels on the packaging;

¹⁴ Muhammad (asisten kandang), hasil wawancara, 09 November 2021.

¹⁵ Donny(salah satu konsumen telur ayam), hasil wawancara, 09 November 2021.

¹⁶ Ikke Rury(pedagang pasar), hasil wawancara, Lawang. 09 November 2021.

¹⁷ Pemerintah Pusat, UU. No 18 Tahun 2012.

(b) Highest Retail Price Tag on the packaging; (c) The Highest Retail Price Provisions are excluded against Medium Rice and Premium Rice designated as Special Rice by the Minister of Agriculture.

Permendag Number 57 of 2017 also regulates sanctions for business actors who sell rice prices in excess of the Highest Retail Price subject to sanctions for revocation of business licenses by the issuing official after being given a written warning by the issuing official. The role of the government in controlling prices through the Regulation of the Minister of Trade Number 57 of 2017, according to the regulation is caused by prices that often fluctuations can interfere with production continuity.

Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 contains that to ensure the availability, stability and certainty of prices of corn, soybeans, sugar, cooking oil, shallots, beef, purebred chicken meat, and purebred chicken eggs, the Government again regulates provisions regarding the reference price for purchases at the farmer level and the reference price for sales at the consumer level. In addition, the Regulation of the Minister of Trade Number 96 of 2018 concerning the Reference Price for Purchases at the Farmer Level and the Reference Price for Sales at the Consumer Level is considered to have been inconsistent with legal developments in society when in conditions of scarcity that occurred during the Covid-19 Pandemic. Then based on these considerations, the Director General of Domestic Trade of the Ministry of Trade stipulated the Regulation of the Minister of Trade Number 96 of 2018 concerning the Reference Price for Purchases at the Farmer Level and the Reference Price for Sales at the Consumer Level.

Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is one of the steps taken by the Government when the Director General of Domestic Trade of the Ministry of Trade finds it difficult to stabilize prices when strategic commodities experience a scarcity of supply in the community (KEMENDAG 2020)¹⁸. According to Suhanto as the Director General of Domestic Trade of the Ministry of Trade, he said that the change in the reference price was carried out based on various inputs from relevant ministries/institutions and business actors. This step made the reference price of chicken eggs at the farmer level also increase from IDR 18 thousand to IDR 20 thousand per kg to IDR 19 thousand to IDR 21 thousand per kg. Meanwhile, at the consumer level, it increased from IDR 23 thousand per kg to IDR 24 thousand per kg (Septyaningsih 2020)¹⁹.

The response of egg farmers in Turirejo Lawang Village regarding the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is quite the same, namely expressing their support. Mr. Djoko Warsito expressed his pleasure with the increase in the price of eggs which can help the welfare of farmers. According to him, the thing done by the Government is right because in this pandemic situation, many farmers have suffered losses due to the economic downturn to price fluctuations that have risen and fallen. He also argued that perhaps the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is the first step for the government to carry out other regulations that can encourage farmers to be more advanced. According to him, the thing done by the Government is right because, in this pandemic situation, many farmers have suffered losses due to the economic downturn to price fluctuations that have

¹⁸ Peraturan Menteri Perdagangan Republik Indonesia Nomor 07 Tahun 2020

¹⁹ Septyaningsih, "Alasan Pemerintah Naikkan Harga Acuan Daging dan Telur Ayam," *Republika* 2020, diakses 09 November 2021. <https://www.republika.co.id/berita/q5mx7d383/alasan-%20pemerintah-naikkan-harga-acuan-daging-dan-telur-ayam>

risen and fallen. He also argued that perhaps the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is the first step for the government to carry out other regulations that can encourage breeders to be more advanced (Warsito 2021)²⁰.

Mrs. Rahayuningsih's statement stating her pleasure. Because so far, he feels that farmers and farmers have always been step-off with imports carried out by the Government so that local quality eggs are always unable to compete with imported quality. For him, this new regulation is a breath of fresh air for farmers because it has been a long time since the last regulation focused on this. For him, the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is still the initial stage of the government opening its eyes to the welfare of farmers and hopes that it can be even better (Rahayuningsih 2021)²¹.

The same thing was also conveyed by Mr. Wanto, who said that the regulation is good news for farmers during this pandemic. What's more, the increasing competition of egg farmers makes the market price even more erratic. So that this step is considered by Mr. Wanto as one of the government's concerns that are missed by chicken and egg farmers. The Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 given to him is also considered sufficient because he knows how the current situation is indeed very difficult so he does not expect much but welfare for all breeders and farmers in Indonesia (Wanto 2021)²²

Mr. Muhammad also expressed his pleasure with the government's steps in the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020. According to him, this is able to make the people grow, especially for breeders. However, the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is felt for him to be a small step and still has to be redeveloped other steps (Muhammad 2021)²³

Furthermore, Mr. Donny also considers that the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 implemented is able to help ease the burden on small people in meeting food needs. For him, the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is appropriate and must be applied even better if there is price instability in the market (Donny 2021)²⁴

Mrs. Ikke Rury statement, the government's decision through the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is a good thing. For him, things like this need to be improved again because in addition to small communities, the welfare of entrepreneurs must also be preserved, considering that they are one of the wheels of the country's economy. But for him, this is still felt to be far from how the Government should be able to improve the welfare of its people (Rury 2021)²⁵

Based on this, the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 given by the government is felt by breeders to be very helpful for them in determining price stability. Although the Government should be able to provide another more significant step, the farmers of Turirejo Lawang Village are quite happy with what the government is doing.

²⁰ Djoko Warsito, hasil wawancara, 08 November 2021.

²¹ Rahayuningsih, hasil wawancara, 08 November 2021.

²² Wanto, Hasil wawancara, 12 November 2021.

²³ Muhammad, Hasil wawancara, 09 November 2021.

²⁴ Donny, Hasil wawancara, 09 November 2021.

²⁵ Ikke Rury, Hasil wawancara, 09 November 2021.

Discussion of the Mashlahah Concept on the Implementation of the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 in the Phenomenon of Fluctuations in Chicken Egg Prices during the Covid-19 Pandemic in Turirejo Lawang Village

The implementation of *maslahah* in economic activities has a wider scope when compared to its implementation in other fields. *Naş-naş* related to the economy, in general, is global. Therefore, the space for movement of the *ijtihad* is wider. At least *naş-naş* alludes to problems related to technical, economic policies, and opens up a great opportunity to fill the void by developing *ijtihad* based on the principle of *maslahah*. It is different from other fields such as worship which is dogmatic. Thus, the principle of *maslahah* becomes an important reference and benchmark in the economic field, especially when it comes to economic policies that are minimal with *syara'* rules where there is a vacuum in the rule of law. To fill the legal vacuum must be based on the situation and conditions that are being faced by the Muslim community. Therefore, the decision that has been taken to fill the legal vacuum may at some point change on the condition of another. The decision of the ruler must be in accordance with the demands of the circumstances to obtain *maslahah* for the fulfillment of the interests of the people (Fahlefi 2015)²⁶.

Considerations based on the problem in market mechanisms can be seen in the case of price intervention. For example, the prophet Muhammad SAW refused to intervene when his companions urged him to do so (Marthon 2004)²⁷. But in certain situations and conditions such as the threat of community needs, the occurrence of monopolies, boycotts, or collusion between sellers, Ibn Taimiyyah allowed the government to intervene in prices (Nasution 2007)²⁸. At first glance, it seems that Ibn Taimiyyah's statement that gave the ruler the opportunity to intervene in price was contrary to what was the decree of the Prophet Muhammad SAW. However, because the situation and conditions were different accompanied by price movements that had damaged the market mechanism, interventions had to be carried out so that prices remained stable. As for the purpose of the ruler in intervening at that time, it was solely to prevent acts of tyranny and for consideration of benefit.

The difference between the Islamic market mechanism and the conventional market mechanism lies only in the supervision aspect. As long as the market mechanism runs normally, prioritizes justice and does not threaten the fulfillment of the minimum needs of the whole people, then the state in this case the economic authority will not intervene in the market in any form. However, in the event of a market failure beyond the causes of injustice from market participants, state authorities may intervene as long as the market failure threatens and undermines the minimal needs of the people. To maintain the benefit and stability of the market, a *hisbah* institution or market regulator was formed that acts as a supervisor in all economic activities running in the market (Fahlefi 2015)²⁹.

²⁶ Rizal Fahlefi, "Implementasi *Mashlahah* dalam Kegiatan Ekonomi Syariah". *JURIS*, no. 14(2015):229 <https://ojs.iainbatuankar.ac.id/ojs/index.php/Juris/article/view/310>

²⁷ Said Sa'ad Marthon, *Ekonomi Islam di Tengah Krisis Ekonomi Global* (Jakarta: Zikrul Hakim, 2004), 85.

²⁸ Mustafa Edwin Nasution, *Pengenalan Eksklusif Ekonomi Islam*. Cet. ke-2. (Jakarta: Kencana, 2007), 162-163.

²⁹ Fahlefi, "Implementasi *Mashlahah* dalam Kegiatan Ekonomi Syariah", 230.

In this case, (Sakti 2007)³⁰ states that, the task of the market regulatory institution is not only limited to supervising market activities, but also providing and providing all the facilities needed by the market to facilitate all market participants. The facilities that must be provided by the hisbah institution include adequate land, transportation, lighting, lodging for traders from outside, and all facilities that support the smooth running of market transactions. Thus, the partiality of hisbah institutions in supporting the overall activities that are needed by market participants is a form of *maslahah* that will be able to suppress all obstacles for anyone who wants to enter the market so that the stability of market mechanisms can be realized.

In this case, the Government of Indonesia through the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 has implemented *Maslahah Al-'Ammah*, which is a general benefit that concerns the interests of many people. The general benefit does not mean for the benefit of everyone but it could be for the benefit of the majority of the people and *Maslahah Al-Hajiyyah*, that is, the benefit in perfecting the previous basic benefits in the form of waivers to maintain and maintain basic human needs such as being allowed to buy and sell shares (orders), cooperation in agriculture (*Muzara'ah*) and others. In this case, the benefit of farmers in saving egg production has been carried out by the government through the Trade of the Republic of Indonesia Number 07 of 2020 and is welcomed by farmers, especially farmers in Turirejo Lawang Village

However, according to Prof. Husein Syahatah in his paper entitled *Musykilat At-Tawazun Baina Al-As'ar wa Al-Ujur Min Mandhur al-Islami* (Zuhri 2013)³¹, the provisions set by the government regarding the highest pricing of a good or service to prevent an increase in the price of such goods or services must still be questioned for their legality and validity.

The reason is, that buying and selling, based on Islamic principles must be based on the factor of willingness and consensual (*taradhi*) between traders and buyers. This is in accordance with the 29th verse of surah *An-Nisa'* (4) which means:

"O people of faith, do not eat each other's property in a vanity way, except by way of commerce which prevails consensually among you. And ye shall not kill thyself; verily Allah is all-merciful to you. " (QS. An-Nisa' (4) :29).

On the one hand, such pricing is basically the right of the seller. An agreement between the two parties will be reached through a process of bargaining. The price control law carried out by the Government in the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 can be said to be legal and can be enforced by the government. even under certain conditions it can become mandatory. This option is also the view chosen by the scholars of the Hanafi, Maliki, and Hanbali Schools. According to them, the price control taken by the government is the right policy that must be taken. This is done by the Government through the Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 when there are price fluctuations. If this condition is allowed without any action from the competent authorities, it will cause economic shocks and public losses. This provision is in accordance with the rules of jurisprudence, that if a case is imperfect except taking a step, then it is obligatory (*ma la yatimmu al obligatory illa bihi fa huwa al obligatory*). In order to eliminate the harm that

³⁰ Ali Sakti, *Analisis Teoritis Ekonomi Islam*. (AQSA Publishing, 2007), 98.

³¹ Damanhuri Zuhri, "Pemerintah Kendalikan Harga, Bolehkah?," *Republika.co.id*: 2013 diakses 09 November 2021, <https://www.republika.co.id/berita/miqm19/pemerintah-kendalikan-harga-%20bolehkah>

occurs in society, the Government is obliged to implement policies for the benefit of the common people.

Conclusion

The occurrence of phenomenon of the rise and fall of the price of staples, especially chicken eggs, has become a natural thing that occurs in the midst of society, especially when the Covid-19 pandemic has befallen Indonesia. Regulation of the Minister of Trade of the Republic of Indonesia Number 07 of 2020 is one of the steps taken by the Government to set a reference for the price of staples so that there is no price competition between sellers that is so conspicuous. The Regulation of the Minister of Trade of the The Republic of Indonesia Number 07 of 2020 is considered sufficient for chicken egg farmers because the current situation is indeed very difficult, so it cannot hope much for the welfare of all farmers and farmers in Indonesia. The Indonesian government has implemented *Maslahah Al-'Ammah*, which is a public interest that has an impact on the interests of the people, based on the order of the Minister of Trade. Republic of Indonesia in 2020. General advantage does not mean the profit of all, but the advantage of most human beings and *maslahah al-hajiyah*, that is, to complement the previous main advantage of maintenance and facilities for maintenance. Needs such as permission to buy and sell shares (orders), and agricultural cooperatives (*Muzara'ah*). In this case, the benefits of spawning-saving breeders realized by the government through the Regulation of the Minister of Trade number 07 of 2020 were welcomed by breeders, especially those in Turirejo Lawang Village.

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