

**THE DYSFUNCTION OF SENDANG MULYO MARKET IN THE
UTILIZATION AND USE OF VILLAGE ASSET GOVERNANCE BASED
ON THE MINISTER OF HOME AFFAIRS REGULATION NUMBER 1 OF
2016 SHARIA ECONOMIC LAW PERSPECTIVE**

THESIS

BY:

NYIUR SALSABILA FRIDA

SIN 220202110029



DEPARTMENT OF SHARIA ECONOMIC LAW

FACULTY OF SHARIA

MAULANA MALIK IBRAHIM STATE ISLAMIC UNIVERSITY

MALANG

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2025

DECLARATION OF THESIS AUTHENTICITY

In the name of Allah,

With full awareness and a sense of responsibility for the development of knowledge,
the author hereby declares that the thesis entitled:

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is truly an original work written independently in accordance with the principles of
scientific writing and can be accounted for. Should it later be proven that this thesis
is a result of plagiarism, either in part or in whole, then this thesis as a requirement
for obtaining a degree shall be declared null and void by law

Malang, 3rd of November 2025

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2016 SHARIA ECONOMIC LAW PERSPECTIVE**

the advisor hereby declares that the thesis has fulfilled the scientific requirements to be submitted and examined by the Board of Examiners.

Malang, 3rd of November 2025

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MOTTO

وَمَا تَشَاءُونَ إِلَّا أَنْ يَشَاءَ اللَّهُ ۚ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

And you do not will except that Allah wills.

Indeed, Allah is ever Knowing and Wise

(Q.S. Al-Insan: 30)

PREFACE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillah wa syukurillah, all praise is due to Allah SWT, the Most Gracious and the Most Merciful, for His blessings, guidance, and mercy that have enabled the completion of this thesis entitled:

**THE DYSFUNCTION OF SENDANG MULYO MARKET IN THE
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properly and on time. May peace and blessings be upon the great Prophet Muhammad SAW, who has guided humankind from the age of darkness to the age illuminated by *ad-dīn al-Islām wal-īmān*.

The thesis has been prepared to fulfill the final requirement for students to obtain a bachelor of law degree in the Department of Sharia Economic Law, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang. The successful completion of this thesis would not have been possible without the guidance, direction, assistance, and encouragement of many parties. Therefore, on this occasion, the author would like to express sincere gratitude to:

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3. Dwi Hidayatul Firdaus, M. SI., as the Head of the Department of Sharia Economic Law
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7. Professor Prats, the greatest motivator and number one favorite professor during the author's exchange semester at Southern Illinois University Edwardsville, whose encouragement and passion for teaching greatly inspired the author
8. Sumberdodol Village Government and community who contributed their support, assistance, and cooperation in facilitating the completion of this thesis
9. My family, Mama, Papa, Kakak Nacita, Adik Reisa, Adik Fafa, dan Adik Alila, for their endless prayers and love that have made it possible for the author to complete this thesis. Thank you for being a family where the author can always feel safe and happy
10. *Rumah Muslimah Tempatku Berteduh*, Qarina, Syakinah, Kaisha, Qonita, those who have always been a home and haven for the author, providing comfort and unwavering support. And Arya, a friend of the author since day

one, even before knowing anyone else, ICP HES 22, *Sahabat Kampus*, and to all author's friends whose contributions and kindness are countless and cannot be mentioned by one.

11. Anastasia, Haram, Katherine, Catherina, Dhan, Nick, Mackenzie, Jacobo, and all friends at SIUE who made the author's adapting life in the United States joyful and fulfilling, allowing the author to learn happily and truly have the best life experience there
12. George Russell, Kimi Antonelli, Toto Wolff, the Mercedes AMG Petronas F1 Team, and the entire Formula 1 community for being a positive energy throughout the author's journey in completing this thesis
13. Finally, to the author, myself, I am BIG BIG proud proud of you. You have been reliable, brave, strong, and resilient. Yes, you complained a lot sometimes, but you never gave up. You stayed determined, faithful, and diligent. You have done more than enough. I will always be proud proud of you.

With the completion of this thesis, it is hoped that the knowledge gained by the author during her studies at Maulana Malik Ibrahim State Islamic University Malang will be beneficial both in this world and in the hereafter. The author is fully aware that this thesis is far from perfect and may still contain shortcomings. Therefore, constructive suggestions and criticism for future improvement are sincerely welcomed.

TRANSLITERATION GUIDELINES

In the writing of scientific papers, the use of foreign terms is often inevitable. According to the General Guidelines for Indonesian Spelling, foreign words are generally written in italics. For Arabic terms, there are specific transliteration guidelines that apply internationally. The following table presents these transliteration guidelines as a reference for academic writing. The Arabic–Indonesian transliteration system used by the Faculty of Sharia at Maulana Malik Ibrahim State Islamic University of Malang follows the Library of Congress (LC) model of the United States, as outlined below:

| Arab | Indonesia | Arab | Indonesia |
|------|-----------|------|-----------|
| ا | ` | ط | t |
| ب | b | ظ | z |
| ت | t | ع | ‘ |
| ث | th | غ | gh |
| ج | j | ف | f |
| ح | h | ق | q |
| خ | kh | ك | k |
| د | d | ل | l |
| ذ | dh | م | m |
| ر | r | ن | n |
| ز | z | و | w |
| س | s | هـ | h |
| ش | sh | أ/ء | ’ |
| ص | ṣ | ي | y |
| ض | ḍ | | |

To indicate a long vowel sound (*madd*), a horizontal line is placed above the letter, as in ā, ī, and ū (أ, ي, و). Arabic diphthongs are transliterated by combining the letters “ay” and “aw,” as in *layyinah* and *lawwāmah*. Words ending in *tā’*

marbūṭah that function as adjectives or *muḍāf ilayh* are transliterated with “ah,” while those functioning as *muḍāf* are transliterated with “at.”

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ABSTRAK

Nyiur Salsabila Frida, NIM 220202110029. Disfungsi Pasar Sendang Mulyo Dalam Penggunaan dan Pemanfaatan Tata Kelola Aset Desa Berdasarkan Permendagri Nomor 1 Tahun 2016 Perspektif Hukum Ekonomi Syariah, Skripsi, Program Studi Hukum Ekonomi Syariah, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang, Pembimbing : Akhmad Farroh Hasan, S. HI., M. SI.

Kata kunci: Disfungsi Pasar, Tata Kelola Aset Desa, Hukum Ekonomi Syariah

Penelitian ini mengkaji mengenai disfungsi Pasar Sendang Mulyo dalam tata kelola aset desa berdasarkan Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa, ditinjau dari perspektif Hukum Ekonomi Syariah. Fokus penelitian ini adalah untuk mengkaji mengenai kesesuaian pengelolaan pasar desa oleh pemerintah Desa Sumberdodol dengan peraturan yang berlaku, penyebab disfungsi pasar desa, serta mengkaji tata kelola pasar desa yang ideal perspektif hukum ekonomi syariah. Penelitian ini menggunakan teori *good governance* dan teori efektivitas hukum untuk mengkaji pengelolaan pasar desa dan faktor penyebab disfungsi pasar, serta menggunakan teori *maqashid syariah* sebagai pengkhususan hukum ekonomi syariah dalam mengkaji tata kelola pasar desa yang ideal. Metode penelitian yang digunakan adalah yuridis-empiris, dengan pengumpulan data melalui wawancara dan studi dokumentasi.

Hasil penelitian menunjukkan bahwa disfungsi Pasar Sendang Mulyo disebabkan oleh lemahnya penerapan prinsip tata kelola yang baik serta rendahnya efektivitas hukum dalam pelaksanaan Permendagri Nomor 1 Tahun 2016 di Desa Sumberdodol. Pemerintah desa belum mampu mewujudkan sinergi antara unsur pemerintah, sektor swasta, dan masyarakat sipil.. Selain itu, efektivitas hukum juga terhambat oleh lemahnya penegakan hukum, rendahnya komitmen aparatur desa, keterbatasan sarana dan prasarana pasar, serta perubahan budaya masyarakat yang mengalihkan minat belanja dari pasar tradisional. Dari perspektif Hukum Ekonomi Syariah, tata kelola pasar desa yang ideal harus berlandaskan pada prinsip maslahah, keadilan, dan keseimbangan, serta berorientasi pada *hifz al-mal* (perlindungan harta) dalam *maqashid syariah*, sehingga pasar dapat berfungsi sebagai aset desa yang produktif dan memberikan manfaat berkelanjutan bagi kesejahteraan masyarakat.

ABSTRACT

Nyiur Salsabila Frida, SID 220202110029. The Dysfunction of Sendang Mulyo Market in the Use and Utilization of Village Asset Governance Based on the Minister of Home Affairs Number 1 of 2016 Sharia Economic Law Perspective, Thesis, Department of Sharia Economic Law, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang, Thesis Advisor : Akhmad Farroh Hasan, S. HI., M. SI.

Keyword: Market Dysfunction, Village Asset Governance, Sharia Economic Law

This study examines the dysfunction of Sendang Mulyo Market in the governance of village assets based on the Regulation of the Minister of Home Affairs Number 1 of 2016 concerning Village Asset Governance, viewed from the perspective of Sharia economic law. The focus of this research is to analyze the conformity of the Sumberdodol Village Government's market governance with the applicable regulations, identify the causes of the market's dysfunction, and explore the ideal model of village market governance from the perspective of Sharia economic law. This study employs the theories of good governance and legal effectiveness to assess the governance of the village market and the factors contributing to its dysfunction, while the theory of *maqashid syariah* is used as a specific framework of Sharia economic law to examine the ideal governance of the village market. The research method applied is a juridical-empirical approach, with data collected through interviews and documentation studies.

The findings reveal that the dysfunction of Sendang Mulyo Market is primarily caused by weak implementation of good governance principles and low legal effectiveness in enforcing Permendagri Number 1 of 2016 in Sumberdodol Village. The village government has failed to create synergy among the key stakeholders, including government, private sector, and civil society. The principles of transparency, accountability, participation, and rule of law have not been effectively applied due to the absence of an official governance body, lack of accountability reports, and minimal community involvement. Furthermore, weak law enforcement, low commitment from village officials, inadequate market facilities, and cultural changes that shift people's preferences away from traditional markets also contribute to the market's dysfunction. From the perspective of Sharia economic law, ideal market governance should be based on the principles of *maslahah* (public benefit), justice, and balance, as well as aligned with *hifz al-mal* (protection of wealth) within *maqashid syariah*, ensuring that the village market functions as a productive asset that sustainably benefits the community.

خلاصة

نيبور سالسايلا فريدا، رقم الهوية الجامعية ٢٩٠٠٢١١٠٠٢٢٠٢٢٠. خلل سوق سندانغ مولويو في حوكمة أصول القرية استناداً إلى لائحة وزير الشؤون الداخلية رقم (١) لسنة ٢٠١٦ من منظور فقه الاقتصاد الإسلامي، رسالة جامعية، قسم فقه الاقتصاد الإسلامي، كلية الشريعة، جامعة مولانا مالك إبراهيم الإسلامية الحكومية في مالانغ، المشرف العلمي: أحمد فاروق حسن، س.هـ.إ، م.س

الكلمات المفتاحية: خلل السوق، حوكمة أصول القرية، فقه الاقتصاد الإسلامي

تتناول هذه الدراسة خلل سوق سندانغ مولويو في حوكمة أصول القرية استناداً إلى لائحة وزير الشؤون الداخلية رقم (١) لسنة ٢٠١٦ بشأن إدارة أصول القرية، وذلك من منظور فقه الاقتصاد الإسلامي. يركّز هذا البحث على تحليل مدى توافق حوكمة سوق القرية التي تديرها حكومة قرية سومبرودول مع اللوائح المعمول بها، وتحديد أسباب خلل السوق، إضافةً إلى دراسة نموذج الحوكمة المثالية لسوق القرية من منظور فقه الاقتصاد الإسلامي. تعتمد الدراسة على نظريتي الحوكمة الرشيدة وفعالية القانون في تحليل إدارة السوق القروية والعوامل المسببة لخللها، كما تستند إلى نظرية مقاصد الشريعة بوصفها الإطار الخاص لفقه الاقتصاد الإسلامي في دراسة الحوكمة المثالية لسوق القرية. ويستخدم هذا البحث المنهج القانوني-العملي (المنهج القانوني الإمبريقي)، مع جمع البيانات من خلال المقابلات ودراسة الوثائق.

تُظهر نتائج البحث أن خلل سوق سندانغ مولويو ناتج عن ضعف تطبيق مبادئ الحوكمة الرشيدة وانخفاض فعالية القانون في تنفيذ أحكام اللائحة الوزارية رقم ١ لسنة ٢٠١٦ في قرية سومبرودول. فشلت الحكومة القروية في تحقيق التآزر بين عناصر الحكومة والقطاع الخاص والمجتمع المدني، كما لم تُطبّق مبادئ الشفافية والمساءلة والمشاركة وسيادة القانون بشكل فعال بسبب غياب هيئة رسمية لإدارة السوق، وضعف التقارير والمشاركة المجتمعية. ويُضاف إلى ذلك ضعف إنفاذ القانون، وقلة التزام المسؤولين المحليين، ونقص المرافق، وتغيّر الثقافة الاستهلاكية التي أبعدت الناس عن الأسواق التقليدية. ومن منظور فقه الاقتصاد الإسلامي، يجب أن تستند إدارة السوق المثالية إلى مبادئ المصلحة العامة (المصلحة)، والعدالة، والتوازن، وأن تتماشى مع مقصد حفظ المال في مقاصد الشريعة، بما يضمن أن يؤدي السوق وظيفته كأصل إنتاجي يوفر منفعة مستدامة للمجتمع.

CHAPTER I

INTRODUCTION

A. Background

Law Number 6 of 2014 concerning Villages provides the primary legal foundation for village governance, including the management of village finances and assets. Article 26 paragraph (2)(c) stipulates that one of the authorities of the village head is to hold the power over the management of village finances and assets. This provision indicates that the village head bears full responsibility for ensuring that village assets are utilized optimally and transparently for the welfare of the community.¹ Furthermore, Article 76 of the same law outlines various types of village assets, including village treasury land, village markets, village-owned buildings, and other legitimate village properties.² This regulation affirms that the village market is one of the strategic assets with the potential to generate revenue and drive the local village economy.

To elaborate further on the mandate of the Village Law, Government Regulation Number 43 of 2014 concerning the Implementation of Law Number 6 of 2014 on Villages was issued and later amended by Government Regulation Number 47 of 2015. Article 125 of this regulation emphasizes that the utilization of village assets must be based on the results of village

¹ Pasal 26 Undang – Undang Nomor 6 Tahun 2014 tentang Desa

² Pasal 76 Undang – Undang Nomor 6 Tahun 2014 tentang Desa

deliberations and subsequently stipulated in a village regulation.³ This provision highlights the importance of community participation in determining how village assets are utilized to ensure alignment with local needs and potential. As a follow-up to the mandates of the aforementioned law and government regulations, the government then issued Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets.

According to the Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets, village assets are defined as property owned by the village, originating from the village's original wealth, purchased or acquired through the Village Revenue and Expenditure Budget (APB Desa), or obtained through other lawful means.⁴ One form of such original village wealth stipulated in this regulation is the village market.⁵ Consequently, the village market constitutes a part of village assets. It holds a vital role in the economic life of rural communities, as it serves as a space where villagers interact and conduct buying and selling activities to meet their daily needs.⁶ In line with this, the Minister of Home Affairs Regulation Number 42 of 2007 on the Governance of Village Markets emphasizes that the village market functions, among others, as a distribution center for rural products, a generator of employment opportunities, and a contributor to

³ Peraturan Pemerintah Nomor 43 Tahun 2015 tentang Peraturan Pelaksanaan Undang – Undang Nomor 6 Tahun 2014 tentang Desa

⁴ Pasal 1 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁵ Pasal 2 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁶ Muhammad Azharuddin Fikri, “Pemungutan Retribusi Pasar Desa dalam Rangka Menambah Pendapatan Asli Desa,” *Jurist-Diction*, 5.4 (2022): 1455-1488

village government revenue.⁷ The regulation also mandates that the Governance of village markets must be carried out by the village government and administered separately from the general Governance of village governance.⁸

The systematic arrangement of village market Governance as a form of village asset is normatively set forth in the Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets. The village government, as the authority responsible for managing the village market, bears several obligations that must be fulfilled. Article 4 of this regulation stipulates that the Village Head is the holder of authority over the Governance of village assets, vested with the power and responsibility to oversee such Governance.⁹ Among the key powers and responsibilities of the Village Head is the authority to establish policies governing the Governance of village assets.¹⁰

The Governance of village markets as a part of village assets under Minister of Home Affairs Regulation Number 1 of 2016 is implemented through a series of stages, including planning, procurement, utilization, use, safeguarding, maintenance, write off, transfer of ownership, administration, reporting, appraisal, guidance, supervision, to control.¹¹ In this regard, the Village Head serves as the holder of authority over the Governance of village

⁷ Pasal 4 Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

⁸ Pasal 8 Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

⁹ Pasal 4 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

¹⁰ Pasal 4 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

¹¹ Pasal 1 Peraturan Menteri dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

assets and bears both the power and responsibility for their administration. In carrying out the Governance of village markets, several principles must be observed, namely the principles of functionality, legal certainty, transparency and openness, efficiency, accountability, and value certainty. In addition, the principle of public interest must also be taken into account, given that the Governance of village markets is based on the collective interests of the community, which should prevail over individual, group, or sectoral interests.¹²

Sumberdodol Village is one of the villages located in Magetan Regency, East Java Province. The village occupies a strategic location on the eastern foothills of Mount Lawu. This geographical setting renders the land in Sumberdodol highly suitable for agriculture, leading the majority of its residents to work as farmers. To facilitate the sale of agricultural produce and the direct fulfillment of basic needs, the Sumberdodol Village Government established Sendang Mulyo Market in 1994. After operating for more than two decades, the market was later rehabilitated by the Sumberdodol Village Government in 2019.¹³

Sendang Mulyo Market, located in Sumberdodol Village, which was initially established to meet the needs of the community, is no longer functioning optimally. The market building physically still exists, yet activities inside are no longer actively carried out. Buying and selling

¹² Pasal 77 Undang – Undang Nomor 6 tahun 2014 tentang Desa

¹³ Taufiq, wawancara, (Magetan, 4 September 2025)

transactions are nearly absent, and the market has ceased to serve as the economic center of the community.¹⁴ The dysfunction of Sendang Mulyo Market reflects problems in the governance of the village economy, which in turn affects the economic potential of the community. Furthermore, it is known that Sumberdodol Village does not have a Village Regulation that specifically governs the Governance of the village market as one of its assets.¹⁵ Moreover, the market has never had a formal Governance structure, and its operations have only been handled by local youth under the direction of the neighborhood association (RW) head.¹⁶



Figure 1 & 2. The Condition of Sendang Mulyo Market

From a practical perspective, the dysfunction of Sendang Mulyo Market has brought tangible impacts to the local community. The village market, which in essence should serve as the economic center of the community, no longer performs its intended function, thereby hampering community trade activities.¹⁷ In addition, small traders have lost their place to conduct business, while buyers have lost access to basic necessities at affordable prices.¹⁸ From

¹⁴ Hasil observasi

¹⁵ Wiji, wawancara (Magetan, 1 Agustus 2025)

¹⁶ Taufiq, wawancara, (Magetan, 4 September 2025)

¹⁷ Wiji, wawancara (Magetan, 1 Agustus 2025)

¹⁸ Taufiq, wawancara, (Magetan, 4 September 2025)

the perspective of Sharia economic law, the Governance of village assets must be implemented based on the principles of justice, transparency, accountability, and prioritizing the public interest. This research aims to examine the ideal utilization and use of the governance of village assets based on these principles so that their utilization can provide benefits for the entire community. Accordingly, the results of this research are expected to serve as recommendations for the village government in realizing the governance of village assets in accordance with the values of Sharia economics.

Thus, this research needs to be conducted to empirically examine the implementation of the Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets in Sendang Mulyo Market as one of the village assets in Sumberdodol Village. This research will also identify the obstacles faced by the village government in managing Sendang Mulyo Market, which is currently experiencing dysfunction. This research will provide a new contribution in the form of an empirical analysis of the low legal awareness in managing village markets as a type of village asset, as well as the importance of local regulations in supporting the functionality of village markets as community economic centers.

This research will also examine the ideal governance of village markets from the perspective of Sharia economic law. The theory of good governance used in this research will serve to assess the conformity of Sendang Mulyo Market governance with the Minister of Home Affairs Regulation Number 1 of 2016. Sharia principles, which include justice, benefit, balance, and

universality, will serve as the foundation for recommendations on a more ideal governance of village markets. Although the digital era has introduced various online shopping platforms, not all rural communities have adequate access to digital technology or modern distribution facilities, including the community of Sumberdodol Village. Therefore, the dysfunction of Sendang Mulyo Market represents an issue that has real impacts on the community and rural development. Consequently, the existence of village markets remains relevant, and a study on their governance is important to ensure that markets can function optimally in line with contemporary developments without losing their social and economic value.

Therefore, based on the aforementioned background and the identified problem gap, it is of interest to conduct an in-depth research on this topic under the title “THE DYSFUNCTION OF SENDANG MULYO MARKET IN THE UTILIZATION AND USE OF VILLAGE ASSET GOVERNANCE BASED ON THE MINISTER OF HOME AFFAIRS REGULATION NUMBER 1 OF 2016 SHARIA ECONOMIC LAW PERSPECTIVE.”

B. Research Question

1. How is the utilization and use of the governance of Sendang Mulyo Market by the Sumberdodol Village Government conducted in accordance with Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets?
2. What are the factors causing the dysfunction of Sendang Mulyo Market?

3. How is the ideal governance of village markets from the perspective of Sharia economic law?

C. Research Objective

1. To study the utilization and use of the governance of Sendang Mulyo Market by the Sumberdodol Village Government in accordance with Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets.
2. To identify the factors causing the dysfunction of Sendang Mulyo Market.
3. To study the ideal governance of village markets from the perspective of Sharia economic law.

D. Research Significance

1. Theoretical Significance

This research is expected to provide a contribution to the development of economic policy law, particularly related to the governance of village assets. Through the study of the governance of Sendang Mulyo Market by the Sumberdodol Village Government conducted in accordance with Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets, this research may enrich the literature regarding how the regulation is applied at the village level, as well as provide a real illustration of the obstacles faced by the village government in managing village assets. In addition,

this research is expected to contribute ideas to the development of the theory of village asset governance in accordance with the principles of Sharia economic law, such as justice, transparency, accountability, and public interest. Thus, this research not only provides an understanding of the problems that occur in practice but also offers the study of the ideal governance of village markets from the perspective of Sharia economic law and *maqashid sharia*, so that it may serve as a reference for future studies in the field of economic law, administrative law, and community-based development studies.

2. Practical Significance

This research is expected to provide policy recommendations for the governance of village markets to the Sumberdodol Village Government, based on applicable regulations such as the Regulation of the Minister of Home Affairs Number 1 of 2016 concerning Village Asset Governance. These recommendations are intended to assist the village government in improving the governance of Sendang Mulyo Market so that it may once again function optimally as the center of the local economy. Furthermore, the findings of this research may serve as a reference for the formulation of a village regulation specifically governing the governance of village markets and for encouraging the establishment of a more professional and sustainable market governance structure. Thus, this research is expected to provide practical solutions to enhance the legal awareness of the village

government, strengthen the accountability of village asset governance, thereby providing benefits for the entire community.

E. Operational Definitions

1. Dysfunction

Dysfunction is a condition in which a function does not operate normally or experiences disruption. In this case, the function of Sendang Mulyo Market encounters problems and does not operate as it should. The inactivity of Sendang Mulyo Market indicates an abnormality in the function of the village market as a place for the distribution of rural products, the creation of employment opportunities for the community, and the development of the Village Government's revenue.

2. Village Asset

The type of village asset that is being discussed in this research is Sendang Mulyo Market as the Sumberdodol Village's original wealth, which is currently experiencing dysfunction. According to the regulation, village assets are assets owned by the village that originate from the village's original wealth, purchased or acquired at the expense of the Village Revenue and Expenditure Budget (APB Desa), or obtained through other lawful means.

F. Systematics of Discussion

The systematic of discussion of this thesis is as follows:

1. Chapter I: Introduction

The introduction explains the background, research questions, research objectives, significance of the study, operational definitions, and the systematic of discussion.

2. Chapter II: Literature Review

The literature review discusses previous studies and the theoretical framework that examines the dysfunction of Sendang Mulyo Market in the governance of village assets based on Minister of Home Affairs Regulation Number 1 of 2016 from the perspective of Sharia economic law.

3. Chapter III: Research Methodology

This chapter describes the type of research method employed. It also includes the research approach, research location, data sources, data collection methods, and data processing techniques.

4. Chapter IV: Result and Discussion

This chapter presents the results and discussions of the research questions. It provides the study of the dysfunction of Sendang Mulyo Market in the governance of village assets based on the Minister of Home Affairs Regulation Number 1 of 2016 from the perspective of Sharia economic law.

5. Chapter V: Conclusion

The conclusion chapter contains the conclusions and recommendations derived from the findings of this research.

CHAPTER II

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

A. Previous Research

1. The study conducted by Sudi Fahmi, Ardiansah, and Doni Aprialdi (2021), entitled “Model Pengaturan yang Efektif terkait Pengelolaan Pasar Tradisional di Indonesia”, focuses on the importance of managing traditional markets and emphasizes that the state must preserve and maintain traditional markets in Indonesia as a form of cultural identity. This study, however, mainly concentrates on the cultural aspects and the protection of the existence of traditional markets in general.¹⁹ In contrast, the present research will examine the implementation of the Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets empirically, with a specific focus on Sendang Mulyo Market in Sumberdodol Village, which is no longer functioning actively. The previous study applied a normative juridical method using statutory and conceptual approaches with qualitative analytical methods. Meanwhile, the present research employs an empirical juridical method. The previous study does not specifically discuss issues within a particular region, whereas this research highlights field problems by taking Sumberdodol Village as an empirical case study to examine the obstacles

¹⁹ Sudi Fahmi, Ardiansah, Doni Aprialdi, “Model Pengaturan yang Efektif terkait Pengelolaan Pasar Tradisional di Indonesia,” *Jurnal Hukum Samudra Keadilan*, 16.2 (2021): 282-292

to the implementation of regulations governing village market Governance.

2. The study by Annisa Nur Fitriyani Daud, Weny Almoravid Dunga, and Julius T. Mandjo (2024), entitled “Faktor Hambatan dan Upaya Pemerintah Desa terhadap Pengelolaan Aset Desa Pone Kecamatan Limboto Barat”, highlights the Governance of Pone Village’s assets and focuses solely on the role of the village government in managing the assets of Pone Village as well as identifying the factors that hinder the village government in managing those assets. The results of this study indicate that the role of the Pone Village Government in managing village assets is not optimal because the series of processes, including planning, utilization, maintenance, administration, and reporting carried out by the Pone Village Government, are not yet based on the applicable regulatory provisions.²⁰ In contrast, the present research focuses on the governance of the village market in Sumberdodol Village, particularly from the perspective of Minister of Home Affairs Regulation Number 1 of 2016 and the applicable Regional Regulation of Magetan Regency.
3. The study by I Putu Gede Murditayasa, I Nyoman Putu Budiarta, Desak Gde Dwi Arini (2021), entitled “Implementasi Peraturan Daerah Kabupaten Badung Nomor 7 Tahun 2021 tentang Pengaturan Pasar Tradisional di Kabupaten Badung,” focuses on the procedures for

²⁰ Annisa Nur Fitriyani Daud, Weny Almoravid Dunga, Julius T. Mandjo, “Faktor Hambatan dan Upaya Pemerintah Desa terhadap Pengelolaan Aset Desa Pone Kecamatan Limboto Barat,” *Jurnal Hukum, Politik, dan Ilmu Sosial (JHPIS)*, 3.1 (2024): 51-75

implementing the revitalization of Badung Regency Regional Regulation Number 7 of 2012 concerning the regulation of traditional markets in Badung Regency and analyzes the inhibiting factors in the implementation of the regulation. The results of this study indicate that the revitalization of traditional market development in Badung Regency is one of the initiatives by the local government to revive and redevelop markets that previously experienced a decline due to competition with growing modern markets. The inhibiting factors identified include regulatory enforcement, funding, Governance, and community-related factors.²¹ Meanwhile, the present research specifically examines the village market by reviewing the implementation of Minister of Home Affairs Regulation Number 1 of 2016 in Sendang Mulyo Market, which is no longer actively operating. This research also employs an empirical juridical method with a statutory approach. The primary legal materials used consist of legal data regarding the implementation of Badung Regency Regional Regulation Number 7 of 2012 concerning the Regulation of Traditional Markets. However, the present research places its main emphasis on the implementation of Minister of Home Affairs Regulation Number 1 of 2016 and Magetan Regency Regional Regulation concerning the Protection, Development, and Regulation of Markets.

²¹ I Putu Gede Murditayasa, I Nyoman Putu Budiarta, Desak Gde Dwi Arini, "Implementasi Peraturan Daerah Kabupaten Badung Nomor 7 Tahun 2021 tentang Pengaturan Pasar Tradisional di Kabupaten Badung," *Jurnal Konstruksi Hukum*, 2.1 (2021): 116 – 122

4. The study by Ulfi Alfidah (2020), entitled “Implementasi Peraturan Desa Kebumen Nomor: 511.2/01/Tahun 2006 tentang Pasar Desa (Studi Pada Pemungutan Retribusi Pasar Kecamatan Pringsurat Kabupaten Temanggung), examines the collection of market levies at Kebumen Market, which encountered obstacles and was not carried out in accordance with the Standard Operating Procedures (SOP) and Kebumen Village Regulation Number: 511.2.01 of 2006 concerning Village Markets. The results of this study indicate that the inhibiting factors include arrears in rental payments by traders, the low wages received by market officers which remain below the minimum wage of Temanggung Regency, and the misconduct of several traders who refuse to pay the levies, which constitutes a violation of the lease agreement.²² Meanwhile, the present research also discusses the village market; however, the focus will be on the inactivity of economic activities within it as well as the obstacles in the implementation of Minister of Home Affairs Regulation Number 1 of 2016 on Village Asset Governance and Magetan Regency Regional Regulation concerning the Protection, Development, and Regulation of Markets.
5. The study by Aloysius Kewa Ama, Rafael Rape Tupen, dan Marlyani Anita Seran (2025), entitled “Fungsi Pemerintah Desa dalam Pengelolaan Pasar Desa untuk Meningkatkan Pendapatan asli Desa di Desa

²² Ulfi Alfidah, “Implementasi Peraturan desa Kebumen Nomor: 511.2/01/Tahun 2006 tentang Pasar Desa (Studi Pada Pemungutan Retribusi Pasar Kecamatan Pringsurat Kabupaten Temanggung),” (*Undergraduate Thesis*, Institut Agama Islam Negeri Salatiga, 2020)

Helanlangowuyo kecamatan Ile Boleng Kabupaten Flores Timur,” examines the role of the village government in managing the village market in Helanlangowuyo Village, the inhibiting factors in the Governance of Senadan Village Market by the village government, as well as the contribution of village market levies to the village’s original income. The results of this study indicate that, in the course of managing Senadan Village Market, the Helanlangowuyo Village Government faced challenges related to the market land status, which is still under a rental system, and the very limited market facilities. The Governance of Senadan Village Market encountered obstacles such as the lack of clear regulations, low quality of human resources, lack of public awareness, and inadequate infrastructure and facilities. The contribution of market levies from 2021 to 2023 experienced a significant decline.²³ Meanwhile, the present research will also highlight the obstacles faced by the village government in managing the village market, however, its focus is on the inactivity of economic activities in the village market and does not discuss market levies and their role in increasing the village’s original income.

6. The study by Fory Pacadi, Agus Sholahuddin, dan Budhy Prianto (2020), entitled “Implementasi Kebijakan Pengelolaan Aset Desa pada Pasar Desa Sidorejo Kecamatan pagelaran Kabupaten Malang,” examines how

²³ Aloysius Kewa Ama, Rafael Rape Tupen, dan Marlyani Anita Seran, “Fungsi Pemerintah Desa dalam Pengelolaan Pasar Desa untuk Meningkatkan Pendapatan asli Desa di Desa Helanlangowuyo kecamatan Ile Boleng Kabupaten Flores Timur,” *Jembatan Hukum: Kajian Ilmu Hukum, Sosial, dan Administrasi Negara*, 2.1 (2025): 71-81

the policy on village asset Governance of Sidorejo Village Market is implemented based on Sidorejo Village Regulation Number 1 of 2009 on Village Market Governance, as well as describes and analyzes the factors that hinder its implementation. The results of this study indicate that the inhibiting factors in the implementation of the village asset Governance policy at Sidorejo Village Market, Pagelaran Subdistrict, Malang Regency, based on Sidorejo Village Regulation Number 01 of 2009 on Village Market Governance, occur at the implementation stage concerning the compliance of the target groups with the policy output. At this stage, several implementation factors that hinder include technical difficulties, the diversity of behaviors to be regulated, the percentage of the total population included in the target group, and the degree and scope of behavioral change expected.²⁴

7. The study by Muhammad Azharuddin Fikri (2022), entitled “Pemungutan Retribusi Pasar Desa dalam Rangka Menambah Pendapatan Asli Desa,” examines the authority of the village head in collecting village market levies and their responsibility in cases of poor Governance or abuse of power. The study stated that the authority of the village government to collect levies is limited to those stipulated in the village regulations. Furthermore, the village head is the party who bears responsibility and is held accountable if there are errors in the Governance of village market

²⁴ Fory Pacadi, Agus Sholahuddin, Budhy Prianto, “Implementasi Kebijakan Pengelolaan Aset Desa pada Pasar Desa Sidorejo Kecamatan pagelaran Kabupaten Malang,” *Jurnal Ilmu Administrasi Publik*, 5.2 (2020): 165-178

levies.²⁵ The research to be conducted will also address the authority of the village government, but with a focus on the Governance of the village market, particularly on how the implementation of the Minister of Home Affairs Regulation No. 1 of 2016 on Village Market Governance relates to the reality of economic inactivity at Sendang Mulyo Market.

8. The study by Paskalina Fridolin Kampas, Kotan Y. Stefanus, dan Cyrilius W. T. Lamataro (2025), entitled “Pengaturan Pengelolaan Pasar dan Faktor Penghambatnya (Studi terhadap Pengelolaan Pasar Wue Kecamatan Wolomeze Kabupaten Ngada Provinsi Nusa Tenggara Timur),” discusses the role of the village government in Wolomeze District as the primary administrator responsible for governance, development, and public services at the village level. One of the responsibilities of the village government highlighted in this study is the implementation of village market Governance and development, which includes drafting village regulations as its legal foundation. The findings of this study indicate that no village regulation governing market Governance has been established, resulting in suboptimal Governance, as evidenced by inadequate facilities and poor market layout.²⁶ The research to be conducted will focus on the issue of the inactive Sendang Mulyo Market and examine how the implementation of the Minister of Home

²⁵ Muhammad Azharuddin Fikri, “Pemungutan Retribusi Pasar Desa dalam Rangka Menambah Pendapatan Asli Desa,” *Jurist-Diction*, 5.4 (2022): 1455-1488

²⁶ Paskalina Fridolin Kampas, Kotan Y. Stefanus, Cyrilius W. T. Lamataro, “Pengaturan Pengelolaan Pasar dan Faktor Penghambatnya (Studi terhadap Pengelolaan Pasar Wue Kecamatan Wolomeze Kabupaten Ngada Provinsi Nusa Tenggara Timur),” *Petitum Law Journal*, 2.2 (2025): 681-696

Affairs Regulation No. 1 of 2016 concerning Village Asset Governance is carried out in this context.

9. The study by Jetnal Yunardi (2023), entitled “Pelaksanaan Kewenangan Pemerintah Desa dalam Pengelolaan Pasar Desa Guna Meningkatkan Pendapatan Asli Desa di Desa Babuin dan Desa Sei, Kecamatan Kolbano, Kabupaten Timor Tengah Selatan berdasarkan Undang – Undang Nomor 6 Tahun 2014 tentang Desa,” discusses the implementation of the authority of the village government in managing village markets to increase Village Original Revenue (PAD). The results of this study indicate that the government in the two research locations has actively exercised its authority in market Governance and contributed to the increase of PAD.²⁷ However, the research to be conducted will not discuss the contribution of the market to the increase of PAD, but rather focus on the implementation of village market Governance regulations in Sendang Mulyo Market, which does not operate actively, as well as identify the obstacles faced by the village government as the party responsible for its Governance. The research method used in the previous study is empirical juridical, using Law Number 6 of 2014 concerning Villages as a source of secondary data. The research to be conducted will also use the empirical juridical method but will refer to Minister of Home Affairs Regulation

²⁷ Jetnal Yunardi Banamtuan. "Pelaksanaan Kewenangan Pemerintah Desa Dalam Pengelolaan Pasar Desa Guna Meningkatkan Pendapatan Asli Desa Di Desa Babuin Dan Desa Sei, Kecamatan Kolbano, Kabupaten Timor Tengah Selatan Berdasarkan Undang-Undang Nomor 6 Tentang Desa." *Jurnal Hukum Online*, 1.6 (2023): 202-220.

Number 1 of 2016 concerning Village Asset Governance and Regional Regulation of Magetan Regency concerning Protection, Guidance, and Structuring of Markets. While the previous research was conducted at Pasar Desa Babuin and Sei in Kolbano District, the research to be conducted will take place at Sendang Mulyo Market, Magetan Regency.

10. The study by Warsito, Normalita Destyarini, Rina Anum Prastyanti, dan Evi Elisanti (2023), entitled “Kajian Hukum Terhadap Peraturan Desa Kradenan Kecamatan Kaliwungu Kabupaten Semarang Nomor 11 Tahun 2022 tentang Pungutan Pasar Desa,” examines village market levies from a legal perspective. The results of this study indicate the existence of violations and non-compliance in market levy collection, which resulted in the imposition of warning sanctions and administrative sanctions. This is in accordance with what is stipulated in the Village Regulation (Perdes) of Kradenan concerning Market Levies.²⁸ However, the research to be conducted will also examine village markets and the role of the village government as the party responsible for their Governance, but without discussing the levy aspect. The research method used is empirical juridical, using Kradenan Village Regulation Number 11 of 2022 concerning Village Market Levies. The research to be conducted will also use the empirical juridical method but will refer to Minister of Home Affairs Regulation Number 1 of 2016 concerning Village Asset

²⁸ Warsito, et al., “Kajian Hukum Terhadap Peraturan Desa Kradenan Kecamatan Kaliwungu Kabupaten Semarang Nomor 11 Tahun 2022 tentang Pungutan Pasar Desa,” *Al-Manhaj Jurnal Hukum dan Pranata Sosial Islam*, 5.2 (2023): 2093-2114

Governance and the Regional Regulation of Magetan Regency concerning Protection, Guidance, and Structuring of Markets.

Table 1. Similarities and Differences of Previous Research

| No | Author(s) | Research Title | Similarities | Differences |
|----|--|---|---|---|
| 1. | Sudi Fahmi, Ardiansah, dan Doni Aprialdi | Model Pengaturan yang Efektif terkait Pengelolaan Pasar Tradisional di Indonesia | The similarity between this research and the research to be conducted lies in the fact that both discuss traditional markets, including village markets as part of village assets managed by the village government | The difference, however, is that this research employs a normative juridical method, while the research to be conducted will use an empirical juridical method by collecting data through observation and interviews. |
| 2. | Annisa Nur Fitriyani Daud, Weny Almoravid Dungga, dan Julius T. Mandjo | Faktor Hambatan dan Upaya Pemerintah Desa terhadap Pengelolaan Aset Desa Pone Kecamatan Limboto Barat | The similarity between this research and the research to be conducted is that both are empirical juridical studies with the aim of | The difference is that the research to be conducted will specifically focus on village markets as one of the components |

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|----|--|--|--|--|
| | | | examining how the implementation and obstacles in the management of village assets are carried out in accordance with applicable legal provisions. | of village assets. |
| 3. | I Putu Gede Murditayasa, I Nyoman Putu Budiarta, Desak Gde Dwi Arini | Implementasi Peraturan Daerah Kabupaten Badung Nomor 7 Tahun 2021 tentang Pengaturan Pasar Tradisional di Kabupaten Badung | The similarity between the two studies lies in the use of the empirical juridical method and their focus on the implementation of government regulations in market management, accompanied by an analysis of its inhibiting factors. | This research, however, is limited to traditional market locations in Badung Regency with reference to Regional Regulation of Badung Regency Number 7 of 2012, while the research to be conducted will highlight the inactivity of village market activities |

| | | | | |
|----|--|---|--|--|
| | | | | with reference to Minister of Home Affairs Regulation Number 1 of 2016 on Village Asset Management and the Regional Regulation of Magetan Regency on the Protection, Development , and Structuring of Markets. |
| 4. | Ulfi Alfidah | Implementasi Peraturan desa Kebumen Nomor: 511.2/01/Tahun 2006 tentang Pasar Desa (Studi Pada Pemungutan Retribusi Pasar Kecamatan Pringsurat Kabupaten Temanggung) | Both studies are empirical juridical research focusing on the management of village markets. | The research to be conducted will not highlight market levies but will instead focus on the inactivity of market economic activities. |
| 5. | Aloysius Kewa Ama, Rafael Rape Tupen, dan Marlyani Anita Seran | Fungsi Pemerintah Desa dalam Pengelolaan Pasar Desa untuk | Both studies examine village markets as part of | The research to be conducted will not discuss the role of the |

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|----|--|--|---|---|
| | | Meningkatkan Pendapatan asli Desa di Desa Helanlangowuyo kecamatan Ile Boleng Kabupaten Flores Timur | village assets. | village government in increasing locally-generated revenue (PAD), but rather will analyze the implementation of law related to the management of village markets based on Minister of Home Affairs Regulation Number 1 of 2016. |
| 6. | Fory Pacadi, Agus Sholahuddin, dan Budhy Prianto | Implementasi Kebijakan Pengelolaan Aset Desa Pada Pasar Desa Sidorejo Kecamatan Pagelaran Kabupaten Malang | Both studies discuss the management of village markets as village assets and focus on the role of the village government in their management. | The research to be conducted will examine the causes of inactivity in economic activities in village markets, while the previous study was conducted on active village markets. |
| 7. | Muhammad Azharuddin Fikri | Pemungutan Retribusi Pasar Desa dalam | Both studies analyze village | The previous study employed a |

| | | | | |
|----|---|--|---|--|
| | | Rangka Menambah Pendapatan Asli Desa | markets as one of the village assets that must be managed and empowered. | normative juridical method and examined market levy collection, while the research to be conducted will use an empirical juridical method with the issue of economic inactivity in Sendang Mulyo Market. |
| 8. | Paskalina Fridolin Kampas, Kotan Y. Stefanus, Cyrilius W. T. Lamataro | Pengaturan Pengelolaan Pasar dan Faktor Penghambatnya (Studi terhadap Pengelolaan Pasar Wue Kecamatan Wolomeze Kabupaten Ngada Provinsi Nusa Tenggara Timur) | Both studies examine the management of village markets and assess the role and policies of village governments in market management. Both also employ the empirical juridical method. | The previous study relied solely on the Village Law as its reference, while the research to be conducted will refer to Minister of Home Affairs Regulation Number 1 of 2016 on Village Asset Governance |
| 9. | Jetnal Yunardi | Pelaksanaan Kewenangan Pemerintah Desa dalam | Both studies address the management of village | The previous study used Law Number 6 of 2014 |

| | | | | |
|----|--|---|--|---|
| | | <p>Pengelolaan Pasar Desa Guna Meningkatkan Pendapatan Asli Desa di Desa Babuin dan Desa Sei, Kecamatan Kolbano, Kabupaten Timur Tengah Selatan berdasarkan Undang – Undang Nomor 6 Tahun 2014 tentang Desa</p> | <p>markets by village governments and examine how village governments exercise their authority as well as the obstacles they face. Both studies also use the empirical juridical method.</p> | <p>concerning Villages as its reference, while the research to be conducted will refer to Minister of Home Affairs Regulation Number 1 of 2016 on Village Asset Management. The research locations also differ between the two studies.</p> |
| 10 | <p>Warsito, Normalita Destyarini, Rina Anum Prastyanti, dan Evi Elisanti</p> | <p>Kajian Hukum Terhadap Peraturan Desa Kradenan Kecamatan Kaliwungu Kabupaten Semarang Nomor 11 Tahun 2022 tentang Pungutan Pasar Desa</p> | <p>Both studies discuss market management and use the empirical juridical method.</p> | <p>The previous study only referred to the Kradenan Village Regulation on Village Market Levies and specifically discussed levies. Meanwhile, the research to be conducted will address the economic inactivity of Sendang Mulyo</p> |

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|--|--|--|--|--|
| | | | | Market and will refer to Minister of Home Affairs Regulation Number 1 of 2016 on Village Asset Management. |
|--|--|--|--|--|

B. Literature Review

1. The Basic Concept of Village Markets and Village Markets Governance

According to the Minister of Home Affairs Regulation (Permendagri) Number 42 of 2007 concerning the Governance of Village Markets, a village market refers to a traditional market located in a village, which is governed and developed by the village government and the local community.²⁹ A traditional market, as defined in this regulation, is a market built and managed by the government, private entities, cooperatives, or local community initiatives. It consists of business spaces such as shops, stalls, open sheds, and tents, or other similar forms, which are owned and operated by small to medium-scale traders. The trading activities are generally conducted through a bargaining process.³⁰ The establishment and development of a village market are based on several principles, including accommodating the interests and needs of the local community and developing the wealth and assets of the village.³¹

²⁹ Pasal 1 Peraturan Menteri dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

³⁰ Pasal 1 Peraturan Menteri dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

³¹ Pasal 6 Peraturan Menteri dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

According to the Permendagri Number 1 of 2016 concerning the Governance of Village Assets, a village market is one form of village asset classified as original village wealth. Village assets are defined as properties owned by the village that originate from its original wealth, purchased or acquired through the Village Revenue and Expenditure Budget (APB Desa), or obtained through other legitimate means.³² The types of village assets include:

- a. Original village wealth, consisting of village treasury land, village markets, livestock markets, village buildings, and others
- b. Village property acquired from grants, donations, or similar sources
- c. Village assets obtained through agreements/contracts and/or based on statutory provisions
- d. Results of village cooperation
- e. Village assets originating from other legitimate acquisitions.

The governance of village markets is the authority and responsibility of the village government. This governance is carried out separately from the general management of village administration.³³ The systematic governance of village markets as one of the village assets is normatively regulated in the Ministry of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets. The village government, as the authority responsible for managing the village market, is obliged

³² Pasal 1 Peraturan Menteri dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

³³ Pasal 8 Peraturan Menteri dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

to fulfill several duties. Article 4 of this regulation further stipulates that the Village Head holds the power over the governance of village markets as village assets and has the authority and responsibility for their management.

2. General Overview of Village Asset Governance

Village assets must be managed in an orderly manner by the village government, with the Village Head serving as the authority holder over the governance of village assets, assisted by the Village Apparatus. In exercising this authority, the Village Head may delegate part of their authority to the village apparatus, namely the Village Secretary and other relevant village officials, who act as officers or administrators of village assets. The governance of village assets is carried out to improve the welfare and standard of living of the village community as well as to increase village income.³⁴ The Village Head's authority and responsibilities include:

- a. Determining policies on village asset Governance.
- b. Appointing assistant managers and officers/administrators of village assets.
- c. Determining the use, utilization, or transfer of village assets.
- d. Establishing policies for the safeguarding of village assets.

³⁴ Toto Kushartono, et al., "Peningkatan Kapasitas Pemerintah Desa Melalui Tata Kelola Aset Desa," *Aksiologi: Jurnal Pengabdian Kepada Masyarakat*, 6.3 (2022): 451-458

- e. Proposing the procurement, transfer, and/or disposal of strategic village assets through village deliberations.
- f. Approving proposals for the transfer and disposal of village assets within the limits of their authority.
- g. Approving proposals for the utilization of village assets other than land and/or buildings

Village Asset Governance is a series of activities ranging from planning, procurement, utilization, use, safeguarding, maintenance, write off, transfer of ownership, administration, reporting, appraisal, guidance, supervision, to control.³⁵ The scope of this study is limited to discussing the concepts of use and utilization within the governance of village assets as regulated under the Minister of Home Affairs Regulation Number 1 of 2016. Other aspects of asset governance, such as planning, procurement, or supervision, are not the main focus of this study, as the analysis is directed toward understanding how the use and utilization of the market have not been implemented effectively according to the applicable legal framework.

a. Planning

Planning is a systematic stage of activities to formulate various details of the needs for village-owned assets. Village asset planning is set forth in the Village Medium-Term Development Plan (RPJMDesa) for a six-year period. Meanwhile, the planning of

³⁵ Pasal 7 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

village asset needs for a one-year period is set forth in the Village Government Work Plan (RKPDesa) and determined in the Village Budget (APBDesa) after taking into account the availability of existing assets.³⁶

b. Procurement

Procurement is an activity carried out to fulfill the need for goods in the context of implementing village governance. Procurement of village assets must be carried out based on the principles of efficiency, effectiveness, transparency and openness, competition, fairness/non-discrimination, and accountability. Procurement of goods/services in the village is regulated by a Regent/Mayor Regulation in accordance with the provisions of the prevailing laws and regulations.³⁷

c. Utilization

Utilization refers to activities carried out by asset users in using village assets in accordance with their duties and functions. The utilization of village assets is determined to support the implementation of village governance. The status of village asset utilization is determined annually through a Village Head Decree.³⁸

³⁶ Pasal 8 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

³⁷ Pasal 9 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

³⁸ Pasal 10 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

d. Use

Use refers to the act of making village assets productive without directly employing them for the implementation of village government duties and without changing their ownership status. The use of village assets may be carried out as long as they are not directly utilized to support village governance and must be stipulated in a village regulation. The proceeds generated from the use of village assets constitute village revenue and must be deposited into the village treasury. Forms of the use of village assets may include leasing, lending for use, cooperative use agreements, build-operate-transfer schemes, and build-transfer-operate schemes.³⁹

e. Safeguarding

Safeguarding is the process or act of securing village assets in physical, legal, and administrative forms. Safeguarding of village assets must be carried out by the Village Head and village officials. Safeguarding includes administrative safeguarding, physical safeguarding, and legal safeguarding. The cost of safeguarding village assets is charged to the Village Budget (APBDesa).⁴⁰

f. Maintenance

Maintenance refers to activities aimed at ensuring that village assets remain in good condition to support the implementation of village

³⁹ Pasal 18 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁴⁰ Pasal 19 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

governance. Maintenance of village assets is mandatory and must be carried out by the Village Head and village officials.⁴¹

g. Write-off

Write-off is the activity of removing or eliminating village assets from the village inventory data by a decision of the Village Head, thereby releasing the asset manager, asset user, and/or authorized user from administrative and physical responsibility for the asset under their control. The write-off of village assets is carried out in cases where assets are transferred in ownership, destroyed, or lost due to other causes such as loss, theft, or fire.⁴²

h. Transfer of Ownership

Transfer of ownership refers to the conveyance of village assets to other parties. The forms of transfer of village assets include exchange, sale, and equity participation by the village government. The transfer of village assets in the form of village-owned land and/or buildings may only be carried out through exchange and equity participation. Village assets may be sold if they no longer possess utility and/or economic value in supporting village governance and may include plants, crops, and livestock managed by the village government. The sale of assets may be conducted through direct sale and/or auction, which must be accompanied by proof of sale and

⁴¹ Pasal 20 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁴² Pasal 21 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

formalized through a Village Head decision regarding the sale. Proceeds from the sale must be directed to the village treasury as village-generated revenue. Equity participation involving village-owned land is conducted for the purpose of establishing, developing, and improving the performance of Village-Owned Enterprises (BUMDes).⁴³

i. Administration

Administration is a series of activities carried out, including bookkeeping, inventorying, and reporting of village assets in accordance with the applicable provisions. Village assets whose usage status has been determined must be inventoried in the village asset inventory book and assigned a code. Codification is the assignment of a code to goods within village assets to ensure security and certainty of ownership status. Codification is regulated in the general guidelines on village asset codification.⁴⁴

j. Reporting

Reporting is the presentation of information regarding the condition of village assets. Reporting is one form of administrative safeguarding of village assets.

⁴³ Pasal 25 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁴⁴ Pasal 28 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

k. Appraisal

Appraisal is a process of measurement based on objective and relevant data or facts using certain methods or techniques to obtain the value of village assets. The district/city government together with the village government conduct inventorying and appraisal of village assets in accordance with the provisions of laws and regulations.⁴⁵

1. Guidance, Supervision, and Control

The Minister, through the Director General of Village Government Development, the Governor, and the Regent/Mayor, carry out guidance and supervision of the implementation of village asset Governance. In carrying out guidance and supervision, the Regent/Mayor may delegate authority to the Subdistrict Head.⁴⁶

3. General Overview of Sharia Economic Law

Sharia economic law is a legal product in the field of economics in the form of a codification of *fiqh muamalah* norms with adjustments to the evolving social needs.⁴⁷ Principles in governance function not only as a moral guideline but also as a legal framework that ensures a Governance activity or other economic activities are carried out in an ideal and

⁴⁵ Pasal 29 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁴⁶ Pasal 46 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁴⁷ Sovi Nadia, "Penerapan Prinsip – Prinsip Hukum Ekonomi Syariah dalam Pengelolaan Badan Usaha Milik Desa (Studi pada Desa Mekar Jaya Kecamatan Gunung Agung Kabupaten Tulang Bawang Barat)," (*Undergraduate Thesis*, Institut Agama Islam Negeri Metro, 2024)

effective manner. Fathurrahman Djamil, in his book, mentions the general principles of muamalah as follows:⁴⁸

- a. The permissibility of engaging in aspects of muamalah, such as buying, selling, leasing, and other transactions. This is in line with the principle that all muamalah activities are permissible unless there is evidence that prohibits them.
- b. Muamalah must be conducted with the consideration of bringing about benefit (*maslahah*) and preventing harm (*mafsadah*). This principle is closely related to the objectives of sharia (*maqasid al-shariah*), which include the protection of religion (*hifz ad-din*), protection of life (*hifz an-nafs*), protection of intellect (*hifz al-'aql*), protection of wealth (*hifz al-mal*), and protection of lineage (*hifz an-nasl*).
- c. Muamalah must be carried out while maintaining the value of balance, including the balance between material and spiritual development, as well as the use and preservation of resources.
- d. Muamalah must be implemented by upholding the value of justice and avoiding any elements of wrongdoing or oppression (*zulm*). Justice in this context refers to placing something in its proper place, granting rights only to those who are entitled to them, and treating matters in accordance with their appropriate position.

⁴⁸ Fathurrahman Djamil, *Hukum Ekonomi Islam: Sejarah, Teori, dan Konsep*, (Jakarta: Sinar Grafika, 2013), 153

C. Theoretical Framework

1. *Maqashid Sharia* Theory

Terminologically, the term *maqashid* derives from the phrase *al-qawa'id al-maqsiyyah*, which is a combination of the words *al-qawaid* (principles) and *al-maqsiyyah* (objectives). It refers to a set of principles that address issues related to the general objectives of Islamic law. Imam al-Shatibi defined *maqashid sharia* as the purposes of Islamic legislation aimed at realizing the welfare (*maslahah*) and goodness of humankind. According to him, there is no divine law (*hukm Allah*) without an underlying purpose, for a law without purpose would be equivalent to imposing an obligation that cannot be fulfilled (*taklif ma la yutaq*). Thus, *maqashid sharia* refers to the objectives of Allah and His Messenger in formulating Islamic legal rulings. These objectives can be identified through the verses of the Qur'an and the Sunnah of the Prophet Muhammad, serving as the rational basis for the formulation of laws oriented toward achieving the well-being of humanity.⁴⁹

Imam al-Shatibi divided the elements of *maslahah* within *maqashid sharia* into three hierarchical levels, *daruriyyat* (essentials), *hajiyyat* (needs), and *tahsiniyyat* (complementaries). The *daruriyyat* level represents fundamental and primary necessities that must be fulfilled for human life to function properly. At this level, Imam al-Shatibi identified

⁴⁹ Vito Dasrianto, "Teori *Maqashid Al-Syari'ah* dan Implementasinya dalam Hukum Islam," *Juris Sinergi Journal (JSJ)*, 1.2 (2024): 83-91

five essential aspects that must be preserved: the protection of religion (*hifz ad-din*), the protection of life (*hifz an-nafs*), the protection of intellect (*hifz al-aql*), the protection of lineage (*hifz an-nasl*), and the protection of property (*hifz al-mal*).⁵⁰ The discussion on the dysfunction of Pasar Sendang Mulyo in this study is directly related to the principle of *hifz al-mal* within the framework of *maqashid sharia*.

Hifz al-mal in the framework of *maqashid sharia* refers to the preservation of welfare and the balance of resources and wealth. This objective emphasizes the importance of ensuring and maintaining both the well-being and equilibrium of economic resources, including the necessity of their fair and just utilization. To obtain lawful wealth, Islamic law permits various forms of *muamalah* (transactions and social interactions). However, to safeguard it, Islam strictly prohibits the acquisition or consumption of others' wealth through unjust or unlawful means (*bathil*).⁵¹

In the context of Islamic law, *hifz al-mal* means that every action or decision must take into account its impact on the welfare and balance of resources and wealth. The *sharia* laws related to *hifz al-mal* include the protection against both fair and unfair treatment, as well as the prevention of actions that may cause harm or damage to resources and wealth. *Hifz al-mal* also emphasizes the importance of establishing a transparent

⁵⁰ Ahmad Jalili, "Teori *Maqashid Al-Shari'ah* dalam Hukum Islam," *Teraju: Jurnal Syariah dan Hukum*, 3 (2021): 71-79

⁵¹ Zaenudin Mansyur, "Implementasi Teori *Maqashid Syariah* Asy-Syatibi dalam Muamalah Kontemporer," *Jurisdictie: Jurnal Hukum dan Syariah*, 11. 1 (2020): 67-92

system for allocating and managing resources and wealth. The ultimate objective of *hifz al-mal* within the framework of *maqashid sharia* is that every action and decision should prioritize the welfare and balance of resources and wealth, avoid causing harm, and always consider their overall impact on economic equilibrium and social well-being.⁵²

2. Legal Effectiveness Theory

According to the Kamus Besar Bahasa Indonesia (Indonesian Dictionary), effectiveness is defined as something that has an impact, produces results, and reflects the success of an effort or action. Soerjono Soekanto, in his book, explains that the essence of the theory of effectiveness lies in the indicator of whether a regulation has been fulfilled or implemented among members of an organization.⁵³ Law enforcement is closely related to the overall efficiency of the legal system, in which law enforcement agencies play a crucial role in applying sanctions to ensure that regulations function effectively.

The implementation and effectiveness of a regulation depend on both the human aspect and the regulatory aspect as a product of human

⁵² Paryadi, “*Maqashid Syariah: Definisi dan Pendapat Para Ulama*,” *Cross-border*, 4.2 (2021): 201-206

⁵³ Soerjono Soekanto, *Efektivitas Hukum dan Peranan Sanksi*, ed. Tjun Surjaman, Cet 2 (Bandung: Remadja Karya, 1988), 80.

creation. According to Soerjono Soekanto, there are five factors that influence the effectiveness of a law:⁵⁴

a. The Legal Factor

This factor refers to the substance of the law itself, whether the rules and regulations are clear, consistent, and capable of being implemented effectively. The quality of a legal product, its adaptability to social conditions, and its clarity in defining rights and obligations all determine how well it can be applied in practice.

b. The Law Enforcement Factor

The law enforcement factor refers to those who create and implement the law, including police officers, judges, prosecutors, lawyers, and legal advisors for business communities. In other words, law enforcement apparatus encompasses both institutions and individuals responsible for enforcing the law. The effectiveness of law enforcement depends greatly on the integrity, professionalism, and commitment of these actors to uphold justice.

c. Supporting Facilities or Infrastructure Factor

In simple terms, achieving legal objectives requires adequate supporting facilities or infrastructure. These may include well-structured institutions, knowledgeable staff, sufficient financial resources, and appropriate technological or logistical tools. Without

⁵⁴ Soerjono Soekanto, *Faktor – Faktor yang Mempengaruhi Penegakan Hukum*, Ed 1 (Jakarta: Raja Grafindo Persada, 2008)

such facilities, the implementation of laws cannot operate efficiently, regardless of how well the legal framework is designed.

d. The Societal Factor

Law enforcement aims to create harmony and order within society.

This factor refers to the condition of society, including its level of legal awareness and compliance with applicable laws. Public awareness is influenced by several elements, particularly their knowledge of existing laws and their attitudes toward those laws. The higher the community's understanding and acceptance of legal norms, the more effective law enforcement will be.

e. The Cultural Factor

The cultural factor is closely related to the societal factor. The values underlying the law are rooted in culture. According to Soerjono Soekanto, these values include peace and order, moral and spiritual integrity, physical well-being, and the balance between conservatism (continuity) and innovation (progress). The interaction of these values determines how laws are perceived, accepted, and practiced within a community

3. Good Governance Theory

The terms governance and government are often assumed to share the same definition, namely the manner in which authority is exercised within an organization, institution, or state. In fact, the concept of

governance is a broader development of the concept of government, as governance implies that governing is not carried out solely by the government itself, but rather in collaboration with actors outside the government, namely the wider community as stakeholders.⁵⁵ The World Bank defines good governance as the traditions and institutions by which authority in a country is exercised in several dimensions: the process by which governments are selected, monitored, and replaced; the capacity of the government to formulate and implement sound policies; and the respect of both citizens and the state for the institutions that govern economic and social interactions.⁵⁶ Sedarmayanti, in her book entitled “*Good Governance (Kepemerintahan yang Baik)*”, states that the elements of governance are divided into three categories as follows:⁵⁷

a. State/Government

The concept of government is essentially concerned with state activities. However, it goes further by also involving the private sector and civil society organizations.

b. Private Sector

The private sector refers to private enterprises that actively engage in interactions within the market system, such as

⁵⁵ Joko Setyono, “*Good Governance dalam Perspektif Islam (Pendekatan Ushul Fikih: Teori Peningkatan Norma,*” *Jurnal Muqtasid*, 6.1 (2015): 25 - 40

⁵⁶ Oscar Radian Danar, *Teori Governance* (Sleman: Penerbit Deepublish, 2022), 50

⁵⁷ Sedarmayanti, *Good Governance (Kepemerintahan yang Baik) Buku Kedua Edisi Revisi*, (Bandung: CV. Mandar Maju, 2012), 3

manufacturing industries, trade, banking, and cooperatives, as well as activities within the informal sector.

c. Civil Society

Civil society represents a group of communities that, in the context of the state, occupy an intermediate position between the government and individuals. This includes both individuals and community groups that interact socially, politically, and economically.

The United Nations Development Programme (UNDP) outlines the principles of good governance as follows:⁵⁸

a. Participation

This principle means that every citizen has a voice in decision-making, either directly or through legitimate institutions that represent their interests. Such participation is built on the foundation of freedom of association, freedom of speech, and constructive engagement.

b. Rule of Law

This principle signifies that the legal framework must be fair and implemented without discrimination.

⁵⁸ Muhammad Ilham Arisaputra, "Penerapan Prinsip – Prinsip *Good Governance* dalam Penyelenggaraan reforma Agraria di Indonesia," *Yuridika*, 28. 2 (2013): 189 - 216

c. Transparency

The principle of transparency is based on the free flow of information. Processes, institutions, and information must be directly accessible to those who need them. Moreover, all information should be presented in a way that is understandable and subject to monitoring.

d. Responsiveness

This principle emphasizes that all institutions and processes must respond effectively to the needs of stakeholders.

e. Consensus Orientation

This principle views good governance as a mediator of differing interests in order to arrive at the best possible choices that serve the broader public interest, whether in policies or procedures.

f. Equity

This principle means that all citizens have the opportunity to improve or maintain their well-being.

g. Effectiveness and Efficiency

This principle signifies that every process and institution should produce outcomes in line with established goals while making the best use of available resources.

h. Accountability

This principle means that decision-makers in government, the private sector, and civil society are accountable to the public as well as to institutional stakeholders.

i. Strategic Vision

Leaders and the public must have a broad and long-term perspective on good governance and human development, aligned with what is required for sustainable progress.

From these various principles, Sedarmayanti concludes that there are four core principles of good governance as follows:⁵⁹

a. Accountability

This principle means that government officials are obliged to act as bearers of responsibility and liability for every action and policy they establish.

b. Transparency

Under this principle, good governance is characterized by openness toward the public, both at the central and local levels.

c. Openness

This principle requires the government to provide opportunities for citizens to voice their responses and criticisms, particularly when the government is perceived as lacking transparency.

⁵⁹ Sedarmayanti, *Good Governance (Kepemerintahan yang Baik) Buku Kedua Edisi Revisi*, 7

d. Rule of Law

Good governance is marked by the assurance of legal certainty and a sense of justice for society in every public policy undertaken.

CHAPTER III

RESEARCH METHODOLOGY

A. Type of Research

This research employs an empirical legal research method. Empirical legal research is a method that aims to understand law in its practical sense and to examine how law is applied within society. This research will analyze the implementation of Minister of Home Affairs Regulation (Permendagri) Number 1 of 2016 on Village Asset Governance in the context of Sendang Mulyo Market, Sumberdodol Village, from the perspective of sharia economic law.

B. Research Approach

This research employs both a sociological approach and a statute approach. Through the sociological approach, the research examines the factual conditions of the dysfunction of Sendang Mulyo Market and its correlation with the practice of village asset governance by the Sumberdodol Village Government. The statute approach involves examining statutory regulations and other legal instruments relevant to the legal issues under investigation and their application in society. This research uses Permendagri Number 1 of 2016 on Village Asset Governance as the primary legal reference. Through this approach, the study seeks to assess the extent to which the provisions on village asset Governance stipulated in Permendagri Number 1 of 2016 are

implemented in the governance of Sendang Mulyo Market in Sumberdodol Village. The study also aims to identify factors contributing to the dysfunction of Sendang Mulyo Market in relation to the applicable regulations.

C. Research Location

This study will be conducted at Sendang Mulyo Market, Sumberdodol Village, Panekan Subdistrict, Magetan Regency, East Java Province. The rationale for selecting this location is that Sendang Mulyo Market is experiencing dysfunction, which is directly related to the issue under study, namely the implementation of Minister of Home Affairs Regulation (Permendagri) Number 1 of 2016 on Village Asset Governance from the perspective of sharia economic law.

D. Data Sources

1. Primary Data Sources

The primary data sources for this study consist of direct interviews with several parties, including Taufiq, the Secretary of Sumberdodol Village; Wiji, a village resident and buyer or consumer at Sendang Mulyo Market; and Nani, a trader or seller at the market.

2. Secondary Data Sources

The secondary data sources of this research are obtained from statutory regulations, research reports, journal articles, and books relevant to the research topic. In this case, the statutory regulation used is Minister

of Home Affairs Regulation Number 1 of 2016 on Village Asset Governance.

E. Data Collection Methods

1. Observation

This study employs direct observation to examine the condition of Sendang Mulyo Market, which is experiencing dysfunction, based on the perspective of Sharia economic law as outlined in the Regulation of the Minister of Home Affairs Number 1 of 2016. The observation is conducted directly at Sendang Mulyo Market, located in Sumberdodol Village, with the aim of obtaining first-hand information about the market's current condition. The data of the observation will be collected by taking photographs.

2. Interview

In addition to observation, this study conducts direct interviews with several parties, including Taufiq, the Secretary of Sumberdodol Village; Wiji, a village resident and buyer or consumer at Sendang Mulyo Market; and Nani, a trader at the market. In order to support the interview's data, transcript from the interview recordings will also be created.

This study prioritizes data depth over quantity, emphasizing the exploration of experiences, perspectives, and reasoning rather than numerical representation. Each selected informant was chosen based on their direct involvement market's operations. Including more informants

might broaden the discussion but could reduce the analytical depth and focus of the findings. Therefore, the selection of one representative from each category is considered sufficient to illustrate the phenomenon of dysfunction in the utilization of Sendang Mulyo Market while maintaining the study's analytical coherence and focus.

F. Data Processing Methods

This study employs qualitative methods, in which data will be elaborated in more detail to make it more specific. The data processing methods used in this study include data examination, data classification, data verification, data analysis, and drawing conclusion.

CHAPTER IV

RESULT AND DISCUSSION

A. Research Location Profile

Sendang Mulyo Market is located in Metegal Sub-village, RT 01 RW 02, Sumberdodol Village, Panekan District, Magetan Regency. The market was built on village-owned land and is easily accessible to the surrounding community due to its strategic location on the inter-Sub-village connecting route, precisely between Metegal Sub-village and Blanten Sub-village, as well as on the connecting route between Sumberdodol Village and Tanjungsari Village. Sendang Mulyo Market was first established in 1994 as an initiative of the Sumberdodol Village Government to meet the community's need for a place to trade staple goods. Considering that the majority of Sumberdodol Village residents work as farmers, the market plays a vital role in facilitating the village economy, both by providing a place to market agricultural products and to meet daily needs.⁶⁰

For many years of operation, Sendang Mulyo Market became a center of social and economic interaction for the community. However, over time, the condition of the market began to require improvements to provide comfort for both traders and buyers. Therefore, in 2019, the Sumberdodol Village Government carried out a rehabilitation effort. This rehabilitation was not comprehensive but focused mainly on reorganizing the location and adjusting

⁶⁰ Taufiq, wawancara, (Magetan, 17 September 2025)

the facilities so that the market appeared more orderly and organized. Taufiq, the Secretary of Sumberdodol Village, stated,⁶¹

“Kalau pertama kali berdiri sudah lama, Pasar Sendang itu sudah berdiri sejak tahun 1994. Dulu ya berdiri karena kebutuhan masyarakat saja, dan yang dijual di pasar ya kebutuhan – kebutuhan pokok masyarakat, seperti tempe, tahu, bawang, gitu – gitu. Lalu pernah sekali rehabilitasi tahun 2019, ya hanya untuk penyesuaian dan penataan lokasi saja biar lebih tertata.”

The establishment and rehabilitation of Sendang Mulyo Market were carried out solely based on deliberations and mutual agreement between the Sumberdodol Village Government and the local community. In these deliberations, the location of the market was determined by considering the availability of village-owned land, its accessibility for residents, and the potential economic benefits for the community.⁶²

B. The Utilization and Use of the Governance of Sendang Mulyo Market by the Sumberdodol Village Government conducted in accordance with Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets

Law Number 6 of 2014 concerning Villages provides the primary legal foundation for village governance, including the management of village finances and assets. Article 26 paragraph (2)(c) stipulates that one of the authorities of the village head is to hold the power over the management of village finances and assets. This provision indicates that the village head bears

⁶¹ Taufiq, wawancara, (Magetan, 17 September 2025)

⁶² Taufiq, wawancara, (Magetan, 17 september 2025)

full responsibility for ensuring that village assets are utilized optimally and transparently for the welfare of the community.⁶³ Furthermore, Article 76 of the same law outlines various types of village assets, including village treasury land, village markets, village-owned buildings, and other legitimate village properties.⁶⁴ This regulation affirms that the village market is one of the strategic assets with the potential to generate revenue and drive the local village economy.

To elaborate further on the mandate of the Village Law, Government Regulation Number 43 of 2014 concerning the Implementation of Law Number 6 of 2014 on Villages was issued and later amended by Government Regulation Number 47 of 2015. Article 125 of this regulation emphasizes that the utilization of village assets must be based on the results of village deliberations and subsequently stipulated in a village regulation.⁶⁵ This provision highlights the importance of community participation in determining how village assets are utilized to ensure alignment with local needs and potential. As a follow-up to the mandates of the aforementioned law and government regulations, the government then issued Minister of Home Affairs Regulation Number 1 of 2016 concerning the Governance of Village Assets.

Sendang Mulyo Market, which constitutes the village market of Sumberdodol, is categorized as one type of village asset as stipulated in

⁶³ Pasal 26 Undang – Undang Nomor 6 Tahun 2014 tentang Desa

⁶⁴ Pasal 76 Undang – Undang Nomor 6 Tahun 2014 tentang Desa

⁶⁵ Peraturan Pemerintah Nomor 43 Tahun 2015 tentang Peraturan Pelaksanaan Undang – Undang Nomor 6 Tahun 2014 tentang Desa

Permendagri Number 1 of 2016. This regulation further states that the Village Head, assisted by the Village Secretary and other village apparatus, holds the authority and responsibility over the governance of village assets. In accordance with Permendagri Number 1 of 2016, the governance of village assets encompasses planning, procurement, utilization, use, safeguarding, maintenance, write off, transfer of ownership, administration, reporting, appraisal, guidance, supervision, and control of village assets.⁶⁶

The dysfunction of Sendang Mulyo Market has become one of the issues affecting the economic activities of the Sumberdodol community. A market that should serve as a center for trade and economic interaction has failed to function properly. This condition is evident from the limited trading activities, inadequate market facilities and infrastructure, as well as the insufficient role of the market in supporting community welfare.⁶⁷ Therefore, the following discussion will examine only the use and utilization as the aspects of governance to identify which parts of the regulation have been applied and which parts have been neglected or deviated from.

1. Utilization

Utilization refers to activities carried out by asset users in using village assets in accordance with their duties and functions. The utilization of village assets is determined to support the implementation

⁶⁶ Pasal 1 Peraturan Menteri dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁶⁷ Observasi

of village governance. The status of village asset utilization is determined annually through a Village Head Decree.⁶⁸

At the time of its establishment in 1994, the Sendang Mulyo Market did not undergo a formal planning process as a village market categorized as a village asset. Its construction was an initiative purely based on the community's need for a marketplace to trade staple goods and agricultural products, as the majority of the Sumberdodol villagers worked as farmers. At that time, the village government and the local community agreed to utilize village land as the market's location. However, no official documents indicated that the market had been recorded or planned as part of the village asset inventory.⁶⁹ In other words, the establishment of the market was more of a spontaneous initiative rooted in village deliberation rather than the outcome of a structured planning process.

Over time, the existence of Sendang Mulyo Market began to attract the attention of the Sumberdodol Village Government. This encouraged the village government to carry out a market rehabilitation in 2019. Unlike its initial establishment, this rehabilitation was conducted with more careful and structured planning. The village government prepared a plan for reorganizing the market to ensure better order. Taufiq stated,⁷⁰

“Ketika rehabilitasi itu ya sudah direncanakan dan dianggarkan di APB Desa. Waktu itu juga ada masukan – masukan dari masyarakat, yang berdagang juga, tentang apa – apa saja yang sekiranya perlu diperbaiki, kemudian juga dipertimbangkan oleh desa”

⁶⁸ Pasal 10 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁶⁹ Taufiq, wawancara, (Magetan, 17 September 2025)

⁷⁰ Taufiq, wawancara, (Magetan, 17 September 2025)

The rehabilitation planning was also accompanied by the preparation of a budget, which was incorporated into the Village Government Work Plan (RKP Desa) and the Village Revenue and Expenditure Budget (APBDes).⁷¹ Thus, the rehabilitation process of the market was already aligned with the planning mechanisms in the governance of village assets as regulated in Permendagri Number 1 of 2016. This indicates a positive development, shifting from a form of governance that was previously poorly documented to one that is more consistent with applicable regulations.

Although Sendang Mulyo Market was originally built to serve the needs of the community, trading activities within it are no longer active today. In the beginning, the use of Sendang Mulyo Market as a village asset functioned as intended, serving as a distribution hub for local agricultural products and creating employment opportunities for the community.⁷² However, its potential to generate income for the village government was never realized, as there were no specific regulations issued by the Sumberdodol Village Government regarding the governance of the market.⁷³ The absence of a clear authority responsible for managing the market has further worsened its condition, causing Sendang Mulyo Market to lose its function and gradually be abandoned.

⁷¹ Taufiq, wawancara, (Magetan, 17 September 2025)

⁷² Pasal 4 Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

⁷³ Sudarsono, wawancara, (Magetan 1 Agustus 2025)

The administration of village assets is an important step to ensure the clarity of status and the continuity of asset utilization, as stipulated in Permendagri Number 1 of 2016. However, in the case of Sendang Mulyo Market, until now there has been no formal determination of the market's usage status by the Village Head. This condition has resulted in the existence of Sendang Mulyo Market being recognized only informally by the community, without any clear administrative record.

The absence of proper administration by the Sumberdodol Village Government regarding Sendang Mulyo Market has become one of the triggering factors for its dysfunction. The uncertainty in the administration of Sendang Mulyo Market has also forced the traders who initially conducted business in the market to move to other marketplaces in order to continue trading.⁷⁴ This migration further reinforces the impression that Sendang Mulyo Market is no longer the center of the village's economic activity, and at the same time serves as an indicator of weak asset governance in Sumberdodol Village.

2. Use

Use refers to the act of making village assets productive without directly employing them for the implementation of village government duties and without changing their ownership status. The use of village assets may be carried out as long as they are not directly utilized to support

⁷⁴ Nani, wawancara, (Magetan, 17 September 2025)

village governance and must be stipulated in a village regulation. The proceeds generated from the use of village assets constitute village revenue and must be deposited into the village treasury. Forms of the use of village assets may include leasing, lending for use, cooperative use agreements, build-operate-transfer schemes, and build-transfer-operate schemes.⁷⁵

The lack of regulations issued by the Sumberdodol Village Government regarding the governance of Sendang Mulyo Market highlights a gap between the concept of utilization outlined in Minister of Home Affairs Regulation No. 1 of 2016 and the actual practices on the ground. Moreover, this regulatory vacuum has resulted in the market being operated informally, merely based on agreements among traders. Nani, one of the traders at Sendang Mulyo Market, said,⁷⁶

“Kalau soal tempat jualan, biasanya ya pedagang hanya saling sepakat saja. Siapa yang disini, siapa yang disitu, jadi nanti pembeli bisa langsung tau kalo yang jualan tempe tempatnya di situ, bawang di sana. Desa ya tidak ada mengatur apa – apa tentang gimana – gimananya kalau mau jualan di sini.”

Such conditions in practice have resulted in the absence of legal certainty and proper supervision in the use of the market. The lack of regulation and the weak intervention of the village government are among the factors that have led to the dysfunction of Sendang Mulyo Market. This clearly demonstrates a gap between the regulatory

⁷⁵ Pasal 18 Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

⁷⁶

framework for the utilization of village markets as village assets and the reality observed in Sendang Mulyo Market. Such dysfunction reflects weaknesses in the governance of Sendang Mulyo Market as one of the assets of Sumberdodol Village. In relation to this matter, Taufiq stated,

“Sebenarnya kalau pengelolaan Pasar Sendang Mulyo itu pelaksanaannya hampir seluruhnya tidak mengikuti aturan. Ya sebetulnya ini salah, tapi ya kebiasaan di sini pengelolaan seperti itu sifatnya akan selalu disesuaikan dengan kondisi di lapangan saja.”

According to Taufiq, the Village Government of Sumberdodol recognizes that market governance should follow the stages stipulated in the regulation. However, practices in the field indicate that almost all of these stages were not formally implemented. This is largely due to the limited human resources and administrative capacity of the village, as well as the prevailing governance practices that remain simple and based on immediate needs.

With the dysfunctional condition of Sendang Mulyo Market, the Sumberdodol Village Government did not take any further steps. The village government still maintains Sendang Mulyo Market with the hope that there will be an evaluation of its governance in the future. Taufiq said,⁷⁷

“Kalau Pemerintah Desa Sumberdodol sendiri tetap ingin Pasar Sendang Mulyo kedepannya bisa berjalan lagi. Sudah ada rencana untuk membangun ruko menghadap selatan supaya pedagang bisa lebih memadai untuk berdagang. Namun ya memang hingga saat ini memang masih belum terlaksana karena masih ada prioritas – prioritas yang lain, ya masih belum sempat”

⁷⁷ Taufiq, wawancara, (Magetan, 17 September 2025)

Practically, Sendang Mulyo Market, which is now experiencing dysfunction, can be said to provide no contribution or benefits whatsoever to Sumberdodol Village. The fact that Sendang Mulyo Market was last rehabilitated in 2019 but was not followed up with clear usage regulations shows the weak follow-up of the village government in implementing the mandate of the regulation, especially in the use of the village market as the village asset. Looking at the attention of the Sumberdodol Village Government towards the governance of Sendang Mulyo Market, the attitude of maintaining the asset without any plan for reuse or strategic improvement actually has the potential to prolong the dysfunctional condition of the market.

The maintenance of Sendang Mulyo Market as one of the village assets was not carried out properly by the Sumberdodol Village Government. When it was still actively operating, the market was maintained by local youths under the direction of the neighborhood head (RW).⁷⁸ It does not have a specific budget allocation from the Village Government, making all operational activities and utilization largely community-based and participatory in nature. The market's maintenance is entirely carried out independently by the village youth without any financial support from the Village Revenue and Expenditure Budget (APBDes). The maintenance carried out was limited only to communal work activities to clean the market area. This condition clearly shows a

⁷⁸ Taufiq, wawancara, (Magetan, 17 September 2025)

discontinuity between the regulations and the practice in the field. Permendagri Number 1 of 2016 has clearly mandated the obligation of the Village Head and Village Officials to carry out the maintenance of village assets.

Sendang Mulyo Market remains recorded as a village asset even though it is currently experiencing dysfunction. This has created uncertainty regarding the status of the market, both for the village government and the community, because the market is still considered an active asset but does not generate any benefits. Even after rehabilitation was carried out in 2019, Sendang Mulyo Market did not function as it should because there was no clear follow-up governance from the Sumberdodol Village Government.⁷⁹

Based on the discussion above, the governance of Sendang Mulyo Market by the Sumberdodol Village Government, when viewed from the perspective of good governance theory as put forward by Sedarmayanti, shows a clear discrepancy between normative concepts and actual practice in the field. The government, which should serve as the main actor in realizing village market governance as a village asset, has failed to carry out its governance responsibilities in accordance with Minister of Home Affairs Regulation Number 1 of 2016. This is evident from the absence of written policies, the lack of monitoring mechanisms, and the absence of transparency in both the utilization and use processes. As a result, the existence of the

⁷⁹ Observasi

village market has not been able to provide optimal benefits for the community and has instead fallen into dysfunction.

The gap between the private sector and civil society elements as components of the theory of good governance is clearly evident in the case of the dysfunction of Sendang Mulyo Market. Based on interviews with the Sumberdodol Village Government, this village market is not managed through a mechanism that adequately involves local business actors or the village community. In fact, according to Sedarmayanti, the theory of good governance emphasizes the importance of synergy among the elements of government, the private sector, and civil society in the governance of village markets. The inability of the village government to establish collaboration with local economic actors has resulted in the market being neglected and becoming dysfunctional.

In addition, the people of Sumberdodol Village, who should serve as part of civil society, were also not sufficiently involved in the governance process of Sendang Mulyo Market. The limited space for community participation in market governance has made decisions more unilateral on the part of the village government, without considering the real needs of the community. This condition has caused the market governance not only to fail in building cross-sectoral cooperation among the elements of good governance but also to widen the gap between the village government, the private sector, and the Sumberdodol community, who in fact have a direct interest in the existence of the market as a village asset.

Furthermore, the principles of good governance, which include accountability, transparency, openness, and the rule of law, were not properly implemented in the governance of Sendang Mulyo Market. The absence of accountability reports and the lack of information disclosure to the public indicate weak accountability and transparency on the part of the village government. In addition, the failure to follow formal procedures in accordance with applicable legal provisions shows that the aspect of legality in managing village assets has also been neglected. This condition has caused the roles of civil society and the private sector in market governance to be poorly facilitated, preventing the synergy among the elements as idealized in the theory of good governance.

Thus, the failure of the Sumberdodol Village Government to implement the principles and elements of good governance has had a direct impact on the dysfunction of Sendang Mulyo Market as a village asset. The absence of proper governance in accordance with regulations has resulted in the village market's inability to develop or compete within the dynamics of the modern economy. This demonstrates that the main issue lies not merely in the changing preferences of society, but in the weakness of the village government's governance in optimizing public assets in accordance with regulatory mandates and the theory of good governance.

Based on the theory of legal effectiveness proposed by Soerjono Soekanto, the validity of a law is determined by the extent to which the factors influencing it can function properly. In the context of the governance of

Sendang Mulyo Market based on Permendagri Number 1 of 2016, the first factor, namely the law itself, indicates that the regulation has provided clear guidelines regarding the governance of village assets, including village markets. However, the regulation has not been concretely implemented at the village level, so the existing legal norms have not been able to effectively regulate the behavior and practices of village market governance. This shows that good legal substance will not be effective without a strong enforcement mechanism in practice.

Furthermore, from the perspective of law enforcers and the community, the effectiveness of the law in the governance of Sendang Mulyo Market is hindered by the low commitment of the Sumberdodol Village Government and the weak participation of the community. The Sumberdodol Village Government, as the enforcer of regulations, lacks awareness and administrative capacity to implement the principles of asset governance in a professional and sustainable manner. On the other hand, the Sumberdodol Village community, as the legal subjects, are also not actively involved in monitoring or participating in the governance of Sendang Mulyo Market. As a result, the interaction between law-makers and implementers does not occur, making the regulations that should be participatory become mere formalities.

The next factor that also influences legal effectiveness according to Soerjono Soekanto is the availability of facilities or supporting infrastructure, as well as the cultural aspects of society. The inadequate physical facilities of

the market, such as poorly maintained buildings and the lack of supporting infrastructure for trading activities, have caused Sendang Mulyo Market to experience dysfunction. Meanwhile, cultural factors that have shifted people's interest away from shopping at traditional markets have further weakened the vitality of the market. This condition shows that the effectiveness of law cannot be separated from the social and cultural context of society. Therefore, the failure in the governance of Sendang Mulyo Market is not merely due to weak regulations, but rather the suboptimal implementation of the five factors of legal effectiveness proposed by Soerjono Soekanto as a whole.

C. Factors Contributing to the Dysfunction of Sendang Mulyo Market

Sendang Mulyo Market, which initially functioned as the center of buying and selling activities and meeting the needs of the people of Sumberdodol Village, has now experienced dysfunction. Economic activities in this market no longer take place, making the role of the village market as a village asset to drive the local economy far from optimal. Based on interviews with several informants, the factors causing the dysfunction of Pasar Sendang Mulyo can be identified as follows.

1. Interview with the Sumberdodol Village Government

Based on the interview regarding the governance of Pasar Sendang Mulyo conducted with Taufiq, the Secretary of Sumberdodol

Village, it was revealed that its governance has not been running as it should. Taufiq stated,⁸⁰

“Kalau yang mengurus, Pasar Sendang memang tidak ada pengurusnya. Desa tidak mengatur mengenai itu, tapi biasanya ya pemuda sekitar pasar di RW 2 Dusun Metegal itu yang bantu – bantu bersihkan, tapi ya sekarang pasar udah tidak berjalan itu ya tidak ada lagi yang merawat”

From Taufiq’s information, it can be understood that throughout the operation of Pasar Sendang Mulyo, its governance was carried out only through community self-help initiatives. This information also indicates that the market’s governance lacked institutional support from the village government. In fact, regulations explicitly mandate that the governance of village markets is the responsibility of the village government and should be organized separately from general village government.⁸¹ As market activities ceased, the self-help efforts initiated by local youths also came to a halt. This has led to the increasingly poor physical condition of Pasar Sendang Mulyo and the loss of its role as the economic center of Sumberdodol Village.

The failure to implement the mandate of statutory regulations regarding the governance of village markets as village assets in Sumberdodol Village is, of course, accompanied by certain reasons. Taufiq informed that the Sumberdodol Village Government was actually aware of the regulations governing village asset governance.

⁸⁰ Taufiq, wawancara, (Magetan, 17 September 2025)

⁸¹ Pasal 8 Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

However, the governance of Pasar Sendang Mulyo was deliberately carried out by the village government without proper regard for these regulations. Taufiq further stated,⁸²

“Pemahaman dan rasa untuk melaksanakan peraturan itu yang masih rendah. Jadi ya saat ini prioritas pemerintah desa bukan ke arah pasar, apalagi Sumberdodol saat ini punya tempat wisata Sorbendo itu yang makin ramai dikunjungi orang dari mana – mana. Itu yang menjadi perhatian utama pemerintah saat ini. Jadi ya yang lain – lain memang dikesampingkan dulu. Sekali lagi ya pemerintah desa memang ingin Pasar Sendang tetap beroperasi lagi sebagaimana mestinya, tapi ya memang saat ini belum menjadi perhatian utama, lah.”

Sumberdodol Village has not yet made Sendang Mulyo Market a main priority, so attention to market governance tends to be neglected. The Sumberdodol Village Government is currently more focused on managing the Sorbendo tourist site, which is developing and attracting many visitors from various regions. Taufiq stated that the tourist attraction has now become the village's main appeal, thus requiring serious attention and governance.

In addition, one of the causes of the dysfunction of Sendang Mulyo Market, based on the interview with Taufiq, is the low awareness of the village government regarding the urgency of implementing regulations related to village asset governance. Nevertheless, the village government still has the intention for Sendang Mulyo Market to operate again as before. However, efforts to revitalize the market have not yet become the main focus of the current village work program. This

⁸² Taufiq, wawancara, (Magetan, 17 September 2025)

reflects a dilemma of priorities between the governance of a developing tourism sector and the restoration of the market's function. This shows that there is a need for policies that are able to accommodate both sectors so that the governance of village assets can run in a balanced and optimal manner.

2. Interview with the Seller of Sendang Mulyo Market

Based on an interview with Nani, one of the *opak* chips seller who had been selling at Sendang Mulyo Market for approximately ten years, the current condition of the market was described as very concerning. According to her, the condition of Sendang Mulyo Market is currently neglected, the buildings are unfit for use, and the market is deserted. Nani stated,⁸³

“Pasar tidak terurus, ya tidak layak pakai sebenarnya, dan sekarang pembeli hampir tidak ada. Desa juga tidak pernah mengatur orang jualan di pasar. Ya sebenarnya pedagang juga tidak mau diatur – atur kalau ribet, tapi kalau ada aturan ya mestinya sampai sekarang pasarnya masih berjalan, masih rame. Contohnya Pasar Ngiliran itu rame dan hidup, mesti ya itu pemerintah desanya punya aturan. Apalagi, kan, sekarang ada tukang sayur keliling itu, masyarakat ya lebih pilih belanja di depan rumah daripada harus ke pasar. Tapi, ya nasib pedagang ya tidak punya pembeli akhirnya. Kalau ada aturan kan harusnya tetap ada solusinya itu, gimana ada tukang sayur keliling tapi pasar juga tetap berjalan. Itu tukang sayur keliling ya bukan orang sini.”

The results of the interview indicate that the absence of regulations governing the market has become one of the factors causing

⁸³ Nani, wawancara, (Magetan, 17 September 2025)

the dysfunction of Sendang Mulyo Market. Nani highlighted the weak governance of Sendang Mulyo Market carried out by the Sumberdodol Village Government. She assessed that the existence of regulations could in fact help the market to remain operational. Nani provided the example of Ngiliran Market, another village market, which remains lively and vibrant because the local village government has rules regulating market activities and the traders. This shows that the absence of regulations in Sendang Mulyo Market has become one of the factors accelerating the dysfunction of the market.

Furthermore, Nani revealed that aside from the absence of rules from the village government, the presence of itinerant vegetable vendors also influences the decline of Sendang Mulyo Market. People tend to prefer buying their daily necessities from itinerant vendors who come directly to their homes rather than having to go to the market. According to Nani, this condition further worsens the fate of market traders, as buyers continue to decrease, causing them to lose their main source of livelihood. Nevertheless, Nani believed that if the village government had regulations governing the operation of the market, including finding solutions so that the existence of itinerant vendors does not extinguish market activities, then Sendang Mulyo Market has the potential to be revitalized and to provide benefits both to the community and to Sumberdodol Village.

Nani also revealed that the inadequate physical condition of the market has become one of her concerns and obstacles in trading. Nani stated,⁸⁴

“Tempatnya kurang memadai, sejak dulu gitu – gitu saja. Kalau hujan repot, ngga ada atapnya. Waktu rehabilitasi juga baru dua tempat yang dibangun atap. Tapi katanya mau dibangun lagi yang menghadap selatan. Pas pasar sudah sepi gini ya tidak terlalu kerasa rebutan tempatnya, karena yang jualan hanya sedikit. Tapi ya sekarang pembeli juga tidak ada, jadi ya kendalanya tidak punya pembeli. Kalau penjual lain beberapa ada yang ikut jualan di Ngiliran, ada yang sudah tidak jualan. Yang masih bertahan ya ada, sedikit sekali, tapi ya hampir tidak ada pembeli.”

The results of the interview indicate that Nani, as a trader at Sendang Mulyo Market, complained about the decreasing number of buyers in the market. She explained that currently, trading activities are almost nonexistent, so that even the remaining vendors find it difficult to earn an income. Many vendors have chosen to move to Ngiliran Market or have stopped trading altogether. This condition has caused the existence of Sendang Mulyo Market to provide no benefits, and the market building, which should have been a productive village asset, has now become futile.

Despite facing various obstacles, Nani still has great hope that Sendang Mulyo Market can once again function as it should. She hopes the market can become the economic center of the village as it once was, so that traders will have a place to sell with many buyers. Nani

⁸⁴ Nani, wawancara, (Magetan, 17 September 2025)

also suggested that the Village Government should find a solution to the presence of itinerant vegetable vendors, who have so far been considered one of the causes of the market's decline. According to her, there should be a policy that can create a balance between the interests of market traders and itinerant vendors so that competition becomes fair and the market remains active.⁸⁵

3. Interview with the Buyer of Sendang Mulyo Market

Wiji, one of the residents of Sumberdodol Village, conveyed that when Sendang Mulyo Market was still actively operating, she usually bought basic necessities such as shallots, garlic, chilies, and others at the market. Wiji stated,⁸⁶

“Tapi pasar sekarang jarang hidup ya udah tidak pernah kesana lagi. Setelah ada tukang sayur keliling ya sering belanja di tukang sayur keliling. Tapi ya itu, kurang bisa diandalkan karena mereka kadang datang kadang tidak. Kadang datangnya siang hari, padahal butuhnya buat masak pas pagi.”

Based on Wiji's statement, it can be understood that when Sendang Mulyo Market was still operating and had not yet experienced dysfunction, she usually purchased her basic necessities at the market. However, since market activities began to decline, she has rarely visited. Now, she more often shops from itinerant vegetable vendors

⁸⁵ Nani, wawancara, (Magetan, 17 September 2025)

⁸⁶ Wiji, wawancara, (Magetan, 18 September 2025)

who come around the neighborhood, although these vendors do not always come every day and sometimes arrive at inconvenient times, such as in the afternoon when cooking needs are required in the morning.

Regarding the condition of the market, Wiji assessed that Sendang Mulyo Market can no longer be relied upon as a shopping place. Wiji stated,⁸⁷

“Jarang hidup, sudah tidak bisa diandalkan jadi tempat belanja. Yang jualan juga hampir tidak ada. Bukanya juga hampir tidak pernah, paling hanya waktu pasaran pon, wage, dan pahing saja. Pasarnya juga tidak terurus, tidak memadai lah pokoknya. Kondisi yang seperti itu ya bikin orang – orang tidak mau belanja. Ya sepi, ya tidak terawat.”

Based on this statement, Wiji considered that activities at Sendang Mulyo Market are only visible on certain market days such as pon, wage, and pahing, while on other days the market tends to be quiet and there are no trading activities. This condition causes the community to be reluctant to come to the market because there is no guarantee that they can find the goods they are looking for. Wiji stated,⁸⁸

“Sepi penjual, pasar tidak terawat, yang mengelola tidak jelas. Apalagi sekarang pasar sudah tidak hidup lagi. Ya mau belanja aja susah. Mengandalkan tukang sayur keliling juga tidak selalu bisa. Apalagi harganya juga sebenarnya lebih murah kalau di pasar dibandingkan dengan tukang sayur keliling. Kalau di tukang sayur keliling juga susah ditawar harganya.”

⁸⁷ Wiji, wawancara, (Magetan, 18 September 2025)

⁸⁸ Wiji, wawancara, (Magetan, 18 September 2025)

Wiji's statement indicates that the problem occurring in Sendang Mulyo Market is the neglected condition of the market and the absence of a clearly responsible party to manage it. The lack of structured governance has caused the market to be increasingly abandoned, both by traders and buyers, thus paralyzing its function as the economic center of the village.

Although the community relies on itinerant vegetable vendors as an alternative to meet their needs, this dependence is not entirely effective. This is because itinerant vendors do not always come every day and often arrive at inconvenient times. In addition, the prices of goods sold in the market are actually cheaper compared to those of itinerant vendors, and price bargaining in the market is also more flexible. This indicates that although the community still needs the market as a more economical shopping facility, the absence of proper governance has led the market to dysfunction and has driven the community to shift to other options that are less economically advantageous.

Based on the results of interviews with Taufiq, Nani, and Wiji, it can be concluded that the dysfunction of Sendang Mulyo Market is caused by a combination of internal and external factors. From the government's side, the interview with Taufiq, the Secretary of Sumberdodol Village, revealed that the causes of the market's dysfunction are the absence of an official market governance institution, the low awareness and commitment in implementing

regulatory mandates related to village asset governance, as well as the shift in development priorities which are more focused on the development of the Sorbendo tourism sector rather than on the restoration of the market's function.⁸⁹

From the sellers' side, the interview with Nani, a rice cracker (*opak*) seller, revealed that the dysfunction of the market is influenced by the absence of regulations governing market operations, competition with itinerant vegetable sellers who are more favored by the community, as well as the inadequate physical condition of the market which reduces comfort in selling and diminishes buyers' interest.⁹⁰ Meanwhile, from the buyers' side, the interview with Wiji revealed that the dominant factors are the limited market activities that are only lively on certain market days, the neglected condition of the market and the lack of a clear governance body, as well as the shift in consumer behavior toward more practical options through itinerant sellers, even though, economically, prices in the market are actually cheaper and more flexible.⁹¹ Thus, the dysfunction of Sendang Mulyo Market is the result of weak village government governance, poor infrastructure conditions, and changes in community preferences in fulfilling daily needs.

Based on the theory of legal effectiveness proposed by Soerjono Soekanto, one of the factors influencing legal effectiveness is the law itself. In the context of Sendang Mulyo Market, the regulation regarding the

⁸⁹ Taufiq, wawancara, (Magetan, 17 September 2025)

⁹⁰ Nani, wawancara, (Magetan, 17 September 2025)

⁹¹ Wiji, wawancara, (Magetan, 18 September 2025)

governance of village markets as village assets has been clearly stipulated in Permendagri Number 1 of 2016. However, this regulation has not been effectively implemented because it has not been concretely applied by the Sumberdodol Village Government. This can be seen from the absence of an officially appointed management body by the Sumberdodol Village Government to oversee Sendang Mulyo Market, as well as the weak enforcement of rules related to village market governance. Thus, even though the legal norms exist, their effectiveness remains low due to the lack of concrete implementation.

The second factor is law enforcement, namely the village apparatus as the authority responsible for implementing the regulation on village asset governance. Based on interviews with Taufiq, the Village Secretary, the dysfunction of Sendang Mulyo Market arises from the low awareness and commitment of the village government to uphold the mandate of the regulation. The village government has prioritized the development of the Sorbendo tourism sector over improving the function of the market, resulting in the neglect of regulatory enforcement in the governance of Sendang Mulyo Market as a village asset. This indicates that the weak role of the village apparatus as law enforcers has further worsened the condition of the market.

The third factor is the facilities or infrastructure that support law enforcement. In the case of Sendang Mulyo Market, the poor and poorly maintained physical condition of the market hinders the effectiveness of its governance. Nani, a trader, stated that the inadequate infrastructure

discourages vendors from staying, while buyers lose their comfort when shopping. The absence of adequate facilities, both physically and in terms of management, indicates that the supporting aspects of the regulation are not fulfilled, making it difficult for the existing rules to be properly implemented.

The next factors are society and culture. From the societal perspective, the consumption behavior of Sumberdodol Village residents has shifted toward more practical habits, such as purchasing their daily needs from mobile vendors. As explained by Wiji, this reduces dependence on Sendang Mulyo Market, even though prices in the market are actually cheaper and more flexible. From the cultural perspective, the tradition of shopping in the market only during specific market days shows that local cultural practices also influence the effectiveness of market governance regulations. Thus, the shift in community preferences and consumption patterns causes the law related to market governance to function ineffectively, even though the regulation is normatively in place.

D. The Ideal Governance of Village Markets from the Perspective of Sharia Economic Law

The dysfunctional condition of Sendang Mulyo Market indicates that the existence of the market as one of the village assets is no longer functioning as it should. Sendang Mulyo Market, which ought to provide optimal benefits, is instead abandoned without a clear function. From an Islamic perspective, such a condition can be categorized as a form of *israf* or extravagance, which

is prohibited and, terminologically, refers to an act that exceeds the proper limits or measures.⁹² The value of *maslahah* (public benefit) in Islamic economic law lies in the pursuit of goodness and happiness as its ultimate objectives. Therefore, every form of management must avoid the potential for wastefulness (*mubadzir*), which would only bring harm, both materially and socially. With regard to *mubadzir*, Allah says:

إِنَّ الْمُبَذِّرِينَ كَانُوا إِخْوَانَ الشَّيَاطِينِ ۖ وَكَانَ الشَّيْطَانُ لِرَبِّهِ كَفُورًا

Translation: *Indeed, the wasteful are brothers of the devils, and ever has satan been to his Lord ungrateful.* (QS. AL-Isra: 27)

Sharia economic law is a legal product in the field of economics in the form of a codification of *fiqh muamalah* norms with adjustments to the evolving social needs.⁹³ Principles in governance function not only as a moral guideline but also as a legal framework that ensures a Governance activity or other economic activities are carried out in an ideal and effective manner. Fathurrahman Djamil, in his book, mentions the general principles of muamalah as follows:⁹⁴

- e. The permissibility of engaging in aspects of muamalah, such as buying, selling, leasing, and other transactions. This is in line with the principle

⁹² Fatikhatul Malikah, “Konsep *Mubazir* dalam Al-Qur’an (Relevansinya terhadap Fenomena Belanja Online Tanggal Cantik,” *Undergraduate Thesis* Universitas Islam Negeri Maulana Malik Ibrahim Malang, 2022

⁹³ Sovi Nadia, “Penerapan Prinsip – Prinsip Hukum Ekonomi Syariah dalam Pengelolaan Badan Usaha Milik Desa (Studi pada Desa Mekar Jaya Kecamatan Gunung Agung Kabupaten Tulang Bawang Barat),” (*Undergraduate Thesis*, Institut Agama Islam Negeri Metro, 2024)

⁹⁴ Fathurrahman Djamil, *Hukum Ekonomi Islam: Sejarah, Teori, dan Konsep*, (Jakarta: Sinar Grafika, 2013), 153

that all muamalah activities are permissible unless there is evidence that prohibits them.

- f. Muamalah must be conducted with the consideration of bringing about benefit (*maslahah*) and preventing harm (*mafsadah*). This principle is closely related to the objectives of sharia (*maqasid al-shariah*), which include the protection of religion (*hifz ad-din*), protection of life (*hifz an-nafs*), protection of intellect (*hifz al-‘aql*), protection of wealth (*hifz al-mal*), and protection of lineage (*hifz an-nasl*).
- g. Muamalah must be carried out while maintaining the value of balance, including the balance between material and spiritual development, as well as the use and preservation of resources.
- h. Muamalah must be implemented by upholding the value of justice and avoiding any elements of wrongdoing or oppression (*zulm*). Justice in this context refers to placing something in its proper place, granting rights only to those who are entitled to them, and treating matters in accordance with their appropriate position.

The ideal governance of a village market from the perspective of Sharia economic law is governance that upholds the principles of muamalah in its implementation. Although the modern era is characterized by the proliferation of minimarkets and online shopping, not all communities have access to such advancements, including the people of Sumberdodol Village. Based on the results of interviews with several informants as presented in the previous discussion, the existence of Sendang Mulyo Market is still expected to serve

as a source of livelihood for both sellers and buyers. Therefore, the dysfunctional condition of the market has brought negative impacts on the public welfare.

In Islam, faith is the fundamental factor for individuals to believe that all their activities will ultimately be held accountable before Allah. This serves as the foundation for all human beings in fulfilling their duty as Allah's *khalifah* (vicegerent) on earth.⁹⁵ One of the elements in the theory of good governance according to Sedarmayanti is the state or government.⁹⁶ In this context, the village government is the primary trustee in the governance of the village market as a village asset and is responsible for ensuring that the market functions optimally, is not abandoned, and does not fall into a state of wastefulness (*mubadzir*). This is in line with Minister of Home Affairs Regulation Number 1 of 2016, which mandates the management of village markets to the village government. Thus, the village government must apply the principle of accountability by taking responsibility for its market governance policies before the community.

Within the framework of good governance, the element of the village government, the private sector which includes sellers and business actors, as well as civil society which includes buyers and villagers, must synergize so that the governance of the village market becomes ideal and optimal. The principle of transparency in good governance that must be realized in the

⁹⁵ Adinda Dewi Asmara, et al., "Penerapan Nilai – Nilai Islam dalam *Good Governance* di Indonesia," *Mediasosian: Jurnal Ilmu Sosial dan Ilmu Administrasi Negara*, 6.2 (2022): 259-276

⁹⁶ Sedarmayanti, *Good Governance "Kepemerintahan yang Baik" Bagian Kedua Edisi Revisi*, 4

governance of the village market as a village asset is related to the value of *amanah* in Sharia. This principle of transparency is connected with the obligation of the village government to provide reports that are clear, accurate, and detailed regarding assets, revenues, and also the governance that is carried out. The prohibition against betraying the *amanah* is explained by Allah in His word:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا أَمَانَاتِكُمْ وَأَنْتُمْ تَعْلَمُونَ

Translation: *O you who have believed, do not betray Allah and the Messenger, nor betray your trust knowingly.* (QS. Al-Anfal:27)

In addition to the village government, the involvement of the community to realize the ideal governance of the market is also required. Community involvement is the implementation of the principle of openness in good governance. In Sharia, community participation is known as the value of *syura* or the value of deliberation.⁹⁷ Allah says:

.....وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ

Translation:and those who respond to their Lord, establish prayer, conduct their affairs by mutual consultation, and donate from what We have provided for them. (QS. Asy-Syura: 38)

The ideal governance of the village market in the perspective of Sharia economic law must also fulfill the principles of *maslahah* (benefit), justice,

⁹⁷ Adinda Dewi Asmara, et al., "Penerapan Nilai – Nilai Islam dalam *Good Governance* di Indonesia," *Mediasosian: Jurnal Ilmu Sosial dan Ilmu Administrasi Negara*, 6.2 (2022): 259-276

and balance. In general, *maslahah* is defined as goodness or welfare, both in this world and in the Hereafter. *Maslahah* is also defined as everything that contains benefits, goodness, and avoidance of *mudharat* (harm) and *mufسادah* (corruption).⁹⁸ *Maslahah* is closely related to *maqashid sharia*, one of which is the preservation of property (*hifz al-mal*). The ideal governance of the village market in the perspective of Sharia economic law has the objective to ensure that the village market as a village asset does not become neglected in vain.

By implementing the objective of *hifz al-mal* (protection of wealth) within the framework of *maqashid al-shariah*, the ideal governance of a village market should be oriented toward efforts to preserve and maintain village assets so that they continue to provide benefits to the community. In order to achieve public welfare (*maslahah*), Allah prohibits humans from managing wealth in a corrupt or unjust manner, as such actions may cause harm to others. Allah says:

وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ وَتُذِلُّوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ

وَأَنْتُمْ تَعْلَمُونَ

Translation: *And do not consume one another's wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a*

⁹⁸ Muhammad Sulton Arif, Mohamad Djasuli, "Good Governance dalam Sudut Pandang Islam," *Jurnal Ekonomi, Manajemen, Bisnis, dan Sosial (EMBISS)*, 2.2 (2022): 207-218

portion of the wealth of the people in sin, while you know [it is unlawful].

(QS. Al-Baqarah: 188)

In the context of Pasar Sendang Mulyo, the Sumberdodol Village Government has an obligation to ensure that the market is managed through an official institution capable of maintaining the balance of asset utilization, so that the existence of the market does not become idle or abandoned. The absence of a clear management institution and the lack of commitment to implementing regulations indicate negligence toward the principle of *hifz al-mal*, as the village asset is left unproductive and fails to contribute to the welfare of the community.

Furthermore, *hifz al-mal* also emphasizes the importance of a fair management system that does not harm any party and does not cause damage to resources. In the case of Pasar Sendang Mulyo, the deteriorated and unfit physical condition of the market, along with the absence of regulations governing trade activities, demonstrates weak protection of both the asset and the economic actors who rely on the market. To align with the principles of Islamic economic law, market governance should be directed toward restoring the market's function, improving infrastructure, and establishing regulations that promote fairness between market traders and mobile vendors. Thus, the market can once again function as a productive village asset in accordance with the objectives of *maqashid sharia* namely preserving wealth and supporting community welfare.

The principle of justice in Sharia economic law is known as *al-'adalah*, while balance is known as *tawazun*. *Tawazun* is more frequently used in explaining physical phenomena, although it also carries social implications, which then often fall within the domain of *al-'adalah* or justice as a manifestation of *tawhid*, particularly in the socio-community context, including economic and business justice. The principle of justice in the governance of an ideal market can be realized through the establishment of regulations that do not harm any party. Meanwhile, the principle of *tawazun* can be implemented through the arrangement of the market so that it is not limited merely to being an economic transaction space, but also maintains environmental balance, as well as social order through the provision of adequate facilities. Allah says:

وَالسَّمَاءَ رَفَعَهَا وَوَضَعَ الْمِيزَانَ () أَلَّا تَطْغَوْا فِي الْمِيزَانِ () وَأَقِيمُوا الْوَزْنَ بِالْقِسْطِ وَلَا تُخْسِرُوا

الْمِيزَانَ

Translation: *And the heaven He raised and imposed the balance. That you not transgress within the balance. And establish weight in justice and do not make deficient the balance.* (QS. Ar-Rahman: 7-9)

By adhering to Islamic economic law and realizing the objective of *hifz al-mal* within the framework of *maqashid sharia*, the ideal governance of a village market based on Permendagri Number 1 of 2016 can be described as follows:

1. Planning

The planning of Pasar Sendang Mulyo by the Sumberdodol Village Government must be grounded in the principles of *al-adalah* (justice) and *maslahah* (public benefit) as regulated in Islamic economic law. The planning stage should be carried out in a participatory manner by embodying the value of *syura* (consultation), involving all elements of good governance, namely the village government, business actors, and civil society. Such involvement represents the implementation of the principles of transparency and openness in good governance. With proper planning, the objective of *maqashid sharia*, *hifz al-mal* can be achieved, thereby realizing both shared resources and collective prosperity.

2. Procurement

From the perspective of Islamic economic law, the procurement of a village market must be carried out transparently as a form of *amanah* (trust or responsibility) of the village government. This procurement process should also take into account the facilities and infrastructure required for effective market governance, as these are among the key factors influencing the effectiveness of law enforcement. By conducting procurement in such a manner, the principles of justice and *maslahah* as emphasized in Islamic economic law, can be realized.

Consequently, the procurement of the village market will fulfill the objective of *hifz al-mal* by safeguarding public wealth from misuse.

3. Utilization and Use

In the stage of utilization and use, the market must be regulated so that all residents have equal opportunities to trade and conduct transactions. The Sumberdodol Village Government may establish rental policies for market stalls that are affordable and flexible for small traders, thereby creating economic justice and equitable benefits. The principle of *maslahah* (public benefit) is realized when market governance not only benefits individuals but also strengthens the village economy collectively.

According to the theory of legal effectiveness, the legal factor itself and the community must operate synergistically. This means that the rules regarding the use of stalls should be written and easily understood, while the community must be provided with legal education to enable them to fulfill their obligations consciously. The balance between regulation and social needs represents the realization of the value of *hifz al-mal*, ensuring that the village market, as a village asset, remains productive and sustainable.

4. Safeguarding and Maintenance

In efforts to ensure the safeguarding and maintenance of the village market, the village government may establish a market management body authorized to oversee supervision, cleanliness, and safety within the market area. The principles of transparency and accountability are implemented through a periodic reporting system accessible to the public. Within the framework of Islamic economic law, this reflects justice and *maslahah* (public benefit), as the village market, being a village asset, is safeguarded to ensure the continuity of its benefits. From the perspective of legal effectiveness, the factors of law enforcement and facilities are essential. In this context, enforcing regulations supported by adequate facilities will maintain the sustainability of the market while protecting the community's economic value in accordance with the objectives of *hifz al-mal*.

5. Administration, Reporting, and Appraisal

In terms of administration, the Sumberdodol Village Government must record all data related to the village market assets in an orderly and transparent manner, and report it regularly, including to the public. This reflects the principles of openness and accountability while realizing the values of justice and balance within Islamic economic law. Through a systematic administration and reporting system, the

objective of hifz al-mal can be achieved, thereby enhancing public trust and promoting the overall maslahah (well-being) of the community

CHAPTER V

CONCLUSION

A. Conclusion

1. Based on the study of the governance of Sendang Mulyo Market by the Sumberdodol Village Government under Permendagri Number 1 of 2016, using the theory of good governance and Soerjono Soekanto's theory of legal effectiveness, it can be concluded that the dysfunction of the market arises from the weak implementation of governance principles and the lack of effective law enforcement. The regulation provides clear guidelines for managing village assets, including markets; however, these provisions have not been concretely implemented at the village level. This situation reflects a governance gap where the existence of regulations does not necessarily ensure their application in practice.

From the perspective of good governance, the Sumberdodol Village Government has not succeeded in fostering synergy among the three main elements, government, private sector, and civil society. The principles of transparency, accountability, participation, and adherence to the rule of law have not been properly realized. The absence of an official management body, lack of accountability reports, and limited community involvement indicate that the governance of Sendang Mulyo Market is still one-sided and not participatory. Consequently, the market has failed to function as a productive village asset that supports the community's economic welfare.

Meanwhile, based on the theory of legal effectiveness, the low effectiveness of Sendang Mulyo Market governance is influenced by several factors: the lack of concrete implementation of legal norms, weak commitment from village officials, inadequate facilities, low community legal awareness, and cultural changes that have shifted people's buying behavior away from traditional markets. Therefore, to restore the function of the market, it is essential to strengthen the institutional framework, enhance public participation, and ensure that the principles of good governance and legal effectiveness are applied in an integrated and sustainable manner.

2. Based on the study of the theory of legal effectiveness proposed by Soerjono Soekanto, the dysfunction of Sendang Mulyo Market indicates that the existence of regulations under Permendagri Number 1 of 2016 has not been effectively implemented in Sumberdodol Village. This condition is influenced by weak law enforcement, the low commitment of village officials as rule enforcers, and the absence of an official institution that should serve as the market's management body. The situation is further exacerbated by inadequate market infrastructure, resulting in the regulation's failure to optimize village assets and deliver tangible benefits to the community. All these factors emphasize that the governance of Sendang Mulyo Market requires comprehensive reform to restore its function as a productive village asset.

3. The ideal governance of a village market from the perspective of Islamic economic law is governance that effectively incorporates Sharia principles within its implementation. This means that the management of a village market must uphold the principles of *maslahah* (public benefit), justice, and balance. Generally, *maslahah* is understood as goodness or welfare, both in worldly and spiritual terms. It also refers to everything that brings benefit, goodness, and prevents harm (*mudharat*) or damage (*mufsadah*). Referring to the objective of *hifz al-mal* (protection of wealth) in *maqashid sharia* the management of village markets should aim to preserve and maintain village assets so that they continue to provide benefits for the community. In the context of Pasar Sendang Mulyo, the government of Sumberdodol Village has an obligation to ensure that the market is managed through an official institution capable of maintaining the balance in asset utilization, so that the existence of the market does not become wasteful or abandoned.

B. Recommendations

1. For the government of Sumberdodol Village, in implementing the improvement plan for the governance of Pasar Sendang Mulyo, it is recommended to establish regulations and an official institutional body responsible for managing Pasar Sendang Mulyo in order to fulfill the mandate of Minister of Home Affairs Regulation (Permendagri) Number 1 of 2016, so that Pasar Sendang Mulyo can once again function properly

as a village asset. In addition, the village government is expected to implement village market governance based on the principles of Islamic economic law, particularly the objective of *hifz al-mal* within *maqashid sharia*, to ensure the preservation and maintenance of the village market as a village asset so that it does not become neglected or unproductive.

2. For future research, studies may be directed toward a more in-depth examination of the implementation of Permendagri Number 1 of 2016 in various villages to obtain a comparative overview of the regulation's effectiveness in managing village assets. Furthermore, research can also explore other related juridical aspects, such as the connection between village market management and regulations on micro-enterprise licensing, spatial planning, or village financial management. By broadening the scope to include relevant legal instruments, future legal research is expected to provide more practical recommendations for improving the governance of village assets

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Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa

Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa

Peraturan Pemerintah Nomor 43 Tahun 2015 tentang Peraturan Pelaksanaan Undang – Undang Nomor 6 Tahun 2014 tentang Desa

Undang – Undang Nomor 6 tahun 2014 tentang Desa

APPENDIXES



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
 Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341) 559399
 Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : 536 /F.Sy.I/TL.01/06/2025
 Hal : **Pra-Penelitian**
Malang, 04 Agustus 2025

Kepada Yth.
 Kepala Desa Sumberdodol
 Desa Sumberdodol, Kecamatan Panekan, Kabupaten Magetan

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nyiur Salsabila Frida
 NIM : 220202110029
 Fakultas : Syariah
 Program Studi : Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan *Pra Research* dengan judul :
Implementasi Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang
Pengelolaan Pasar Desa: Studi di Pasar Sendang Desa Sumberdodol, pada instansi
 yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi





n. Dekan
 Wakil Dekan Bidang Akademik,
 Intenul Mahmudi

Tembusan :

1. Dekan
2. Ketua Prodi Hukum Ekonomi Syariah
3. Kabag. Tata Usaha



Appendix 1. Pre-Research Letter



**PEMERINTAH KABUPATEN MAGETAN
KECAMATAN PANEKAN
DESA SUMBERDODOL**

Jalan Tirtomudo No. 1 Desa Sumberdodol, Kode Pos 63352
Website : www.sumberdodol.magetan.go.id email : sumberdodolmagetan@gmail.com

Sumberdodol, 5 Agustus 2025

Nomor : 470/ 202 /403.408.8/2025
Sifat : Biasa
Lampiran : -
Perihal : Izin melaksanakan pra-
penelitian

Kepada Yth.
Dekan Fakultas Syariah
UIN Maulana Malik Ibrahim Malang

di- MALANG

Assalamu'alaikum wa Rahmatullah wa Barakatuh

Dengan Hormat,

Berdasar surat saudara tanggal 04 Agustus 2025 Nomor 536/F.Sy.I/TL.01/06/2025 hal Pra-Penelitian, dengan ini kami sampaikan beberapa hal berikut :

1. Bahwa kami **memberikan izin dan berkenan** untuk mengadakan *Pra Research* dengan judul Implementasi Peraturan Menteri Dalam Negeri Nomor 42 Tahun 2007 tentang Pengelolaan Pasar Desa : Studi di Pasar Sendang Desa Sumberdodol, kepada :
Nama : Nyiur Salsabila Frida;
NIM : 220202110029;
Fakultas : Syariah;
Program Studi : Hukum Ekonomi Islam.
2. Bahwa dalam melaksanakan kegiatan tersebut kami berharap untuk tetap berkoordinasi dengan Pemerintah Desa Sumberdodol, menjaga ketertiban, bersikap sopan santun yang merupakan budaya di Desa Sumberdodol serta tetap menghormati adat istiadat setempat.

Demikian untuk menjadi maklum.

Wassalamu'alaikum wa Rahmatullah wa Barakatuh

a.n. KEPALA DESA SUMBERDODOL

SEKRETARIS DESA


TAUFIQ RIZAL AROHMAN, S.H.

Appendix 2. Pre-Research Response Letter



Appendix 3. Interview with the Sumberdodol Village Government



Appendix 4. Interview with a Seller at Sendang Mulyo Market



Appendix 5. Interview with a Buyer at Sendang Mulyo Market

Appendix 6. Interview Questions

**DISFUNGSI PASAR SENDANG MULYO DALAM TATA KELOLA ASET DESA
BERDASARKAN PERMENDAGRI NOMOR 1 TAHUN 2016 PERSPEKTIF HUKUM
EKONOMI SYARIAH**

PERTANYAAN WAWANCARA PENELITIAN

1. Pertanyaan Taufiq (Sekretaris Desa)

- a. Bagaimana sejarah berdirinya Pasar Sendang Mulyo?
- b. Bagaimana pemahaman Pemerintah Desa Sumberdodol mengenai aturan tentang pengelolaan asset desa yang tercantum dalam Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2016 tentang Pengelolaan Aset Desa?
- c. Bagaimana proses pengelolaan Pasar Sendang Mulyo yang dilakukan oleh Pemerintah Desa Sumberdodol?
- d. Apa saja kendala yang dihadapi Pemerintah Desa Sumberdodol dalam pengelolaan Pasar Sendang Mulyo?
- e. Bagaimana rencana Pemerintah Desa Sumberdodol terhadap pengelolaan Pasar Sendang Mulyo?

2. Pertanyaan Nani (Pedagang)

- a. Sejak kapan Anda berdagang di Pasar Sendang Mulyo?
- b. Bagaimana menurut Anda kondisi Pasar Sendang Mulyo saat ini?
- c. Bagaimana menurut Anda pengelolaan Pasar Sendang Mulyo oleh Pemerintah Desa Sumberdodol?
- d. Apa kendala yang Anda hadapi Ketika berdagang di Pasar Sendang Mulyo?
- e. Apa harapan Anda terhadap Pasar Sendang Mulyo?

3. Pertanyaan Wiji (Pembeli)

- a. Seberapa sering Anda berbelanja di Pasar Sendang Mulyo?
- b. Bagaimana menurut Anda kondisi Pasar Sendang Mulyo saat ini?
- c. Bagaimana menurut Anda pengelolaan Pasar Sendang Mulyo oleh Pemerintah Desa Sumberdodol?
- d. Apa kendala yang Anda hadapi ketika berbelanja di Pasar Sendang Mulyo?
- e. Apa harapan Anda terhadap Pasar Sendang Mulyo?

CURRICULUM VITAE



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|-------------------------|---|---|
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