

# The interconnection of *Maṣlahah* in Traditional Market Management Policy during the Pandemic in the City of Yogyakarta

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**Abstract:** The COVID-19 pandemic has an impact on all aspects of community life. The central government stipulates rules for limiting community activities that have an impact on the community's economic decline. This condition becomes the basis for the Yogyakarta City Government in making anticipatory and adaptive policies in the management of traditional markets. The policy is oriented towards achieving two benefits at once, namely the protection of life and property. This article analyzes the policies of the Yogyakarta City Government in managing traditional markets during the pandemic and to what extent these policies can achieve social and economic protection for the community. The analysis of these problems uses the *maqāṣid al-sharīʿa* approach with the interconnectivity theory of *maṣlahah*. The results show that the Yogyakarta City government's policy places social protection (*hiḍḍ an-nafs*) and economic protection (*hiḍḍ al-māl*) as the interests of the community that must be protected. The Yogyakarta City Government continues to implement the central government's instructions by limiting operating hours and the number of visitors to traditional markets, but at the same time reducing user fees and encouraging online shopping promotions. The protection of the two benefits is carried out interconnectively, so that the achievement of one benefit does not cause damage to the fulfillment of the other's needs. The Yogyakarta City Government places these two protections as primary needs that must be protected so as not to cause social and economic damage.

**Keywords:** interconnectivity *maṣlahah*; covid-19 pandemic; traditional markets; social and economic protection

**Abstrak:** Pandemi covid-19 berdampak pada semua aspek kehidupan masyarakat. Pemerintah pusat menetapkan aturan pembatasan kegiatan masyarakat yang berdampak pada menurunnya ekonomi masyarakat. Kondisi ini menjadi dasar bagi Pemerintah Kota Yogyakarta dalam membuat kebijakan yang antisipatif dan adaptif dalam pengelolaan pasar tradisional. Kebijakan tersebut berorientasi pada pencapaian dua kemaslahatan sekaligus, yaitu perlindungan jiwa dan harta. Artikel ini menganalisis bagaimana kebijakan Pemerintah Kota Yogyakarta dalam pengelolaan pasar tradisional pada masa

pandemi dan sejauh mana kebijakan tersebut dapat mewujudkan perlindungan sosial dan ekonomi masyarakat. Analisis terhadap masalah tersebut menggunakan pendekatan *maqāṣid al-sharī'a* dengan teori interkoneksi *maṣlahah*. Hasil penelitian menunjukkan bahwa kebijakan Pemerintah Kota Yogyakarta mendukung perlindungan sosial (*hiḏ an-nafs*) dan perlindungan ekonomi (*hiḏ al-māl*) sebagai kepentingan masyarakat yang harus dilindungi. Pemerintah Kota Yogyakarta tetap menerapkan instruksi pemerintah pusat dengan membatasi jam operasional dan jumlah pengunjung pasar tradisional, namun pada saat yang sama memberikan pengurangan retribusi dan menggiatkan promosi belanja online. Perlindungan kedua kemaslahatan tersebut dilaksanakan secara interkoneksi, sehingga pencapaian kemaslahatan yang satu tidak berdampak kerusakan pada pemenuhan kemaslahatan yang lain. Pemerintah Kota Yogyakarta menempatkan kedua perlindungan tersebut sebagai kebutuhan primer yang harus dilindungi sehingga tidak menimbulkan kerusakan sosial dan ekonomi.

**Kata kunci:** interkoneksi *maṣlahah*; pandemi covid-19; pasar tradisional; perlindungan sosial dan ekonomi

## Introduction

Market places are impacted sectors directly by the Covid-19 pandemic, both modern markets and also traditional markets. However, the government has implemented some strategies in controlling the coronavirus spreading by limited community activities. This policy affects market transactions between sellers and buyers to be limited and reduced. Also, it has led to the decline of the market-based economy and the weakening of the community's economy. This phenomenon indirectly impacts decreasing government revenue from the tax sector and increasing the number of unemployed. In the Special Region of Yogyakarta, as a province that the number of unemployed reached 31.78% or 101,850 in 2020.<sup>1</sup>

The pandemic has also affected retailers, and even a few companies have decided to close their businesses. Retail companies affected by the pandemic include (1) PT. Hero Supermarket Tbk closed all of their Giant outlets at the end of July 2020; (2) PT. Matahari Department Store Tbk (LPFF) has closed 25 of their outlets in several cities because of the burden on operational costs, including

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<sup>1</sup> Sahat M.T. Panggabean, *Kajian Fiskal Regional Tahun 2020 D.I. Yogyakarta*.

LPPF Lippo PLZ Mall Jogja, GTC TC Makassar, Lippo Mal Kuta, Lippo PLZ Mall Gresik; (3) The Centro outlet at Ambarukmo Plaza became the first outlet to be closed after 15 years of providing public services; (4) Golden Truly, as of December 1, 2020, officially closed offline outlets and will focus on being managed online.<sup>2</sup>

Traditional markets still face a difficult situation to grow and develop when competing with modern markets. These difficulties were exacerbated when the Covid-19 pandemic hit the economic system in Indonesia. One of the pandemic impacts for traditional markets is the decrease in the number of visitors, which has an impact on decreasing sales turnover by 40% and decreasing the number of traders by 29%.<sup>3</sup>

Azimah's research found that the Covid-19 pandemic caused a 50% decrease in turnover and income for market traders in Klaten and Wonogiri.<sup>4</sup> The social distancing policy also affects the welfare of Kartasura traditional market traders. Because the market is quiet, people's purchasing power has decreased, and the distribution of materials has been hampered. Faced with this situation, the traditional Kartasura traders carried out strategies by reducing their merchandise, lowering prices, and shifting professions.<sup>5</sup> On the other hand,

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<sup>2</sup> Rifan Aditya, "Daftar Perusahaan Ritel Yang Tutup Usaha Saat Pandemi, Tak Hanya Giant," *Suara.Com*, last modified 2021, accessed July 14, 2021, <https://www.suara.com/bisnis/2021/05/30/144416/daftar-perusahaan-ritel-yang-tutup-usaha-saat-pandemi-tak-hanya-giant?page=all>. See also in Luthfia Ayu Azanella, "3 Perusahaan Ritel Besar Yang Tutup Gerai Di Tengah Pandemi Covid-19, Mana Saja?," *Kompas.Com*, last modified 2021, accessed July 14, 2021, <https://www.kompas.com/tren/read/2021/05/26/150500265/3-perusahaan-ritel-besar-yang-tutup-gerai-di-tengah-pandemi-covid-19-mana?page=all>.

<sup>3</sup> Dinda Wulandari, "Omset Pedagang Pasar Tradisional Anjlok 40 Persen Saat Pandemi Covid-19," *Bisnis.Com*, last modified 2020, accessed July 7, 2021, <https://ekonomi.bisnis.com/read/20200729/12/1272678/omset-pedagang-pasar-tradisional-anjlok-40-persen-saat-pandemi-covid-19>.

<sup>4</sup> Rizki Nor Azimah et al., "Analisis Dampak Covid-19 Terhadap Sosial Ekonomi Pedagang di Pasar Klaten Dan Wonogiri," *EMPATI: Jurnal Ilmu Kesejahteraan Sosial* 9, no. 1 (2020), p. 60.

<sup>5</sup> Christina Purbawati, Lathifah Nurul Hidayah, and Markhamah Markhamah, "Dampak Social Distancing terhadap Kesejahteraan Pedagang di Pasar Tradisional Kartasura Pada Era Pandemi Korona," *Jurnal Ilmiah Muqoddimah: Jurnal Ilmu Sosial, Politik dan Humaniora* 4, no. 2 (2020), p. 156.

traditional traders in Thamrin City Jakarta carry out different strategies.

In Octaviani's findings,<sup>6</sup> traders affected by the Covid-19 pandemic carried out three strategies: optimizing all available resources to increase income, minimizing expenses, and taking advantage of social network relationships. They also change their trading behavior, namely by utilizing e-commerce. Hendi Putra found different things, who researched the behavior of market traders in Palembang City during the pandemic. Market participants in Palembang have not been able to adapt to the pandemic situation, so it is still found that market participants do not comply with health protocols, such as not implementing social distancing and not wearing masks.<sup>7</sup>

The management of traditional markets during the Covid-19 pandemic must follow the rules set by the central government. Some rules that have an impact on changes in traditional market management are Minister of Health Regulation Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions/*Pedoman Pembatasan Sosial Berskala Besar* (PSBB), Minister of Home Affairs Instruction (Mendagri) Number 1 of 2021 concerning Enforcement of Restrictions on Community Activities/*Pemberlakuan Pembatasan Kegiatan Masyarakat* (PPKM), Minister of Home Affairs Instruction Number 14 of 2021 concerning Micro-Based PPKM, Instruction of the Minister of Home Affairs Number 22 of 2021 concerning Emergency PPKM, and Instruction of the Minister of Home Affairs Number 27 of 2021 concerning PPKM in Level 4, Level 3, and Level 2. All rules regulate the limitation of shopping center operating hours, which is 15.00 local time, and the maximum number of visitors is only limited to 50%. This rule applies nationally because the instruction is addressed to all governors, mayors, and regents in the territory of Indonesia.

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<sup>6</sup> Ismi Octaviani, Abdul Haris Fatgehipon, and Sujarwo, "Strategi Adaptasi Pedagang Tradisional Saat Pandemi Covid-19," *Edukasi IPS* 4, no. 1 (2020), p. 18.

<sup>7</sup> Hendi Warlika et al., "Community Adaptation to Traditional Markets during the Pandemic Period in Palembang City," in *4th Forum in Research, Science, and Technology*, vol. 7 (Atlantis Highlights in Engineering, 2020), p. 374.

Restrictions on operating hours and the number of market visitors have resulted in the lack of traditional market visitors while reducing traders' income.<sup>8</sup> Some traders even must close their stalls for a while because of no visitors.<sup>9</sup> This condition triggered a demonstration of market traders to the Mayor of Yogyakarta. They rejected the food and beverage service business restrictions, which were only limited to 19.00 WIB (Western Indonesian Time/ UTC+7). They demanded that government re-enact the Circular Letter of the Mayor of Yogyakarta Number: 443/3850/SE/2020 concerning Regulation of Business and Community Activities During the Emergency Response Period for the Corona Virus Disease 2019 (COVID-19) Disaster in the City of Yogyakarta point A number 1. It states the operating hours of the food and beverage supply business until 23.00 WIB with health protocols that have been implemented so far.<sup>10</sup> However, when the government imposed a Community Activity Restriction (PPKM), traditional markets selling non-essential goods were still closed.<sup>11</sup>

The Yogyakarta City Government sees a dilemma in applying central government regulations because it results in the death of the people's economic resources based on traditional markets. Hierarchically, the Yogyakarta government is obliged to implement the central regulations, but sociologically, the policy has received adverse reactions from the community. Therefore, the Yogyakarta City Government-issued various policies as a middle way to bridge the gap. Rules based on protecting lives from the spread of the

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<sup>8</sup> Miftahul Arifin, "Dampak Corona di Pasar Beringharjo, Para Pedagang Lakukan Aksi Kocak" , <https://www.merdeka.com/jabar/dampak-corona-ini-aktivitas-yang-dilakukan-para-pedagang-di-pasar-beringharjo.html>, accessed July 30, 2021.

<sup>9</sup> "Terdampak Corona, Pedagang Pasar Yogyakarta dapat Keringanan Retribusi" , <https://www.antaraneews.com/berita/1417419/terdampak-corona-pedagang-pasar-yogyakarta-dapat-keringanan-retribusi>, accessed July 30, 2021.

<sup>10</sup> Taufiq Syarifudin, "Pedagang Alun-Alun Utara dan Pasar Sethir Gelar Aksi di Balai Kota Tolak Aturan PSTKM", <https://jogja.tribunnews.com/2021/01/12/pedagang-alun-utara-dan-pasar-sethir-gelar-aksi-di-balai-kota-tolak-aturan-pstkm>, accessed July 30, 2021.

<sup>11</sup> <https://warta.jogjakota.go.id/detail/index/16228>, accessed August 7, 2021.

coronavirus are of primary interest, but protecting people's economic resources is also a primary need. The Yogyakarta City Government issued a policy of reducing user fees (retribution) for traders by up to 75%<sup>12</sup> and collaborated with PT Gojek Indonesia through a cashback promo program for shopping products in traditional markets through Go-Shop.<sup>13</sup>

The Yogyakarta City Government's policy has a positive impact on the existence of traditional markets. The economy in traditional markets continues to run, and on the other hand, the spread of COVID-19 can also be controlled. The emergence of the above policies raises the basis for formulating policies so that the Yogyakarta City Government maintains two benefits at once, namely the safety of life and economic interests. How is the interrelation between life safety and economic interests so that they can be applied simultaneously? This question is the primary focus of this article to explore the fundamental and reasons for establishing Yogyakarta City Government policies in dealing with traditional markets during the pandemic.

The analysis of this research problem uses the *maqâşid al-sharî'a* approach, which is a philosophical approach to understanding the basics of a policy using an innovative approach.<sup>14</sup> Every rule of law aims to achieve benefit and eliminate harm because every policy needs to be mapped out the scopes and the achievement of the benefits. In the study of *maqâşid al-sharî'a*, there are three levels of *maşlahah*, namely *darûriyah*, *hâjjiyah*, and *tahsîniyah*, while in terms of coverage there are five protections in *maqâşid al-sharî'a*, namely *hifz ad-dîn*, *hifz*

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<sup>12</sup> Keputusan Walikota No 393 Tahun 2020, tentang Pengurangan Besaran Tarif Retribusi Kios, Los dan Plataran Pasar, dan Keputusan Walikota Nomor 352 Tahun 2021 tentang Pemberian Pengurangan Besaran Tarif Retribusi Kios, Los dan Plataran Pasar.

<sup>13</sup> Adminwarta, "Pemkot Yogya Genjot Belanja Online di Pasar Tradisional", *Portal Pemerintah Kota Yogyakarta*, last modified 2021, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/13268>.

<sup>14</sup> Jasser Auda, *Maqasid Al-Shariab as Philosophy of Islamic Law, A Systems Approach* (London: The International Institute of Islamic Thought, 2008), p. 25.

*an-nafs, ḥifẓ al-‘aql, ḥifẓ an-nasl, and ḥifẓ al-mâl.*<sup>15</sup> The benefits of the basis for determining the policies of the Yogyakarta City Government are analyzed using the theory of *maşlahah* interconnectivity.<sup>16</sup> This theory places the five protections in *maqâşid al-sharî‘a* as integrated and interconnected with each other. It is different from the understanding of some scholars, who consider that the five types of protection are hierarchical.<sup>17</sup> The analysis of *maşlahah* interconnectivity can explain why the Yogyakarta City Government establishes policies based on the achievement of life safety and community economic protection.

### **The Fundamental Policy of the Yogyakarta City Government in Managing Traditional Markets During the Pandemic**

The government has made efforts to formulate policies to control the spread of COVID-19 while at the same time tackling the economic downturn in the community during the pandemic. The central government's policies are divided into two safety nets: (1) Social Safety Nets, with additional funding and support from APBN (State Budget), and (2) Economic Safety Net, through fiscal and non-fiscal grants.<sup>18</sup> Also, the government stipulates soft conditions for restructuring non-performing loans, thereby allowing debtors and creditors to carry out economic recovery.<sup>19</sup> Another policy is credit relaxation and interest subsidies for businesses that take micro and

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<sup>15</sup> Nuruddin Ibn Mukhtar Al-Khadimy, *‘Ilm Al-Maqâşid al-Sharî‘iyah* (Riyadh: Syirkah al-‘Abiikan lit-ta‘lim, 2014), p. 79-92.

<sup>16</sup> A. Halili Tahir, *Ijtihad Maqâsidi, Rekonstruksi Hukum Islam Berbasis Interkoneksi Maslahah*, (Yogyakarta: LKiS, 2015), p. 72-95.

<sup>17</sup> Muhammad Sa‘id Ramadhan Al Buṭi, *Dawâbiṭ al-Maşlahah fi al-Sharî‘ah al-Islâmiyah* (Beirut: Dâr al-Fikr al-Ma‘âsir, 2018), p. 262. See also Nurhayati and Muhammad Syukri Albani Nasution, “Maqâşid al-Sharî‘a in the Fatwa of Indonesian Ulama Council Regarding Congregational Worship During the Covid-19 Pandemic”, *Asy-Syir‘ah Jurnal Ilmu Syari‘ah dan Hukum*, Vol. 54 No. 2 (Desember 2020), p. 258.

<sup>18</sup> A Ika Fahrika and Juliansyah Roy, “Dampak Pandemi Covid-19 terhadap Perkembangan Makro Ekonomi Di Indonesia dan Respons Kebijakan yang Ditempuh”, *Inovasi* 16, no. 2 (2020), p. 206.

<sup>19</sup> Manggi Taruna Habir and Wisnu Wardana, “COVID-19’s Impact on Indonesia’s Economy and Financial Markets,” *ISEAS-Yusuf Ishak Institute*, no. 142 (2020), p. 1.

small loans through Mirco Credit Program (KUR), Ultra Micro Credit (KUMi), micro-credit, and financing through formal financial services.<sup>20</sup>

The Central Government also launched the National Economic Recovery Program (PEN). The aim is to protect, maintain, and improve the economic capacity of business actors. This effort can minimize the occurrence of layoffs by the business world due to the impact of the Covid-19 pandemic.<sup>21</sup> In addition, PEN also aims to accelerate the handling of the Covid-19 pandemic and/or face threats that endanger the national economy and/or financial system stability and save the national economy.<sup>22</sup> The PEN program for business actors includes interest subsidies, funds for restructuring, and spending on guarantee fees.<sup>23</sup>

Controlling the spread of the coronavirus is the government's primary goal, so rules about it are made and become the basis for every policy-making, both at the central, provincial, and district/city levels. Local governments must comply with and implement these rules as the basis for determining activities in various sectors in their respective regions. Included in this is the management of the trading center, which includes the arrangement of shopping centers/supermarkets or malls to the people's market. An important point is strictly regulated and the limitation of activities that can cause crowds. The more cases of COVID-19 appear, the tighter the restrictions on community activities will be.

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<sup>20</sup> Rachmat Reksa Samudra and Diahhadi Setyonaluri, *Inequitable Impact of Covid-19 in Indonesia: Evidence and Policy Response Policy* (Jakarta, 2020), p. 13.

<sup>21</sup> Peraturan Pemerintah RI Nomor 23 Tahun 2020 Tentang Pelaksanaan Program Pemulihan Ekonomi Nasional Dalam Rangka Mendukung Kebijakan Keuangan Negara Untuk Penanganan Pandemi Corona Virus Disease 2019 (Covid-19) Dan/Atau Menghadapi Ancaman, Pasal 1 ayat (11).

<sup>22</sup> Peraturan Pemerintah RI Nomor 43 Tahun 2020 Tentang Perubahan Atas Peraturan Pemerintah Nomor 23 Tahun 2020 Tentang Pelaksanaan Program Pemulihan Ekonomi Nasional dalam Rangka Mendukung Kebijakan Keuangan Negara Untuk Penanganan Pandemi Corona Virus Disease.

<sup>23</sup> Panggabean, *KAJIAN FISKAL REGIONAL Tahun 2020 D.I. Yogyakarta*, p. 16.



The first rule set by the central government is Minister of Health Regulation Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in Handling Corona Virus Disease 2019 (COVID-19). This rule takes effect on April 3, 2020, and stipulates that regions (provinces or districts/cities) can apply for PSBB determination based on an increase in the number of cases over time and the spread of cases according to the incidence of local transmission. This regulation already restricts community activities but provides exceptions for supermarkets, minimarkets, markets, shops, or places where drugs and medical equipment are sold, food needs, basic goods, essential goods, fuel oil, gas, and energy.<sup>24</sup> When the Covid-19 case increases, the government sets rules for tightening community activities through the Instruction of the Minister of Home Affairs (Mendagri).

This instruction is addressed to all governors and regents/mayors throughout Indonesia. On January 6, 2021, the Minister of Home Affairs issued Instruction Number 1 of 2021 concerning the Enforcement of Restrictions on Community Activities (PPKM) to control the spread of Covid 19. This instruction was extended up to 12 times because of the uprising of the cases. In the second point, this instruction regulates the limitation of shopping center operating hours until 20.00 local time. On June 22, 2021, the Minister of Home Affairs again issued Instruction Number 14 of 2021 concerning the Extension of Micro-based PPKM to control the spread of Covid 19. This instruction limits the restrictions on visitors to the trading center, which is a maximum of 25% capacity. The following month, July 2021, the Minister of Home Affairs issued Instruction Number 17 of 2021 concerning the Extension of Micro PPKM, limiting the operational hours of activities at the trading center until 17.00.

The uncontrolled spread of COVID-19, especially in Java and Bali, caused the Minister of Home Affairs to issue Instruction Number 22 of 2021 concerning the Implementation of PPKM Level 4 Covid 19 in the Java and Bali regions. This regulation comes into

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<sup>24</sup> Pasal 13 poin 7 (a) Peraturan Menteri Kesehatan Nomor 9 Tahun 2020 tentang Pedoman Pembatasan Sosial Berskala Besar dalam Penanganan Corona Virus Disease 2019 (COVID-19).

effect on July 21 and places the Yogyakarta City area in level 4. The third point (4) stipulates that supermarkets, traditional markets, and grocery stores that sell daily necessities are limited to operating hours until 20.00 local time and only with around 50% of a visitor capacity. This instruction has been extended again on August 3, 2021, by distinguishing restrictions on operating hours for markets that sell daily necessities and non-essential goods.<sup>25</sup> For minimarkets, public markets, grocery stores, and supermarkets that sell daily necessities, their operating hours are limited to 20.00 local time with a 50% visitor capacity. Public markets that sell non-daily needs can operate with a maximum capacity of 50% and operating hours until 15.00 local time.

The Yogyakarta Special Region Government (DIY) followed up on the Instruction of the Minister of Home Affairs by issuing the DIY Governor's Instruction Number 5/INSTR/2021 concerning Micro PPKM in DIY to control the spread of Covid 19. This instruction stipulates that traditional markets selling daily needs can operate until 21.00 with a maximum visitor capacity of 50%. After being extended up to ten times, the Regional Government of DIY issued Instruction of the Governor of DIY Number 17/INSTR/2021 concerning Emergency PPKM in DIY for Controlling the Spread of Covid 19. This instruction has the same rules as the Instruction of the Minister of Home Affairs concerning Emergency PPKM. Traditional markets that sell daily needs can still operate until 20.00 with a maximum visitor capacity of 50%. Regionally, the DIY Regional Government has also formulated policies to save traditional markets from the impact of the pandemic. One of them is refocusing on the Privileges Fund to handle the culture-based Covid-19 pandemic for community empowerment.<sup>26</sup>

Regulations from the central government through the Instruction of the Minister of Home Affairs and regional regulations in the form of the Instruction of the Governor of DIY became the basis for the Yogyakarta City Government to formulate policies for managing traditional markets. The Yogyakarta City Government has

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<sup>25</sup> Poin Ketiga sub c (4) dan sub d Instruksi Menteri Dalam Negeri Nomor 27 Tahun 2021 tentang Pemberlakuan PPKM Level 4, Level 3, Level 2 Covid 19 di wilayah Jawa dan Bali.

<sup>26</sup> Panggabean, *Kajian Fiskal Regional Tahun 2020 D.I. Yogyakarta*, p. xv.

formed a coordinator for the Economic Recovery Sector from the Impact of Covid-19. The policy of saving traditional markets is based on two interests at once, namely the safety of life and economic interests. To save lives, the Yogyakarta City Government-issued Mayor Regulation No. 51 of 2020 concerning Guidelines for the Prevention and Control of Covid-19 during the New Normal Policies in Yogyakarta City, effective June 26, 2020. Therefore, every market must implement health protocols, provide health posts, and supervise merchandise outside the city.

The policy aimed at saving the economy is carried out by stipulating Mayor's Decree No. 393 of 2020, concerning reducing for Retribution fee for Kiosk, *Los*, and Market Platforms by 25%. Also, this decision is renewed in 2021 with the issuance of Mayor's Decree No. 352 of 2021 concerning the Granting of Reductions in the Amount of Retribution for Kiosk, *Los*, and Market Platforms, between 25% and 75%. This rule will come into effect on June 30, 2021. At least, this policy is a form of relaxation of retribution for market traders during the PPKM times.<sup>27</sup>

### **The Existence of Traditional Markets in Yogyakarta During the Pandemic**

The market is an economic institution that connects sellers and buyers, either face-to-face (offline) or not face-to-face (online), to carry out buying and selling transactions.<sup>28</sup> Traditional markets or public markets are a space for people to trade and sell something.<sup>29</sup> The definitions of traditional markets based on regulations include the following:

Traditional markets are markets that are built and managed by the Regional Government, the private sector, State-Owned Enterprises (BUMN), and Regional-Owned Enterprises (BUMD), including cooperation with the private sector with

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<sup>27</sup> Adminwarta, "Pemkot Yogya Kaji Relaksasi Pedagang Pasar Tradisional", *Portal Pemerintah Kota Yogyakarta*, last modified 2021, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/13311>.

<sup>28</sup> Kementerian Sekretariat Negara RI, *Undang-Undang Nomor 7 Tahun 2014 Tentang Perdagangan*. Pasal 1 ayat (12).

<sup>29</sup> *Ibid.*, Pasal 12 ayat (1) poin a.

business premises in the form of shops, kiosks, booths, and tents owned/managed by small, medium, and non-governmental traders or cooperatives with small-scale businesses, small capital and with the process of buying and selling merchandise through bargaining.<sup>30</sup>

Traditional markets are lands with certain boundaries determined by the Mayor with or without buildings used for buying and selling goods and services, including kiosks, *los*, and stalls.<sup>31</sup>

In Yogyakarta, there are many traditional markets managed by the government, the community, and the cooperation between the government and the community. During the pandemic, traditional markets in Yogyakarta City are relatively able to survive and show their existence. One indicator of this existence is the number of market visitors. Several markets in Yogyakarta City experienced different conditions, represented in Table 1.

**Table 1**  
**The Number of Visitors in Yogyakarta Traditional Market 2017 to 2020<sup>32</sup>**

No	Traditional Market	Numbers of Visitors			
		2017	2018	2019	2020
1	Beringharjo Market	61648	61941	57501	57841
2	Giwangan Martket	11382	16461	15882	17439

<sup>30</sup> Peraturan Presiden Republik Indonesia Nomor 112 Tahun 2007 Tentang Penataan dan Pembinaan Pasar Tradisional Pusat Perbelanjaan dan Toko Modern, Pasal 1 Ayat (2). See also Peraturan Daerah Provinsi Daerah Istimewa Yogyakarta Nomor 8 Tahun 2011 Tentang Pasar Tradisional, Pusat Perbelanjaan dan Toko Modern, n.d., Pasal 1 ayat 4 dan 5.

<sup>31</sup> Peraturan Daerah Kota Yogyakarta Nomor 2 Tahun 2009 Tentang Pasar, n.d., Pasal 1 ayat 6.

<sup>32</sup> Dinas Perindustrian dan Perdagangan: Survey Pengunjung Pasar Tradisional 2020.

3	Keranggan Market	12207	12903	13497	17260
4	Kotagede Market	10717	10811	10468	9747
5	Demangan Market	4736	4669	4560	6345
6	Sentul Market	2369	3078	2655	8060
7	Pasar Satwa dan Tanaman Hias (Animals and Decorative Plants Market)	9666	8201	7712	6674
8	Serangan Market	2158	2380	3035	5121
9	Klithikan Market	8891	9593	6310	4905
10	Ngasem Market	3076	3262	4731	4405
11	Pathuk Market	1428	1598	1724	1944
12	Prawirotaman Market	5326	6510	7243	7378
13	Lempuyangan Market	3174	3578	3538	6414
14	Terban Market	1329	1330	1605	1950
15	Pingit Market	1547	1888	2870	2160
16	Patangpuluhan Market	2528	2502	2376	2843
17	Gading Market	301	411	330	471
18	Karangwaru Market	119	337	322	993
19	Talok Gendeng Market	625	851	833	903
20	Telo Karangkajen Market	1935	2041	1791	1683
21	Ciptomulyo Market	84	92	215	220
22	Tunjungsari Bicycle Market	65	62	54	45
23	Pujokusuman Market	1138	1335	1443	1724
24	Gedongkuning Market	487	795	1184	1650
25	Ledok Gondomanan Market	1991	2136	1821	1770
26	Senen Market	1145	1183	956	1306
27	Baciro Market	448	541	640	850

28	Kluwih Ngadikusuman Market	571	648	650	688
29	Pace Semaki Market	325	305	334	263
30	Suryobrantan Market	64	67	26	30

The table shows that several traditional markets in Yogyakarta City experienced an increase and decrease in visitors during the pandemic. Markets that experienced a decline in visitors include Kotagede Market, Animals and Ornamental Plants Market, Klitikan Market, Ngasem Market, Pingit Market, Telo Market Karangkajen, Tanjungsari Bike Market, and Ledok Gondomanan Market. Nevertheless, Beringharjo Market, as the largest traditional market in Yogyakarta City, also experienced a decline in the number of visitors.

Furthermore, several markets that experienced an increase were Prawirotan Market, Talok Gendeng Market, Ciptomulyo Market, Kluwih Ngadikusuman Market, and Suryobrantan Market. Meanwhile, a very sharp increase in visitors occurred in several markets, including Demangan Market, Sentul Market, Serangan Market, Lempuyangan Market, and Karangwaru Market. Geographically speaking, these markets are located in the city limit/gate of Yogyakarta, so the increase in the number of visitors is significant.

### **Traditional Market Management Policy in Yogyakarta During the Pandemic times**

Since the pandemic hit Indonesia, the government has made various efforts so that the economic sector, especially traditional markets, does not stagnate, resulting in a decrease in sales turnover. Various policies were made to ensure that traditional markets exist even though they are still in a pandemic atmosphere. The policy is directed at a compromise between maintaining the safety of people's lives from the coronavirus and protecting the economy, which is also as the source of people's lives. This national policy can be seen from the emergence of regulations regarding Large-Scale Social Restrictions (PSBB) and the Enforcement of Restrictions on Community Activities (PPKM), both on a Micro, Emergency, and Level 4, Level 3, and Level 2 scale. Whole policies refer to the primary goal of controlling COVID-19, which is carried out by implementing physical

distancing and limiting activities that involve large numbers of people or cause crowds.<sup>33</sup> However, this policy has harmed the economy, especially for trading centers, including traditional markets. All of these restrictions on activities reduced market operating hours and limited the number of market visitors. Both of these things directly impact the level of buying and selling in traditional markets, causing the turnover of traders to decrease drastically.

The Central Government seeks to increase domestic consumption through Direct Cash Assistance (BLT), Pre-Employment Cards (*Kartu Pra Kerja*), electricity compensation, and APBN/APBD realization acceleration.<sup>34</sup> Other economic policies are aimed at entrepreneurs affected by the pandemic, namely the provision of tax incentives, labor protection, rescheduling of loan payments from small and medium enterprises (SMEs), and the reallocation of fiscal policy at the local government level.<sup>35</sup> Other policies launched focused on three areas: supporting the health sector and workers, the poor and vulnerable, and business. The package is in the form of cash assistance, such as the Family Hope Program, Basic Food Cards, and Village Fund Direct Cash Assistance.<sup>36</sup> The direction of policies is to increase people's purchasing power, which has decreased due to social restrictions. However, increasing people's purchasing power is constrained by restrictions on operating hours and the number of visitors at the market, so this does not significantly impact traditional market traders.

Understanding the social and economic disparities resulting from the implementation of PPKM, the Yogyakarta City Government

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<sup>33</sup> Agus Joko Pitoyo, Bagas Aditya, and Ikhwan Amri, "The Impacts of COVID-19 Pandemic to Informal Economic Sector in Indonesia: Theoretical and Empirical Comparison," in *E3S Web of Conferences*, vol. 200, 2020, p. 1.

<sup>34</sup> Edward UP Nainggolan, "Strategi Kebijakan Pemulihan Ekonomi Nasional (PEN)," *Kakamwil DJKN Kalimantan Barat*, last modified 2020, accessed August 3, 2020, <https://www.djkn.kemenkeu.go.id/artikel/baca/13287/Strategi-Kebijakan-Pemulihan-Ekonomi-Nasional.html>.

<sup>35</sup> Riyanti Djalante et al., "Review and Analysis of Current Responses to COVID-19 in Indonesia: Period of January to March 2020," *Progress in Disaster Science* 6, no. April (2020): 10009, p. 5.

<sup>36</sup> Samudra and Setyonaluri, *Inequitable Impact of Covid-19 in Indonesia: Evidence and Policy Response Policy*, p. 12.

sets a policy to create a social and economic safety net. The Mayor of Yogyakarta formed a coordinator for the Economic Recovery Sector from the Covid-19 Impact of the City of Yogyakarta. The coordinator for this field is the Assistant for the Economy and consists of: Head of the Tourism Office, Head of the Industry and Trade Office, Head of the Labor, Cooperative and MSME Service, Head of the Investment and Licensing Office, Head of the Land and Spatial Planning Office, Head of the Environment Service, Head of the Transportation Service, Head of the Department of Public Works, Housing and Settlement Areas, Head of the Department of Agriculture and Food, and Head of the Economic Section for PAD Development and Cooperation.<sup>37</sup> Judging from institution structures, it shows the efforts of the Yogyakarta City Government to handle the multidimensional impact of the pandemic. The institution's implementation establishes specific protocol policies in various fields, such as health, education, tourism, religion, trade, transportation, and community services.<sup>38</sup>

Policies related to the existence of markets, both modern and traditional, are also stipulated. The Yogyakarta City Government requires every economic center, malls/supermarkets/shops/markets/and others, to provide facilities and infrastructure such as facilities for washing hands, thermal guns, health posts, directions for exit and entry, as well as physical distancing signs for visitors. The disinfection of the facilities and economic centers must also be carried out periodically.<sup>39</sup>

The Yogyakarta City Government creates a policy specifically for traditional markets. The policy also refers to the realization of a social and economic safety net. The government seeks to realize these

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<sup>37</sup> Keputusan Walikota Yogyakarta Nomor 400 Tahun 2020 Tentang Pembentukan Gugus Tugas Pencegahan Dan Penanganan Corona Virus Disease 2019 (Covid-19) Serta Pemulihan Ekonomi Dampak Corona Virus Disease 2019 (Covid-19) di Kota Yogyakarta.

<sup>38</sup> Mayor of Yogyakarta, Peraturan Walikota Yogyakarta Nomor 51 Tahun 2020 Tentang Pedoman Pencegahan dan Pengendalian Corona Virus Disease-19 Pada Masa Tatanan Normal Baru di Kota Yogyakarta (Indonesia, 2020), Pasal 2 ayat (2).

<sup>39</sup> *Ibid.*, Attachment I.



two types of nets collaboratively and simultaneously so that the implementation of one policy does not determine a negative impact on other policies. Policies related to social protection are facilitating the provision of health protocol tools in traditional markets. In this activity, they cooperate with the health department and Pertamina. The health facilities provided are portable sinks at several points throughout traditional markets in the city of Yogyakarta.<sup>40</sup>

Other policies made by the Yogyakarta City Government are conducting rapid tests on many traders, limiting market operating hours, and implementing physical distancing.<sup>41</sup> This activity aims to make traditional markets a safe and comfortable place to shop offline. Every day more than 30.000 people depend on traditional markets for their livelihoods, including traders, suppliers, and carrying laborers.<sup>42</sup> With the rapid test, market participants can transact comfortably because they have been detected or exposed to the coronavirus or not.

To revive buying and selling transactions, the Yogyakarta City Government has made innovative policies, starting from the relaxation of retribution for traditional market traders to online shopping promo facilities.<sup>43</sup> Traditional market traders affected by the PPKM policy get a retribution discount of up to 75%.<sup>44</sup> The markets most affected by the PPKM policy are the West Beringharjo Market

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<sup>40</sup> Adminwarta, “Dukung Pemkot Perangi Covid-19, Pertamina Bagikan Wastafel Portable di Seluruh Pasar Tradisional”, *Portal Pemerintah Kota Yogyakarta*, last modified 2020, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/10045>.

<sup>41</sup> Adminwarta, “Pedagang Pasar Tradisional Jalani Rapid Test”, *Portal Pemerintah Kota Yogyakarta*, last modified 2020, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/10610>.

<sup>42</sup> Adminwarta, “Inovasi Pemkot Yogya dalam Merawat dan Melestarikan Pasar Tradisional dengan Sistem Belanja Daring”, *Portal Pemerintah Kota Yogyakarta*, last modified 2020, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/10184>.

<sup>43</sup> Adminwarta, “Pemkot Yogya Kaji Relaksasi Pedagang Pasar Tradisional”, *Portal Pemerintah Kota Yogyakarta*, last modified 2021, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/13311>.

<sup>44</sup> Keputusan Walikota Nomor 352 Tahun 2021 tentang Pemberian Pengurangan Besaran Tarif Retribusi Kios, Los dan Platatan Pasar.

and the Klitikan Pakuncen Market. It is because most of the products traded are batik and souvenirs that rely on consumers from tourists.<sup>45</sup> Traders who sell non-essential goods during the emergency PPKM are prohibited from operating.

To overcome the lack of market visitors due to restrictions on operating hours and visitor capacity, the Yogyakarta City Government made an innovative policy. Hierarchically, the Yogyakarta City Government is obliged to implement the central government regulations, namely enforcing the Instruction of the Minister of Home Affairs and the Instruction of the Governor of DIY regarding PPKM. On the other hand, the PPKM policy has impacted the economy of market traders, especially those selling non-essential goods. Therefore, the City Government facilitates market traders to change the buying and selling model from offline to online. Moreover, the Yogyakarta City Government collaborated with PT Gojek Indonesia to increase public interest in shopping online at traditional markets to achieve this goal. The promo offered is in the form of a cashback program for shopping products in traditional markets via Go-Shop with minimal spending.<sup>46</sup>

This collaboration implements the second dictum point (a) Yogyakarta Mayor's Decree Number 400 of 2020 concerning the Establishment of the Covid-19 Prevention and Handling Task Force and Economic Recovery from the Covid-19 Impact in the City of Yogyakarta. This service shows significant results: an increase in transactions from 6 traditional markets in Yogyakarta City by 33%. Even though it is done online, the process of bargaining transactions between traders can still be done so that the characteristics of traditional markets are maintained.<sup>47</sup> Thus, the Yogyakarta City Government's policy in maintaining traditional markets produces two benefits at once. The policy of reducing user fees for market traders

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<sup>45</sup> Adminwarta, "Pemkot Yogya Kaji Relaksasi Pedagang Pasar Tradisional".

<sup>46</sup> Adminwarta, "Pemkot Yogya Genjot Belanja Online di Pasar Tradisional", [*Portal Pemerintah Kota Yogyakarta*, last modified 2021, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/13268>].

<sup>47</sup> Adminwarta, "Transaksi GoShop Pasar Tradisional Meningkatkan 33 Persen", [*Portal Pemerintah Kota Yogyakarta*, last modified 2020, accessed May 2, 2021, <https://warta.jogjakota.go.id/detail/index/10696>].

and promoting online buying and selling can save the economy of market traders. Although operating hours and the number of visitors are limited, this regulation does not stop buying and selling transactions. Merchants can still sell their wares online indefinitely. On the other hand, the Yogyakarta City Government's policy also does not violate the central rules oriented to life safety. The PPKM regulations are implemented according to central government policies so that there are no violations of applying these rules in the actual field.

### ***Maqâşid al-Sharî'a* Perspective towards Traditional Market Management Policy**

The Yogyakarta City Government's policy in managing traditional markets during the pandemic shows innovative efforts based on economic and social safety. It raises the question to what extent does this policy impact the spread of the coronavirus, resulting in death? On the other hand, what is the significance of this policy to empower the community's economy when restrictions on movement are imposed? In this context, *maqâşid al-sharî'a* becomes a reference for analyzing policies and the rule of law.<sup>48</sup>

*Maqâşid al-sharî'a's* analysis of the Yogyakarta City Government's policy in managing traditional markets during the pandemic is carried out in three stages. *First*, analyzing the level of interest that is the goal in determining each policy, namely between the interests of realizing a social and an economic safety net. The analysis of this problem uses the concept of benefit levels in *maqâşid al-sharî'a*, namely *darûriyah* (necessities), *hâjijyah* (needs), and *tahsîniyah* (luxuries).<sup>49</sup> *Second*, analyze the scope of benefits to be achieved in each set policy. The concept used is *uşûl al-kebamsah*, namely the five protections in *maqâşid al-sharî'a*: *hişz ad-dîn* (preservation of faith), *hişz an-nafs* (preservation of soul), *hişz al-'aql*

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<sup>48</sup> Syaiful Bahri, 'The Construction of Indonesian Political Fiqh: Maqasid Al-Shariah Perspective and Ahmad Raisuni's Thoughts', *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial*, 17.1 (2020), 35–52 <<https://doi.org/10.21154/justicia.v17i1.1671>>.

<sup>49</sup> Abu Ishaq Ibrahim bin Musa al-Lakhmi al-Gharnati Al-Syatibi, *Al-Muwāfaqat fi Uşûl al-Sharî'ah* (Beirut: Dar al-Kutub al-'Ilmiyah, 2004), p. 221.

(preservation of mind), *hişz an-nasl* (preservation of offspring), and *hişz al-mâl* (preservation of wealth).<sup>50</sup> Third, analyze the relationship between the five types of protection using the *maşlahah* interconnectivity theory, namely placing the five types of protection interconnection not as hierarchically.<sup>51</sup>

The Yogyakarta City Government's policy in dealing with the pandemic problem is based on achieving public benefit as well as preventing damage. The benefit in question is controlling the spread of COVID-19, which is carried out by implementing PPKM rules based on the instructions of the Minister of Home Affairs and the Governor of DIY. Prevention of damage is to minimize the economic decline of traditional market traders by providing reduced retribution and diversion of buying and selling online. It is the basis for making priorities in every policy setting, whether prioritizing social security protection or economic security protection. The massive and rapid spread of the coronavirus causes social shock because it endangers people's lives. So, the government made a policy to implement health protocols, one of which was to keep a distance and avoid crowds. The policy form is the implementation of PSBB and PPKM. Implementing this policy hurts the community's economy, namely the reduction of offline transactions, thereby reducing people's purchasing power and income. However, this is a dilemma in handling the COVID-19 pandemic because of the difficulty in determining policy priorities. As a result, the spread of the coronavirus is out of control, and the community's economy has decreased, resulting in increased poverty rates.

Life safety, the social safety net, and economic protection, which is the goal of the economic safety net, occupy a similar level as *maşlahah*, namely *darûriyah*. Protection of life and property is a basic need of the society that the government must protect. Therefore, every policy must be directed to protect these two *maşlahahs*. On the other hand, there should be no policies that

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<sup>50</sup> Ibn Asyur add one more protection, namely the protection of self-respect (*hişz al-'irdhi*). Muhammad Thahir Ibn 'Asyur, *Maqaşid Al-Shai'ah Al-Islamiyah* (Tunisia: Dar as-Salam, 2020), pp. 89-91.

<sup>51</sup> A. Halili Tahir, *Ijtihad Maqasidi*, p. 72-95.

damage life or property because of a violation of human rights. In a pandemic like nowadays, maintaining life safety is as essential as maintaining the community's economy. It can be read from the birth of the Yogyakarta City Government's policy in managing traditional markets during the pandemic. The government places the protection of social and economic safety nets as *darúrij*, so the benefits must be realized. Furthermore, it can be seen following the strengthening of health protocol and the relaxation of retribution<sup>52</sup> and online promotions.<sup>53</sup> The levy relaxation policy is given to market traders affected by PPKM to reduce the retribution rate for kiosks, stalls, and market platforms from 25% to 75%. This user retribution reduction can minimize the burden on market traders whose sales turnover has decreased due to restrictions on operating hours and visitors during the PPKM regulations.<sup>54</sup>

Applying restrictions on social activities is closed by opening online buying and selling promotions that do not cause any social damages. This policy aims to control the spread of the coronavirus and keep the community's economy survive. In reality, online shopping transactions in traditional markets from October 16 to December 31, 2020, reached around IDR 174 million. There was an increase in orders of 28% and an increase in turnover of around 25%. This program can encourage public awareness to conduct online transactions. Many people buy basic needs, kitchen spices, traditional foods, sow flowers, and banana leaves. Meanwhile, traditional markets widely accessed through Go-Shop online shopping are Kranggan Market, Pathuk Market, Demangan Market, Beringharjo Market, and Giwangan Market. This program is also well received by market traders. According to Ida Chabibah, Public Relations of the Ayem Tentrem Merchants Association at the East Beringharjo Market, the

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<sup>52</sup> Keputusan Walikota Nomor 352 Tahun 2021 tentang Pemberian Pengurangan Besaran Tarif Retribusi Kios, Los dan Plataran Pasar.

<sup>53</sup> Portal Pemerintah Kota Yogyakarta, "Pemkot Yogya Genjot Belanja Online di Pasar Tradisional", <https://warta.jogjakota.go.id/detail/index/13268>, accessed May 2, 2021.

<sup>54</sup> Portal Pemerintah Kota Yogyakarta, "Pemkot Yogya Beri Keringanan Retribusi Pasar Tradisional", <https://warta.jogjakota.go.id/detail/index/16124>, accessed July 15, 2021.

program makes it easier to sell market products online during the Covid-19 pandemic.<sup>55</sup>

In the context of *maqāsid al-sharī'a*, the social safety net policy aims to achieve life protection (*hiḥẓ an-naḥs*), while the economic safety net aims to protect property (*hiḥẓ al-māl*). These two types of protection are fundamental community rights that must be fulfilled and benefit at a primary level.<sup>56</sup> The policy of implementing health protocols aims to ensure life protection (*hiḥẓ an-naḥs*), so that the implementation of this policy is appropriate. The Yogyakarta City Government is obliged to protect its citizens from the dangers of the coronavirus, so the strategy to achieve this goal is mandatory. Therefore, the obligation to wear masks, wash hands, maintain distance, avoid crowds is positioned as *waşilah ḍarūriy* (basic strategy) to protect people's lives.

On the other hand, the opening of traditional markets with strict health protocols, the provision of relaxation of levies (retributions), and the promotion of online shopping are forms of property protection (*hiḥẓ al-māl*). The Yogyakarta City Government is aware of the economic impact of the implementation of social restrictions so that it takes anticipatory policies so that there is no damage to the community's economy. Economic damage can result in damage to life, so allowing economic damage to occur is tantamount to causing damage to the protection of life. From this perspective, it can be understood the policy of the Yogyakarta City Government in protecting the community's economy. The two protections are applied at the same time so that the achievement of one benefit does not cause damage to other aspects.

The application of retribution relaxation and online shopping promotion in traditional markets shows that the policy is oriented towards the interconnection of two *ḍarūriy* benefits. The rules for

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<sup>55</sup> Portal Pemerintah Kota Yogyakarta, Pemkot Yogya Genjot Belanja Online di Pasar Tradisional, <https://warta.jogjakota.go.id/detail/index/13268>, accessed May 2, 2021.

<sup>56</sup> Halim Rane, "The Relevance of A Maqasid Approach for Political Islam Post Arab Revolutions", *Journal of Law and Religion*, 28.2 (2012), p. 496. <<http://www.jstor.org/stable/23645196>.

limiting community activities set by the central government aim to protect people's lives (*ḥifẓ an-naḥs*). If this rule is applied independently, it will cause economic losses, especially for traditional market traders. Restrictions on operating hours and the number of visitors resulted in a decrease in the income of market traders. Thus the fulfillment of life protection results in damage to economic protection (*ḥifẓ al-mâl*). Protection of the life and economic interests of the community during a pandemic is a category of primary needs that must be prioritized. The problem is how to realize these two interests at the same time. Respectively, prioritizing one will result in damage to the interests of the other. Contrary to the rules in *maqâṣid al-sharî'a*, the implementation of the five types of protection should not contradict each other because the fundamental rule is to eliminate damage and achieve benefit.<sup>57</sup>

Prioritizing one of the two safeguards will cause damage to the other aspects. In the perspective of *maqâṣid al-sharî'a*, the five types of protection are not always hierarchical in their implementation. Scholars differ on the order of power and importance. They only agreed that religious interests were of the highest order, while the other four interests were similar.<sup>58</sup> The five protections must be analyzed for their interrelation between one protection and another. If these two main goals contradict each other, then what should be chosen is to prioritize the loss of damage over achieving benefit. The fulfillment of needs or protection must not be in a detrimental way or at the expense of other protections.<sup>59</sup>

An essential element in the interconnectivity of *maṣlaḥah* is to consider the legal impact and the relationship between one *maṣlaḥah* and other *maṣlaḥah*.<sup>60</sup> In its implementation, the application of the rules for restricting community activities must consider the impact on the community's economy and consider the relationship between the

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<sup>57</sup> Kaidah *maqâṣid al-sharî'a* can be seen in Jalal al-Din al-Suyuti, *Al Asbhab wa al-Naẓâ'ir fî al-Furu'* (Semarang: Maktabah Usaha Keluarga, t.t), p. 55-62.

<sup>58</sup> Al Yasa' Abubakar, *Metode Istislahiah, Pemanfaatan Ilmu Pengetahuan dalam Ushul Fiqh*, (Jakarta: Prenadamedia Group, 2016), p. 83.

<sup>59</sup> Abubakar, *Metode Istislahiah*, p. 84.

<sup>60</sup> A. Halili Tahir, *Ijtihad Maqasidi*, p. 89-90.

benefit of the well-being and the economic benefit of the community. The Yogyakarta City Government implements a policy of limiting community activities according to the central government's instructions and at the same time establishing a policy of reducing retribution and online promotion for traditional market traders. This policy shows that the Yogyakarta City Government anticipates the impact and relevance of implementing the Minister of Home Affairs' instructions on the community's economy. Thus, applying the rules for restricting community activities coupled with reducing user retribution and online promotion for market traders is a policy based on the *maşlahah* interconnectivity. A policy that integrates one benefit with another is a form of progressive law implementation.<sup>61</sup> The Yogyakarta City Government uses a multidimensional perspective because it considers the relationship between protecting people's souls from the spread of the coronavirus and maintaining the community's economy. In the perspective of *maqāşid al-sbari'a*, the Government policy does not place the protection of life and economy as a partial benefit but has interconnections so that the policies taken are anticipatory and adaptive.

## Conclusions

The Yogyakarta City Government's policy in managing traditional markets during the pandemic is based on the Instructions of the Minister of Home Affairs and the Instructions of the Governor of DIY regarding implementing restrictions on community activities. As part of government bodies, the Yogyakarta City Government has an obligation to implement the institutions' rules above it. In its implementation, the Yogyakarta City Government prepares anticipatory and adaptive policies to overcome the impact of regulations implications for traditional market traders. The policy in question is reducing retributions and empowering online promotions for traditional market traders.

The realization of previous policies impacts the achievement of social and economic protection for the community. By implementing

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<sup>61</sup> Maulidi, "Paradigma Progresif dan Maqashid Syariah: Manhaj Baru Menemukan Hukum Responsif", *Asy-Syir'ah Jurnal Ilmu Syariah dan Hukum* Vol. 49 No. 2 Desember 2015, p. 251.



restrictions on community activities, the Yogyakarta City Government seeks to control the spread of the coronavirus, which threatens life safety. On the other hand, the implementation of retribution reduction and online promotion of traditional markets can maintain the stability of the community's economy, especially traditional market traders. The Yogyakarta City Government places the protection of life and the economy as a primary need to be protected so that the achievement of life's welfare does not cause economic damage to the community.

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