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## Revitalization of Traditional Market Through Wakaf Legal Entity and Possibility of Application in Indonesia Legal System

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### Abstract

This research has been motivated by many displaced traditional markets due to government policy. One reason is the issue of legal entity used to owned enterprises by local government (BUMD) and private markets. This paper would like to propose an alternative market legal entity with wakaf legal entity. The nature of the legal entity everlasting wakaf is flexible, so that it appropriate alternative markets legal entity in Indonesia. This study uses normative method by reviewing legislation relating to wakaf and market. This study also uses the teh emperical studies at wakaf market in Mandailing Natal, North Sumatra. The results of this study indicate that the wakaf legal entity can become a alternative legal entity market due to four things namely, the nature of the wakaf legal entity eternal, independent or no intervention the government, joint ownership (nazir) were selected on the basis of trust, and not monopoly as practice in market wakaf at Mandailing Natal, North Sumatra, Indonesia.

**Keywords:** Traditional Markets, Legal Entity, Wakaf (Endowments).

### Introduction

The existence of traditional markets in Indonesia does not good position. This is proved by the various problems that occurred in traditional markets, like the issue of the closure market, marginalized, comfort, traders and government relations are not always harmonious and so on. In addition, traditional markets cannot be able to compete with modern markets due to the limitations of management.

A rise of various problems in traditional market has each cause and character. The issue of closing and marginalizaion of traditional markets at some of places and regions. Market policy government (in this case local government) marginalize, although on behalf of mention, like market relocation, market revitalization, rejuvenation of market, and so that ultimately makes the existence of traditional markets has not good position in Indonesia.

In the Medan City, North Sumatra, for example, the Sutomo Market evicted by the Medan City Government by various reasons until now. Recriminations and mutual "romp" between traders and security officers become inevitable. Likewise, in Sukarame Market at Arif Rahman Hakim Street, Medan occurred relocation market in a newly constructed building. But the new building not be used by traders due to various reasons, such as the place is not good position, so it is difficult to reach by consumers. The problems of traditional markets as mentioned above also occurred in many cities in Indonesia, namely Jakarta, Bandung, Makasar, Surabaya and in various other areas.

Based on the facts above, the assumption of the author that the existence of traditional markets depends on government policy and political will, especially local government. If local governments have good policies in favor of the market, the traditional market in the area will usually developed and developing. Conversely, if the local authorities do not have the political will, many traditional markets are not developed, even bankrupt or closed.

On the other hand, by legislation, the legal entity shall also markets managed by the private sector. Managed markets, private sector has its own problems, the market managed by the private sector will be developed/ developing or also even backwards or closed depending on

the investor and the owner of that market. Moreover, the question that arises is happening hegemony or domination or even possession by certain people only would investors who have a strong capital.

The issue of traditional market position is not strong due to three (3) things:

First, the existence of traditional markets that depend on the government (Local Government). In Indonesia, traditional market managers have two (2) of the legal entity that is, the market managed by the government in this case the local government through the Head Unit in the field of market and the market managed by a legal entity a market like the Regional Owned Enterprises.

Both types of legal entities market has an impact on market management system. Management of the market under the management of the country managed by the local governments. While business enterprises market is a legal entity is the management of the market by the government through companies under government control. Management of public enterprises under the Ministry of Home Affairs referring to Number 3/1998 on the Law of Regional Owned Enterprises. Interior Minister Decree Number 50/1999 on the Management of Regional Owned Enterprises. Minister Regulation Number 153/2004 on the Management of Regional separated. In performing its functions, the management of the market area, enterprises can be undertaken in cooperation with third parties.

DKI Jakarta, for example, is one area that the management of public enterprises market under the PD. Pasar Jaya. Management markets through enterprises have an organizational structure like a company. On the other hand ROE is also tied to the bureaucratic system of the local area. The basic problem in the management of the market in Indonesia is the readiness of the government to manage the market in a professional manner. It can be seen from the readiness of PD. Pasar Jaya Jakarta has not been able to properly revitalize traditional market in Jakarta.

Second, the legal entity in Indonesia allowed the market to the private sector so that the private sector can dominate the market. Market regulation in Indonesia giving ownership rights and management of the market not only to governments but also to parties other than the government in the same position. It can be seen from the definition of the modern market does not regulate aspects of ownership, management and development, so that modern markets can be held freely. Traditional markets where development and management can be given to the government, private, State-Owned Enterprises and the Regional Owned Enterprises, including cooperation with the private sector with the form of shops, kiosks, stalls and tents. Bylaw Market area also confirms the existence of a private market by defining a market is created, organized and managed by the private sector on land or land owned by the private sector.

The market managed by the private sector is very dependent on the manager, because there is no intervention or assistance from the government of these markets. The market will be managed in accordance with market mechanisms. Therefore, a market will be developed / developing or also even backwards or closed depending on the investor and the owner of the market.

The issue will emerge if the hegemonic domination or even possession of the market by certain people only the businesses or investors who have a strong capital. In this

case there will be some market monopoly by certain business actors. Market owned and can only be accessed by certain business actors. In addition, the practice of this monopoly would be so broad as cartels goods, prices of goods/products to consumers and other impacts.

In that case, this article will try to formulate what the appropriate legal entity as an alternative to legal entities in the Indonesian market. Waqf as one of the legal entities in Islamic law has specific characteristics which can be used as an alternative in resolving the issues described above. Wakaf eternal (not to be discharged), flexible, and is a form of public ownership (al-milkiyyah al-'ammah) can be an alternative to legal entities in the Indonesian market.

This paper uses normative research methods and coupled with empirical studies. Normative research meant the possibility of a legal entity wakaf become legal entities market in Indonesia by reviewing formula legal entity endowments in Jurisprudence/Islamic law, analyzing legislation at the national and local regulations relating to the market that Presidential Decree No. 112 of 2007, Pemendag Number 53/2008 Regional as well as regulations on the market.

### **Ownership Market under Islamic law and the Constitution of the Republic of Indonesia**

The market as a place of trade transactions in the view of Islamic law included in the category of common ownership (al-milkiyyah al-'ammah). The philosophy of the common forms of ownership to the market is that everyone can have an equal opportunity to access the market as an economic resource. In contrast to the concept of state ownership (al-milk al-Daulah) where countries are allowed to give ownership rights to individuals or private. In the concept of common ownership (al-milkiyyah al-'amma) the state should not provide management rights to anyone except for the shared and common interests.

Markets are categorized as common ownership can be seen from the decision illat syar'iyah (ratio-legis) of other objects that have been clearly defined by the texts dinukilkan. The concept of common ownership is obtained from the hadith of the Prophet. "The Muslims of association in three ways namely water (al-Ma'), meadow (al-Kala) and fire (al-nar)." Four types of objects above (water, desert rumput, fire and courts) is representasi of public interest at the time, therefore, everything that concerns the public interest can be categorized as public property such as roads, schools belong to the state, hospitals owned by the state, shelters, green space and the market, and the interests of the public interest may continue to develop according with the times.

Another basic is the history of Ali ibn Abi Talib who said "Suq al-muslimîna mushallas ka al-mushallînâ, man sabaqa ila-syai'in fahuwa Lahu yaumahû yada'ahû Hatta. [The market for such Muslim prayer places us, whoever came first then he is entitled to occupy it until he was rejected].

Medina Market Management made Prophet Muhammad. with restrictions prohibiting the manufacture or plot-plot is a form of ownership that the market should not be owned privately. In addition to efforts to prevent monopolistic practices, a ban on plots market is to motivate traders to be more active in conducting business activities, who came early, then he will get a spot. Kallek stated objectives ban carved up is: This principle aimed to promote justice

among the merchants by preventing them from taking enclosures for the rest of their lives and consequently transforming themselves into a privileged, rentier class. It also stimulated commercial life by encouraging the early start of business activity each day, since the first comer was allowed to set up a counter wherever he chose, having the right to his place until nightfall. [Cengiz Kallek, *Madinah Market*, Encyclopaedia Islamic Economics, Principles, Definition and Methodology, Vol. 1, (ed) Muhammad Nejatullah Siddiqi, (London: FIF, 2009), hlm. 223.]

As mentioned in history that besides the establishment of the mosque, the establishment of the market is one of the main agenda of the Prophet and the Muslims do when they arrived in Madinah after the hijrah peristiwa. Ahmed El-Asker and Rodney Wilson declared the mosque, therefore, represented the nucleus part of the Muslim city upon which, with the market and, the later on, the government office, "Dar-al-Khilafah", the city was established. As a city that has a long-standing, Yasrib is a city that already has infrastructure like markets. Markets that have existed in the Medina is a market dominated Bani Qainuqa Jews. In contrast to the market Bani Qainuqa 'Medina market managed by the Prophet Muhammad governed by a number of market doctrine compete fairly, with no monopoly of the market place.

The understanding of the tradition and history shows that the presence of the same legal entity market with mosque legal entity that is a public legal entity. As the mosque, then the market is a common means are open for anyone to take advantage of in accordance with the designation.

Other legal basis is the practice of the policy carried out by 'Umar bin Khattab when he saw a kiosk that was built by someone in the market of Medina and he knocked him out. In another narration the Prophet banned the construction of buildings and this policy was continued by 'Umar ibn al-Khattab. Messenger policies and continued 'Umar bin Khattab the basis that the property market including the stores that are in it is fully owned by the state that cannot be delegated to the per person or private legal entities.

### **The characteristics of public property according to the law of Islamic economics is: Endowments as a legal entity market**

Based on the concept of ownership of the waqf market is the legal entity of the ideal market. Discussion land market as objects of waqf endowments is talk of early history itself. Land or acreage is the first object as object shape endowments. In the history of endowments, the very first thing diwakafkan is shaped land, the land for the establishment of Masjid Nabawi by two orphans' arrival of the Prophet Muhammad. and friends Emigrants from Mecca to Medina in the event of Hijrah. Therefore, talking about the land as waqf objects are returned to the original concept of waqf objects.

Traces the history of the market as an object waqf land has existed at the time of Umar bin Khattab practice of waqf. In history, when Umar bin Khattab intend charity with his land, the Prophet said: *syi'ta habbasta in Biha tasaddaqta ashlah wa* [If you will, keep the land, and give the result]. Based on the above hadith (and also many other traditions) shows some of the legal principle of waqf, ie first waqf assets should remain. Therefore, waqf property can not be sold traded, assigned or inherited. Second, endowments should be productive. General sentence traditions

concerning the Prophet Muhammad dialog. by Umar bin Khattab shows that freedom of the waqf assets to be used as a productive object (ashlah) and waqf fixed assets or not depleted (habs).

One of the waqf market success in the history of Islam contained in Yazd, Iran. Michael E. Bonine in his article titled *Islam and Commerce: Waqf and the Bazaar of Yazd, Iran (Islam und Handel: Waqf und der Bazar von Yazd, Iran)* describes in detail the close relationship between endowments and market. In his research, Michael explains in detail about market conditions Yazd in Iran that are influenced by the concept of waqf property ownership. In a broader scope, he says turns out Islam does not only affect the attitudes and religious domain but also directly affect the layout of the city (city structure) where there is a market, government offices, mosques, schools and so forth. In Yazd, waqf institutions not only to build the infrastructure that is both a religion like mosques, madrasas, tombs and so on, but endowments also build the infrastructure to meet the needs of many people, especially the infrastructure of commerce, namely market. A treasure in the form of endowments may take the form of ownership in the form of shops, and also connected with what is called a bazaar in which there is the concept of trade (commercial) and religion in an integrated manner.

Endowments are instruments that are typical of Islamic economics. The specificity of waqf law is elastic nature and continuity of objects endowments. Known causes elastic waqf property designation should not be bound exclusively to Muslims but can be used for the benefit of humanity in general and can cover all aspects of life do not violate the provisions of sharia. On the other hand, endowments also are sustainable because one of the properties of waqf property should not be depleted (baqa'). Called continuous because one of the properties waqf property is property ('iqar) and fixed (itshâl), so that the nature of waqf property in philosophy requires continuous productive waqf property (Dawam al-Intifâ'). Therefore, in the history of the golden age of Islam, endowments are institutions that have been instrumental in the development of a country both physical and spiritual development in a long time, even infinite.

### **Endowments markets in Mandailing Natal, North Sumatra**

In Indonesia, the waqf land market has been practiced in the form of formal or market in the form of public ownership. The practice of waqf land market there in Mandailing Natal, North Sumatra, which lasted until today. Is a cleric Sheikh Al-Junaid tholas Rangkuti as waqf founder markets in Mandailing Natal. Endowments The market is located in Kampung Lamo, the village of Huta Namale, District Peak Sorik Marapi Mandailing Natal, North Sumatra, Indonesia. Precisely, about five kilometers west of the Village Market Maga.

Historically, Lamo Village Market has been operating since the days of King Huriah Maga, however, the market is often used as a night market so crowded people. Moreover, this market is also used as a place of gambling which is a prohibition in Islam. To stop disobedience and strengthen the faith of Muslims, Sheikh Junaid took the initiative to buy the market by bringing people to donate (wakaf). So, gang-insured the public to donate to buy the market. Once the funds collected, Sheikh Junaid to the king to buy the land market so that market becomes waqf market.

In addition to market waqf, waqf movement led by Sheikh Junaid also in the form of agricultural land, which is planted citrus on waqf land revenue be used to support educational activities in Madrasah. Shaykh Junaid really take advantage of the breadth and distinctive character waqf property supple movements endowments in various aspects. Recorded until today endowments performed Sheikh Junaid together congregations in the form of: (1). one hectare pertapakan Madrasah Islamiah Al-Junaidiyah, (2) one hectare market hall and warehouse, (3), one hectare pertapakan laboratory buildings, perustakaan, university general, housing, mosques, and fish ponds, (4), four hectares of rice fields Tarlola in the region, plus endowment of the disciples and followers of 2.5 hectares in Pidoli and one hectare in Tarlola, (5) one house plus five other houses endowments pilgrims, (6), the gardens of 15 hectares, including 10 hectares for the cultivation of coffee, Endowments market in Mandailaing indeed still leaves the issue of legality. The results of author interviews with various speakers including perwakafan field Mandailing Natal, until today, waqf market in Kampung Lamo has not been registered with the Ministry of Religious Affairs due to various things. One is the soil used as endowments and other markets are in a protected forest area so difficult to be processed.

However, de facto, legal entities, endowments have long been recognized by the Local Government Mandailing Natal. It is evident that this market endowments made by the District Government partners Mandailing Natal. In fact, the Government of Mandailing Natal help efforts to revitalize the market by building several facilities gazebo and other markets. The building market in the form of a hall and shops that exist now on the market Hutanamale waqf asset management is now under Al-Junaediyah Foundation. The market now serves as the location of the district market with market days (weekend) every day of the week.

Mandailing Natal local government recognition of the legal entity wakaf evidenced by the provision of aid for the improvement of the market building. The assistance will be partly quoted levy Wakaf Foundation of the merchant market in the week distributed to the Market Office Madina district. In addition, local governments also participate in managing the market by sharing as much as 65 per cent for the management of waqf foundations market and 35 percent for the government. Thus, that proved to be legal entity endowments are recognized as a legal entity in the Indonesian market.

In addition to formal legal recognition of the market in Mandailaing endowments can be seen from the existence that can survive in a period of decades, does not occur over the functions and acquired rights. Assets that survive as community assets, and managed for the benefit of mankind, not the individual interests of the managers.

### **Possible Wakaf Board Market in Market Legislation in Indonesia**

The legal entity of the market general (al-milkiyah al-'amma) as a legal entity waqf should be an alternative even become board think the formation of legislation in the Indonesian market. Possible legal entity legal entity endowments into alternative markets in Indonesia can be incorporated into legislation relating to market. The setting is a legal entity in Indonesia market is divided to five of the

legal entity that, the Government, Private, State-Owned Enterprises (SOEs), Regional Owned Enterprises (enterprises), Cooperation BUMN/private forms with shops, kiosks, stalls and tents.

As is the government is, market province, market district / City, The Village Market, Private markets directly managed by the local government (provincial, district / city, village) and Private.

Similarly, the type of covering Shopping Center Shopping Center which is managed by the local government, Shopping Center which is managed by the private sector, and the Shopping Center which is managed by the Local Government and Private Sector. There is even a Regional Market Regulation which confirms the existence of Private Market by defining a market is created, organized and managed by the private sector on land or land owned by the private sector.

Waqf legal entity can be a legal entity-based market Endowments Act. Implicitly, the existence of waqf market recognized by Law No. 41 of 2004 on Waqf. Article 5 and 22 of Law No. 41 of 2004 states that the endowment serves realizing the potential and the economic benefits of waqf property for the benefit of worship and to promote the general welfare. Article 22 states that the designation of waqf property is to advance and improve the economy and the progress of the general welfare of the people. As one of the types of objects that are recognized by Law No. 41 2004 tentang Waqf is immovable. Therefore, the land market in the form of land or buildings on it is one form of immovable recognized by Law No. 41 of 2004.

Recognition of the legal entity as a legal entity waqf market will bring positive consequences to the efforts to revitalize traditional markets that began to erode its existence. Some positive consequences include:

1. The existence of the market will remain more secure.

Based on field research on market endowments in Mandailing Natal, North Sumatra that where the market would be guaranteed automatically. Associated with the ability to maintain existing endowment assets, it could happen because no-one residents in this area have the courage to take her inherent endowment status, because such behavior violates Islamic law and is believed to be dangerous. No one dared to boldly break. Therefore, the existence of the market will continue to lasting cultural, and of course also have to be supported by formal legality through endowments certificate and so on.

2. The market will collectively supervise by the public.

Based on field research on market endowments in Mandailing Natal, North Sumatra that where the market becomes unchecked automatically. Due to the market is waqf land, none of the residents in the area had the courage to take her inherent endowment status, because such behavior violates Islamic law and is believed to be dangerous. The key point lies in the fact that the waqf assets are located in the monitoring of collective (public, community) and its use is also clearly in the interests of Islamic education for the younger generation, so it is considered to have a value of religiosity and higher humanity. Control religious beliefs of the individual so that he could not violate the law of wakaf is reinforced by the absence of control or public oversight of the waqf assets.

3. Did not happen monopoly. As a body of common ownership (al-milkiyyah al-'amma), then the market is accessible to all businesses. In the context of the protection

of traditional markets in Indonesia, waqf instrument can be an alternative in protecting and empowering traditional markets in Indonesia. The nature of wakaf property are still making all business actors can access the market. Small businesses and large there is no difference in accessing the market so there is no monopoly of the market.

4. Endowments market as the application of Islamic economics.

The existence of the market are derived from wakaf property can be an entry application of the principles of Islamic economics as a whole in a particular field. Integration of the mosque as a place of worship and the market as a buying and selling as well as throughout the Islamic economic instruments such as bank or Baitul mal wattamwil, Islamic insurance, charity institutions, pawn shops can be accomplished tercara integrated sharia. Embodiments value of mutual help, fraternal in the market can be implemented significantly in one specific area. It can be seen from the practice of waqf market in Mandailing Natal, where the markets and mosques into one unit. The merchants and the surrounding community ibadan activities in mosques and trading in one unit so that the embodiment of Islamic values is much easier to implement. The embodiment of Islamic economic instruments can be made in the conduct of trade in traditional markets in order to strengthen the traditional markets.

- a) Optimizing the role of sharia cooperatives such as Baitul Mal Wa Tamwil so that financial transactions in traditional markets run by sharia. For example, in the construction of the store or stores payment system contained in the traditional markets can use syirkah contract or mudharabah and others Islamic instrument.
- b) Wakaf land assets managed by the government, educational institutions, boarding schools, foundations mosque or religious organization can make the markets where it has a consumer market respectively. Further, the results of market management through Islamic economic system will be able to help finance management institutions such as the prosperity of the mosque, religious organizations, as well as the development of waqf assets other markets.
- c) Assets donated land can be developed through cooperation with Islamic financial institutions or other companies to develop the markets. Cooperation in the construction and management of waqf land in the form of the market can be carried out by Islamic financial institutions or companies. Furthermore, revenue from shared management in accordance with the agreed ratio based on the contributions of each party. Part of the ratio of assets donated land distributed to Muslims welfare as the first choice.
- d) No asset wakaf land can be developed with sukuk mudarabah, murabaha and sukuk Ijarah to build the market. Mudharabah sukuk is ownership of property assets stores, kiosks and other market assets by investors. Wakaf land asset management market, as can share profits and losses based on the ratio agreed between the management of waqf with mudaraba sukuk investors. Form of joint ownership between mudaraba sukuk investors with the management of waqf. Sukuk Murabahah is a sale of property other than land to investors who paid regularly in a certain time. Property Asset stores, kiosks and other market assets became wholly owned asset manager

endowments on waqf land after completion of murabaha sukuk payment of endowment manager. While Sukuk Ijarah is ownership of property assets stores, kiosks and other market assets tetapa investors. While managers of endowments to pay rent on the benefits of the overall property market in addition to the ground. Waqf land asset manager managing market with a model contract syirkah or/and Ijarah (lease) parallel to the merchant. Income from Ijarah syirkah and operational costs to be reduced by the asset management company donated land rights for kemaslahan Ummah in accordance with the intention of giving endowments.

- e) Application of cash waqf.

Endowments in cash or productive can be applied in a way to buy some assets shop or kiosk then disyirkahkan or leased to merchants. Business and productive endowments cash invested in fixed assets such as stores, shops and kiosks. Then rents or to cooperate with other parties. Revenues from these benefits later developed for the benefit of the target, such as the construction and operation of education, development and wealth of mosque, development and management of homes and shelters, development and management of hospitals and other public facilities for the common good.

### Conclusion

In Islamic law, the market as a place of trade transactions included in the category of common ownership (al-milkiyyah al-'amma) which means that ensure that everyone can have an equal opportunity to access the market as a place of economic resources. Common ownership (al-milkiyyah al-'amma) means that the market is an important point that everyone needs to meet the necessities of life for all people so that no market then people will find it difficult to make ends meet (the needs dharuriyyah). This is also evidenced in the history of waqf land market in the golden age of Islam and also some places in the area of Indonesia.

Waqf legal entity can be an alternative market legal entities in the positive law in Indonesia based on the Constitution and Law Number 41/2004 on Waqf. In addition, Law Number 41 2004 also emphasized the waqf property to be used for economic empowerment. Therefore, the legislation on the market can enter into a legal entity legal entity endowment market in Indonesia.

Agency endowments can be an important alternative market as a legal entity in Indonesia due to four (4) terms of the nature of the legal entity endowments eternal, independent or no intervention from the government, joint ownership (nazir) were selected on the basis of trust and there will be a monopoly. Moreover, the existence of the market in the form of body wakaf is one way to apply the principles and is trumen Islamic economy as a whole in a particular field such as the application of the principle of mutual help, the integration of the mosque as a place of worship and the market as a buying and selling, the application function Baitul mal wattamwil, Takaful, charity institutions, pawnshops islamic sukuk can be implemented integrally.

1. Goods or the place that has been set by the shari'ah (legislator) which Allah and His Messenger. As for the goods or the place that expressly stated by the Prophet

Muhammad. as the common ownership is Muslims association in three areas of water (al-Ma'), meadow (al-Kala) and fire (al-nar).'

2. Goods or such place is in the public interest or what is considered the interests of the people. The indicators that the goods or the place is in the public interest is if the goods or the place there is no cause for disputes in society.

3. Goods or places that are not limited.

It is based on the story of the Prophet Muhammad. are on salt mining permits to entrepreneurs Abyadh bin Hammal. However, permits for mining was disallowed Prophet Muhammad after getting information that the salt is not limited in number. Thus, items or place an unlimited number of common ownership category (al-milkiyyah al-'amma) whereas goods or a limited number are included in the category of private ownership (al-milkiyyah al-fardiyah).

The provisions on the ownership market is one of the Islamic legal system for menghempang creation of a monopolistic practice by some people. Muhammad Baqir al-Sadr said the prohibition of large-scale enterprises to get rid of small businesses with kaedah "La dharara wa la dhirar" (no loss or harmed). This method prohibits property owners take advantage of its properties with a benefit that cause direct harm to the other party. Sentence dlarâr according Sadr not only mean a loss, but it also means to make things worse person. Therefore, it can be concluded phrase "dharar" encompass a broader meaning and comprehensive, which means losses are directly, or indirectly.

The legal entity of the market as common ownership berkonsekwensi legal norms should market the market definition should impose limits on the authority of development, management and ownership markets managed by the public as the interests and lives of many people. In the philosophy that the market is an important point that everyone needs to meet the necessities of life for all people. Without market then people will find it difficult to make ends meet (the needs, dharuriyyah). Based on this philosophical meaning, it should be a legal entity or a public market is shaped so-called al-mikiyah al'ammah. The nature of public ownership of the market berkonsekwensi that the market should not be owned privately or group of persons because of private ownership can cause a person or group of people to monopolize the market that may threaten people to make ends meet.

The concept of ownership of the market in the constitution is common ownership. Article 33, paragraph 2 states that "branches of production that are important to the state and public needs are controlled by the state. Government ownership of the major markets has been discussed in the session of the Preparatory Committee for Indonesian Independence Enterprises (BPUPKI).

Basically, the big corporations that dominate the lives of many, where thousands of people rely and living his life under the government must necessarily.... Pemerintah must be supervisors, regulators, supervised and accompanied by capital by the Government is building'd better good for large companies. The larger the company and the more the number of people who hang basic living there, the greater the government should pesertaan.

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