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PROTECTION OF MSMES AT THE BENGKEL MARKET IN SERDANG BEDAGAI REGENCY REGARDING THE CONSTRUCTION OF THE MEDAN-TEBING TINGGI TRANS SUMATRA TOLL ROAD, A PUBLIC PERSPECTIVE

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ABSTRACT

The construction of the Medan-Tebing Tinggi section of the Trans-Sumatra Toll Road, as part of a national strategic project, has had dual consequences for the sustainability of Micro, Small, and Medium Enterprises (MSMEs) around Bengkel Market, Serdang Bedagai Regency. On the one hand, this infrastructure accelerates connectivity and logistics efficiency; on the other hand, the shift in traffic flow to the toll road has decreased the number of consumers, reduced income, and even led to the closure of a number of local businesses. This study aims to analyze the impact of toll road construction on MSMEs using a maslahah approach within the framework of Islamic economic law. Using a normativeempirical legal research method, data was collected through literature review, regulatory analysis, and interviews with affected MSMEs. The results show that MSMEs in the culinary and service sectors experienced a significant decline in turnover, number of workers, and production volume. The maslahah analysis emphasizes the importance of protection in three dimensions: dharuriyyat (fulfillment of basic needs and livelihoods), hajiyyat (ease of business access), and tahsiniyyat (improving quality and competitiveness). This study contributes by offering a benefit-based policy framework that emphasizes the integration of MSMEs into rest areas, digital marketing, and formulating optimizing responsive long-term protection strategies. Thus, this research emphasizes that infrastructure development must be oriented not only toward macroeconomic growth but also toward microeconomic sustainability and equity.

Keywords: Infrastructure; Sharia Economy; Maslahah; MSME Protection, Toll Roads.

1. INTRODUCTION

Infrastructure development is a national strategic agenda aimed at accelerating regional integration and increasing economic efficiency across sectors. The Trans-Sumatra Toll Road, particularly the Medan-Tebing Tinggi section, was built to facilitate the mobility of goods and services and support regional economic growth. While from a macro perspective, this infrastructure provides significant benefits, at the micro level, it has had negative consequences in the form of disruption to local economic activity, particularly for Micro, Small, and Medium Enterprises (MSMEs) around Bengkel Market, Serdang Bedagai Regency (Suryani & Hidayat, 2022).

Bengkel Market previously served as a vital trading hub on the Trans-Sumatra Highway. Many MSMEs in the culinary and craft sectors depended on traffic flow on this route for their livelihoods. However, since the toll road's operation, traffic has shifted, resulting in a significant decline in market economic activity. This impact is evident in the reduction in visitor numbers, decreased turnover, and even permanent business closures (Sugianto, 2020). This phenomenon indicates that infrastructure development, while bringing progress, can marginalize the informal sector, which is not integrated with modern distribution systems.

The role of MSMEs is vital to the national economy. Data from the Coordinating Ministry for Economic Affairs (2023) shows that more than 99% of business units in Indonesia are MSMEs, contributing 61.1% to GDP and absorbing over 97% of the national workforce. Beyond the economic aspect, MSMEs also have a social function, namely community empowerment, job creation, and poverty reduction (Aryani et al., 2023). From the perspective of Islamic economic law, MSMEs serve not only as business entities but also as social instruments through the obligation of zakat, waqf, and other moral responsibilities oriented towards social balance (Rahmawati, 2019).

Several previous studies have emphasized the ambivalent impact of toll road construction on MSMEs. Sirait (2022) found that the construction of the Medan–Tebing Tinggi Toll Road caused a significant decline in MSMEs in the Bengkel Market, despite existing regulations to protect them. Research by Naeruz and Damayanti (2022) also highlighted the decline in turnover and workforce due to shifts in distribution channels. However, these studies have not provided in-depth analysis within the framework of Islamic economic law, particularly through the maslahah approach.

Therefore, there is a research gap that this study aims to address: the need to analyze the protection of MSMEs impacted by toll road construction from a maslahah perspective within Islamic economic law. This approach is important because it can explain the extent to which local government policies not only fulfill regulatory aspects but also ethical and social aspects in accordance with the principles of maqāṣid al-sharīʻah. Therefore, this research focuses on three main

areas: (1) analyzing the impact of toll road construction on Pasar Bengkel MSMEs, (2) assessing existing legal protection and policies, and (3) offering maslahahbased solutions that can ensure the sustainability and economic justice of small communities.

2. RESEARCH METHOD

This research uses a normative-empirical legal method. The normative approach was used to examine regulations and laws related to the protection of MSMEs, such as Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises and Government Regulation Number 7 of 2021 concerning the Facilitation, Protection, and Empowerment of Cooperatives and MSMEs. This approach allows for a systematic analysis of the legal framework governing the sustainability of MSMEs in the context of infrastructure development (Hidayat, 2020). Meanwhile, an empirical approach was chosen to explore the actual conditions of MSMEs in the Bengkel Market after the Medan–Tebing Tinggi Toll Road began operating through in-depth interviews and field observations (Suryadi, 2019).

Empirically, primary data was obtained from interviews with 10 MSMEs representing the culinary (dodol, chips, sweets) and service (automotive, handicraft) sectors. Informants were selected using purposive sampling based on the criteria of direct involvement in trading activities at Bengkel Market before and after the toll road construction (Fauzi, 2021). Semi-structured interviews were conducted to allow researchers to gather information regarding the experiences, adaptation strategies, and perceptions of MSMEs regarding government protection policies.

Secondary data was obtained through a literature review of regulations, government reports, statistical data from the Statistics Indonesia (BPS) and the Ministry of Cooperatives and SMEs, as well as scientific studies related to Islamic economic law and MSMEs (Rahmawati, 2019). This integration of primary and secondary data aimed to strengthen the analysis and ensure that the research findings were not only descriptive but also had a strong legal basis.

The data analysis process was conducted qualitatively using reduction, categorization, and interpretation techniques. Interview data was transcribed, coded, and then analyzed by comparing conditions before and after the toll road construction. The results of the analysis were then linked to legal norms and the principle of maslahah (benefit) in Islamic law. This approach aligns with the view that research on Islamic economic law should not only focus on legal texts but also examine social and ethical implementation in the field (Ahmad, 2020).

To ensure validity, the study employed source triangulation techniques, comparing interview data with official documents and findings from previous

studies. This triangulation is crucial for mitigating researcher bias and ensuring that conclusions are based on credible evidence (Budi, 2021).

Thus, the normative-empirical method employed provides the advantage of bridging legal theory with social reality, while also assessing the extent to which MSME protection policies align with the principles of maqāṣid al-sharī'ah, which prioritize social justice and the public good.

3. RESULT AND ANALYSIS

The Role of MSMEs in the Local and National Economy

Micro, Small, and Medium Enterprises (MSMEs) are a key pillar of the Indonesian economic system. Their existence is not merely a complement to or support for the formal sector, but rather a key pillar of the people's economy. Several MSMEs that have emerged today are the result of ideas and innovations that are then developed into imaginative business thinking motivated by the perceptions of others (Falya Syahara & Zulham, 2025). According to data from the Ministry of Cooperatives and SMEs (2023), the contribution of MSMEs to Gross Domestic Product (GDP) reached 61.1%, while absorbing more than 97% of the total national workforce. This figure demonstrates the significant influence of MSMEs in maintaining economic dynamics within society. With their flexible structures and high adaptability, MSMEs are able to survive even in economic crises, such as the COVID-19 pandemic, when many large sectors experienced stagnation or even collapse. MSMEs are the backbone of local and national economic resilience and serve as a buffer zone to prevent larger economic shocks (Purwana, Rahmi, & Aditya, 2021).

MSMEs serve as pillars of the national economy and drivers of the local economy. Their contribution to Gross Domestic Product (GDP) reaches 61.1%, with employment absorbing over 97% of the workforce (Coordinating Ministry for Economic Affairs, 2023). The strength of MSMEs lies in their flexibility, innovation, and ability to survive crises, as seen during the COVID-19 pandemic (Purwana, Rahmi, & Aditya, 2021).

From an Islamic economic perspective, MSMEs have a dual role: in addition to being business entities, they also act as social agents, bringing blessings, justice, and the distribution of prosperity through zakat, infaq, and waqf (Aryani et al., 2023). The maslahah approach strengthens the moral legitimacy of MSMEs as instruments that not only pursue profit but also ensure social balance (Rahmawati, 2019).

The application of Sharia principles in MSME management is considered capable of increasing public trust in the products offered. Principles such as halal (permissible), thayyib (good), and the avoidance of gharar (goodwill), and usury (riba) are key considerations in business activities, resulting in not only material but also spiritual benefits. Consumers are increasingly choosing products that are

not only high-quality but also guaranteed halal and have strong business ethics. The implementation of Sharia values in MSME operations directly contributes to increased market access, particularly the growing halal product market, both domestically and globally (Rahman, 2022). This aligns with the Global Islamic Economy Indicator (2022) report, which places Indonesia among the countries with the fastest-growing halal sectors in the world. In this context, Sharia-compliant MSMEs are a key driver of halal economic growth in Indonesia (Huda et al., 2021).

MSMEs also make a significant contribution to job creation in accordance with the principles of social justice. They provide inclusive and adaptive employment opportunities, prioritizing work ethics and values-based empowerment (Sari, 2024). In practice, MSMEs more easily absorb local labor, provide training, and create a more friendly and familial work environment. Furthermore, the integration of Islamic values into the training and development of MSME workers not only improves the quality of human resources but also shapes the character of honest, trustworthy, and productive workers (Hidayat, 2023). Character education and spirituality in this workplace are distinct advantages that contribute to productivity and business sustainability. In the long term, this synergy between Islamic values and economic empowerment will create a resilient, highly competitive, and blessed business ecosystem.

Conditions of MSMEs at Pasar Bengkel Before and After Toll Road Construction

The construction of the Medan-Tebing Tinggi Trans-Sumatra toll road has brought both advantages and disadvantages to toll road users, especially for MSMEs operating near the toll road, one of which is the Pasar Bengkel. The toll road construction has had a dual impact on the MSMEs operating at Pasar Bengkel. The products offered at Pasar Bengkel include food, beverages, and handicrafts, such as dodol (sweets made from sticky rice), chips, candied fruit, woven goods, and more. Before the Medan-Tebing Tinggi Trans-Sumatra toll road, all motorists, cars, and even buses traveled along the Trans-Sumatra (Jalinsum) route. This served as a unique attraction for consumers, attracting them to Pasar Bengkel to purchase souvenirs. However, since the construction of the Medan-Tebing Tinggi Trans-Sumatra toll road, MSMEs operating at Pasar Bengkel have experienced a decline in customers and even revenue, resulting in reduced employment and wages.

The negative impact of toll road construction has resulted in the temporary and even permanent closure of several MSME shops in Pasar Bengkel. The closure of MSME shops in Pasar Bengkel demonstrates that the construction of the Medan-Tebing Tinggi Trans-Sumatra Toll Road has resulted in the demise of MSMEs in Pasar Bengkel. The condition of MSMEs in Pasar Bengkel before (pre) and after (post) toll road construction is outlined in the table below:

Table: Condition of MSMEs in Pasar Bengkel Before and After Construction of the
Medan-Tebing Tinggi Trans-Sumatra Toll Road

No	Pre-Toll Road Construction	Post-Toll Road Construction
1	Income is around 1-3 million rupiah per day	Income under 1 million rupiah per day
2	MSMEs sell around 25-40 kg of dodol per day at 40,000 rupiah per kg, and 40 packs of chips per day at 15-20,000 rupiah per pack.	MSMEs sell around 1-2 kg of dodol per day at 60,000 rupiah per kg and 3-4 packs of chips per day at 10,000 rupiah per pack.
3	Each MSME in the workshop market has 3-5 workers in small shops and 6-10 workers in large shops.	Each MSME in the workshop market has one employee in a small shop and 3-4 employees in a large shop.
4	Dodol production reaches 3-5 cauldrons per week.	Dodol production only reaches 1-2 cauldrons per week.
5	Number of active shops is around 100.	The number of active shops is around 35.

Based on the table above, we can see that before the toll road, Pasar Bengkel enjoyed a strategic location. Pasar Bengkel was frequently visited by large buses and intercity public transportation. Passengers waiting for buses often used the time to buy souvenirs, resulting in a steady flow of shoppers daily. This made Pasar Bengkel not only a trading center but also a stopover icon on the Medan-Tebing Tinggi route.

However, this situation changed drastically after the toll road opened. With the diversion of traffic from the main road to the toll road, Pasar Bengkel lost a significant portion of its out-of-town visitors. Buses and public transportation from Medan to Tebing Tinggi now access the Medan-Tebing Tinggi Toll Road. Because buses and other public transportation now use the toll road, passengers wait at toll gates, such as the Lubuk Pakam Toll Gate or the Tebing Tinggi Toll Gate. As a result, Pasar Bengkel became less frequented, even being deprived of the flow of passengers and passers-by who were previously its primary customers.

An interview with Mr. E, one of the dodol (sweets) shop owners, revealed that the toll road construction has had a significant impact on his dodol shop. Although his dodol shop is still operational, his income is significantly different from before the toll road. Mr. E said:

"Before the toll road, I could produce more than four pots of dodol a week. Now, I can produce two pots a week, and they sell well, thank God. In fact, my income from this dodol shop alone is more than enough to support me," he said.

Observations and interviews revealed a drastic difference before and after the Medan-Tebing Tinggi Toll Road began operating. Before the toll road, vendors averaged Rp1–3 million per day, with 3–10 employees per shop. After the toll road, revenue dropped to below Rp1 million per day, the number of employees decreased to only 1–4, and the number of active shops shrank from 100 to around 35. This data demonstrates structural losses for MSMEs (Sugianto, 2020).

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An interview excerpt with one dodol vendor confirms this situation: "Before the toll road, I could produce 4–5 pots of dodol per week. Now I only produce 1–2 pots, and even those don't necessarily sell out." This testimony indicates that the toll road has cut off the flow of consumers who previously relied on the main route.

This decline aligns with the findings of Sirait (2022) and Naeruz & Damayanti (2022), who also highlighted similar impacts on MSMEs due to toll road construction. However, this study broadens the perspective by assessing the condition of MSMEs through a maslahah framework, rather than simply economic aspects.

Protecting MSMEs from a Maslahah Perspective

According to Ramadan Al-Buti, as quoted in Safriadi's book, maslahah linguistically refers to anything that contains benefits. Meanwhile, maslahah, as defined in the Islamic jurisprudence, is the benefit that is the goal of the Shari'a for His servants, protecting religion, life, intellect, posterity, and property (Safriadi, 2023). According to Imam Al-Ghazali, as cited in the research of Ali Akbar and Imam Yazid, maslahah is the effort to uphold the objectives of the Shari'a in every action or decision that can have legal consequences. In the context of worship, Al-Ghazali states that maslahah is the effort to achieve benefits or avoid harm (Akbar & Yazid, 2025).

The doctrines of Ramadan Al-Buti and Imam Al-Ghazali share similar perceptions. First, the terminology of maslahah must be within the scope of the objectives of the Shari'a and should not be based solely on desires, especially lustful desires. In other words, they emphasize maslahah (benefit) over sharia objectives. Second, maslahah must contain two essential elements: achieving benefits and avoiding harm (mafsadah) (mudharat) (Safriadi, 2023).

From the perspective of Islamic economic ethics, protecting Micro, Small, and Medium Enterprises (MSMEs) cannot be viewed merely as an administrative obligation or a narrow sectoral program, but rather as a moral and social responsibility rooted in the principle of maslahah. Maslahah, in ushul fiqh, is the normative foundation underlying public policy formation, with the primary goal of creating general benefit (jalb al-maṣāliḥ) and preventing all forms of harm (dar' al-mafāsid). In Islamic economics, policies that disfavor or even ignore the economic conditions of small businesses can be categorized as policies that do not reflect maslahah values. In other words, laws and policies cannot be neutral when dealing with inequality and the suffering of vulnerable communities.

When MSMEs experience disruption due to toll road infrastructure development, as occurred at Pasar Bengkel, this condition must be interpreted as structural damage that threatens the survival of small communities. Therefore, the principle of maslahah mandates that local governments actively intervene to prevent these negative impacts through adaptive, solution-oriented, and justice-oriented policies. In this case, maslahah is not only a legal principle but also a

framework of public ethics that requires policymakers to act for the social good, not merely following formal procedures (Qorib and Harahap, 2016).

The economic crisis experienced by MSMEs in Pasar Bengkel can be classified as darūriyyāt, namely primary benefits that encompass the protection of life, mind, religion, descendants, and property (Rizka & Ramadhan, 2024). The loss of income resulting from the decline in consumer numbers and the diversion of traffic flow is not merely a technical obstacle, but a real harm that has implications for the survival of business actors, household stability, and even the social security of local communities. Therefore, protection of MSMEs in affected areas must be a primary concern within the framework of maqāṣid al-sharīʻah.

Maslahah demands concrete actions that are not merely symbolic. Providing incentives, business relocation, tax exemptions, providing access to public facilities, and managerial and financial assistance are forms of protection that align with the principles of maslahah in the category of ḥājiyyāt, namely secondary needs that play a role in preventing greater damage. The category of ḥājiyyāt includes maslahah that is important for the comfort and convenience of human life, although not essential to their survival, such as facilitating regulations (Rizka & Ramadhan, et al., 2024).

Furthermore, the taḥsīniyyāt dimension, or tertiary needs, within the maslahah concept is also relevant in efforts to strengthen the competitiveness of MSMEs after the impact of development. The taḥsīniyyāt (tertiary) dimension is maslahah that improves and enhances the quality of life, such as ethics, good habits, and social respect (Rizka & Ramadhan, et al., 2024). Programs such as digital marketing training, strengthening halal branding, business certification, and developing product innovation are forms of refinement that aim not only to prevent harm but also to create goodness and progress. Thus, maslahah (benefit) serves not only as an ethical foundation for protection but also as a driver for the transformation and sustainability of small businesses. Therefore, state policy must prioritize the principle of ihya' al-ardh (giving life to the earth), as stated in QS. Al-Baqarah [2]: 195:

Meaning:

"And spend (your wealth) in the way of Allah, and do not throw yourselves into destruction, and do good. Indeed, Allah loves those who do good." (Quran, Al-Baqarah: 195).

This verse implicitly warns against allowing society to fall into economic ruin without protection and support. Strategic actions such as providing capital assistance, entrepreneurial training, and relocating businesses to more promising locations can be classified as ḥājiyyāt, namely secondary needs that, although not essential, are essential to avoid serious hardship. In the long term, capacity-building programs, MSME digitalization, expanding market access through e-

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commerce, and quality and halal certification can be seen as forms of taḥsīniyyāt—perfecting aspects aimed at improving the quality of life and professionalism of small businesses in a sustainable manner.

The command to do good as the basis for public policy action is also emphasized in Quran, Al-Ḥajj [22]: 77:

Meaning:

"O you who believe! Bow down, prostrate yourself, worship your Lord, and do good that you may prosper." (Quran, Al-Ḥajj: 77).

This verse emphasizes that acts of kindness, including socio-economic interventions that protect small businesses, are part of collective worship and an instrument for achieving the success of society as a whole. Thus, the maslahah approach is an important foundation for formulating contextual, relevant, and equitable MSME protection policies. It bridges normative Islamic values with the challenges of the modern economy and offers an ethical framework that guides policymakers to always prioritize the public interest as the primary orientation in decision-making.

The maslahah principle mandates the protection of the livelihoods of small communities. Within the framework of the maqāṣid al-sharī'ah (laws of conduct), the impact of declining incomes at Pasar Bengkel MSMEs can be categorized as a threat to their dharuriyyat (primary needs), specifically the protection of life (ḥifz al-nafs) and property (ḥifz al-māl) (Safriadi, 2023).

The local government has provided MSME stalls at the KM 65 Rest Area, but limited access means this policy does not address the needs of all MSMEs (PP No. 7 of 2021, Article 60). This effort only meets the level of ḥajiyyat (secondary needs), but fails to address pressing primary needs. To strengthen the position of MSMEs, additional policies such as fiscal incentives, credit restructuring, and digital marketing training programs are needed (Rizka & Ramadhan, 2024).

On the other hand, the taḥsīniyyāt (perfection) dimension can be realized through halal product branding, quality certification, and packaging innovation. This step aligns with the growing global halal economy trend (Huda et al., 2021). The implementation of these programs will encourage MSMEs not only to survive but also to thrive in a competitive digital ecosystem.

Policy Analysis and Implications

Normatively, Law No. 20 of 2008 and Government Regulation No. 7 of 2021 have provided a foundation for protection for MSMEs. However, weak implementation indicates a gap between regulations and reality on the ground (Suryani & Hidayat, 2022). This underscores the need for political will from local governments to be more proactive in integrating maslahah principles into policies.

Further analysis shows that this gap is not merely technical, but rather structural. Local governments often prioritize physical infrastructure development because it is perceived as having political value and a more easily demonstrated public image, while MSME protection is viewed as a long-term program with less immediate results. This situation demonstrates a development bias that focuses on "growth" while neglecting the "equity" dimension. However, according to the maqāṣid al-sharīʻah, distributive justice is a key element in ensuring shared prosperity (Rahmawati, 2019).

From the perspective of Islamic economic law, policies that solely emphasize physical development without considering the sustainability of small economic actors contradict the values of al-'adalah (justice) and al-rahmah (social compassion) (Qorib & Harahap, 2016). Furthermore, policies that fail to anticipate the vulnerability of MSMEs can be categorized as socio-economic mafsadah (damage), as they lead to marginalization of vulnerable groups who are the pillars of the national economy. In this context, the principle of maslahah demands that development policies be assessed not only on their macroeconomic benefits, but also on their extent to which they reduce social injustice and provide space for the people's economy to thrive.

Thus, protecting MSMEs must be viewed not merely as an administrative obligation, but also as a moral and constitutional obligation. Local governments need to operationalize the maslahah principle through affirmative action policies: for example, providing fiscal incentives, facilitating digital marketing, and providing more inclusive business space in rest areas. Without these concrete steps, national infrastructure development has the potential to create new inequalities, where small economic groups are increasingly marginalized while the greatest benefits are enjoyed only by large corporations and powerful investors.

4. CONCLUSION

The construction of the Medan-Tebing Tinggi section of the Trans-Sumatra Toll Road provides macro benefits in the form of increased connectivity and logistics efficiency. However, at the micro level, this infrastructure has negatively impacted the Pasar Bengkel MSME in Serdang Bedagai Regency. Research findings indicate a significant decline in turnover, workforce, and business continuity, resulting in the permanent closure of many businesses. This fact highlights the gap between national development goals and the realities faced by the people's economic sector.

The maslahah analysis in this study confirms that the protection of MSMEs impacted by the toll road encompasses three main dimensions: dharuriyyat (fulfillment of primary needs and livelihoods), hajiyyat (provision of ease and access to business), and tahsiniyyat (improving quality and competitiveness). Thus, the maslahah approach provides a normative and ethical perspective that

development should not result in the marginalization of small communities, but rather should ensure their economic sustainability.

Normatively, Law No. 20 of 2008 and Government Regulation No. Law No. 7 of 2021 has provided a foundation for protecting MSMEs. However, weak implementation at the local government level indicates a gap between regulation and practice. This requires stronger political will and the integration of maslahah principles into public policy. From an Islamic economic law perspective, protecting MSMEs must be viewed as a moral and constitutional obligation, not merely an administrative formality.

The main contribution of this research lies in the application of the maslahah framework as an analytical instrument for MSME protection in the context of modern infrastructure development. Practically, this research recommends several strategic steps: integrating MSMEs into toll road rest areas, optimizing digital marketing, providing fiscal incentives, and providing managerial assistance based on Sharia values. With policies based on justice (al-'adalah) and social compassion (al-rahmah), infrastructure development can be directed not only towards pursuing economic growth but also ensuring sustainability, equity, and the inclusive welfare of small communities.

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