



International Conference on Islam, Law, and Society
(INCOILS)
Conference Proceedings 2023

**Determination of Gurami Fish Prices by Middlemen
Reviewed from Law No. 5 of 1999 concerning Prohibition
Monopolistic Practices and Unfair Business Competition
(Case Study in Balesono Village) Subdistrict Ngunut
Regency Tulungagung**

Dian Ferricha,¹ Rischy Eka,² Wifanka,³ Gading Angga⁴

¹HES UIN Sayyid Ali Rahmatullah Tulungagung, ² HES UIN Sayyid Ali
Rahmatullah Tulungagung, ³ HES UIN Sayyid Ali Rahmatullah
Tulungagung, ⁴ HES UIN Sayyid Ali Rahmatullah Tulungagung
[¹dianferricha@gmail.com](mailto:dianferricha@gmail.com) , [²rischyeka21@gmail.com](mailto:rischyeka21@gmail.com) , [³wiwifan@gmail.com](mailto:wiwifan@gmail.com)
, [⁴anggagag@gmail.com](mailto:anggagag@gmail.com)

ABSTRACT

This research is based on the main problem in gourami fish cultivation, where growth is hampered by poor water quality, where inappropriate temperature and pH can disrupt the growth and appetite of fish. In addition, there are problems in marketing the harvest, such as weak infrastructure, lack of market information for farmers, small production scale, and the dominance of middlemen who often cause price injustice, although on the other hand they also help stabilize prices and become important intermediaries for farmers. The focus of this research is (1) How is the mechanism for determining the price of gourami fish carried out by middlemen in Balesono Village, (2) How can price determination by middlemen affect the market structure. then the purpose of this research is to explain as follows: (1) To find out how is the mechanism for determining the price of gourami fish carried out by middlemen in Balesono Village. (2) To find out how can price determination by middlemen affect the market structure. This research applies a qualitative method with an empirical legal approach based on field facts, which was carried out in Balesono Village, Tulungagung, to analyze how middlemen determine the price of gourami fish. The researcher acted directly as the primary instrument, using observation, interviews, and documentation techniques to collect primary

and secondary data. Data analysis was conducted through patterns and categories, and its validity was tested using triangulation. The research was conducted systematically, from problem identification to reporting. The results showed that: (1) Middlemen in Balesono Village play a dominant role in determining gourami prices, often setting prices below market value due to farmers' limited information and experience, as well as their dependence on middlemen as primary buyers. (2) The gourami market in Indonesia is relatively stable with consistent demand, although distribution is still dominated by middlemen through contract and free systems, indicating evolving market dynamics and intense competition.

Keywords: Price Determination, Monopoly, Law on the Prohibition of Monopolistic Practices

Introduction

Cultivating gourami fish is very popular among perpetrator cultivation Because potential its high economy . However , one of the the constraints is growth of gourami fish which is classified as slow , cause the main thing trigger problem This is water quality when poor water quality fish growth can hampered . On the contrary according to Khairuman and Amri if water conditions are maintained with okay , the fish will grow more fast . For guard water quality is one of the effective solutions is maintenance in a way intensive with apply system recirculation *recirculating aquaculture system* / RACE. System RACE allows water flow from pool pumped through a good filter mechanical , biological , and chemical before returned to pool . With so content oxygen maintained , ammonia and waste controlled create optimal environment for growth of gourami fish.

Fishery involving a series related activities with management and use source fish power and its ecosystem , starting from stage before production , production process , processing , until marketing in something system business integrated fisheries .. According to Law of the Republic of Indonesia Number 31 Years 2004 fish farmers are the party executing activity maintenance , rearing and breeding of fish in condition controlled as well as harvest the results . Cultivating gourami fish is one of the form utilization potential fisheries , the process done through pool artificial started with prepare pool and choose seed superior , continued with maintenance in a way intensive until the fish is ready harvested . After harvest cultivators Still must emit cost addition For do marketing results harvest .

According to Anindita, there are various inhibiting factors efficiency in marketing . Some of them is weakness connecting network manufacturer with consumers , lack of access market information , size production agriculture that is still small , and limitations knowledge farmer And trader , as well as policy marketing Which precisely harm , like extortion . In context structure market in the gurami fish business business generally face problem like imbalance amount between sellers and buyers as well as obstacle For enter the market because height capital needs or cost beginning . In addition limited infrastructure supporters like means transportation and distance distance delivery become challenge alone in the process of distributing gourami fish to perpetrator other businesses and consumer end . In terms of market behavior of players business often faced with problems determination price , such as existence practice collusion between trader in determine price sale , non-conformity price between product quality high and low , and dependence manufacturer to One or two buyers still causing range marketing become limited . While in aspect market performance challenges faced seen from inequality profits earned perpetrator business . Difference in marketing margin create gap price between level cultivators and the prices paid consumers in the end market .

Party middlemen hold crucial role for trader transport beginning Because they can do purchase in large amount , so that ensure goods fast sold in one transaction . This is make middlemen mainstay For avoid hassle sell to Lots buyer small Which only buy part stock and eat time as well as power . In addition middlemen often monitor change supply and demand in the market, with outlook the they own greater understanding wide about market conditions in general general so that more capable determine fair price and strategic .

Difference main between sales of wet and dry gourami fish located on method weighing . Sale wet involving fish weighing gourami with water, whereas sale dry done without water. Sale wet often results in a little price more tall compared to sale dry , because buyer catch fish with heavy Which more tall consequence water Which stick on fish. As for sales Wet Weighing of gourami fish is weighed together with water attached , price usually more tall Because buyer catch fish with more weight big due to water sticking but If sale dry so weighing gourami fish weighing without water and price Usually more low compared to sale wet .

middleman play a very crucial role in market products agriculture , they operate purchase main moment season harvest and sales moment supply thinning so that in a way No direct help stabilize price . When season harvest arrive middlemen absorb harvest farmer so that prevent the decline drastic price and time season harvest finished or happen scarcity they let go stock to the market for withhold surge price . Indeed objective main middlemen is get profit so that they tend buy with price as low as possible and offer product at price as high as possible . This pattern clear different with pattern think farmers in general more focus on income family than profit maximum .

Library Review

1. Analysis

Analysis is a process of solving problems using the mind by breaking an object into its components using an orderly method, so that its basic principles can be understood. According to Salim and Salim, analysis also means reviewing an event such as an activity, document, or other event, to obtain information. Which accurate about background behind, reason, as well as The actual context. On the other hand, data analysis, according to Priyatno, is the activity of calculating data so that it can be presented in a structured manner, for quantitative data analysis. This calculation can be done manually using traditional statistical formulas. or by utilizing statistical software.

2. Fish gourami

The gourami (*Osphronemus gouramy*) is a major focus in freshwater aquaculture development. This fish adapts easily to various types of water, especially in calm habitats such as swamps, ponds, and lakes. making them ideal for keeping. Biologically, gourami are equipped with an additional organ called a labyrinth of capillary epithelial folds located above the first gill, which allows the fish to absorb oxygen directly from the atmosphere. This allows gourami to live in waters with low dissolved oxygen levels.

3. Price

Price is the amount of money required to purchase a product or service, which a buyer must pay to obtain a specific combination of products, services, or benefits. In the context of this research, the price is determined by middlemen, namely the monetary value they agree on

with cocoa farmers after a bargaining process. From an economic perspective, this price includes all production-related costs, such as production costs, plus the seller's or middleman's expected profit.

4. Constitution

Constitution is one of the form regulation legislation drafted and ratified by the People's Representative Council (DPR) with agreement President of the Republic of Indonesia. The term *legislation* , which originates from from Latin *lex legis* which mean law referring to the document law officially published from institution authorized and made through procedure written in standard form . As product formal legislation of laws functioning as source binding law in a way general arrange rights , obligations , and connection between government and society , creation Constitution done with clear mechanism that legislators (DPR) design , then discussed and approved together President before promulgated become valid law .

Method

Study this is also often called study law empirical Where study based on on primary data, namely data that comes from sources direct from public as the first data obtained with use laws and actions that exist in society.³² According to Saryono, the research qualitative is type research that aims For explore , identify , describe , and explain characteristics or uniqueness from impact difficult social For described , calculated , or depicted with method quantitative . Difference with study quantitative lies in reality that study This started with data, utilise theory which has There is as means explanation , and closed with creation new theory .

Results and Discussion

A. Process determination price fish gourami by middlemen And farmer in Balesono Village Subdistrict Ngunut Regency Tulungagung

Process determination price gourami fish in Village Balesono, Ngunut District, Tulungagung Regency, involves interactions between fish farmers and middlemen. Middlemen have significant influence in determining the price of gourami. They often set purchase prices below market prices, especially for farmers with little information or experience in marketing. Strategies implemented include targeting

novice farmers or those with limited technological understanding, and also bargaining after the fish are caught, claiming that the quality or size of the fish does not meet the standards set for consumption.

The process of determining the price of gourami fish by middlemen and farmers in Balesono Village, Ngunut District, Tulungagung Regency, is generally influenced by several factors involving interactions between farmers and middlemen as marketing intermediaries. Some of these processes are based on the general context and several studies related to the Tulungagung area:

1. Gourami fish farmers in Balesono Village cultivate gourami which are then sold to middlemen. Middlemen play a role as buyer main Which buy results harvest from farmers to then be resold to wider markets, such as markets in big cities or wholesalers.
2. The price of gourami is usually determined by fish quality (size, weight, and freshness), market conditions, and negotiations between farmers and middlemen. Prices are also influenced by market prices in other areas and consumer demand.
3. In some cases, gourami prices in Tulungagung have experienced sharp declines due to manipulation by middlemen, who can influence the selling price at the farmer level. Middlemen have significant bargaining power as they are the primary buyers and the link between farmers and the wider market.
4. This pricing process often does not involve A transparent market mechanism means farmers tend to accept the prices set by middlemen without many other options. This leaves farmers in a relatively weak bargaining position when it comes to determining the selling price of their gourami.

The study related to determining the price of gourami fish in the Tulungagung area, including Balesono Village, also highlighted the buying and selling practices that... carried out using a wet weighing system and direct negotiations between farmers and middlemen, which are influenced by Islamic economic law and local trade regulations.

The findings on the price indicator indicate that respondents from various levels of fish farming groups, both beginner and intermediate, consider similar factors in setting the selling price of their harvest. These factors include fish size, production costs, quality, distribution distance, fish species, market prices, and agreements between farmers and buyers, whether middlemen, other farmers, or direct consumers. Most

respondents also experienced difficulties in maintaining price stability due to seasonal influences, disease or virus attacks, and competition. Furthermore, prices are also heavily influenced or controlled by the role of middlemen.

Many farmers in Balesono Village rely on middlemen to sell their crops, due to limited access to wider markets and a lack of information on actual market prices. As a result, farmers often receive low prices that disproportionate to their production costs. To address the issue of unstable prices and dependence on middlemen, several steps can be taken:

1. Formation of fish farming groups, by joining farmer groups can improve their bargaining position and get access information Which more Good about market price .
2. Product diversification, processing gourami fish into processed products such as fish balls can increase added value and open up new markets.
3. Utilization of information technology, using digital platforms to market products directly to consumers or restaurants can reduce dependence on middlemen.
4. With government support, local governments can provide training, access to capital, and marketing facilities to help farmers improve their welfare.

With these steps, it is hoped that gourami fish farmers in Balesono Village can obtain fairer prices and improve their welfare.

B. Condition market And influence price

Marketing, or in English, *marketing* , is a crucial function within an organization, involving a series of integrated activities, from creating, delivering, and communicating value to customers. Furthermore, marketing also encompasses managing strong customer relationships through approaches that benefit not only the company or organization itself but also its stakeholders. for all over party Which concerned (*stakeholders*) in these activities. Marketing can be understood as a social and managerial process in which both individuals and groups strive to fulfill their needs and desires. This is done with method build, provide, as well as do exchanging various things that have value and use between one another one party with another party so that a mutually beneficial reciprocal relationship is established in the context of fulfilling life's

needs.

The gourami fish market in Indonesia is relatively stable, because this fish is one of the favorite freshwater commodities of consumers. Several important points related to market conditions are in consistent demand, namely Gourami fish has a high demand especially in restaurants, restaurants, and traditional markets because of its savory taste and thick meat texture, centralized production such as Gourami production centers are in West Java (Subang, Ciamis, and Tasikmalaya), Central Java, and part Sumatra. Farm gourami Still Lots executed traditionally . And market competition between farmers is not yet too tight, but other fish such as tilapia and catfish have become cheaper and more suitable substitutes. fast harvest although price And supply can fluctuate depending on the season (rainfall, water temperature, etc.).

Middlemen who apply the contract method are those who provide loans to cultivators who lack of funds in the process cultivation they. Loan This later will cut When farmers harvest their gourami. A free-market system is used by middlemen who are not bound by debts to farmers. Farmers are free to sell their produce to anyone who can afford the gourami at a higher price. The following data shows the number of gourami produced. cultivators who borrow capital And cultivators who do not borrow capital from middlemen or traders.

The gourami market in Indonesia is showing a positive trend, with demand continuing to rise, both domestically and for export. This demand is driven by the popularity of gourami as a delicious and economically valuable food, as well as The culinary sector is growing, featuring gourami as a main dish. Gourami production in several regions, such as Tulungagung, is abundant and is starting to target new markets like Kalimantan, indicating market expansion from its previous focus on Java. This abundant production also contributes to the growing demand. accompanied by relatively stable prices in the range of IDR 32,000 to IDR 50,000 per fish, depending on the size of the fish.

Conclusion

Based on results study And discussion Which has Based on previous research, it can be concluded that in determining the price of gourami in Balesono Village, middlemen play a dominant role, often

setting prices below market value by exploiting the lack of information and experience of farmers, especially new ones. Although prices should ideally be determined by fish quality, market conditions, and production costs, farmers' bargaining position is very weak due to their dependence on middlemen as primary buyers and link to the market. This leads to price instability, which is also exacerbated by seasonal factors, disease, and competition. To address this problem and improve farmer welfare, efforts are needed such as the formation of farmer groups, product diversification, the use of digital technology for direct marketing, and support government in the form of training And access capital.

The gourami fish market in Indonesia shows stability with consistent demand, especially from the culinary sector, even though production Still Lots done in a way traditional And fierce competition with other types of fish. In its distribution, the role of middlemen is very important dominant, Good through system contract (with capital loans deducted at harvest time) and a free system that allows farmers to sell to the highest bidder, indicating the existence of market dynamics that continue to develop along with the expansion of marketing areas and price stability.

BIBLIOGRAPHY

- Abidin, Zainal, et al . *Marketing of Fishery Products* . Malang: UB Press, 2017.
- Anggito , Albi and Johan Setiawan. *Research methods Qualitative* . Sukabumi : CV Jejak, 2018.
- Aziz, Abdul. *Business Ethics Islamic Perspective* . Bandung: Alfabeta , 2013.
- Fattah Nasution, Abdul. *Research methods Qualitative* . Medan: CV Creative, 2023.
- Ghazaly , Abdul Rahman, et al . *Fiqh of Muamalat* . Jakarta: Kencana Prenada Media Group, 2010.
- Hermawan, Sigit and Amirullah . *Research methods Business : Approach Quantitative & Qualitative* . NTB, 2016.
- Ministry of Religion of the Republic of Indonesia. *The Quran and Its Translation* . Bandung: CV Publisher Diponegoro , 2015, Surah Al-Furqan 25:67.
- Kotler, Philip, et al. *Management Marketing : An Asian Perspective* . Jakarta: PT Indeks , 2005.
- Kurniasih, Dewi, et al . *Analysis Techniques*. Bandung: Alfabeta , 2019.

- Marbun , BN *Management Dictionary* . Jakarta: Sinar Harapan Library, 2003.
- Mardiasmo . *Public Sector Accounting* . Yogyakarta: Andi Offset, 2018.
- Margono, Suyud. *Anti-Monopoly Law*. Jakarta: PT Sinar Grafika , 2009.
- Mas'adi , Ghufroon A. *Fiqh of Muamalah Contextual* . Jakarta: PT Raja Grafindo Persada , 2002.
- Mubyarto . *Political Agriculture and Rural Development* . Jakarta: Sinar Harapan, 1983.
- Muslich , Ahmad Wardi. *Fiqh Muamalat* . Jakarta: Amzah, 2010 & 2017.
- Nursobah , Ahmad. *The Concept of Buying and Selling in Islam*. Purworejo : IAI An-Nawawi, 2020.
- Rahmadi . *Methodology Research* . Banjarmasin: Antasari Press, 2011.
- Sajogyo , Pujiwati. *Sociology Rural Areas* . Yogyakarta: Gadjah Mada University Press, 1999.
- Siswati, Endang, et al . *Customer Relationship Management and Its Implementation in Small Companies*. Purbalingga : CV Eureka Media Aksara, 2024.
- Sulistiyawati . *Research Methods Textbook Qualitative* . Yogyakarta: K-Media, 2023.
- Umar, Hussein. *Research methods For Business Theses and Dissertations* . North Jakarta: Rajawali Press, 2011.
- Joseph, Muri. *Research methods Quantitative , Qualitative & Research Combined* . Jakarta: Prenadamedia , 2014.
- Al-Baiqun, BJ. “Structure-Conduct-Performance Analysis of the Gurame Fish Market in Kediri Regency.” *Journal of Economic and Social of Fisheries and Marine* , December 2019.
- Azizah, Erfrida Nurul. “The Positive Role of Middlemen...” *Indonesian Journal of Sociology and Education Policy* , Vol. 1, December 2016, p. 85.
- Lestari, Wiji, et al. “Study of Cost Efficiency of Cultivation and Marketing Patterns of Gourami Fish...” *Agricultural Journal* , October 2014, p. 4.
- Malaka, Mashur. “Monopoly Practices and Business Competition.” *Al-Adl Journal* , Vol. 7 No. 2, July 2014, pp. 40–41.
- Mekarisce, Arnild Augina. “Data Validity Checking Techniques...” *Public Health Scientific Journal* , Vol. 12 Issue 3, 2020, p. 147.
- Nurjanah. “Consumer Satisfaction Analysis...” *Student Journal* , Vol. 1, November 2021, p. 121.

- Onsu, Indra Foreman, et al. "Analysis of the Implementation of the Main Duties and Functions of the Sub-district Head..." Vol. 03 No. 03, 2019.
- Rustam, Z., S. Syahrizal, and Haja. "Gourami Fish Maintenance..." *Scientific Journal of Batanghari University, Jambi* , Vol. 15 No. 04, 2015.
- Salim, RA, et al. "Marketing Strategy for Aquaculture Harvests..." *Journal of Tropical Aquaculture Science* , March 2025, p. 108.
- Sangian, Livie Meylan. "An Analysis of the Influence of Customer Value and CRM..." *Journal of Business and Management Research* , Vol. 3 No. 3, 2015, pp. 268–285.
- Usman, Zainal, et al. "Production of Juvenile Gouramy Fish (*Osphronemus gouramy*) Using Recirculating Aquaculture System Technology." *Journal of Aquaculture* , Vol. 10, No. 2, pp. 263 & 267