



Enforcement of Business Order by the Municipal Police in Pulogadung District under Jakarta Regional Regulation No. 8 of 2007 on Public Order

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ABSTRACT

This study aims to analyze the implementation of public order enforcement on specific business establishments operating in public spaces by the Municipal Police (Satpol PP) in Pulogadung District, based on Regional Regulation of the Province of DKI Jakarta Number 8 of 2007 concerning Public Order. The research employs a normative-empirical legal method with a qualitative approach. Data were collected through document analysis, in-depth interviews with Satpol PP officers, local government officials, and business actors, as well as field observations. The findings indicate that although Regional Regulation Number 8 of 2007 provides a comprehensive legal framework, its implementation by Satpol PP remains suboptimal. Law enforcement tends to be limited to administrative measures such as warning letters and symbolic fines, without escalation to judicial proceedings. Key obstacles include regulatory overlap, limited personnel and operational resources, economic pressures on the community, and a communication approach that lacks participatory engagement. To improve legal compliance, a holistic strategy is required combining consistent repressive enforcement with preventive efforts such as participatory legal education, provision of affordable legal business locations, licensing reform, and institutional capacity strengthening within Satpol PP.

Keyword: Public Order; Satpol PP; DKI Jakarta Regional Regulation; Law Enforcement, Specific Business Establishments

Introduction

Public order constitutes a fundamental foundation for the creation of a safe, comfortable, and civilized social life. In the urban context, order does not merely concern aspects of traffic and cleanliness, but also encompasses the regulation of business spaces, the use of public facilities, and interactions among citizens within dense and complex social spaces. Jakarta, as the center of national governance and economy, faces significant challenges in maintaining a balance between the dynamics of urbanization and the need for spatial order.¹ Phenomena such as the proliferation of street vendors on sidewalks, unlicensed businesses in green lanes, and violations of urban spatial functions indicate that order is not a naturally occurring condition but rather the result of systematic and consistent legal intervention.²

Normatively, the enforcement of public order has a strong legal foundation within the national legal system. Article 28G paragraph (1) of the 1945 Constitution

¹ Insan Harapan Harahap, "Analisis Ketersediaan Ruang Terbuka Hijau Dan Dampaknya Bagi Warga Kota DKI Jakarta," *Journal of Entrepreneurship, Management and Industry (JEMI)* 4, no. 1 (2021): 18-24, <https://doi.org/10.36782/jemi.v4i1.2134>.

² Augustinus Simanjuntak, *Hukum Bisnis Sebuah Pemahaman Integratif Antara Hukum Dan Praktik Bisnis-Rajawali Pers* (Jakarta: PT. RajaGrafindo Persada, 2019), 39.



of the Republic of Indonesia guarantees every citizen the right to security and protection from threats to public order.³ This provision affirms that public order is not merely an administrative matter but a constitutional right that must be guaranteed by the state.

In its implementation, this principle is elaborated through Law No. 23 of 2014 on Regional Government, which stipulates that peace and public order constitute mandatory governmental affairs under the authority of local governments. This provision has been amended through Law No. 2 of 2015, Law No. 9 of 2015, and Law No. 6 of 2023 concerning the enactment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation into Law, which has brought significant implications for the licensing system and business governance at the regional level.

Such authority is further detailed in Government Regulation No. 16 of 2018 on the Civil Service Police Unit, which provides an operational basis for the Civil Service Police Unit (Satpol PP) in enforcing regional regulations and administering public order as well as community protection.⁴ Within the context of the Special Capital Region of Jakarta, Regional Regulation No. 8 of 2007 on Public Order serves as the primary legal instrument comprehensively governing various aspects of urban order. This regulation replaced Regional Regulation No. 11 of 1988, which was deemed no longer relevant to the dynamics of Jakarta's society.⁵ With 16 chapters and 67 articles, the regulation covers order on roads, parks, rivers, the environment, business places, buildings, social and health matters, entertainment, and community participation.

Specifically, the regulation sets forth provisions concerning order in business spaces, including the prohibition of trading on sidewalks, bus shelters, pedestrian bridges, and other public facilities without a license (Article 25 paragraph 2); the obligation to possess a valid business license (Article 24 paragraph 1); the determination of street vendor locations by the Governor (Article 25 paragraph 1); the prohibition of placing business-related objects in green lanes and parks (Article 27); as well as the prohibition of businesses that cause pollution and disturb public order (Article 35). These provisions are not merely administrative in nature but also carry legal force through criminal sanctions. Violations may result in imprisonment of up to 180 days or fines of up to IDR 50 million, underscoring the binding legal character of this regulation beyond mere moral exhortation.⁶

Soerjono Soekanto's theory of law enforcement affirms that norms are only effective when actualized by competent authorities consistently and sustainably.⁷

³ Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia: "Every person shall have the right to protection of their personal self, family, honor, dignity, and property under their control, and shall have the right to security and protection from threats of fear to act or not to act in accordance with their human rights."

⁴ Eko Susdarwanto and E T Susdarwono, *Satpol PP: Organisasi Perangkat Daerah Penegakkan Perda Dan Perkada* (Jakarta: Guepedia, 2022), 76.

⁵ H A M Komnas, *Kajian Komnas HAM Terhadap Peraturan Daerah DKI Jakarta No. 8 Tahun 2007 Tentang Ketertiban Umum* (Jakarta: Komnas HAM, 2019), 11.

⁶ Baca Bab XIV Ketentuan Pidana dalam Peraturan Daerah DKI Jakarta Nomor 8 Tahun 2007 tentang Ketertiban Umum

⁷ Johan Jasin, *Penegakan Hukum Dan Hak Asasi Manusia Di Era Otonomi Daerah* (Yogyakarta: Deepublish, 2019), 217.

Meanwhile, theories on legal effectiveness highlight that the success of a norm is significantly influenced by the content of the regulation, the quality of law enforcers, supporting facilities, public legal awareness, and prevailing legal culture.⁸ Both perspectives reinforce the notion that regional regulations are not simply administrative tools but integral components of the legal system that demand adaptive implementation in response to social and economic dynamic.

The aforementioned normative and theoretical foundations indicate that the enforcement of public order in Jakarta has both strong legitimacy and clear coercive power. However, in practice, the existence of comprehensive regulations does not automatically guarantee the realization of an orderly city. Urban social realities present complex dynamics in which economic necessities frequently clash with the obligation to preserve public space order.⁹ Consequently, the enforcement of public order, particularly against businesses occupying public spaces without authorization, continues to face various implementation challenges.

Nevertheless, violations concerning certain business activities involving public spaces and licensing remain a serious issue across several regions in Indonesia. Based on the Public Order Assessment Report by LBH Masyarakat (2023),¹⁰ local governments in major cities such as Medan, Bandung, and Makassar actively enforce order against certain types of businesses, including illicit nightclubs, unlicensed entertainment establishments, and street vendors operating in public facilities. These enforcement actions are often carried out without transparent legal procedures or accompanied by relocation or economic empowerment solutions, resulting in business actors resuming operations shortly thereafter.¹¹

According to the 2024 Annual Report of CRM (Cepat Respon Masyarakat) of the Jakarta Provincial Civil Service Police Unit, public complaints related to specific business activities remain dominant. Unauthorized street vendors ranked highest with 10,034 complaints or 27.68%, followed by violations of smoke-free zones with 8,159 complaints or 22.51%, noise disturbances with 5,007 complaints or 13.81%, and illegal billboards or banners with 3,778 complaints or 10.42%. Additionally, 119 complaints or 0.33% were related to environmental pollution caused by business activities. This data demonstrates the persistence of business-related violations despite being regulated under Jakarta Regional Regulation No. 8 of 2007.

A similar condition is evident in Pulogadung District, East Jakarta. Based on the 2025 report of operational activities by the East Jakarta Civil Service Police Unit, 32 persons categorized as Social Welfare Problems (PMKS) were apprehended, 136 dispersals were carried out under the Praja Order Development Operation, and 109 yellow cards were issued against public order violators. The most dominant violations included street vendors selling food and beverages near Klender Station and Pulogadung TransJakarta Bus Stop, semi-permanent tent stalls in green lanes

⁸ Serlika Aprita, *Pengantar Ilmu Hukum* (Jakarta: Prenada Media, 2024), 101.

⁹ Tomi Arianto, *Realitas Budaya Masyarakat Urban* (Jakarta: Yayasan Tri Edukasi Ilmiah, 2024), 10.

¹⁰ Albert Wirya, Awaluddin Muzaki, and Novia Puspitasari, "Dalam Rangka Menegakkan TIBUM: Sebuah Asesmen Konsep Dan Implementasi Ketertiban Umum Di Indonesia" (Jakarta, 2023).

¹¹ *Ibid*

within the industrial zone, and unauthorized workshops using public roads as service areas.

Law enforcement through minor criminal proceedings (Tipiring) has also been undertaken: in 2024 there were eight trials with 43 offenders, while in 2025 there were five trials with 25 offenders. Despite regular enforcement, the violation patterns remain temporary and cyclical. Field observations reveal that business actors typically resume operations in the same locations within less than a week after enforcement actions, reflecting weak deterrent effects and suboptimal strategies for restoring public spaces.

From the foregoing description, it is evident that a tangible gap exists between legal norms and social realities. Informal business actors frequently resume activities in the same locations shortly after enforcement, while inter-agency coordination remains suboptimal and public dissemination of regulations insufficient. This gap between norms and realities presents complex legal issues, ranging from enforcement effectiveness and institutional legitimacy to the resilience of regulations in the face of economic pressures and social resistance.

These problems did not emerge suddenly but are the result of structural dynamics occurring gradually. Rapid urbanization, economic pressures, and limited access to business licenses drive residents to utilize public spaces as informal business locations.¹² While local governments through Satpol PP have carried out periodic enforcement, the approach has tended to be reactive rather than systemic. As a result, business actors repeatedly return, and public spaces such as sidewalks, parks, and green lanes experience functional degradation. Conflicts between authorities and communities are inevitable, particularly when enforcement is conducted without relocation solutions or economic empowerment. The resulting impacts are not only aesthetic disruptions to the city but also potential criminality and declining quality of spatial governance.

Previous studies have discussed the implementation of Jakarta Regional Regulation No. 8 of 2007 on Public Order, yet have not specifically examined enforcement against certain business activities in Pulogadung District. Research on street vendor control in Tanah Abang revealed that Satpol PP's approach tends to be repressive and encounters challenges related to relocation and social resistance.¹³ Other studies assessed the effectiveness of enforcement against street vendors who continue operating despite repeated control measures.¹⁴ While these studies are relevant in highlighting the challenges of regulation implementation in Jakarta, they have not specifically addressed particular types of businesses nor integrated legal, spatial, and social approaches into a unified analytical framework. This study seeks

¹² Syamsu Rijal and Thamrin Tahir, "Analisis Faktor Pendorong Terjadinya Urbanisasi Di Wilayah Perkotaan (Studi Kasus Wilayah Kota Makassar)," *Journal of Economic Education and Entrepreneurship Studies* 3, no. 1 (2022): 262–76, <https://doi.org/10.26858/je3s.v3i1.103>.

¹³ Selvia Mutiara Agita, Kadar Pamuji, and Supriyanto Supriyanto, "Penegakan Hukum Terhadap Pedagang Kaki Lima Kawasan Pasar Tanah Abang Provinsi DKI Jakarta Berdasarkan Peraturan Daerah Nomor 8 Tahun 2007 Tentang Ketertiban Umum," *Soedirman Law Review* 2, no. 4 (2020), <https://doi.org/10.20884/1.slr.2020.2.4.105>.

¹⁴ Agus Saputro, Habib Muhsin Syafingi, and Dilli Trisna Noviasari, "Implementasi Perda Tentang Penataan Dan Pemberdayaan Pedagang Kaki Lima Untuk Mewujudkan Ketertiban Umum, Kebersihan Dan Keindahan Lingkungan," *Borobudur Law and Society Journal* 2, no. 2 (2023): 49–55, <https://doi.org/10.31603/10098>.

to fill that gap by focusing on Pulogadung, an area characterized by industrial and transit functions, where violations of business-related public order are complex and recurrent.

In conclusion, the enforcement of business-related public order in public spaces continues to face serious challenges rooted in the disparity between legal norms and social realities. The complexity of these problems underscores the need for an in-depth analysis of how regulations are formulated and enforced, the obstacles faced by law enforcers, and the strategic measures required to address them. Accordingly, this research raises critical questions regarding how the regulation of certain business activities in Pulogadung District is stipulated under Jakarta Regional Regulation No. 8 of 2007 on Public Order, how its implementation and challenges are manifested in practice by the Civil Service Police Unit, and what efforts may be undertaken to enhance public legal compliance in order to create more orderly, structured, and functionally coherent public spaces

Research Method

The research method employed in this study is a normative-empirical legal approach.¹⁵ The normative dimension focuses on examining the prevailing legal norms, particularly the Regional Regulation of the Special Capital Region of Jakarta Number 8 of 2007 on Public Order and other statutory provisions concerning the authority of local governments in enforcing public order. The empirical dimension, on the other hand, explores how these legal norms are implemented by the Civil Service Police Unit (Satpol PP) in Pulogadung District, including challenges in enforcement, community responses, and the compliance level of business actors operating in public spaces.

Data were obtained from three main sources: primary data through in-depth interviews with Satpol PP officials, government representatives, community leaders, and business actors; secondary data in the form of constitutional provisions, laws, government regulations, and relevant regional regulations; as well as tertiary data from legal dictionaries, encyclopedias, and official reports. Data collection was conducted through document analysis and semi-structured interviews, while data analysis combined normative juridical techniques with qualitative analysis to identify gaps between normative provisions (*das sollen*) and empirical realities (*das sein*). This combination allows the study to provide both descriptive and analytical insights into the effectiveness of legal enforcement, the constraints faced in practice, and potential strategies to strengthen the implementation of public order regulations in Pulogadung District.

Result and Discussion

1. Regulatory Enforcement of Specific Business Activities in Public Spaces in Pulogadung District According to Regional Regulation of DKI Jakarta Number 8 of 2007 on Public Order

The regulation of specific business activities in public spaces within Pulogadung District is grounded in the Regional Regulation of the Province of DKI

¹⁵ Zainuddin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2021), 53.

Jakarta Number 8 of 2007 concerning Public Order. This regulation, particularly Chapter VI, provides a comprehensive framework governing business locations and the types of activities permitted or prohibited, thereby serving as the principal normative instrument for the Civil Service Police Unit (Satpol PP) in exercising its authority.¹⁶ As a product of regional legislation, the existence of this regulation reflects the implementation of the principle of regional autonomy as guaranteed by the 1945 Constitution and the Law on Regional Government.¹⁷ Through this regulation, the Provincial Government of DKI Jakarta possesses a legitimate juridical instrument to maintain public order within its jurisdiction, including at the subdistrict level such as Pulogadung.

From a legal-substantive perspective, the provisions contained in Chapter VI of Regional Regulation No. 8/2007 reveal a layered regulatory structure. Article 24 emphasizes the obligation of any business actor whose activities impact the environment to obtain a business location permit.¹⁸ This requirement not only affirms the principle of legality but also positions the permit as a preventive mechanism to control potential disturbances to public order. Consequently, businesses operating in public spaces are assessed not merely by their physical presence but also by the social, economic, and ecological impacts they generate. This concept aligns with Lawrence M. Friedman's theory of legal substance, which posits that legal norms must offer clarity and preventive instruments to ensure consistent enforcement.¹⁹

Further, Article 25 expands the regulatory scope by authorizing the Governor to designate official locations for street vendors.²⁰ Such designation serves as the initial determinant of whether a business activity in public space is deemed lawful or in violation of the regulation. The prohibition against trading outside designated areas is reinforced by a provision that also forbids the public from purchasing goods from vendors operating in unauthorized locations.²¹ This norm illustrates that the law targets not only the supply side (business actors) but also the

¹⁶ Agita, Pamuji, and Supriyanto, "Penegakan Hukum Terhadap Pedagang Kaki Lima Kawasan Pasar Tanah Abang Provinsi DKI Jakarta Berdasarkan Peraturan Daerah Nomor 8 Tahun 2007 Tentang Ketertiban Umum."

¹⁷ Martin Hadinata and Tatang Ruchimat, "Analisis Terhadap Kebijakan Pemerintah Provinsi DKI Jakarta Tentang Penutupan Jalan Jati Baru Raya Untuk Pedagang Kaki Lima," *Jurnal Hukum Adigama* 1, no. 2 (2018): 1–25, <https://doi.org/10.24912/adigama.v1i2.2744>.

¹⁸ Article 24 paragraph (1) and (2) of Regional Regulation Number 8 of 2007 concerning Public Order reads as follows: "(1) Every person or entity who, in conducting their business activities, causes an impact on the environment shall be required to obtain a business location permit pursuant to the Nuisance Act. (2) The issuance of the permit as referred to in paragraph (1) shall be carried out by the Governor or an appointed official after the fulfillment of the requirements."

¹⁹ Emil El Faisal and Mariyani, *Buku Ajar Filsafat Hukum* (Bekasi: Bening Media Publishing, 2023), 64,

²⁰ Article 24 paragraphs (1), (2), and (3) of Regional Regulation Number 8 of 2007 concerning Public Order reads as follows: "(1) The Governor shall designate parts of roads/sidewalks and other public interest areas as business locations for street vendors. (2) Every person or entity is prohibited from trading or conducting business activities on parts of roads/sidewalks, bus shelters, pedestrian bridges, and other public interest areas outside the provisions referred to in paragraph (1). (3) Every person is prohibited from purchasing goods sold by street vendors as referred to in paragraph (2)."

²¹ Aenida Fatma Pitaloka, A Heru Nuswanto, and Amri Panahatan Sihotang, "Implementasi Penataan Pedagang Kaki Lima Di Kabupaten Semarang," *Semarang Law Review (SLR)* 2, no. 3 (2021): 176–89, <https://doi.org/10.26623/slr.v2i2.3820>.

demand side (consumers).²² Viewed through the lens of Soerjono Soekanto's theory of legal effectiveness, public participation becomes a critical factor in the success of legal norms, as enforcement cannot rely solely on pressure against business actors while ignoring consumer behavior that perpetuates violations.²³

Article 26 introduces a dimension of social responsibility by requiring business actors to maintain cleanliness, order, environmental health, and aesthetic quality in their surroundings. Thus, the law imposes not only prohibitions but also positive obligations on vendors to contribute to the preservation of public space.²⁴ This reflects the dual function of legal norms as both preventive and educative instruments, encouraging economic activities to align with public interests. Such obligations also intersect with the constitutional guarantee of the right to a healthy environment as enshrined in Article 28H paragraph (1) of the 1945 Constitution.²⁵

The subsequent articles in Chapter VI, namely Articles 27 through 35, detail specific types of business activities that are explicitly prohibited. These include touting, operating pedicabs, providing unauthorized transportation services, running unlicensed restaurants without halal certification, slaughtering animals outside official abattoirs, trading non-standard meat, recruiting labor without permits, and operating waste collection businesses that cause pollution. The specificity of these prohibitions demonstrates that Regional Regulation No. 8/2007 does not merely ban business practices in public spaces but selectively identifies activities deemed to pose significant threats to public order, safety, health, and comfort. Accordingly, the norms embedded in the regulation serve preventive, repressive, and regulatory functions.

The legal force of this regulation is reinforced by criminal sanctions stipulated in Article 61. The threat of imprisonment ranging from 10 to 60 days or fines between IDR 100,000 and IDR 20,000,000 for violations of Articles 25 and 27 indicates that the local government does not rely solely on administrative mechanisms but also opens the possibility for penal enforcement. This reflects the principle of *ultimum remedium* in criminal law, whereby penal measures are employed as a last resort when administrative mechanisms fail to produce deterrent effects.²⁶ However, the effectiveness of these sanctions is contingent upon the legal enforcement structure, particularly the role of Satpol PP and Civil Servant Investigators (PPNS).

²² Rizky Putra Riyan Miranda, "Problematika Usaha Dan Kondisi Permintaan Penawaran Industri Kecil Menengah Batu Marmer Di Kecamatan Campurdarat Kabupaten Tulungagung," *Jurnal Ekonomi, Bisnis Dan Pendidikan (JEBP)* 1, no. 11 (2021): 1110–24, <https://doi.org/10.17977/um066v1i112021p1110-1124>.

²³ Edi Saputra Hasibuan, *Hukum Kepolisian Dan Criminal Policy Dalam Penegakan Hukum* (Jakarta: PT. RajaGrafindo Persada-Rajawali Pers, 2021), 83.

²⁴ Maris Gunawan Rukmana, "Peran Satuan Polisi Pamong Praja Dalam Penertiban Pedagang Kaki Lima Di Kota Semarang," *Jurnal Konstituen* 1, no. 2 (2019): 67–78, <https://doi.org/10.33701/jk.v1i2.536>.

²⁵ Sujud Ariono and Feny Windiyastuti, "Hak Asasi Manusia Dalam Konteks Penggusuran: Tinjauan Yuridis Terhadap Perlindungan PKL (Studi Penggusuran PKL Di Puncak Bogor)," *HUMANIORUM* 3, no. 3 (2025): 14–19, <https://doi.org/10.37010/hmr.v3i3.126>.

²⁶ Nur Ainiyah Rahmawati, "Hukum Pidana Indonesia: Ultimum Remedium Atau Primum Remedium," *Recidive: Jurnal Hukum Pidana Dan Penanggulangan Kejahatan* 2, no. 1 (2013), <https://doi.org/10.20961/recidive.v2i1.32002>.

Analyzed through the lens of the rule of law theory, Regional Regulation No. 8/2007 exemplifies legal supremacy that prioritizes public interest.²⁷ The norms articulated in Articles 24 through 35 function as legal boundaries to prevent public spaces from being appropriated for individual gain. Nevertheless, as part of a legal state that also upholds human rights, the implementation of this regulation must not disregard the public's right to a decent livelihood.²⁸ This tension necessitates prudent policy implementation.

Moreover, when examined using Soerjono Soekanto's theory of legal effectiveness, it becomes evident that despite the clarity and comprehensiveness of the legal substance, its success depends on other factors such as law enforcement personnel, infrastructure, public awareness, and cultural context.²⁹ Although the regulation is enacted by a legitimate authority, without the support of professional Satpol PP officers, adequate documentation systems, and legal consciousness among the public, its effectiveness on the ground remains limited. The entrenched culture of informal business in Jakarta, including in Pulogadung, often leads to the perception of legal norms as negotiable bureaucratic obstacles rather than binding moral obligations.³⁰

In conclusion, from a normative standpoint, Regional Regulation No. 8 of 2007 provides a robust legal foundation for enforcing public order in specific business activities within Pulogadung District. Its provisions encompass licensing, location designation, environmental obligations, prohibited business types, and criminal sanctions. The regulation meets the criteria of a legitimate, comprehensive legal instrument aligned with the principles of the rule of law. Nonetheless, its strong legal substance faces significant challenges when confronted with social and cultural realities, making implementation the decisive factor in determining whether the clearly articulated norms can truly establish public order on the ground.

2. Implementation and Challenges in the Enforcement of Public-Space Business Regulation by the Civil Service Police Unit in Pulogadung District Based on Regional Regulation Number 8 of 2007

Implementasi penegakan ketertiban usaha tertentu di ruang publik Kecamatan The enforcement of specific business regulations in public spaces within Pulogadung District is inseparable from the normative framework established by Regional Regulation of DKI Jakarta No. 8 of 2007 concerning Public Order. While the regulation is substantively clear, its translation into field practice reveals a more complex reality. The Civil Service Police Unit (Satpol PP), as the mandated

²⁷ La Januru et al., *Pengantar Ilmu Hukum Dan Tata Hukum Indonesia* (Jakarta: Yayasan Tri Edukasi Ilmiah, 2025), 170.

²⁸ Jayyidan Falakhi Mawaza and Zaenuddin Zaenuddin, "Dilema Kebijakan Penanganan Gelandangan Dan Pengemis Di Yogyakarta (Studi Kasus Perda Diy No. 1 Tahun 2014)," *Spirit Publik: Jurnal Administrasi Publik* 15, no. 2 (2020): 131–45, <https://doi.org/10.20961/sp.v15i2.39754>.

²⁹ Hasibuan, *Hukum Kepolisian Dan Criminal Policy Dalam Penegakan Hukum*, 90.

³⁰ Prince Daffa Shodiq Muhammad, "Involution of Informal Sector Street Vendors in Jakarta's Secondary Areas," *SASKARA: Indonesian Journal of Society Studies* 5, no. 01 (2025): 357–82, <https://doi.org/10.21009/Saskara.051.05>.

enforcement body, faces a range of operational dynamics from planning and execution to evaluation.³¹ These dynamics expose a gap between legal idealism and practical implementation, a phenomenon that, in Lawrence M. Friedman's framework, reflects a disjunction among legal substance, legal structure, and legal culture.³²

The enforcement process begins with the preparatory phase. According to Ministry of Home Affairs Regulation No. 16 of 2023 on Satpol PP Standard Operating Procedures, every enforcement action must be preceded by thorough planning, violation mapping, and inter-agency coordination.³³ In Pulogadung, Satpol PP officials report that operational plans are routinely developed based on patrol findings, community reports, and input from subdistrict and village heads. Frequently mapped locations include sidewalks along Jalan Pemuda used by street vendors, green zones on Jalan Bekasi Timur Raya occupied by illicit stalls, and the vicinity of Rawamangun Terminal repurposed for illegal parking. These facts indicate a systematic approach to enforcement planning. From Soerjono Soekanto's theory of legal effectiveness, this preparatory phase reflects efforts to fulfill the criteria of professional and organized law enforcement, though it remains constrained by limited resources.³⁴

The next phase is implementation. Initially, Satpol PP adopts a persuasive approach, issuing verbal warnings and conducting community-based outreach, often involving neighborhood leaders to enhance acceptance. Field observations show that this method can be effective; for instance, a street vendor selling chicken noodles on Jalan Balai Pustaka Timur relocated his cart following a brief dialogue with officers. This aligns with Friedman's emphasis on legal culture, where persuasive communication resonates more effectively with communities that resist direct coercion.³⁵ However, such success is often temporary, as vendors tend to return to prohibited locations once enforcement subsides.

When persuasive measures fail, Satpol PP proceeds to non-judicial enforcement. Offenders are asked to sign a statement pledging compliance within a specified timeframe. If violated, a series of written warnings ranging from Warning I to Warning III is issued. While this reflects procedural continuity, enforcement often stalls at the administrative level. Interviews with business actors reveal that many perceive these warnings as mere formalities, resuming operations once enforcement pressure eases. Administrative fines, ranging from IDR 50,000 to IDR 200,000, are insufficient to deter violations. Legally, this illustrates a weakness in legal substance, which should impose firm sanctions but is undermined by a legal structure reluctant to escalate cases to judicial proceedings.³⁶

³¹ Sapto Wahyono, "Perspektif Hukum Atas Peran Satuan Polisi Pamong Praja Dalam Penegakan Peraturan Daerah Dan Peraturan Kepala Daerah," *Jurnal Yustitia* 20, no. 2 (2019), <https://doi.org/10.53712>.

³² Emil El Faisal and Mariyani, *Buku Ajar Filsafat Hukum* (Bekasi: Bening Media Publishing, 2023), 26,

³³ Darmini Roza and Zennis Helen, "Kewenangan Penindakan Yustisial Satuan Polisi Pamong Praja Kota Bukittinggi Dalam Penegakan Peraturan Daerah," *Jurnal Sakato Ekasakti Law Review* 3, no. 1 (2024): 1-9, <https://doi.org/10.31933/vffwyw90>.

³⁴ Hasanul Mulkan, *Kapita Selekta Hukum Pidana* (Jakarta: Prenada Media, 2023), 23.

³⁵ Novita Angraeni et al., *Hukum Pidana: Teori Komprehensif* (Jakarta: PT. Sonpedia Publishing Indonesia, 2024), 43.

³⁶ *Ibid*

The final stage is judicial enforcement, wherein Satpol PP collaborates with Civil Servant Investigators (PPNS) to pursue criminal charges. However, research findings indicate that such cases are virtually nonexistent in Pulogadung. PPNS officers acknowledge that judicial processes are rarely pursued due to evidentiary burdens, high operational costs, and potential social conflict. As a result, the criminal sanctions outlined in Article 61 of the regulation remain unenforced. From the perspective of rule-of-law theory, this reluctance to utilize judicial instruments diminishes the authority of law and erodes its normative force.³⁷

Beyond implementation, structural and inter-agency coordination challenges persist. The Pulogadung subdistrict head notes that Satpol PP personnel are insufficient relative to the district's size and number of violation hotspots.³⁸ Ideally, each village should have its own enforcement team, but in practice, a small unit must oversee the entire district. Field observations reveal that only 15 officers manage operations across three villages simultaneously. This results in uneven oversight and many violations going unaddressed. According to Soekanto, inadequate facilities and infrastructure are key factors undermining legal effectiveness, even when legal substance is robust.³⁹

Another challenge arises from regulatory disharmony. Business actors often possess permits from technical agencies, yet operate in zones that violate spatial provisions under the regulation. This creates ambiguity for Satpol PP in determining whether enforcement is warranted. Without integrated licensing data across agencies, officers are frequently caught in legal uncertainty. Here, Friedman's emphasis on legal structure becomes salient, as weak institutional coordination undermines the function of otherwise clear legal norms.⁴⁰

From the community perspective, economic necessity is a primary driver of violations. Many small vendors cannot afford formal business premises and resort to occupying sidewalks or green zones. For them, paying minor administrative fines is more economical than renting legal kiosks. This reflects low legal awareness, which Friedman identifies as a component of legal culture. As long as violations are viewed as rational survival strategies, legal norms will struggle to gain consistent compliance.⁴¹

The entrenched culture of informal enterprise further reinforces this tendency. Residents often perceive public spaces as legitimate venues for livelihood, rendering enforcement efforts as socially unjust. Consequently, when Satpol PP conducts operations without adequate communication, resistance and horizontal conflict emerge. Observations of enforcement on Jalan Pemuda revealed community backlash due to the absence of consultation with neighborhood leaders. This underscores the importance of cultural sensitivity in legal effectiveness theory,

³⁷ Sugeng Hariyanto, *Dasar-Dasar Penerjemahan Teks Hukum* (Yogyakarta: Sugeng Hariyanto, 2022), 37.

³⁸ Randy Ramadhany, "Peran Satuan Polisi Pamong Praja Dalam Menyelenggarakan Ketentraman Dan Ketertiban Umum Di Kabupaten Bengkalis," *Journal of Social Contemplativa* 1, no. 2 (2023): 113-28, <https://doi.org/10.61183/jsc.v1i2.40>.

³⁹ *Ibid*

⁴⁰ E D Poespasari and O Moechthar, *Buku Ajar Pengantar Hukum Indonesia* (Surabaya: Airlangga University Press, 2019), 31, <https://books.google.co.id/books?id=FSOWDwAAQBAJ>.

⁴¹ *Ibid*

as norms lacking alignment with community values are likely to be rejected, regardless of formal legitimacy.⁴²

Administrative limitations also pose significant obstacles. Enforcement procedures require comprehensive documentation in accordance with Ministry Regulation No. 16 of 2023, yet limited equipment often results in legally deficient reports. This opens the possibility of counter-litigation from affected business actors. Thus, law intended to provide certainty may lose legitimacy due to technical shortcomings.

Taken together, these challenges demonstrate that enforcement of specific business regulations in Pulogadung District remains far from ideal. From Friedman's perspective,⁴³ the legal substance of Regional Regulation No. 8/2007 is sufficiently comprehensive, but the legal structure represented by Satpol PP lacks optimal capacity, while legal culture perpetuates violations. Similarly, under Soekanto's framework of legal effectiveness, nearly all influencing factors law enforcers, infrastructure, public awareness, and cultural norms remain impediments, rendering the regulation ineffective in practice.⁴⁴

In conclusion, while the implementation of Regional Regulation No. 8 of 2007 in Pulogadung District formally adheres to procedural stages from planning to reporting, enforcement tends to stall at the administrative level, with minimal deterrent effect. Challenges include regulatory disharmony, personnel and infrastructure limitations, low public legal awareness, and cultural resistance to enforcement. Therefore, the effectiveness of legal enforcement in this context is shaped more by non-legal factors than by the substantive adequacy of the regulation itself.

3. Enhancing Legal Compliance in the Enforcement of Public-Space Business Regulation in Pulogadung District

Efforts to improve public compliance with the enforcement of specific business regulations in public spaces within Pulogadung District must be understood as a strategic undertaking that cannot rely solely on repressive sanctions. Field experience indicates that despite the clarity of Regional Regulation No. 8 of 2007, its implementation continues to face significant challenges due to low legal awareness, limited enforcement capacity, and regulatory disharmony. Accordingly, strategies to enhance compliance must be multidimensional, integrating legal, social, economic, and cultural considerations.⁴⁵

⁴² Mulkan, *Kapita Selektta Hukum Pidana*, 23.

⁴³ Suyatno Suyatno Suyatno, "Kelemahan Teori Sistem Hukum Menurut Lawrence M. Friedman Dalam Hukum Indonesia," *IUS FACTI: Jurnal Berkala Fakultas Hukum Universitas Bung Karno* 2, no. 1 Juni (2023): 197–205, <https://doi.org/10.61802/if.v2i1%20Juni.447>.

⁴⁴ Yulika Putri Santoso, Toni Toni, and Rio Armanda Agustian, "Efektivitas Peraturan Daerah Kota Pangkalpinang Nomor 7 Tahun 2019 Tentang Penyelenggaraan Ketertiban Umum Dan Ketentraman Masyarakat (Studi Kasus Terhadap Penertiban Pedagang Kaki Lima)," *JURNAL PENELITIAN SERAMBI HUKUM* 18, no. 02 (2025): 81–91, <https://doi.org/10.59582/sh.v18i02.1298>.

⁴⁵ Hasibuan, *Hukum Kepolisian Dan Criminal Policy Dalam Penegakan Hukum*, 90.

One primary strategy is the adoption of preventive measures through legal education. Public dissemination of the regulation should not be limited to banners or formal notices but must be conducted intensively and continuously using communication methods tailored to the community's characteristics. In Pulogadung, many small and medium-sized business actors are only partially aware of the rules, with some entirely unaware that trading on sidewalks constitutes a violation.⁴⁶ This reflects a deficiency in legal awareness that must be addressed systematically. According to Soerjono Soekanto, public legal consciousness is a key determinant of legal effectiveness.⁴⁷ When citizens understand that regulations are not merely prohibitions but mechanisms to protect collective interests, compliance arises not from fear of sanctions but from intrinsic awareness.⁴⁸

Another strategy involves providing realistic alternatives for business actors. Many street vendors in Pulogadung continue to operate in prohibited areas due to the absence of officially designated locations that are accessible to consumers. Within the framework of the rule of law, the government is obligated not only to enforce regulations but also to ensure the availability of facilities that enable lawful compliance. Therefore, the provision of affordable, well-organized vendor centers with adequate market access is a strategic step toward reducing violations.⁴⁹ Experiences from other areas in Jakarta demonstrate that relocation efforts succeed only when the new sites offer economic opportunities equal to or better than the original locations. Otherwise, vendors tend to return to the streets despite forced removal.

In addition to alternative locations, strengthening collaborative mechanisms among enforcement officers, communities, and business actors is essential. Top-down enforcement often provokes resistance, especially when officers dismantle stalls without prior notice.⁵⁰ In contrast, collaborative enforcement fosters a sense of ownership over the rules. For example, involving community leaders and neighborhood representatives (RT/RW) in pre-enforcement dialogues can reduce the potential for conflict.⁵¹ Within Friedman's legal system theory, such collaborative approaches engage the cultural dimension of law, recognizing that legal norms become effective only when embraced as part of community values.⁵² In other words, collaboration transforms enforcement from coercion into collective stewardship.

⁴⁶ Ibrahim Ahmad, "Rencana Dan Strategi Peningkatan Kesadaran Hukum Masyarakat," *Gorontalo Law Review* 1, no. 1 (2018): 15–24, <https://doi.org/10.32662/golrev.v1i1.94>.

⁴⁷ Elly Rosana, "Kepatuhan Hukum Sebagai Wujud Kesadaran Hukum Masyarakat," *Journal Tapis: Journal Teropong Aspirasi Politik Islam* 10, no. 1 (2014): 61–84, <https://doi.org/10.24042/tps.v10i1.1600>.

⁴⁸ Syamsarina Syamsarina et al., "Kesadaran Hukum Dan Kepatuhan Hukum Masyarakat: Analisis Faktor Yang Mempengaruhi Kesadaran Hukum Dan Kepatuhan Hukum Masyarakat," *Jurnal Selat* 10, no. 1 (2022): 81–90, <https://doi.org/10.35796/les.v7i7.26840>.

⁴⁹ Siti Zikrina Farahdiba et al., "Tinjauan Pelanggaran Hak Dan Peningkaran Kewajiban Warga Negara Berdasarkan UUD 1945," *Jurnal Kewarganegaraan* 5, no. 2 (2021): 837–45, <https://doi.org/10.31316/jk.v5i2.2044>.

⁵⁰ Bok Rok Su, "Dari Teori Ke Praktik: Strategi Responsivitas Hukum Terhadap Tantangan Ekonomi Dan Sosial," *Jurnal Hukum Lex Generalis* 5, no. 10 (2024), <https://doi.org/10.56370/jhlg.v5i10.1017>.

⁵¹ Abiezer Manora Purba et al., "Optimalisasi Peran Polisi Dalam Penegakan Hukum Berbasis Humanis Dan Profesionalisme," *Jurnal Hukum Lex Generalis* 5, no. 12 (2024), <https://doi.org/10.56370/jhlg.v5i12.836>.

⁵² Suyatno, "Kelemahan Teori Sistem Hukum Menurut Lawrence M. Friedman Dalam Hukum Indonesia."

Another solution-oriented strategy is regulatory refinement to eliminate ambiguity. The lack of harmony between permits issued by technical agencies and zoning provisions under Regional Regulation No. 8/2007 often confuses business actors and undermines Satpol PP's authority. Regulatory harmonization is therefore necessary, either through the issuance of a Governor's Regulation integrating business location permits or by developing a unified digital licensing system. This bureaucratic reform aligns with the national agenda for licensing simplification via the Online Single Submission (OSS) system. If licensing data can be accessed in real time by Satpol PP, business actors will no longer be able to claim compliance while violating zoning provisions.

Compliance efforts can also be reinforced through economic empowerment. Economic necessity is often the primary driver of violations, as individuals resort to trading in public spaces as a means of survival. Thus, empowerment programs such as entrepreneurship training, access to capital, and marketing facilitation can serve as positive incentives for transitioning to formal enterprises. Soerjono Soekanto's theory of legal effectiveness emphasizes that law cannot function independently of economic and social factors.⁵³ By offering economic incentives, local governments not only enforce the law but also provide humane alternatives for those who violate it.

Equally important is the enhancement of Satpol PP's institutional capacity. Limited personnel and inadequate resources often render enforcement operations suboptimal. Training in persuasive communication, conflict management, and surveillance technology can improve the professionalism of enforcement officers. Greater professionalism fosters public trust in law enforcement. This trust is crucial, as the concept of compliance based on legitimacy posits that sustainable legal compliance occurs only when the public perceives law enforcement as a legitimate and fair authority, rather than a mere instrument of repression.⁵⁴

Efforts to improve compliance must also include consistent sanction mechanisms. To date, administrative fines have been too low to serve as effective deterrents. Therefore, sanction provisions should be revised to reflect the severity of violations more proportionally. For instance, progressive fines for repeat offenses or the imposition of community service as an alternative penalty can reinforce the reality of legal consequences while providing educational value. This approach aligns with the principles of restorative justice, which are increasingly embraced in Indonesian legal reform, emphasizing rehabilitation and behavioral correction over punitive measure.⁵⁵

Finally, compliance strategies must be embedded within a cultural framework. In many parts of Jakarta, including Pulogadung, there is a longstanding tradition of utilizing public spaces for economic activity. This cultural practice cannot be eliminated solely through regulation but must be redirected to align with

⁵³ Bagus Armanda, "Parkir Liar Dalam Perspektif Teori Efektifitas Hukum," *Jurnal Pelita Nusantara* 1, no. 4 (2024): 477–81, <https://doi.org/10.59996/jurnalpelitanusantara.v1i4.351>.

⁵⁴ Didit Santoso, "Tax Compliance in Indonesia: A Legitimacy Perspective," *The Scientia Law and Economics Review* 2, no. 2 (2023): 99–105, <https://doi.org/doi.org/10.56282/sler.v2i2.477>.

⁵⁵ T Gavrielides, *Restorative Justice Theory and Practice: Addressing the Discrepancy*, Restorative Justice Series (England: Restorative Justice for All (RJ4All), 2020), <https://books.google.co.id/books?id=9AAJEQAQBAJ>.

public interest. Through formal culinary festivals, organized night markets, or the legalization of designated zones for limited business activity, the tradition of street vending can be preserved within a clear legal framework. Culturally grounded approaches are essential because laws that disregard social values are easily rejected, whereas those that resonate with community norms are more likely to be followed.⁵⁶

In conclusion, efforts to enhance legal compliance in the enforcement of public-space business regulation in Pulogadung District must involve a combination of preventive, solution-oriented, collaborative, and empowerment-based strategies. Legal education, alternative location provision, regulatory harmonization, economic empowerment, institutional capacity building, consistent sanctions, and culturally sensitive approaches are mutually reinforcing components. Within Friedman's legal system theory, these strategies encompass all elements of the legal system: substance, structure, and culture. Likewise, in Soerjono Soekanto's framework of legal effectiveness, they address all determining factors law itself, enforcement agents, infrastructure, society, and cultural context. As such, the potential to foster sustainable legal compliance is significantly enhanced, transforming the normative text of Regional Regulation No. 8 of 2007 into a lived reality within the community of Pulogadung.

Conclusion

The regulatory framework governing business activities in public spaces within Pulogadung District, as articulated in Regional Regulation of DKI Jakarta No. 8 of 2007 on Public Order, meets both formal and substantive legal standards. It clearly prohibits unauthorized commercial use of public areas, delineates permissible zones, and imposes criminal sanctions for violations, thereby aligning with principles of legal certainty, enforcement theory, and regulatory effectiveness.

While enforcement by the Civil Service Police Unit (Satpol PP) follows the procedural stages outlined in Ministry of Home Affairs Regulation No. 16 of 2023, its practical impact remains constrained. Enforcement often halts at the administrative level, with limited escalation to judicial proceedings. Contributing factors include regulatory overlap, personnel shortages, inadequate documentation, limited legal capacity, economic vulnerability, and insufficient participatory communication strategies.

Enhancing legal compliance requires an integrated approach that combines repressive, preventive, and educative measures. Key strategies include participatory legal education through community forums, provision of accessible and legally sanctioned business locations, digitized licensing reforms, and institutional capacity-building for Satpol PP. Community empowerment through digital reporting platforms and sustained enforcement efforts are also essential to foster a culture of compliance and ensure that public order regulation is both legally robust and socially legitimate.

⁵⁶ M Yusuf DM et al., "Transformasi Budaya Hukum: Membangun Kesadaran Hukum Di Masyarakat Multikultural," *UNES Law Review* 7, no. 2 (2024): 675–82, <https://doi.org/10.31933/unesrev.v7i2.2349>.

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