



Implementation of Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors in the Perspective of Fiqh Siyasah Dusturiyah (Case Study of Sagulung District, Batam City)

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Abstract - Street sellers bring good and harmful community turmoil. These conflicts are common in Indonesia, especially in cities like Batam, where they have created several obstacles to people's activities, such as difficult access for pedestrians who have to pass through areas or trading locations that are very crowded with street vendors' stalls and carts and many vendors' locations, making it difficult for people, especially pedestrians, to walk to their destination. Street vendor facilities are damaged and inoperable, limiting public access. Batam City Regional Regulation Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors in the Review of Fiqh Siyasah Dusturiyah (Case Study of Sagulung Subdistrict, Batam City) is examined in this study. This field study uses qualitative descriptive analysis. Data are described, examined, and discussed to answer the problem. Purposive sampling was utilized to find informants in this study. This study found that the Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors in the Review of Fiqh Siyasah Dusturiyah (Case Study of Sagulung District, Batam City) has not been implemented. Unimplemented empowerment involves business capabilities, finance access, trade facility support, institutional enhancement, production growth, processing promotion networks, and technical help. Second, Siyasah Dusturiyah claims that the Islamic Law Review of the Implementation of Batam City Regional Regulation Number 1 of 2019 concerning the Arrangement and Empowerment of Street Vendors in Sagulung District, Batam City violates the General Principles of Good Governance, Social Balance, and State Responsibility.

Keywords: Arrangement, Empowerment, Street Vendors, Local Regulation, Siyasah Dusturiyah.

I. INTRODUCTION

Everyone desires a pleasant, happy, and acceptable family life. Not everyone can find a suitable work (Narpadie dkk., 2023). Urbanization, low education, and poor skills make finding work difficult. It also encourages informal economic activity to meet primary and other requirements that cannot be delayed or pushed (Hikmatulloh, 2021). As a substitute to human needs. Most informal economic activity nowadays is street vendors, but their rise has pros and downsides, with one side being significant yet causing issues. Street vending helps most jobless individuals meet their necessities, boosting the local economy (Kurniawan, 2018). Regional people travel to large cities to try their luck and enhance their quality of life due to rapid economic development. As the population grows, acquiring a job will become harder, and we will compete fiercely. People without the education or skills to fulfill the company's criteria may do anything to meet their demand (S. Muhammad, 2018). Turning former workers into street sellers is simple and needs minimal money (Mangihut Tua dkk., 2021).

Street vendors (PKL) disrupt road users who utilize their government-designated public amenities (Kusmanto & Kadir, 2020). Roadside or sidewalk cart sellers (PKL) sell in

groups or individuals (Citra, 2022). Street sellers are overlooked by everyone, even job searchers, making them a shortcut or alternative economic activity (Ismail, 2021). Street vendors may lower high unemployment. Since there are many jobless individuals, many have shifted to selling. The bankruptcy of several enterprises has led to layoffs (Rudi, 2023). Street sellers pollute and disrupt others. Therefore, the government regulates and orders the city to make it safe and pleasant for everyone. Many sell in locations not supplied by the local government.

Regional Regulation (Perda) Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors defines street vendors as business actors who use mobile or immobile business facilities, city infrastructure, social facilities, public facilities, land and buildings owned by the government and/or private sector in the Regional Regulation area that are temporary or not settled. Currently, street sellers are named that. An impartial research is needed to determine how these legislative requirements are applied, if they have been appropriately implemented, and whether there are field barriers. The Islamic rule of fiqh siyasa dusturiyah governs buying and selling in all aspects of economics. Verses like Q.S. Al-Jumu'ah: 10 are acceptable (Destiningsih & Lestari, 2020)

فَإِذَا قُضِيَتِ الصَّلَاةُ فَانْتَشِرُوا فِي الْأَرْضِ وَابْتَغُوا مِنْ فَضْلِ اللَّهِ وَاذْكُرُوا اللَّهَ كَثِيرًا لَعَلَّكُمْ تُفْلِحُونَ

"When the prayer has been performed, then spread out upon the earth; seek the bounty of Allah and remember Allah much that you may be fortunate." (Q.S. Al-Jumu'ah: 10)

The above verse clearly states that humans must work to seek rewards from Allah SWT. In Sagulung, street vendors are changing the role of road sidewalks that should be reserved for pedestrians. This action may be allowed or prohibited according to Islamic law as regulated in positive law in Indonesia. Although as a leader, he must deliberate in every policy matter. Street vendors (PKL) prefer to sell on the side of the road which can congest the road and disturb other road users. With so many traders, the view from the roadside becomes uncomfortable (Wijaya, 2015). Street vendors can obstruct traffic, damage the appearance of the city, and pollute the environment because many traders and consumer's litter.

If traders break the regulations, Satpol PP must punish them. Street sellers in Jalan Sungai Langkai, Sagulung Subdistrict, Batam City, refused to quit trade, forcing the relocation. Street seller Ms. Vina was heartbroken by this relocation eviction. Ms. Vina, 43, has resided in Sagulung Subdistrict for over 20 years without relocation aid. Street sellers conduct talks and sell veggies. They received no relocation or eviction notice. The government evicted them to enlarge the road. They refused to move when requested since they came abruptly and stayed for a long time undetected. As an average citizen, Ibu Vina could not challenge the government. The move enabled church building and road widening. Structuring and Empowerment creates a dynamic environment for peaceful, orderly, and consistent government, local government, and community operations. Regional autonomy depends on the Local Government and Satpol PP, so officials must implement Local Regulations, provide the community clarity, and aid penalize deviations (Pandango dkk., 2022). The community or other parties always gain and suffer from street vendor policy and execution (Nurhayani, 2022) In contrast, the Local Government that develops rules (Local Regulations) is supposed to steer their region to produce a more orderly and clean city from street sellers that may soothe all inhabitants (Zulpiansyah dkk., 2019).

The Satuan Polisi Pamong Praja (Satpol PP) must implement the Regional Regulation to ensure its implementation goes well (Rishan, 2020). The task of Satpol PP is to enforce regional regulations and reassure and protect the community, as stated in Regional Regulation Number 16 of 2018 (Mona Hutasuhut & Hermanto, 2022). Research from Hikmatulloh (Hikmatulloh, 2021) found that government initiatives on Public Order and Community Peace in Singaparna District, Tasikmalaya Regency have an influence. In the implementation of government policies on Public Order and Community Peace, especially related to controlling

street vendors, the community and street vendors have their needs met, but public unrest due to the behavior of street vendors in public spaces such as road shoulders and sidewalks is very much felt. The author's study focuses on fiqh siyasah on regional public order regulations, while this research emphasizes government policy.

According to Ismail's research findings (Ismail, 2021) show that the Siyasah Dusturiyah review shows that the government must create public order measures that protect street vendors without harming others. Regional Regulation No. 1 of 2018 concerning Public Order and Community Peace is reviewed in fiqh siyasah tanfidziyyah, while this research examines Bandar Lampung City Regional Regulation No. 1 of 2018 concerning Public Order and Community Peace in the perspective of siyasah dusturiyah. Traders sell to survive. These merchants make the Batam city arrangement disorganized and hide the attractiveness of the city, making it look dirty and ugly with garbage everywhere. Merchants are more concerned with sales than sanitation. If there is no law enforcement to regulate these traders, they will trade continuously without knowing the time thus disturbing the order and beauty of the city, especially Batam. The Local Government regulates the Arrangement and Empowerment of Street Vendors in Batam City in Local Regulation Number 1 Year 2019 based on the existence of difficulties. Because the author is interested in studying it further and raising it in a research, the research title taken is "Implementation of Batam City Regional Regulation Number 1 of 2019 concerning Arrangement and Empowerment of Street Vendors in the Review of Fiqh Siyasah Dusturiyah (Case Study of Sagulung District, Batam City)".

II. METHOD

This research highlights quality as the most important aspect of a product or service. The meaning behind an event, event, or social phenomenon is the most essential part and can be used to build theoretical ideas". This research uses qualitative methodology. According to Sugiyono in (Anggraini dkk., 2022), calls qualitative research techniques as naturalistic research techniques because they are carried out in natural conditions.(Jefry dkk., 2022). This research uses field research, data collection directly in the field, and library research, data from literature studies in the form of books or scientific papers relevant to the problem under study. This research uses qualitative descriptive analysis. This research used purposive sampling, a non-probability sampling strategy, to identify informants. This study collected data through observation, interviews, and documentation (S. S. Muhammad, 2022). Triangulation was used to validate the data in this study. This research triangulates by confirming interviews, observations, and documentation from various sources on various stairs (Anwar, 2022). This research uses the Miles and Huberman data analysis method in (Susi, 2022), namely data reduction, data presentation, and conclusion formulation. This research focused on street vendors in Sagulung Sub-district, Batam City. Street vendors in Sagulung Sub-district trade by utilizing public roads. The local government, assisted by the Civil Service Police Unit of Sagulung Subdistrict, Batam City, must regulate these street vendors.

III. RESULT AND DISCUSSION

Regional Regulation No. 1/2019 defines street vendors (PKL) as entrepreneurs who trade by using mobile or permanent business facilities. Regional Regulation (Perda) Number 1 of 2019 concerning the Arrangement and Empowerment of Street Vendors defines street vendors as business actors who conduct business in the Regional Regulation area by using business facilities that are mobile or immobile, city infrastructure, social facilities, public facilities, land and buildings owned by the government and / or private that are temporary or not settled. In this case, they temporarily use city infrastructure, social facilities, public facilities, government and private land and buildings. The policy of structuring and strengthening street vendors by the Sagulung Sub-district Government of Batam City is as follows:

Table 1 Policies of Batam City Government

No	Policies	Content of Policy
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Implementation of Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors in the Perspective of Fiqh Siyasaah Dusturiyah (Case Study of Sagulung District, Batam City)

1.	Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors	<ol style="list-style-type: none"> 1. Data collection 2. Planning of space provision for informal sector activities 3. Facilitation of access to capital 4. Institutional strengthening 5. Coaching and technical guidance 6. Developing partnerships with the business world
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Source: Researcher's Analysis 2024

The mayor must supervise and assist street vendors under Batam City Local Regulation No. 1/2019. The government, local governments, companies and communities collaborate to build a business environment and help street vendors thrive in quality and quantity. Street vendors have the space and empowerment to start a business. Making street vendors as independent micro-economic enterprises by improving their operational capabilities. Creating a clean, beautiful, well-organized, safe city with sustainable urban facilities and infrastructure. Local Regulation of Batam City on Street Vendors in Sagulung Sub-district. Inspired by the Local Regulation of Batam City No. 1 Year 2019, this regulation regulates the arrangement and empowerment of street vendors. Street vendors are empowered and coordinated by Presidential Regulation No. 125/2012.

Implementation of Arrangement and Empowerment of Street Vendors in Sagulung District, Batam City

In general, the term implementation means execution. Implementation is often associated with goal-oriented actions” (Dewi & Raus, 2023). Therefore, to assess the effectiveness of Local Regulation No. 1 of 2019 on the Arrangement and Empowerment of Street Vendors in Batam City, the author interviewed several street vendors at various locations within the research site” (Muti’ah, 2023). Ms. Vina (43), a street vendor of Batam City from Sagulung Sub-district, was interviewed next. Ms. Vina claimed that the local government and related agencies have never collected statistics on street vendor empowerment since she started selling. When Ms. Vina started selling there.

“Opening a stall here spontaneously, seeing the strategic conditions of the place, finally decided to sell here, utilizing an empty location.”

Ms. Vina started selling since 20 years ago. To support herself, Ibu Vina became a street vendor. In return, she pays a daily cleaning fee of Rp. 2000.

“When the new government, the tickets given increased, so paying retribution of Rp.2000, imagine taking Rp.2000 every day, times a month, that’s a lot of money.”

Having a long history of selling, Ms. Vina has a slight reluctance to pay cleaning fines of Rp. 1000 to Rp. 2000. Before the COVID-19 outbreak, Ms. Vina was selling from 13.00 to 00.00 WIB. Mrs. Vina's income is not much but it is enough for her daily needs. Ms. Vina was dissatisfied with the data collection, coaching, and empowerment process carried out by the local government because she never experienced these things while selling, so she could not feel the benefits for street vendors. Ms. Vina said that COVID-19 was her biggest challenge as a street vendor, especially after the PPKM, which made her sales and safety decrease.

“Alhamdulillah, there are no extortionists, but I object to the current cleaning retribution policy.”

Research and experience from field findings show that the efforts of Sagulung Sub-district of Batam City to organize and empower street vendors have not been applied uniformly and effectively. Based on interviews with street vendors in several locations in Batam City, many street vendors have not been recorded, and the Trade Office only records traders who sell in markets/locations provided by the government, so they have not benefited from the arrangement and empowerment of street vendors by the government.

Table 2 Policy Analysis of Local Regulation of Batam City on Street Vendors

No	Policies	Available	Not yet	Description
1	Data collection	Available		Only a few street vendors, mostly in markets, are reported, while many vendors in roads and public places are not reported.
2	Space planning for the informal sector		Not yet	Many street vendors sell in public places.
3	Facilitation of access to capital		Not yet	Capital facilities are not offered to street vendors.
4	Institutional Strengthening		Not yet	Street vendor associations and other institutional strengthening is lacking.
5	Coaching and Technical Guidance		Not yet	In fact, many street vendors have never received technical training.
6	Creating business relationships		Not yet	In conversations with street vendors and key organizations, this development has not affected the reality on the ground.

Source: Researcher's Analysis 2024

Perspective of Fiqh Siyasah Dusturiyah on Local Regulation Number 1 Year 2019 of Batam City on the Arrangement and Empowerment of Street Vendors

The legislation of siyasah jurisprudence regulates the relationship between society, state institutions, and other state entities” (Kiki, 2022). In terms of language, siyasah means decision-making, control, organization, and management. Siyasah refers to the rules applied to enforce law and order and to benefit and control circumstances. In politics and government, siyasah refers to policy formulation. Siyasah is the science of government that seeks to regulate society and domestic and foreign affairs, especially the regulation of people's lives based on istiqamah and justice (Yoga, 2022). Siyasah is the management of human interests (mashalih) in accordance with shara' for the purpose of generating benefits, according to (Sawitra, 2022) the achievement of the five objectives of Islamic law-protecting religion, reason, soul, offspring, and property-is the intended benefit.

The initial fiqh siyasah study is siyasah dusturiyah. Making laws and government regulations that regulate the lives of citizens is related to siyasah dusturiyah (Mona Hutasuht & Hermanto, 2022). Regional Regulation No. 1 of 2019 concerning the Arrangement and Empowerment of Street Vendors is one form of siyasah dusturiyah. The government and state institutions maintain order so that people can live properly. The government provides basic services (Nurhayani, 2022). The purpose of the government is to help the community by allowing everyone to use their abilities and creativity to achieve common goals (Rahman, 2023). Thus, in general, the government or state ruler must ensure that every citizen is treated fairly, perform public works, provide services in areas that cannot be done by non-governmental organizations, promote social welfare, implement economic policies that benefit the community at large and other policies, and preserve and use natural and human resources (Prakosa, 2022).

Social balance (At-Tawazun Al-Ijtima'i) is a concept of siyasah dusturiyah (Budiarti, 2018). This idea states that money should be allocated in such a way that everyone can live well, with few differences. Islam advocates social balance, or equality of living standards, as a goal of government (Rohmana, 2021). The state should use various means and policies to establish and maintain social balance within its control. Islamic law prohibits extravagance and encourages those below the standard line to improve their quality of life to achieve social balance. In addition to defining the concept of social balance that should be implemented by the state, Islamic law also provides the necessary authority to implement the principle of balance. Islamic law gives three types of authority to the state, one of which is the imposition of long-term taxes and their use to maintain social balance (Wijaya, 2015). Then, building the public sector by using state-owned money and using it to increase state revenues. Furthermore, establishing laws to control some of the economic activities of society.

Muhammad Baqir Ash-Shadr introduced state responsibility (al-mas-ulliyah ad-daulah) to Islamic economic philosophy in Iqtishaduna, along with social balance. Ash-Shadr carefully rectified socialist and capitalist economic doctrines. Ash-Shadr claims that Islamic law mandates the state to provide for the needs of all people. Islamic law emphasizes social security (adh-dhaman al-ijtima'i), social balance (at-tawazun), and government participation. To ensure the living conditions of citizens, the state must offer social security (Ismail, 2021). The state fulfills its promise in two ways. First, it provides everyone with adequate employment (an-nisyath al-iqtishadi al-mutsmir) that enables them to fulfill their needs. Second, the state provides direct monetary assistance (tahi'ah al-mal al-kafi) when a person is unable to work to fulfill his needs or when the state is unable to employ him. Ash-Shadr calls social security the welfare of the people. The state provides economic security for all the people through the public sectors of the economy (*al-qitha'at al-ammah*) (S. Muhammad, 2018). State revenues are increased by developing these public sectors using public resources and assets. State aid is required for social security. Ash-Shadr claims that the state regulates economic activities to conform to Islamic law.

Table 3 Islamic Law Analysis of the Arrangement and Empowerment of Street Vendors in Sagulung District, Batam City

No	Principles of Siyasah Dusturiyah	Analysis
1.	General principles of good governance	Good governance emphasizes accountability, common interest, and prosperity of the people. In this case, the Batam City Government has not fully empowered street vendors or paid attention to the interests and welfare of street vendors in Batam City, especially in Sagulung Sub-district, because many street vendors are still selling makeshift and cannot fulfill their daily needs due to low income.
2.	The principle of social balance	Social balance requires wealth distribution so that everyone can live comfortably. In reality, many street vendors, especially in Sagulung Sub-district, lack money, and big traders manipulate prices to disrupt the market of small traders, resulting in an unbalanced equilibrium. Balance is very important for the Batam City Government.
3.	The principle of State responsibility	Social balance requires wealth distribution so that everyone can live comfortably. In reality, many street vendors, especially in Sagulung Sub-district, lack money, and big traders manipulate prices to disrupt the market of small traders, resulting in an unbalanced equilibrium. Balance is very important for the Batam City Government.

Source: Researcher's Analysis 2024

According to Siyasah Dusturiyah, the Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors violates Islamic Law. The concepts in question include good governance, social balance, and state responsibility-in this case the Batam City Government. In reality, many street vendors do not believe that the street vendor arrangement and empowerment program has been implemented. Local Regulation No. 1/2019 on the Arrangement and Empowerment of Street Vendors obliges the Mayor to organize and empower street vendors through the authorized agencies, including conducting data collection and empowerment. This means that the city government is not fully empowering street vendors. Thus, although the local regulation has been passed, its impact will not be maximized or achieved without execution

IV. CONCLUSION

Due to the fact that this research has been reviewed and described, it is possible to draw the conclusion that the implementation of the Local Regulation of Batam City Number 1 of 2019 on the Arrangement and Empowerment of Street Vendors in Sagulung Subdistrict, Batam City, has not been in accordance with the regulations that are applicable. raising business capacity, providing simple access to money, providing assistance for trade facilities, improving institutions, raising production output, supervising the establishment of promotional networks, and providing technical guidance are all examples of unrealized empowerment. In the meantime, Siyasah Dusturiyah contends that the General Principle, the Principle of Social Balance, and the Principle of State Responsibility in Fiqh Siyasah Dusturiyah have not been implemented in the implementation of Batam City Regional Regulation Number 1 of 2019 concerning the Arrangement and Empowerment of Street Vendors in Sagulung District, Batam City. This regulation is specifically pertaining to the empowerment of street vendors in Sagulung District.

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