

Sociology of Law Study: The Effect of Sidewalk Vendors on Pedestrians in Sidoarjo

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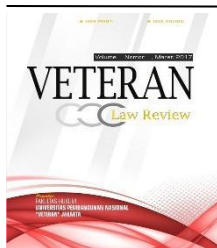
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This study investigates the problems arising from the use of sidewalks by street vendors in Sidoarjo, East Java, Indonesia. The purpose of this study was to investigate the influence of the presence of street vendors on pedestrian facilities, their socio-economic conditions, as well as the point of view of the sociology of law on this issue. The method applied in this study is qualitative with the sociology of law approach. Data collection is done through literature research. Findings from the study suggest that the presence of street vendors has a major impact on pedestrian infrastructure, often resulting in disruption and discomfort for people walking. In the socio-economic aspect, street vendors play a vital role in providing employment and income opportunities for low-income citizens, they also face various problems such as relocation and lack of access to capital. The point of view of the sociology of law highlights that there is a tension between existing legal norms and social practices related to the use of public spaces. The study concludes that it is critical to develop more comprehensive and sustainable policies, which not only regulate street vendors but also support them economically and socially and involve them in the decision-making process.

1. Introduction

Sidoarjo City is located in East Java Province, Indonesia, and is known for its growing economy, especially in the areas of trade and services. However, this progress also has the side effect of increasing the number of street vendors using the sidewalks to trade. The presence of street vendors on sidewalks has become commonplace in Sidoarjo. Sidewalks that are supposed to be for pedestrians are often misused by traders to sell their goods. This situation impedes pedestrian movement and can also lead to conflict between the two. (Amanatin et al., 2023) said that changes in policies are necessary to make sure that usage fits with the development goals of the city.



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In a growing urban environment, sidewalks play an important role in public infrastructure. Sidewalks are not only pathways for pedestrians, but also reflect a commitment to the safety, comfort, and mobility of the community, especially for those who walk. As a supposedly welcoming space, sidewalks need to facilitate pedestrians of all ages and conditions to move safely and comfortably. (Simanjuntak et al., 2021) said that enhancing the features of the road transportation system, particularly the facilities for sidewalks, is crucial. This is because sidewalks serve as designated pathways for pedestrians, providing protection and safety from traffic incidents. Unfortunately, in many areas, including Sidoarjo, the function of sidewalks is often hindered by various factors, one of which is the presence of street vendors who use the sidewalks for trading.

Sidoarjo is experiencing rapid urbanization due to increased industrial and commercial activity. This growth has had various impacts, including an increase in the number of street vendors who use public spaces and facilities, such as sidewalks, to generate income. For them, sidewalks are strategic places that offer high visibility and direct access to shoppers and are mobile. However, their presence often leads to tensions with pedestrians who feel their right to use the sidewalk is compromised.

The presence of street vendors on sidewalks cannot simply be seen as a matter of order or violation of local regulations. The issue reflects the complexity of various interconnected social, economic, and legal relationships. The rising amount of individuals living in poverty has led to more people choosing to become street vendors since this type of work aligns with their skills (Sari et al, 2023). On the one hand, street vendors struggle to meet their daily living expenses, many of whom come from lower-middle economic groups, relying on informal trade as their main source of income. Therefore, a ban or restriction on sidewalk trading could have a major impact on their welfare in earning a living.

It is also important that sidewalks are safe, comfortable, and accessible for pedestrians. Sidewalks crowded with street vendors often become narrow, dirty, and unkempt. Merchandise and trash from vendors produce unpleasant smells and unsightly sights, which can interfere with pedestrian mobility. This is especially true for people with disabilities who need a friendly sidewalk surface, the elderly who need to move slowly and safely, and mothers with small children. In addition, the presence of street vendors increases the risk of traffic accidents as pedestrians are forced to step into the street to avoid the crowds of vendors and shoppers who block the sidewalk from being used for walking.

Regulations that relate to the use of sidewalks by street vendors:



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1. Law No. 22/2009 on Road Traffic and Transportation: This law regulates the rights of pedestrians and the use of facilities such as sidewalks. It highlights the importance of the safety and comfort of pedestrians when traveling on the road.
2. Article 154 Paragraph (1) of Law No. 22/2009 on Road Traffic and Transportation: "Every individual using the road shall give priority to road and transportation safety. "
3. Law No. 39/1999 on Human Rights: This law provides guarantees for everyone to earn a living and improve their living conditions. This regulation is the basis for formulating fair and humane policies for street vendors.

From a sociology of law perspective, this phenomenon shows the relationship between individuals and social structures. On the one hand, street vendors have important economic needs, but on the other hand, their activities on sidewalks can be detrimental to the rights of pedestrians. Various social, economic, and political factors also influence the use of sidewalks by street vendors. This research is expected to provide a better understanding of the problem of sidewalk use by street vendors in Sidoarjo City. It also aims to provide useful suggestions for local governments in formulating better and more sustainable policies.

2. Method

This study used qualitative methods to investigate the social aspects related to sidewalk use by street vendors and how this affects pedestrian mobility in Sidoarjo. This approach allows researchers to understand the perspectives, experiences, and meanings conveyed by the various parties involved, such as street vendors, pedestrians, and representatives from the local government. The purpose of this research is to investigate the complexity of the problem, the social interactions that occur, and the background of the phenomenon being studied.

In conducting the research, the methods used included literature studies. Interviews were conducted to obtain information directly from informants, while literature studies were conducted by collecting and analyzing data from relevant and reliable written sources, such as scientific articles, books, and other documents.

The sociology of law approach was used to analyze the link between legal norms and social practices related to the use of sidewalks by street vendors. The purpose of this approach is to reveal the influence of these interactions on pedestrian rights and comfort. The population that became the object of research was street vendors and pedestrians who often use the sidewalks in

Sidoarjo. Sampling was done purposively by selecting informants who were considered to have relevant information and could represent the topic under study.

3. Analysis and Results

The presence of street vendors in Sidoarjo is an integral aspect of the city's social and economic activities that cannot be overlooked. These vendors provide essential income for those in lower-income brackets; however, their location on sidewalks often results in disputes with both pedestrians and city officials seeking order and comfort in shared areas. The local government in Sidoarjo has enacted Local Regulation (Perda) No. 3/2016 to manage street vendors effectively, intending to foster arrangement and ease in public spaces. This regulation outlines designated trading areas, sets specific operating hours, and stipulates ways to organize vendors to minimize disruptions for pedestrians. Nonetheless, implementing this regulation encounters several challenges, including opposition from traders, who are often hesitant to move, viewing the alternative locations as less advantageous compared to their current spots.

3.1. Impact on Pedestrian Infrastructure

The impact of street vendors in Sidoarjo has a significant effect on the daily experiences of local residents. A major issue that has surfaced is the occupation of sidewalks and public areas that are intended for pedestrians. A lot of these places are taken over by street vendors for their sales. Consequently, pedestrians frequently have to navigate along the edges of roads meant for vehicles, which heightens the chance of accidents and diminishes the comfort and safety for those using the roads (Ramadhan, 2020).

The local authorities have made efforts to manage and regulate street vendors by establishing local laws aimed at promoting order and aiding the local economy. Nonetheless, the existence of unregulated street vendors often disrupts users of public spaces. This is evident through traffic jams, a decrease in the city's aesthetic appeal, and the buildup of trash from trading activities. This indicates that the pedestrian infrastructure in Sidoarjo has not satisfactorily catered to the balanced needs of all involved parties.

The implementation of the relocation policy for street vendors, as demonstrated by the Larangan market in Sidoarjo, has a positive impact on pedestrian infrastructure. Following the relocation, the access roads became more orderly, airflow improved, and parking areas were better organized. This scenario enhances comfort for pedestrians because

sidewalks are no longer muddy during rain, and there is more room to walk. Moreover, the market appears tidier and less dilapidated, which contributes positively to the quality of the environment surrounding it (Ummah, 2024). Improved organization also leads to fewer unpleasant smells due to better waste management and establishes an efficient drive-thru shopping system for consumers.

Experiences from other regions indicate that if street vendor arrangements do not consider the need for spaces to support informal economic activities, pedestrians might still face challenges. For instance, in Mataram, street vendors occupying pedestrian pathways force pedestrians onto the road, exacerbating traffic congestion and compromising user safety (Azima et al., 2020). Therefore, it is crucial to develop a strategic plan that outlines parking layouts, business types, trading hours, and the design of street vendor facilities to achieve a balance between the needs of the informal economy and the rights of pedestrians.

3.2. Socio-Economic Impact on Street Vendors

The social and economic effects that street vendors face in Sidoarjo are intricate, posing significant difficulties for city management and safeguarding the economies of smaller communities. Street vendors in Sidoarjo, particularly in busy areas, significantly influence the income, continuity of their businesses, and overall well-being of these informal operators.

From an economic standpoint, street vendors in Sidoarjo are vital for job creation and serve as a primary income source for countless households. Nonetheless, governmental measures, including relocation and restructuring, frequently negatively impact their earnings. Research conducted at Gading Fajar found that many street vendors suffer a revenue reduction of nearly 50% when they are moved to new locations, particularly during weekdays. This decline is linked to fewer strategic new sites and a reduced customer base, leading to lower daily sales (Putri & Choiriyah, 2021). Moreover, the uncertainty surrounding the official relocation sites set by the government complicates the vendors' ability to grow their businesses sustainably. They also struggle to access capital support or loans, as their unofficial status is still viewed unfavorably by the local authorities.

From a social angle, the relocation of street vendors in Sidoarjo often fails to follow the necessary steps, which include gathering data, selecting locations, and providing support after the move. Consequently, numerous vendors find themselves feeling uneasy and unsafe in their new

environments, leading many to choose to resume trading on sidewalks or busier streets. Furthermore, the scarcity of land for relocation, along with the mindset of merchants who prefer roadside selling to avoid rent, exacerbates their economic situation. The government also confronts difficulties in empowering these street vendors due to limited budgets, insufficient human resources, and coordination issues among agencies, rendering training and business development initiatives less effective.

Despite these hurdles, street vendors positively influence the local economy. They help enhance the purchasing power of the community by providing affordable products and services, while also playing a role in reducing unemployment within the informal sector. However, without proper regulation, street vendors can contribute to concerns regarding urban planning, cleanliness, and the overall appearance of the city.

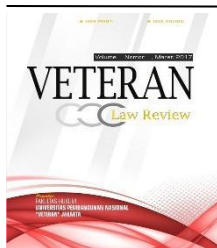
3.3. Perspectives of Sociology of Law

The sociological legal approach in analyzing the existence of street vendors in Sidoarjo emphasizes the continuous interaction between official legal norms, social practices, and economic conditions in urban areas. This view shows that law is not merely written, but a product of social interaction influenced by values, power, and negotiations between government and society. In the sociology of law, there is a tension between formal laws, such as rules on the regulation of street vendors, and living laws, that is, social norms that arise within society. In Sidoarjo, the regulation of street vendors often conflicts with the economic needs of people who do not have access to the formal sector. Social norms developed among street vendors place more emphasis on solidarity, cooperation, and the right to use public spaces as part of strategies for survival.

The change in policy perspective from simply regulating to empowering street vendors is a result of the thinking of the sociology of law. Good policies not only focus on the organization of spaces but also seek to improve the well-being of street vendors through training, access to financial resources, and integration with the city's economic system. (Nababan, 2023) said that experience in some cities shows that the involvement of street vendors in decision-making can reduce resistance and create order in the city in a more harmonious way

4. Conclusion

In Sidoarjo, street vendors are a very complicated phenomenon. In addition to the city's infrastructure, this affects the socio-economic conditions of the vendors themselves, as well as the legal regulations in society. Street vendors



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have a significant impact on pedestrian infrastructure, such as sidewalks, which ideally should be safe and comfortable. Unfortunately, sidewalks are often obstructed by the activities of vendors, forcing pedestrians to use the road, which increases the risk of accidents and detracts from the city's beauty. Unfortunately, sidewalks are often obstructed by vendors, forcing pedestrians to use the road, which increases the risk of accidents and damages the city's beauty. From a socio-economic perspective, street vendors play a significant role in the informal sector, creating livelihoods for many people.

From a socio-economic perspective, street vendors play a significant role in the informal sector, creating livelihoods for many people. However, they often have to face issues such as relocation that can disrupt their income. In addition, access to funds and support from the government is often limited. From a social law perspective, there is tension between the laws regulating public order and the social norms that develop in the environment of street vendors. To reduce resistance and create better solutions, effective policies need to consider both aspects and involve vendors in the decision-making process. Therefore, local governments should design more comprehensive and sustainable policies that not only regulate street vendors but also empower them through training, access to financial resources, and integration into the city's economic system.

Therefore, local governments must design more comprehensive and sustainable policies that not only regulate street vendors but also empower them through training, access to financial resources, and integration into the city's economic system. For research on street vendors in Sidoarjo, it is crucial to develop more inclusive policies that involve vendors in the policy-making process so they feel they have a role in finding sustainable solutions.

Suggestions:

For research on street vendors in Sidoarjo, it is important to develop more inclusive policies that involve vendors in the policy-making process so that they feel they have a role in finding sustainable solutions. In addition, the local government also needs to support the economy of street vendors through skills training, access to capital, and marketing support to increase their income. Better urban planning is also needed by providing special areas for vendors without disrupting the function of sidewalks, such as by creating specific zones or organized markets.

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