

The Role and Authority of Satpol PP in Regulating Street Vendors According to Qanun No. 3 of 2007 and *Haqq al-Murūr* (A Study in the City of Banda Aceh)

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Abstract

Legally, Qanun of Banda Aceh City No. 3 of 2007 provides a clear legal foundation for the local government, through the Civil Service Police Unit (Satpol PP), to regulate, guide, and control street vendors (PKL). Satpol PP holds the authority to maintain and uphold public order by the mandate of the qanun. In practice, however, many street vendors in Banda Aceh still operate in areas that disrupt public order, such as sidewalks, parks, and other public spaces. *Haqq al-Murūr* means right of passage or right to the road, referring to a person's right to use public roads or spaces, such as alleys, streets, or other communal areas. Therefore, this study examines the extent of Satpol PP's role and authority in enforcing order over street vendors in Banda Aceh City. The study uses a descriptive method with an empirical juridical approach to address this issue. The findings conclude that the implementation of Qanun No. 3 of 2007 has generally moved toward achieving public order, but still faces significant challenges in fully embodying the values of *Haqq al-Murūr*. One of the main issues is that street vendors continue to sell in prohibited areas because they consider the designated relocation sites unstrategic and feel that enforcement is unfair, especially when formal shops are still allowed to use the roadside for commercial purposes. Therefore, public policies should be strengthened to become more people-centered, so that law enforcement is not only legal but also ethical, moral, and beneficial for all parties involved.

Keywords: Qanun Aceh No. 3 of 2007, Street Vendors, *Haqq al-Murūr*.

Abstrak

Secara yuridis, Qanun Kota Banda Aceh No. 3 Tahun 2007 memberi dasar hukum yang jelas bagi pemerintah daerah, melalui Satuan Polisi Pamong Praja (Satpol PP) untuk mengatur, membina, dan menertibkan pedagang kaki lima (PKL). Satpol PP memiliki kewenangan dalam menjaga dan melestarikan ketertiban umum sebagaimana amanah qanun tersebut. Nyatanya masih banyak PKL di Banda Aceh yang berjualan di lokasi-lokasi yang mengganggu ketertiban umum, seperti trotoar, taman, dll. *Haqq al-Murūr* secara literal berarti “hak lau lintas” atau “hak jalan” yang berarti hak seseorang untuk menggunakan jalan atau ruang publik, seperti gang, jalan umum atau tempat umum lainnya. Oleh karena itu, tulisan ini ingin mengkaji sejauh mana peran dan kewenangan Satpol PP dalam melakukan penertiban PKL di Kota Banda Aceh. Maka untuk menyelesaikan persoalan tersebut penulis menggunakan metode penelitian deskriptif dengan pendekatan yuridis empiris. Dari hasil penelitian dapat disimpulkan bahwa penerapan Qanun No. 3 Tahun 2007 telah mengarah pada pencapaian ketertiban umum, namun masih menghadapi tantangan dalam menerapkan nilai-nilai *Haqq al-Murūr* secara utuh. Salah satunya PKL yang masih berjualan di tempat yang sudah di larang karena mereka menganggap tempat yang sudah disediakan tidak strategis untuk berjualan dan dianggap tidak adil terhadap toko-toko yang menggunakan bahu jalan untuk berjualan. Hal ini semestinya kebijakan dibuat agar lebih pro-rakyat perlu diperkuat agar penegakan hukum tidak hanya legal, tetapi juga berakhlak, bermoral, dan membawa kemaslahatan bagi semua pihak.

Kata Kunci: Qanun Aceh No 3 tahun 2007, Pedagang Kaki Lima, *Haqq al-Murūr*.

INTRODUCTION

Selling goods on the side of the road is a common form of business for the general public in Indonesia, especially for those with limited economic means or access to formal markets. Street vendors are informal sector businesses engaged in trade and sometimes act as producers. They set up their stalls in specific strategic locations with a target customer base, and some sell food or beverages using carts or pushcarts. Although this practice is often seen as a means for many people to meet their needs, it raises several issues related to public safety, order, and the environment. In Banda Aceh, as in many other cities, street vendors often create tension between their economic interests and government regulations and policies governing the use of public space. As a result, the government, through various

policies at the national and local levels, has banned street vending along major roads to maintain peace, facilitate traffic flow, and enhance urban aesthetics. In Islamic economics, the well-being of society is not measured solely by material aspects but also considers the social, mental, and spiritual impacts on individuals and the environment.¹

Legally, Banda Aceh City Regulation No. 3 of 2007 provides a clear legal basis for local governments, particularly the Public Order Agency (Satpol PP), to regulate, supervise, and enforce order among street vendors (PKL). The Public Order Agency is responsible for maintaining and preserving public order as mandated by the regulation. However, in practice, the role of the Satpol PP often falls short due to various structural and social barriers. On one hand, the Satpol PP has the authority and obligation to enforce local regulations and laws; on the other hand, they often lack strong operational regulations, sufficient personnel, and optimal inter-agency coordination.² Additionally, resistance from street vendors, low public legal awareness, and the lack of alternative solutions from the government for relocating street vendors further exacerbate the situation.

This situation indicates an imbalance between the preservation of the role and authority of the Satpol PP as enforcers of public order and the neglect of the implementation of Qanun No. 3 of 2007. Although regulations exist, weak enforcement and inadequate training have resulted in street vendors continuing to sell in prohibited areas. In reality, the regulation of street vendors according to Banda Aceh City Regulation No. 3 of 2007 on the Regulation and Supervision of Street Vendors has not been effectively enforced or implemented due to the low compliance rate among street vendors.³ This discrepancy between legal norms and on-the-ground realities is the root cause of the issue.

In addition, Satpol PP officers are often not equipped with the persuasive or social mediation approaches needed to deal with vulnerable groups such as street vendors. More crucially, they face stigma and social resistance, which are perceived as repression rather than legal enforcement, so they are often under

¹ Ansori, "Kesejahteraan Perspektif Ekonomi Islam," *Jurnal Pemikiran Ekonomi Islam* 3, no. 2 (2018): 49–58.

² Muhammad Amin Hanafi and Amriyanto, "Sosialisasi Pemahaman Hukum Terhadap Pedagang Kaki Lima (PKL) Yang Menggelar Dagangan Di Lokasi Yang Dilarang Dalam Perspektif Penegakkan Hukum Progresif Di Desa Kupal Kab. Halmahera Selatan," *Jurnal Pengabdian Hukum* 3, no. 2 (2023): 58–63.

³ Mardiani, Suhaimi, dan Teuku Muttaqin Mansur, "Peranan Satuan Polisi Pamong Praja Dalam Menata Dan Membina Pedagang Kaki Lima Di Kota Banda Aceh," *Syiah Kuala Law Journal* 2, no. 2 (2018): 233–46.

pressure from the public, the media, and even local politicians.⁴ As a result, the role of Satpol PP, which should be preserved as a balancer of orderly and clean public spaces, has deteriorated. They find themselves in a dilemma between carrying out their duties and maintaining social stability.

This paper aims to examine how the role and authority of the Satpol PP are implemented according to Banda Aceh City Regulation No. 3 of 2007 on the regulation and development of street vendors, as well as to analyze the obstacles faced in enforcing the law and the role and authority of the Satpol PP in maintaining public order amid the implementation of Regulation No. 3 of 2007.

The implementation of Satpol PP duties is not only viewed from a formal legal perspective, but also needs to be analyzed from the perspective of Islamic ethical values and social justice, one of which is through the *Haqq al-Murūr* approach. This concept emphasizes ensuring public access rights, upholding justice, and protecting the community's fundamental rights to use roads and public spaces safely, freely, and equitably, which should be the essence of law enforcement by law enforcement officers.

This study will explore the factors influencing the effectiveness of the role and authority of Satpol PP, both those originating from regulations, law enforcement agencies, the socio-economic conditions of vendors, and community participation in supporting the regulation of street vendors. Additionally, this study will identify various obstacles and challenges faced in implementing the regulation on the ground and attempt to provide policy recommendations that can address structural and policy issues related to the Satpol PP.

In conducting this analysis, the author refers to various literature and studies and Islamic legal concepts regarding justice and the common good. Qanun No. 3 of 2007 serves as the primary legal framework for understanding the legal boundaries and duties of the Satpol PP, while *Haqq al-Murūr* is employed as an approach aligned with Islamic principles of justice, assessing whether the role and authority of the Satpol PP are exercised fairly and ethically, without oppression or violence. Discussions on the role and authority of the Satpol PP in regulating street vendors revealed several writings, including those by Agus, who identified patterns of informal sector businesses and the creation of social networks among street vendor families to fill job vacancies in urban areas.

⁴ Nurlela Nurlela, Mappamiring Mappamiring, and Muhammad Tahir, "Strategi Relokasi Pedagang Kaki Lima (PKL) Di Taman Sulikan Kabupaten Luwu Utara," *Jurnal Administrasi Publik* 4, no. 1 (2018): 99, <https://doi.org/10.26618/kjap.v4i1.1431>.

The lack of space also causes street vendors to accommodate their activities in urban areas.⁵ This study has not revealed any gaps or issues in law enforcement, but rather the problems created by PKL, who indirectly build social networks to oppose existing laws. However, it does not mention how city officials handle such issues. Another study by Bintardi Dwi Laksono explains the factors supporting and hindering law enforcement based on the Local Regulation on the Regulation of Street Vendors.⁶

A study analyzing data using applicable theories on policy and solutions from the Banda Aceh city government found that the city government has implemented. Plans to implement several strategies in the form of revitalization programs.⁷ More specifically, the role of the Public Order Agency (Satpol PP) in regulating and developing street vendors in Banda Aceh City is discussed by Mardani, Suhaimi, and Teuku Muttaqin Mansur, who explain that the role of the Banda Aceh City Police Unit has been to address the issue of unregulated street vendors by conducting reorganization, enforcement, and supervision of street vendors who continue to operate. However, in reality, street vendors have resumed their activities, assuming they will be easier to access by customers. This is due to internal factors such as human resources, infrastructure, and legal frameworks that are not yet available. External factors include the low level of awareness among street vendors regarding the principle of.⁸ Previous studies have primarily focused on the technical and formal legal aspects of street vendors' adaptation strategies. However, few have delved deeply into the ethical dimensions within the Acehese context.

What remains unclear in this study is to what extent the implementation of the role and authority of the Satpol PP in Banda Aceh aligns with the principles of *Haqq al-Murūr* as a principle of justice in Islam. Many previous studies have only highlighted the legal-formal aspects of Qanun No. 3 of 2007, without exploring the ethical dimensions and human values in the role and authority of Satpol PP in

⁵ Agus Maladi Irianto, "Strategi Adaptasi Pkl Kota Semarang: Kajian Tentang Tindakan Sosial," *Komunitas* 6, no. 1 (2014): 70–90, <https://doi.org/10.15294/komunitas.v6i1.2938>.

⁶ Bintardi Dwi Laksono, "Penegakan Hukum terhadap pedagang Kaki Lima yang Berjualan di atas Troror Jalan Abu Bakar Ali Yogyakarta Berdasarkan Peraturan Daerah Kota Yogyakarta Nomor 26 tahun 2022" Skripsi tahun 2022.

⁷ Teuku Ivan et al., "Kebijakan Dan Solusi Dari Pemerintah Kota Banda Aceh Terhadap Keberadaan Pedagang Kaki Lima Di Ruang Kota Dan Pasar Tradisional," *Jurnal Serambi Engineering* 8, no. 3 (2023): 6271–79, <https://doi.org/10.32672/jse.v8i3.6148>.

⁸ Mardiani, Suhaimi, and Mansur, "Peranan Satuan Polisi Pamong Praja Dalam Menata Dan Membina Pedagang Kaki Lima Di Kota Banda Aceh." *Syiah kuala law journal*, VI 2 No. 1, 2018.

regulating street vendors. No study has specifically linked the implementation of Satpol PP's duties with the principles of substantive justice in Islamic law. Additionally, there is a lack of understanding regarding the real challenges faced by Satpol PP in applying the regulation fairly, wisely, and in the interest of the community.

This article is divided into several main sections. The first section contains a theoretical and legal review of the role of Satpol PP and the concept of *Haqq al-Murūr*. The second section discusses the implementation of Satpol PP's role and challenges in Banda Aceh. The third section analyzes the concept of *Haqq al-Murūr* about the role of Satpol PP. Finally, the concluding section contains conclusions and recommendations

RESEARCH METHOD

This study uses an empirical legal research approach, which views law as a social phenomenon, as a social institution or behavior, and employs a qualitative approach conducted in Banda Aceh. Data collection techniques are based on primary and secondary data. Primary data is obtained through in-depth interviews with Satpol PP/WH officials, community leaders, and academics, and documentation from qanun (local regulations), activity reports, and scientific literature. Secondary data comprises normative data from official documents, books, and research findings. In this study, the legal approach is used to analyze legal aspects. In contrast, the sociological approach is employed to understand the social dynamics and ethics in implementing public order in society. The data obtained from interviews and observations were first reduced and categorized to form a set of information that can be presented in a narrative structure. With this approach, it is hoped that the study results will be legalistic and address substantive justice aspects consistent with Islamic values.

RESULTS AND DISCUSSION

A. The Role of Satpol PP in the Enforcement and Supervision of Street Vendors'

The Satpol PP in Banda Aceh City is special in regulating and guiding street vendors who engage in trade outside designated areas and sell in prohibited locations such as sidewalks, road shoulders, or public facilities. With the enactment of Banda Aceh City Regulation No. 3 of 2007 on the regulation and development of street vendors, the Satpol PP acts as the enforcement authority. This study was conducted at several locations in Banda Aceh City where street vendor activities are prevalent, including Peunayong Market, the Simpang Lima

area, and the vicinity of Baiturrahman Grand Mosque. Interviews were conducted with Satpol PP officers and vendors, and observations of law enforcement behavior at these locations.

Based on the interviews, the role of guidance by Satpol PP is still limited. An officer in the Simpang Lima area said, "We want to approach and provide guidance, but we have limited personnel and are under much pressure to enforce order immediately. Sometimes we do not even have time to talk to them before taking action".⁹ Meanwhile, in the Peunayong market area, some street vendors admitted that they had never received any guidance or education regarding Qanun No. 3 of 2007. "We only know about the raids. However, there has never been any socialization or preparation for new locations. So we are confused about where to move".¹⁰ These findings indicate that the role of guidance by the Satpol PP has not been carried out in a targeted manner. The reorganization has not been based on social dialogue but rather on responses to complaints from road users or pressure from legitimate shop owners.

Researchers also conducted direct observations in the area surrounding Baiturrahman Grand Mosque on April 21, 2025, which revealed enforcement activities against street vendors carried out by a team from the Banda Aceh City Police (Satpol PP). A Satpol PP officer from Banda Aceh City explained that "the enforcement against street vendors was conducted because many vendors were selling goods on sidewalks and road shoulders, which are intended for pedestrians and other road users".¹¹ Meanwhile, the results of the short-term monitoring by the Satpol PP showed no follow-up actions such as accompaniment or ongoing monitoring. The confiscated items were secured at the office and returned to the vendors with the condition that they not return to the original location. However, the street vendors returned to the exact location a few days later, indicating the weak long-term effect of the enforcement without a structured monitoring system.

Based on interviews with street vendors around Simpang Lima, "We are small traders, selling just enough to eat for the day. However, we are always being chased away and disciplined. Meanwhile, large stores using the sidewalk to display their goods are never punished. So this law seems to only apply to small people".¹² This was responded to by community leaders: "The crackdown is good, but it must be fair. We see many large stores exceeding their business space limits

⁹ Interview results with Satpol PP officers in the Simpang Lima area on June 3, 2025.

¹⁰ Interview results with street vendors at Peunayong Market on June 3, 2025.

¹¹ Interview results with the Satpol PP operational members on April 21, 2025.

¹² Interview results with street vendors in Simpang Lima, Banda Aceh City, on May 8, 2025.

onto the sidewalks. However, it is always the small vendors who are targeted and raided. Everyone who violates the rules should be treated the same."¹³

Meanwhile, Satpol PP officers enforce the law based on reports and complaints, which are often directed at street vendors. A Satpol PP officer says, "We receive frequent complaints that our actions are more often directed at street vendors. However, we only act based on reports or instructions. If large stores are rarely reported, we do not immediately take action."¹⁴ Another officer added that while they understand street vendors' difficult economic conditions, enforcement is still necessary for the greater good. However, they acknowledged that there are still challenges, such as limited personnel and the attitude of some vendors who return to selling on sidewalks despite having been relocated.

Researchers also observed that several large stores used sidewalks to display areas for merchandise such as clothing and household items. However, there appeared to be no enforcement efforts by authorities. On the other hand, two street vendor stalls selling beverages and snacks were cleared in the morning, and officials removed their merchandise. In addition to being carried out suddenly, the enforcement was conducted with insufficient communication, resulting in a lack of empathy toward the street vendors. "We feel sorry for them, especially when we see elderly women selling goods. However, we must do our job, so sometimes we cannot be lenient."¹⁵

The Public Order Agency (Satpol PP) tends to enforce regulations using a formalistic and structural approach. At the same time, the moral, educational, and spiritual aspects inherent in the concept of *Haqq al-Murūr* have not yet become the primary foundation for their actions. This indicates the need for reformulating law enforcement strategies that are more just, empathetic, and nurturing. A vendor revealed that he and other vendors are aware of the importance of maintaining smooth roads and sidewalks so that the public can pass through comfortably, as outlined in the concept of *Haqq al-Murūr*. However, they feel compelled to continue selling in prohibited areas because the relocation sites are deserted and their income has plummeted drastically. "We also do not want to block the road, but no one buys if we sell at the relocation site. We are just trying to make a living," said one vendor.¹⁶

¹³ Interview results with residents on May 8, 2025.

¹⁴ Interview results with members of the Public Order Agency (Satpol PP) on May 8, 2025.

¹⁵ Interview results with members of the Public Order Agency (Satpol PP) on May 8, 2025.

¹⁶ Interview results with street vendors at Simpang Lima, Banda Aceh City, on May 8, 2025.

B. The Concept of *Haqq al-Murūr*

Haqq al-Murūr comes from two Arabic words: *haq*, which means truth or a right that should be fulfilled, and *al-Murur*, which means traffic or road. *Haqq al-Murūr* means "right of way" or "right to use the road," which refers to a person's right to use roads or public spaces, such as alleys, public roads, or other public places..¹⁷ In Islamic concepts, it refers to the right of an individual or community to use, pass through, or utilize public roads or spaces lawfully and fairly without infringing upon the rights of others. According to al-Kasani in his book, *Haqq al-Murūr* is a right to pass through, part of the general rights or *al-Haqqul'am' ammah*. Wahbah az-Zuhaili mentions that *Haqq al-Murūr* is included in *al-haqqul musytaraq* (shared rights), and the use of public roads must be regulated so as not to interfere with the public interest (*mashlahah' ammah*).

Then, according to him again, in the book of hadith Shahih Bukhari¹⁸:

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِيَّاكُمْ وَالْجُلُوسَ عَلَى الطُّرُقَاتِ فَقَالُوا مَا لَنَا بُدٌّ إِمَّا هِيَ مَجَالِسُنَا نَتَحَدَّثُ فِيهَا قَالَ فَإِذَا أَبَيْتُمْ إِلَّا الْمَجَالِسَ فَأَعْطُوا الطَّرِيقَ حَقَّهَا قَالُوا وَمَا حَقُّ الطَّرِيقِ قَالَ غَضُّ الْبَصَرِ وَكَفُّ الْأَذَى وَرَدُّ السَّلَامِ وَأَمْرٌ بِالْمَعْرُوفِ وَنَهْيٌ عَنِ الْمُنْكَرِ

From Abu Sa'id al-Khudri, may Allah be pleased with him, from the Prophet, peace and blessings be upon him, who said, "Beware of sitting on the roadsides." They said, "We have no choice; these are our places where we gather." He said, "If you insist on sitting there, give the road its right." They said, "What is the right of the road?" He said, "Lowering your gaze, refraining from harm, returning the greeting, and enjoining what is good, forbidding the wrong."

In this hadith, the Prophet Muhammad initially prohibited sitting on the side of the road or in places where people pass by because it could obstruct people from passing, cause disturbances, and potentially lead to fitnah or inappropriate behavior. Since the companions mentioned that they were accustomed to sitting on the road to converse, the Prophet granted them leniency, allowing them to remain seated as long as they fulfilled the right of way or *Haqq al-Murūr*. The Prophet Muhammad (peace be upon him) mentioned four rights of the road that constitute proper etiquette in Islamic society:¹⁹ 1) Lowering one's gaze and avoiding staring at others, especially women, in a way that causes disturbance; 2)

¹⁷ Al-Kasani, *Bada'i as-Sana'i Fi Tartib as-Syara'i*, n.d.

¹⁸ Abu Abdullah Muhammad ibn Ismail ibn Ibrahim ibn al-Mughira ibn Bardazbah al-Bukhari al-Ja'fi, *Shahih Bukhari*, Sultaniyya (Bairut, Bulaq, Mesir: Grand Amiri Press, n.d.).

¹⁹ Naning Wardani, "Adab Bersosial Dalam Pandangan Islam," *Pojok Pustakawan*, 2023, <https://perpustakaan.uad.ac.id/adab-bersosial-media-dalam-pandangan-islam/>.

Not causing disturbance, whether through speech, actions, or blocking the path;²⁰ 3) Responding to greetings, showing respect, and maintaining a safe and friendly atmosphere; 4) Encouraging good deeds and discouraging evil, meaning urging others to do good and preventing wrongdoing if witnessing immoral acts or bad behavior in that place.

These four points are explicitly explained in Islamic teachings, as exemplified by the Prophet Muhammad (peace be upon him) in his daily social life, as the foundational principles for building a civilized, harmonious, and just society where people care for one another. Justice in Islam must be rooted in pure intentions for the sake of Allah, not for personal gain or desires.

In law enforcement, including efforts to maintain public order, *Haqq al-Murūr* emphasizes that public facilities or roads are intended for the entire community. No one should control, close, or take personal advantage of them, as this could obstruct or misuse the roads.²¹ This means that the Satpol PP, in carrying out its duties, must not only enforce regulations strictly but also adopt a wise approach, respect public rights, fulfill social responsibilities, and act with balanced justice. This includes a gentle and compassionate attitude (*rifq*), proportional justice, and empathy toward the conditions of the community. This principle is emphasized in the Quran, such as in Surah An-Nahl, verse 90.

﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ۝ ٩٠ ﴾

Meaning: Verily, Allah commands justice, kindness, and giving to relatives. He forbids indecency, evil, and oppression. He admonishes you so that you may remember.

Haqq al-Murūr in the context of Satpol PP demands that all the authority they possess be exercised reasonably, without deviating from the truth, and prioritizing social values and the protection of the rights of the underprivileged. This concept invites us to understand that the enforcement of law and order is not merely about rules, but also about the values of justice and noble social service. Implementing *Haqq al-Murūr* values is highly relevant in supporting security, the smooth operation of community activities, and preventing social conflicts related to the use of public spaces.

²⁰ “Adab Rasulullah Saw Atau Tata Krama Yang Harus Kita Teladani,” *YMAI Peduli*, 2024, <https://ymaipeduli.org/adab-rasulullah-saw-atau-tata-krama-yang-harus-kita-teladani/>.

²¹ Busyro and Adlan Sanur, “Legality of Islamic Law Against the Use Of,” *Hukum Islam* 7, no. 2 (2022): 170–80.

Public order is not only the responsibility of the state or the Public Order Agency (Satpol PP) but also the duty of every Muslim individual to refrain from disruptive behavior, maintain cleanliness, and respect one another. Through the Satpol PP, the state ensures that *Haqq al-Murūr* is upheld by the principle of "," which emphasizes promoting good deeds and preventing evil, thereby safeguarding the common good.

The value of *Haqq al-Murūr* also encompasses safeguarding the common good, preventing harm such as traffic congestion or pedestrian disruptions, and regulating public spaces to ensure they remain comfortable and safe for the general public. Therefore, when the government or Satpol PP enforces regulations against street vendors to maintain the function of roads and sidewalks, such actions align with the principles of *Haqq al-Murūr* as long as they are carried out fairly, humanely, and consider the rights of vendors to earn a decent livelihood.

Thus, *Haqq al-Murūr* serves as a crucial foundation for evaluating the actions of law enforcement agencies, such as the Satpol PP in Aceh, to determine whether they have been carried out fairly, upholding the principle of ensuring that every citizen can enjoy the right to use public spaces safely and comfortably. The order achieved through this approach will be more robust and sustainable because it grows from awareness, not merely coercion.

These values form the core principles of social justice in Islam, embodied through the concept of²²: a) The Right to Free Movement and Public Access to Road Space, b) Preventing Harm in Public Spaces, c) Fair and Impartial Enforcement of Law, d) Concern for the Common Good and Social Solidarity.

Implementing *Haqq al-Murūr* in the context of the duties of the Satpol PP in Banda Aceh City is essentially an effort to translate the values of Islamic justice into the enforcement of Qanun No. 3 of 2007. These values require that every action taken by law enforcement officials should not be solely focused on enforcement, but should also consider aspects of humanity, ethics, and the common good. Applying *Haqq al-Murūr* in the context of Satpol PP duties can be observed in how Satpol PP carries out its duties with a courteous, persuasive, and educational approach toward the public, rather than merely enforcing or intimidating them.

Several steps reflecting the spirit of implementing *Haqq al-Murūr* in the context of Satpol PP duties include regulating public spaces by clearing illegal

²² Nurwahida & Ikmal Syafruddin, "Konsep Hukum Islam Dan Teori Pemberlakuan Hukum Islam Di Indonesia," *Ilmu Hukum* 1, no. 3 (2023): 1-73.

structures or street vendors who obstruct sidewalks. The aim is to restore roads as a shared right (*Haqq al-Murūr*) rather than being controlled by individuals or groups. Educating the public before enforcement actions are taken, adopting a dialogic approach toward violators, and providing residents with opportunities to improve their behavior before penalties are imposed. Ensuring the safety and comfort of road users from activities that disrupt order, such as street vendors, illegal parking, illegal racing, or gatherings that could potentially cause accidents. Additionally, evaluating the social impact of enforcing the law is an important part of this principle, as enforcing laws without considering the socio-economic conditions of the community can lead to new injustices.

C. Islamic values of justice in Qanun No. 3 of 2007

Qanun No. 3 of 2007 in Aceh governs the procedures for formulating Qanun or local regulations based on Islamic law. Qanun No. 3 of 2007 on the regulation and development of street vendors in the City of Banda Aceh aims to regulate the management of street vendors to ensure orderliness, organization, and contribution to public order and the community's welfare. This includes regulations on location, business permits, and the development of vendors to align with local regulations and principles of social justice.²³ The regulation specifies several criteria for the spaces that street vendors must adhere to, as outlined in Article 2:

- 1) The city government has the authority to regulate and organize the business locations of street vendors through the city's RT/RW regulations.
- 2) The authority referred to in paragraph 1 is for planning and utilizing street vendor locations to achieve order, cleanliness, and the city's beauty.

Furthermore, Article 3 states:

- 1) The Mayor shall designate urban spaces for street vendor business locations as referred to in Article 2.
- 2) The designation of locations for street vendor business premises as referred to in paragraph 1 applies to land owned by the city government and other parties.
- 3) he locations for street vendor business areas, as referred to in paragraph 1 are determined based on the mayor's regulations.²⁴

²³ Maura Anindita, "Pelaksanaan Qanun Kota Banda Aceh No . 3 Pembinaan Pedagang Kaki Lima (Studi Kasus Di Kawasan Wisata Kota Banda Aceh) SKRIPSI," *Skripsi Uin-Araniry*, no. 3 (2021).

²⁴ Qanun Kota Banda Aceh No. 3 Tahun 2007 tentang Pengaturan dan Pembinaan PKL Pasal 2 dan 3.

Therefore, the enforcement of this regulation should not be detached from the substantive values of Islamic justice, not merely legalistic. In Islam, justice ('*adl*') does not merely mean treating people according to the law, but also placing everything in its proper place, proportionally, and with wisdom.

This Qanun establishes justice, equality before the law, order, and balance. The values of justice contained therein include: first, the Qanun requires that every legal rule and decision be made and enforced fairly without bias and harming any party. This is referred to as substantive justice and is in line with the Islamic principle emphasized in Q.S. Annisa verse 58, which means "When you judge between people, judge with justice".²⁵ Second, equality before the law by considering without regard to social status, economic status, or individual background, the Qanun emphasizes equality before the law and government as a fundamental principle, thus prohibiting discrimination in the enforcement of the law.²⁶ Third, in the formulation and implementation of the Qanun, the common good and the protection of human rights must be prioritized by the principles of maqasid syariah in Islam.²⁷ Fourth, the legal process must be transparent and accountable, typically monitored by the public to ensure there is no abuse of power or discriminatory practices in the enforcement of the law.

At least several key values of Islamic justice are relevant to the enforcement of Qanun. First, procedural justice, which means that every action taken by Satpol PP must follow a fair, transparent, and non-arbitrary process. Second is distributive justice, which means the law must be enforced without discrimination against elite offenders or the lower classes. Third is corrective justice, where rule enforcement aims to improve and educate, not punish or humiliate offenders. This principle is important so that the enforcement of Qanun becomes a means of moral education for society, not a source of fear.

D. Factors influencing the effectiveness of the enforcement of Qanun No. 3 of 2007

The effectiveness of law enforcement regarding the regulation of street vendors by the Civil Service Police Unit (Satpol PP) is not only determined by the existence of legal regulations, but also by various other interrelated factors. The

²⁵ Myaskur and Nurul Syalafiyah, "Positivisasi Hukum Islam Di Aceh (Kajian Filosofis, Yuridis, Hukum Islam)," *Asy-Syari'ah: Jurnal Hukum Islam* 7, no. 1 (2021): 134-54.

²⁶ An Nisa et al., "Penerapan Asas Keadilan Dalam Qanun Aceh," *Jurnal Ilmiah Kajian Multidisipliner* 7, no. 12 (2023): 28-36.

²⁷ Myaskur and Syalafiyah, "Positivisasi Hukum Islam Di Aceh (Kajian Filosofis, Yuridis, Hukum Islam)."

following are the main factors influencing the successful implementation of the Qanun in the field:

1. Regulatory Factors

The absence of technical regulations derived from Qanun No. 3 of 2007 has resulted in inconsistent implementation in the field. The lack of detailed standard operating procedures (SOPs) on the mechanisms for controlling, guiding, and relocating traders has led to varying interpretations among law enforcement officials in carrying out their duties. This lack of clarity risks disproportionate actions and potential conflicts with the community.²⁸

2. Law Enforcement Officials

The capacity of human resources within the Satpol PP also influences the effectiveness of qanun implementation. In interviews with several officers, it was revealed that most had not received special training on socio-cultural approaches to enforcement. In addition, the limited number of personnel compared to the size of the working area and the large number of street vendor activity points meant that supervision was not optimal. A repressive approach was also found to be used rather than a persuasive one.²⁹

3. Socio-economic factors of street vendors

Most street vendors in Banda Aceh come from economically disadvantaged backgrounds. For them, selling on the side of the road or on sidewalks is the only option for making a living due to limited capital and access to more suitable business premises. When enforcement actions are carried out, they resist passively or actively because they feel they have no alternatives. This situation highlights that the enforcement of local regulations has not fully considered the economic conditions of small-scale business operators.³⁰

4. Factors of community participation and awareness

Community involvement, both as consumers and residents living around the street vendor area, is crucial to the policy's success. However, public awareness of the importance of public order is still relatively low. Many residents prefer to shop at street vendors along the roadside because it is more convenient, even though it violates regulations. On the other hand, the lack of dialogue forums

²⁸ Satria M. Syamnoer, "Penertiban Pedagang Kaki Lima Oleh Satuan Polisi Pamong Praja Di Kota Pariaman," *Jurnal Pemerintahan Dan Keamanan Publik (JP Dan KP)*, 2020, 45-56, <https://doi.org/10.33701/jpkp.v2i1.954>.

²⁹ Mardiani, Suhaimi, and Mansur, "Peranan Satuan Polisi Pamong Praja Dalam Menata Dan Membina Pedagang Kaki Lima Di Kota Banda Aceh."

³⁰ Hanafi and Amriyanto, "Sosialisasi Pemahaman Hukum Terhadap Pedagang Kaki Lima (PKL) Yang Menggelar Dagangan Di Lokasi Yang Dilarang Dalam Perspektif Penegakkan Hukum Progresif Di Desa Kupal Kab. Halmahera Selatan."

between the government, Satpol PP, and the community has resulted in urban planning policies not receiving strong support from residents.³¹

E. Analysis of the Role and Authority of Satpol PP in Maintaining Public Order According to Qanun No. 3 of 2007 and *Haqq al-Murūr*

The enforcement of law against street vendors (PKL) in Banda Aceh City, based on Qanun No. 3 of 2007, is insufficient if it only refers to formal regulatory aspects. The ethical and moral values embedded in the principle of *Haqq al-Murūr*—which emphasizes public welfare, justice, and morality—provide a relevant normative framework for maintaining public order. This concept teaches that a legal action must be substantively correct, properly implemented, and provide the most significant possible benefit to society. Research findings indicate that the implementation of Qanun No. 3 of 2007 by the Banda Aceh City Satpol PP still faces challenges in balancing public interests and street vendors' economic rights. An analysis of the role and authority of the Satpol PP from the perspective of *Haqq al-Murūr* can be seen from the following four main aspects:

1. Protection of Public Access Rights and Road Functions

The Public Order Agency (Satpol PP) is mandated to ensure that roads and sidewalks are used as intended. According to interviews, enforcement actions are carried out to protect safety, comfort, and the smooth traffic flow. Initial approaches typically involve warnings and public awareness campaigns before resorting to repressive measures, in line with the principle of *Haqq al-Murūr*, which emphasizes a balance between prohibitions and the greater good. However, on the other hand, some street vendors admitted to continuing to sell in prohibited areas due to economic factors, despite acknowledging the importance of protecting road users' rights.

2. Preventing Harm in Public Spaces

The principle of *Haqq al-Murūr* emphasizes the importance of preventing harm or loss to the broader community. The Public Order Agency (Satpol PP) considers the presence of street vendors on public roads to disrupt order, reduce comfort, and potentially endanger road users. Although law enforcement efforts have been made, structural and socio-economic constraints have prevented this policy from being ideal. Collaboration between the protection of public rights and respect for the right of street vendors to earn a living is necessary to achieve substantive justice.

³¹ Syamnoer, "Penertiban Pedagang Kaki Lima Oleh Satuan Polisi Pamong Praja Di Kota Pariaman."

3. Substantive Justice in Law Enforcement

Although the qanun serves as the legal basis, some enforcement practices are still considered legalistic and repressive, with minimal dialogue before action. This contradicts the principle of substantive justice Haqq al-Murūr, which requires consideration of humanitarian aspects. Concrete solutions must be implemented, such as: 1) Providing strategic relocation sites that are easily accessible to consumers, such as along public transportation routes or near crowded areas. 2) Planning new locations with adequate facilities (electricity, clean water, sanitation, and security). 3) Incentives for street vendors willing to relocate include reduced rental fees or initial capital assistance. 4) Flexible operating hours to allow street vendors to continue selling during peak shopping times.

4. Public Welfare and Social Solidarity

Regulation No. 3 of 2007 aims to create order and comfort in public spaces. However, the lack of community involvement, religious leaders, and local figures in regulating street vendors has received little support from this policy. To strengthen the legitimacy of the policy, the government could adopt collaborative models such as those implemented in the Public Participation Regulation in several other cities, for example, public-participatory relocation in Yogyakarta and Bandung, where street vendors are involved in determining the location and design of relocation areas. Additionally, public welfare would be more easily achieved if the regulation process is complemented by economic empowerment programs such as entrepreneurship training, access to sharia-compliant financing, and joint promotion through traditional market events.

The Banda Aceh City Government needs to implement a participatory relocation model to manage street vendors (PKL). *Point:* Involving PKL from the initial planning stage of new locations will increase policy acceptance and minimize resistance on the ground. *Reason:* Active PKL participation makes policies more responsive to their economic needs, achieving public order objectives without sacrificing their right to earn a living. *Example:* This practice has been successfully implemented in Yogyakarta and Bandung, where the government collaborated with PKL communities to determine the location and design of relocation areas, accompanied by adequate facilities such as electricity, clean water, sanitation, and security. Additionally, economic incentives such as reduced rental fees or initial capital assistance have proven effective in encouraging PKL to relocate voluntarily. *Conclusion:* By adopting a participatory relocation strategy, equipped with adequate facilities and appropriate incentives, the enforcement of Qanun No. 3 of 2007 will be more effective, fair, and aligned

with the principles of *Haqq al-Murūr*, which emphasize justice, ethics, and the common good.

Additionally, the government should integrate economic empowerment programs based on collaboration into the street vendor management process. *Point:* Enforcement efforts accompanied by empowerment will strengthen the economic independence of street vendors and reduce their reliance on locations that violate regulations. *Reason:* Enhancing business capacity through training, access to sharia-based capital, and marketing support can open new opportunities for street vendors to thrive in official locations. *Example:* In Surakarta City, an entrepreneurship training program combined with joint promotion at a traditional market event increased street vendors' income by 25% post-relocation. *Conclusion:* Integrated empowerment with public space planning will create a mutually beneficial situation between the government and PKL, while strengthening the legitimacy of policies in the eyes of the public.

CONCLUSION

The role and authority of Satpol PP in controlling street vendors according to Qanun No. 3 of 2007 concerning Public Order and Community Peace in Banda Aceh face various challenges. First, the lack of specific technical regulations makes it difficult for Satpol PP officers to take firm and consistent legal action. Second, the limited human resources of Satpol PP. Moreover, third, the low legal awareness of street vendors, most of whom do not understand the contents of the regulation. Meanwhile, the concept of *Haqq al-Murūr*, derived from Islamic teachings, offers a highly relevant value framework to serve as a foundation for enforcing regulations, particularly Qanun No. 3 of 2007 in Banda Aceh. A comprehensive approach without value-based and ethical training exacerbates relations with the community. Additionally, the economic difficulties street vendors face and the community's low legal awareness often render policy implementation ineffective.

The role and authority of the Satpol PP in regulating street vendors according to Qanun No. 3 of 2007 on Public Order and Community Peace in the City of Banda Aceh will be more effective, fair, and humane if carried out using an approach based on the values of *Haqq al-Murūr*. In general, the role and authority of the Satpol PP under Qanun No. 3 of 2007 have been directed toward achieving public order; however, they still face challenges in fully implementing the values of *Haqq al-Murūr*. Every person has the right to pass or use roads fairly without being obstructed or hindered by irresponsible individuals such as street vendors.

One example is street vendors who continue to sell in areas that have been prohibited, as they believe the designated areas are not strategically located for selling and consider it unfair to shops that use the roadside for selling. This issue should be addressed through more people-centric policies, with the role of law enforcement officers strengthened to ensure that their actions are legal but also ethical, moral, and beneficial for all parties involved.

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