

**COUNTERING VIOLATIONS OF INCIDENTAL PARKING LAW
AT MALANG CITY CARNIVAL THROUGH COMMUNITY
PARTICIPATION-BASED SUPERVISION FROM THE
PERSPECTIVE OF *SADD AL-DHARI'AH*
(Study at the Malang City Transportation Office)**

BY:

FATHIA AULIYA AFIFAH

SIN. 220202110065



**SHARIA ECONOMIC LAW STUDY PROGRAM
FACULTY OF SHARIA
MAULANA MALIK IBRAHIM STATE ISLAMIC UNIVERSITY
MALANG**

2026

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MALANG

2026

DECLARATION OF THESIS AUTHENTICITY

In The Name of Allah,

With awareness and a sense of responsibility for scientific development, the author states that the thesis with the title:

**COUNTERING VIOLATIONS OF INCIDENTAL PARKING LAW AT
MALANG CITY CARNIVAL THROUGH COMMUNITY
PARTICIPATION-BASED SUPERVISION FROM THE PERSPECTIVE OF
SADD AL-DHARI'AH
(Study at the Malang City Transportation Office)**

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**Countering Incidental Parking Law Violations at the Malang City Carnival
Through Community Participation-Based Supervision from the Perspective of
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





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COUNTERING VIOLATIONS OF INCIDENTAL PARKING LAW AT MALANG CITY CARNIVAL THROUGH COMMUNITY PARTICIPATION-BASED SUPERVISION FROM THE PERSPECTIVE OF SADD AL-DZARI'AH
(Study at the Malang City Transportation Office)

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MOTTO

We live not only for ourselves, but for the people who love us as well

مَا لَا يُدْرِكُ كُلُّهُ لَا يُتْرَكُ جُلُّهُ.

"If you can't do it all, don't leave it all behind."

FOREWORD

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillahillāhi rabbil 'ālamīn, all praise be to Allah SWT for the abundance of His grace, taufik, and guidance so that the author can complete a thesis entitled "**Overcoming Incidental Parking Law Violations at the Malang City Carnival through Community Participation-Based Supervision from the Perspective of *Sadd Al-Dhari'ah* (Study at the Malang City Transportation Office)**" as one of the requirements to achieve a Bachelor's degree in Bachelor's Degree (S1) at the Sharia Economic Law Study Program, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang. Prayers and greetings may always be poured out to the Prophet Muhammad SAW, an example throughout the ages who has guided mankind to the path of truth. May we be among those who are istiqamah to follow his sunnah and obtain his intercession on the Day of Judgment. *Āmīn yā Rabbal 'ālamīn*.

For all the teaching, guidance, direction, prayer, support, and service that has been given, the author humbly expresses his deepest gratitude to:

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9. My dear father, Mr. Bambang Permadi, is a hard worker who always tries his best for his wife and children. If there is a saying that a good father is a figure who his daughter wants to be his life companion, the author has felt the truth through the presence of the father. Thank you very much for all your efforts to become an extraordinary father figure for the family, as well as for his support that made the journey of this thesis feel easy until the end. And thank you very much, really very much, because you have always been a handsome figure who is always ready to listen and accompany the author.

10. For my lil Brother who sometimes become the my older brother. Muhammad Affan Hafuza. And also for the entire extended dear family, Especially Putri Fadzilah, my family who is also my only friend in Bogor. Thank you for all the support and entertainment given, both directly and indirectly, as well as the prayers that always accompany you along the way in completing this thesis. Thank you for all the kindness and valuable things that have been given, which the author cannot necessarily fully repay.
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Malang, 06 April 2003
Author,



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LITERACY GUIDELINES

In writing scientific papers, the use of foreign terms is often unavoidable. In general, according to the General Guidelines for Indonesian Spelling, foreign words are written (printed) in italics. In the context of Arabic, there are special transliteration guidelines that apply internationally.

The following is presented a table of transliteration guidelines as a reference for writing scientific papers. The Arabic-Indonesian transliteration of the Faculty of Sharia UIN Maulana Malik Ibrahim Malang is guided by the Library of Congress (LC) model of the United States as follows:

Arab	Indonesia	Arab	Indonesia
أ	`	ط	ṭ
ب	b	ظ	ẓ
ت	t	ع	‘
ث	th	غ	gh
ج	j	ف	f
ح	ḥ	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	و	w
س	s	ه	h
ش	sh	ء	’
ص	ṣ	ي	y
ض	ḍ		

To show the sound of long life (madd), the trick is to write horizontal scribbles on top of the letters, such as ā, ī and ū. (أ, ي, و). The Arabic double living sound is transliterated by combining two letters "ay" and "aw" such as layyinah, lawwāmah. Words that end in tā'

marbūṭah and function as an attribute or muḍāf ilayh are transliterated with "ah", while those that serve as muḍāf are transliterated as "at".

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ABSTRAK

Fathia Auliya Afifah. NIM. 220202110065. Penanggulangan Pelanggaran Hukum Parkir Insidentil di Karnaval Kota Malang Melalui Pengawasan Berbasis Partisipasi Masyarakat Perspektif *Sadd Al-Dhari'ah* (Studi di Dinas Perhubungan Kota Malang). Skripsi. Program Studi Hukum Ekonomi Syari'ah. Fakultas Syari'ah. Universitas Negeri Maulana Malik Ibrahim Malang. Pembimbing: Aditya Prastian Supriyadi, M.H.

Kata Kunci: Parkir insidentil; Pengawasan; Dinas Perhubungan; Karnaval Kota Malang; Sadd al-dhari'ah.

Penelitian ini dilatarbelakangi oleh maraknya praktik parkir insidentil ilegal pada penyelenggaraan karnaval di Kota Malang yang menimbulkan kerugian bagi masyarakat serta menunjukkan lemahnya pengawasan pemerintah daerah. Keterbatasan sumber daya Dinas Perhubungan menyebabkan pengawasan tidak dapat menjangkau seluruh lokasi kegiatan, sehingga diperlukan mekanisme pengawasan alternatif berbasis partisipasi masyarakat. Penelitian ini berfokus pada peran Dinas Perhubungan Kota Malang dalam menanggulangi praktik parkir insidentil ilegal melalui pengawasan berbasis partisipasi masyarakat serta analisisnya dalam perspektif *sadd al-dhari'ah*. Tujuan penelitian ini adalah untuk mengkaji bentuk pengawasan partisipatif yang dilakukan serta menganalisis relevansinya dengan prinsip *sadd al-dhari'ah* dalam mencegah kemafsadatan.

Penelitian ini menggunakan jenis penelitian yuridis empiris dengan pendekatan sosiologis dan perundang-undangan. Lokasi penelitian dilakukan di Dinas Perhubungan Kota Malang dengan sumber data primer berupa hasil wawancara dan observasi, serta data sekunder berupa peraturan perundang-undangan dan literatur terkait. Teknik pengumpulan data menggunakan wawancara dan dokumentasi. Analisis data dilakukan secara deskriptif kualitatif melalui tahap reduksi data, penyajian data, dan penarikan kesimpulan.

Hasil penelitian menunjukkan bahwa pengawasan berbasis partisipasi masyarakat dilakukan melalui pelaporan warga, koordinasi dengan perangkat kelurahan, serta tindak lanjut oleh Dinas Perhubungan. Mekanisme ini dinilai mampu membantu menutup keterbatasan pengawasan formal dan meningkatkan efektivitas penanggulangan praktik parkir insidentil ilegal. Dalam perspektif *sadd al-dhari'ah*, pengawasan partisipatif tersebut merupakan upaya preventif untuk menutup jalan menuju terjadinya kemafsadatan berupa pungutan liar, ketidaknyamanan masyarakat, dan konflik sosial. Dengan demikian, pelibatan masyarakat dalam pengawasan menjadi strategi yang relevan dan sejalan dengan prinsip pencegahan dalam hukum Islam guna menciptakan ketertiban dan keadilan dalam pengelolaan parkir insidentil pada karnaval Kota Malang.

ABSTRACT

Fathia Auliya Afifah. SIN. 220202110065. Countermeasures of Incidental Parking Law Violations at Malang City Carnival Through Community Participation-Based Supervision from the *Perspective of Sadd Al-Dhari'ah* (Study at the Malang City Transportation Office). Thesis. Sharia Economic Law Study Program. Faculty of Sharia. Maulana Malik Ibrahim State University Malang. Supervisor: Aditya Prastian Supriyadi, M.H.

Keywords: Incidental parking; Supervision; Department of Transportation; Malang City Carnival; *Sadd al-dhari'ah*.

This research is motivated by the rampant practice of illegal incidental parking in the implementation of carnivals in Malang City which causes losses to the community and shows the weak supervision of the local government. The limited resources of the Transportation Agency cause supervision to not be able to reach all activity locations, so an alternative supervision mechanism based on community participation is needed. This research focuses on the role of the Malang City Transportation Office in tackling illegal incidental parking practices through community participation-based supervision and analysis from the perspective of *sadd al-dhari'ah*. The purpose of this study is to examine the form of participatory supervision carried out and analyze its relevance to the principle of *sadd al-dhari'ah* in preventing cheating.

This study uses an empirical juridical research type with a sociological and legislative approach. The research location was conducted at the Malang City Transportation Office with primary data sources in the form of interviews and observations, as well as secondary data in the form of laws and regulations and related literature. The data collection technique uses interviews and documentation. Data analysis is carried out in a qualitative descriptive manner through the stages of data reduction, data presentation, and conclusion drawn.

The results of the study show that community participation-based supervision is carried out through citizen reporting, coordination with officials, and follow-up by the Transportation Office. This mechanism is considered to be able to help close the limitations of formal supervision and increase the effectiveness of countering illegal incidental parking practices. From the perspective of *sadd al-dhari'ah*, participatory supervision is a preventive effort to close the path to the occurrence of illegal levies, community inconvenience, and social conflicts. Thus, community involvement in supervision is a relevant strategy and in line with the principles of prevention in Islamic law to create order and justice in the management of incidental parking at the Malang City carnival.

المُلخَص

فتي أوليا عفيفة. نيم. ٢٢٠٢٠٢١١٠٠٦٥. تدابير مكافحة مخالفات قوانين مواقف السيارات العرضية في كرنفال مدينة مالانغ من خلال الإشراف المجتمعي من منظور سعد الزارية (دراسة في مكتب النقل بمدينة مالانغ). أطروحة. برنامج دراسة القانون الاقتصادي الشريع. كلية الشريعة. جامعة مولانا مالك إبراهيم الحكومية في مالانغ. المشرف: أديتيا براستيان سوبريادي، ماجستير في القانون.

الكلمات المفتاحية: مواقف السيارات العرضية؛ الإشراف؛ وزارة النقل؛ كرنفال مدينة مالانغ؛ سعد الزارية.

تستند هذه الأبحاث إلى انتشار ممارسات الوقوف غير القانونية العرضية في تنفيذ الكرنفالات في مدينة مالانغ، مما يسبب خسائر للمجتمع ويظهر ضعف الإشراف من الحكومة المحلية. الموارد المحدودة لوكالة النقل تتسبب في عدم قدرة الإشراف على الوصول إلى جميع مواقع النشاط، لذا هناك حاجة إلى آلية إشراف بديلة قائمة على مشاركة المجتمع. يركز هذا البحث على دور مكتب النقل في مدينة مالانغ في معالجة ممارسات الوقوف العرضية غير القانونية من خلال الإشراف والتحليل القائم على المشاركة المجتمعية من منظور سعد الزارية. الغرض من هذه الدراسة هو دراسة شكل الإشراف التشاركي الذي يتم وتحليل علاقته بمبدأ الزرعة في منع الغش.

تستخدم هذه الدراسة نوعاً من البحث القانوني التجريبي مع نهج اجتماعي وتشريعي. تم إجراء موقع البحث في مكتب النقل بمدينة مالانغ مع مصادر بيانات أولية على شكل مقابلات وملاحظات، بالإضافة إلى بيانات ثانوية على شكل قوانين وأنظمة وأدبيات ذات صلة. تستخدم تقنية جمع البيانات المقابلات والتوثيق. يتم إجراء تحليل البيانات بطريقة وصفية نوعية خلال مراحل تقليل البيانات، وعرض البيانات، واستخلاص الاستنتاج.

تظهر نتائج الدراسة أن الإشراف القائم على المشاركة المجتمعية يتم من خلال تقارير المواطنين، والتنسيق مع مسؤولي القرى، والمتابعة من قبل مكتب النقل. يعتبر هذا الآلية قادرة على المساعدة في سد قيود الإشراف الرسمي وزيادة فعالية مكافحة ممارسات الوقوف العرضية غير القانونية. من منظور سعد الزارية، يعد الإشراف التشاركي جهداً وقائياً لإغلاق الطريق أمام حدوث الضرائب غير القانونية، وإزعاج المجتمع، والصراعات الاجتماعية. لذا، فإن إشراك المجتمع في الإشراف هو استراتيجية ذات صلة ومتماشية مع مبادئ الوقاية في الشريعة الإسلامية لخلق النظام والعدالة في إدارة مواقف السيارات العرضية في كرنفال مدينة مالانغ.

CHAPTER I

INTRODUCTION

A. Background

The Malang City Carnival is an annual event that promotes local culture and economy and becomes a tourist attraction.¹ However, behind the excitement, there are serious problems related to illegal incidental parking practices that are troubling the community.² The latest news highlights the complaints of residents who are forced to pay for unreasonable parking, from Rp3,000 to Rp10,000,³ even when returning home, showing the rampant practice of incidental parking. This violates Malang City Regional Regulation Number 2 of 2011 concerning business service charges and Number 3 of 2015 concerning public service charges..⁴ This problem requires handling from the Malang City Transportation Office (Dishub). However, the problem is that the Transportation Department often gets information late and is not optimal in coordinating and handling illegal levies, including illegal interinstitutional parking practices. This is due to the many carnival holding points in Malang City that cannot be accommodated by the Malang City Transportation Agency as a whole, causing delays in handling or even no handling at all. Therefore, active reporting from community participation is needed to be integrated into supervision so that the Malang City Transportation Department is always agile in responding to problems quickly.

¹ LEE EVELINE, "PERANCANGAN MOTION GRAPHIC TEMATIK SEBAGAI MEDIA KOMUNIKASI VISUAL PADA AKUN INSTAGRAM MALANG FLOWER CARNIVAL (MFC)" (Sarjana, Sekolah Tinggi Informatika & Komputer Indonesia, 2024), <https://www.stiki.ac.id>.

² Mohammad Riyan Hidayatulloh, "Penerapan Sanksi Pidana Terhadap Pungutan Liar Oleh Penyelenggara Parkir Ilegal," *Jurnal Legisla* 15, no. 1 (2023): 36–49.

³ "Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online," preprint, t.t.

⁴ Nazhifah Husna S, "Penyelenggaraan parkir insidentil menurut tiga peraturan daerah Kota Malang dan hukum Islam" (undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2018), <http://etheses.uin-malang.ac.id/14022/>.

Community participation-based supervision is the active involvement of residents in supervising policies or activities in their environment,⁵ which plays an important role in tackling illegal parking practices. This mechanism is needed because the government has limited resources and reach, so it cannot monitor every corner of the city at all times. The public, as the party most affected by illegal parking practices,⁶ can act as the government's "eyes and ears" on the ground. They have up-to-date information about the location and time of the violation. Without the active role of the community, enforcement of parking rules is often ineffective⁷, plus the incidental nature of these violations is difficult to reach with limited formal oversight. Thus, community participation-based supervision is a relevant solution that transforms the community from a victim to an active supervisor, to ensure that any violation can be reported and followed up quickly while strengthening the effectiveness of the government, and closing the surveillance gap that has been the main cause of incidental illegal parking violations.

Sadd al-dhari'ah is one of the rules of Islamic law which means 'closing the path to destruction'.⁸ In addition to a form of social concern, public participation in complaining about illegal parking practices is a manifestation of the principle of *sadd al-dhari'ah* to prevent greater damage.⁹ In the perspective of *sadd al-dhari'ah*,

⁵ Ade Jafar Sidiq dan Risna Resnawaty, "PENGEMBANGAN DESA WISATA BERBASIS PARTISIPASI MASYARAKAT LOKAL DI DESA WISATA LINGGARJATI KUNINGAN, JAWA BARAT," *Prosiding Penelitian dan Pengabdian kepada Masyarakat* 4, no. 1 (2017): 38, <https://doi.org/10.24198/jppm.v4i1.14208>.

⁶ Dhiya Fahriyyah Maritza dan Taufiqurokhman Taufiqurokhman, "Peranan Masyarakat Sipil dalam Peningkatan Akuntabilitas Birokrasi Melalui Pengawasan Publik yang Aktif," *JURNAL ILMIAH ILMU ADMINISTRASI* 14, no. 1 (2024): 71–84, <https://doi.org/10.33592/jiia.v14i2.4679>.

⁷ Imam Nur Alfandi, "Partisipasi Masyarakat Dalam Pelayanan Pengaduan Pungutan Liar Melalui Aplikasi Laporan Aspirasi Kotak Saran Anda (Laksa) Pada Dinas Komunikasi Dan Informatika Kota Tangerang Provinsi Banten" (PhD Thesis, Institut Pemerintahan Dalam Negeri, 2022), <http://eprints.ipdn.ac.id/6844/>.

⁸ Makmur Dongoran, *Sadd Al-Dhari'ah dan Fath Al-Dhari'ah dalam Kompilasi Hukum Islam Tahun 1991*, dalam *Sekolah Pascasarjana UIN Syarif Hidayatullah Jakarta*, no. 25 (2023).

⁹ A. Munif, *Penerapan Sadd Dh pada Bidang Muamalah*, dalam *Researchgate.Net* (t.t.).

community-based supervision is an urgency that needs to be implemented to close the door to illegal parking practices from an early age. The practice of illegal parking is a form of *dhari'ah* (facilities) that can cause various damages, such as financial losses to the community, inconvenience, social conflicts, and damage the image of good city governance.¹⁰ Community involvement in supervision and reporting will be an effective way to 'close the road' for the perpetrators of illegal parking practices to continue to carry out their actions. The *sadd al-dhari'ah* approach is expected to be an ethical and spiritual foundation that moves the community to realize participation-based supervision as an applicable form in the field, which also makes incidental illegal parking practices can be prevented and minimized in a sustainable manner.

Several previous studies have contained elements of countermeasures for illegal incidental parking in Malang City, some others have also raised the correlation of *sadd al-dhari'ah* in their research. Previous research, Dewi Citra Larasati, highlights the need for the role of regional heads to synchronize the role of the Transportation Department and the role of the Regional Revenue Agency (Bapenda) over the lack of supervision and control of the Transportation Department over illegal parking attendants in Malang City.¹¹ Meanwhile, Imam Nur Alfandi brought the importance of community participation in illegal collection complaint services to improve public services, provide efficiency and effectiveness,

¹⁰ Rukhul Amin, "Sadd Al-Dzari' Ah: Korelasi Dan Penerapannya Dalam Hukum Ekonomi Syariah," *Jurnal Justisia Ekonomika: Magister Hukum Ekonomi Syariah* 4, no. 2 (2020), <https://doi.org/10.30651/justeko.v4i2.6856>.

¹¹ Dewi Citra Larasati dan Abd. Rohman, "Tumpang Tindih Pengelolaan Tempat Parkir (Studi Tentang Retribusi Dan Pajak Parkir Di Kota Malang)," *Reformasi* 10, no. 1 (2020): 45–60, <https://doi.org/10.33366/rfr.v10i1.1801>.

and realize community participation.¹² Rukhul Amin's research correlates *sadd al-dhari'ah* into its application to sharia economic law.¹³ Although there has been research with the same object, this study still has differences that focus on overcoming violations of incidental parking laws at the Malang City Carnival through community participation-based supervision using the *perspective of sadd al-dhari'ah* that has never been researched before.

The reason for choosing the Transportation Agency as the research location is based on Article 3 paragraph (2) letter d of Malang Mayor Regulation Number 34 of 2016, which states that the agency has a function in organizing and controlling parking. This is strengthened by Article 6 paragraph (2) letter d, which mentions that the agency also has duties in guidance and implementation of public relations.¹⁴ that can be used as a basis for the integration of supervision based on community participation. Therefore, there is an urgency to empower the community as a supervisory partner that will strengthen supervision so that the Transportation Department can be immediately responsive and agile in overcoming incidental illegal parking practices when carnivals are held in Malang City. The use of the *sadd al-dhari'ah* perspective which emphasizes the prevention of all means that can lead to *kemafsadatan* (damage or violation of the law) is in line with the involvement of the community in the supervision carried out by the Malang City Transportation Department as a *sadd* or closing the opportunity for illegal incidental parking practices that are rampant in the Malang City carnival to date.

¹² Imam Nur Alfandi, *Partisipasi Masyarakat dalam Pelayanan Pengaduan Pungutan Liar Melalui Aplikasi Laporan Aspirasi Kotak Saran Anda (Laksa) pada Dinas Komunikasi dan Informatika Kota Tangerang Provinsi Banten*, dalam *Thesis. Politik Indonesia Terapan*, no. 17 (2022).

¹³ Amin, "Sadd Al-Dzari' Ah: Korelasi Dan Penerapannya Dalam Hukum Ekonomi Syariah."

¹⁴ Serta Tata dan Kerja Dinas, *Peraturan Walikota Malang Nomor 34 Tahun 2016*, 2016, 1–40.

B. Problem Formulation

1. How is the role of the Malang City Transportation Agency in conducting community participation-based supervision to address incidental parking law violations at the Malang City carnival?
2. How is the perspective of *sadd al-dhari'ah* on the role of the Malang City Transportation Agency in conducting community participation-based supervision to address incidental parking law violations at the Malang City carnival?

C. Research Objectives

1. To examine the role of the Malang City Transportation Agency in addressing incidental parking law violations at the Malang City carnival through community participation-based supervision.
2. To analyze the perspective of *sadd al-dhari'ah* on the role of the Malang City Transportation Agency in implementing community participation-based supervision to address incidental parking law violations at the Malang City carnival.

D. Research Benefits

1. Theoretical Benefits

This research is expected to provide theoretical benefits regarding the implementation of *the sadd al-dhari'ah* rule in the context of overcoming social problems and public policy on transportation and parking governance, namely illegal parking practices. This research is also expected to be a reference for further research on collaboration between local governments and the community in public participation-based supervision.

2. Practical Benefits

With this research, it is hoped that it can provide practical benefits to:

a. Malang City Transportation Office:

As input in developing effective strategies to strengthen the supervision of illegal incidental parking practices, especially during carnivals, by integrating the active participation of the community as a supervisory partner.

b. Malang City Community:

It can increase awareness of the importance of their active role and importance of involvement in reporting violations in order to realize orderly, fair, and transparent parking governance, as well as realize a sense of security, justice, and order as well as increase trust in government transparency and accountability.

c. Local Governments:

As a model to overcome resource limitations and the reach of formal supervision through community empowerment. As well as strengthening the implementation of Regional Regulations related to parking levies and fostering accountability in public services.

E. Operational Definition

In writing the title of this thesis there are several words that need to be clarified in more detail so that it is easier for readers to understand, namely:

a. Illegal Incidental Parking Practices

The implementation of incidental parking is the procurement of parking facilities for the public which is organized by either the government, legal

entities or individuals on an indefinite basis for a temporary period of time either on the side of public roads, parking buildings or parking parks.¹⁵ In the Malang City Regional Regulation, incidental parking is defined as a parking lot that is organized to support an activity or crowd that is temporary¹⁶. From the presentation, if the implementation does not have an official permit from the government, so it violates the provisions of regional regulations and has the potential to cause legal and order problems, then it is called illegal incidental parking practice.

b. Community Participation-Based Supervision

Community participation-based supervision is a supervision mechanism that involves community involvement in controlling, assessing, and providing input on the active implementation of public services. In the context of countering illegal incidental parking practices, community participation-based supervision is interpreted as a form of direct community involvement in supervising, reporting, and participating in efforts to prevent and take action against illegal parking practices that are detrimental to the public interest. Community participation itself refers to the active involvement of residents in the decision-making process related to the implementation of public services. In this case, the community not only plays the role of service users who have the right to decent public services, but also as supervisors who have the right to demand improvements and participate in

¹⁵ Nazhifah Husna S., "Penyelenggaraan parkir insidental menurut tiga peraturan daerah Kota Malang dan hukum Islam," *Undergraduate thesis, Universitas Islam Negeri Maulana Malik Ibrahim Malang*, 2018.

¹⁶ "Peraturan Daerah Nomor 10 Tahun 2019 tentang Penyelenggaraan Perparkiran - Peraturan Daerah Nomor 10 Tahun 2019 | JDIH Kab Malang," 10, diakses 20 Januari 2026, <https://jdih.malangkab.go.id/produk-hukum/peraturan-daerah/2019/10/peraturan-daerah-nomor-10-tahun-2019-tentang-penyelenggaraan>.

formulating policies that concern their interests. Thus, supervision carried out by the community is an important part of maintaining order and accuracy in the implementation of policies. In practice, community participation-based supervision can be realized through various forms such as reporting, submitting complaints, providing information, and cooperation with the Transportation Department in identifying violations in the field. Without active participation from the community, supervision of illegal incidental parking practices will not run optimally, because the community is the party closest to the scene of the incident and best understands the factual conditions in the field. Therefore, community involvement is an important element in creating an effective, participatory, and fair supervision system.

c. *Sadd al-Dhari'ah*

In addition to the Qur'an, hadith, ijma' and qiyas, scholars have many branches of knowledge to use as a way to trigger a law. Among the branches of knowledge is istidlal using the sadd al-dzaria'ah method. Although this method is included *in mukhtalaf 'alaih*, the emergence of this method is considered to have a great contribution, so according to the majority of scholars' this method is still used as one of the istidlal methods¹⁷.

Among the many understandings of *sadd al-dhari'ah*, there are two elements that dominate it: (1) *mafsadah*/damage, which is something that was originally allowed to be done but is considered to lead to haram because it causes damage and (2) *maslahah*/goodness of something that is mubah that is

¹⁷ Ahmad Muntaha AM dan Sunnatullah, "Ushul Fiqih: Metode Saddudz Dzari'ah Dan Klasifikasi Hukumnya," NU Online, 10 Agustus 2021, <https://islam.nu.or.id/syariah/ushul-fiqih-metode-saddudz-dzari-ah-dan-klasifikasi-hukumnya-LCjrT>.

recommended to be carried out because of the potential for goodness. Shaykh Abdullah bin Yusuf al-Jadi' said in Taisiri 'ilmi Ushulil Fiqhi Lil Jadid:

أَنَّ مَا أَدَّى إِلَى الْمَشْرُوعِ فَهُوَ مَشْرُوعٌ، وَمَا أَدَّى إِلَى الْمَمْنُوعِ فَهُوَ مَمْنُوعٌ

That is, "Indeed, every media (mubah) that leads to something that is recommended is also recommended, and every media that leads to something that is prohibited is also prohibited."¹⁸.

From the above explanation, it can be concluded that the meaning of *sadd al-dhari'ah* is to look at the impact that occurs on something, which if it leads to something that is recommended by the Shari'a, then it is punished mubah, and if it ends in something that is forbidden, then it is not allowed to do it.

d. Malang City Transportation Office

The Malang City Transportation Agency is a local government agency responsible for managing and developing the transportation sector, including traffic regulation, parking management, and public transportation arrangements for goods transportation in the Malang City area. The main function of the transportation agency (Dishub) is to create an efficient, safe, and orderly transportation system and support community mobility and economic growth. The agency carries out parking supervision and control functions, including special operations to address incidental parking and illegal parking, as well as formulating sustainable parking and transportation management policies¹⁹.

¹⁸ AM dan Sunnatullah, "Ushul Fiqih."

¹⁹ "Profil Dinas Perhubungan Kota Malang," *DINAS PERHUBUNGAN KOTA MALANG*, t.t., diakses 20 Januari 2026, <https://dishub.malangkota.go.id/profil/profil-dinas-perhubungan-kota-malang/>.

F. Writing Systematics

Chapter I: Introduction

This chapter contains an overview of the basis and direction of the research, starting with the background of the problem. Furthermore, the problems that are the focus of the research, and the objectives of the research are formulated. This chapter also lists the benefits of research both theoretically and practically, as well as operational definitions of important terms that will be important discussions in research. And the last is the systematics of writing as an overview of structured research.

Chapter II: Literature Review

This chapter contains a literature review that outlines the results of relevant previous research to show the location of the novelty of the research, the theoretical foundation that supports the research by explaining the theories used as an analysis knife. In addition, this chapter is equipped with a theoretical framework that contains theories and/or juridical concepts as a theoretical basis for the study and analysis of problems, which in this study includes supervision theory, community participation theory, and *sadd al-dhari'ah* theory.

Chapter III: Research Methods

Explain the research methods used, consisting of the type of research, research approach, research location, data source, data collection method, and data processing method. The method used by the researcher in carrying out the research is a type of empirical juridical research that combines normative approaches with analysis of facts in the field. The approaches used include socio-legal approaches, legislative approaches, and conceptual approaches.

Chapter IV: Research Results and Discussion

This chapter presents the results of field research obtained through interviews, observations, and documentation at the Malang City Transportation Office, along with an analysis of the implementation of community participation-based supervision in overcoming illegal incidental parking practices during carnival. In this chapter, it is explained in detail how the form of community involvement in the supervision process, its effectiveness in preventing violations, and the obstacles faced by the Transportation Department in its implementation. Furthermore, an in-depth analysis was carried out using the perspective *of sadd al-dhari'ah*.

Chapter V: Conclusion

This chapter is the final part of the research which contains conclusions and suggestions. Conclusions are drawn based on the results of the analysis that has been carried out. The suggestions are addressed to the Transportation Agency to strengthen collaboration and community-based public reporting systems to be more active in providing supervision and reporting, as well as to local governments to increase implementation and resources in the implementation of supervision.

CHAPTER II

LITERATURE REVIEW

A. Previous Research

In a research, it is necessary to have previous research as a reference and view so that the research has elements of novelty and differences from the research that has been carried out. The previous research of this study is as follows:

First, a journal written by Muhammad Nur Alim (2025), with the title "*The Effectiveness of Parking Levy Management by the Malang City Transportation Office*".²⁰ The focus of this research is on the effectiveness of parking levy management by Malang City Regional Regulation Number 4 of 2009 concerning Parking Management and Malang City Regional Regulation Number 3 of 2015 concerning Public Service Charges. with the application of *SIPARMA* and *E-Parking application systems* in increasing parking levy deposits, in this case it also includes incidental parking. This study uses an empirical juridical method that examines the application of law in practice in society by analyzing the suitability between applicable rules and field conditions, by conducting a qualitative descriptive analysis approach. The results of the study show that although the implementation of the digital system is able to increase levy revenue, there are still significant obstacles such as low compliance of parking attendants, weak supervision of the Transportation Department, and limited human resources.

²⁰ Faisol Muhammad Nur Alim, M Fahrudin Andriansyah, "Efektifitas Pengelolaan Retribusi Parkir Oleh Dinas Perhubungan Kota Malang," *Dinamika* 31 (2025): 12243–54, <https://doi.org/10.48175/ijarsct-13062>.

Second, a journal written by Mohammad Riyan Hidayatulloh (2023), with the title "*The Implementation of Criminal Sanctions Against Illegal Levy by Illegal Parking Operators*".²¹ The focus of this research study is to distinguish between legal and illegal parking, and to examine how illegal collection in illegal parking practices can be categorized as criminal acts of corruption and extortion. This research uses normative legal methods with a legislative approach and literature studies. The theory used is criminal law theory related to articles of the Criminal Code and the Law on Corruption, especially Article 368 of the Criminal Code concerning extortion and Article 12 letter e of Law No. 20 of 2001. The results of the study concluded that illegal levies in illegal parking practices meet the elements of corruption and extortion. Illegal parking operators who do not have official permits can be subject to administrative sanctions according to the Regional Regulation, as well as criminal sanctions in the form of fines or prison sentences. Obstacles in law enforcement are a lack of personnel, weak supervision, and a lack of public legal awareness.

Third, a journal written by Commander Ababil Mahardita (2023) with the title "*Management of Illegal Parking Practices in Tembalang District (Case Study of the Diponegoro University Area)*"²² which examines the phenomenon of rampant illegal parking practices in educational areas. The focus of this research study is the role of government policies, stakeholders, and the community in tackling illegal parking practices in the Tembalang area, Semarang, which is increasingly prevalent

²¹ Mohammad Riyan Hidayatulloh, "Penerapan sanksi pidana terhadap pungutan liar oleh penyelenggara parkir ilegal," *Jurnal Legisla* 15, no. 1 (2023): 36–49.

²² Panglima Ababil Mahardita dkk., "PENGELOLAAN PRAKTIK PARKIR ILEGAL DI KECAMATAN TEMBALANG (STUDI KASUS KAWASAN UNIVERSITAS DIPONEGORO)," *Journal of Politic and Government Studies* 13, no. 4 (2024): 397–411.

even though there is an E-Parking policy in Semarang Mayor Regulation Number 70 of 2021. This research uses a descriptive qualitative method with a case study approach, through interviews, observations, and documentation. The theories used are public policy theory (Carl Friedrich) and stakeholder theory, with an emphasis on the role of government, the private sector, and the community in parking management. The results of the study show that the implementation of the E-Parking policy has not been effective because there is still a practice of illegal parking thuggery which is actually in the name of the government's policy to carry out illegal levies. The biggest obstacles are the lack of socialization, weak supervision, and limited official parking spaces in educational areas. The proposed solution is to increase law enforcement, public education, and arrangement of parking areas with the support of relevant stakeholders.

Fourth, a journal written by Nazira Kayla Maharani, et al (2025) with the title "*Monitoring and Evaluation of the Banda Aceh City Transportation Office on the Parking System in the Perspective of Siyasa Idariyah*".²³ The focus of this research study is the effectiveness of monitoring and evaluation of the Transportation Department on official and illegal parking, as well as how the principle *of siyasa idariyah* (justice, accountability, responsibility) is applied in parking management. The research method used is field qualitative through observation and interviews with the Transportation Department, official and illegal parking attendants, and the parking user community. The results of the study show that even though there have been formal regulations (Qanun Banda Aceh No. 1 of 2024 and Perwal No. 22 of 2024), illegal parking practices and unofficial levies are still rampant. This shows

²³ Nazira Kayla Maharani dkk., "Monitoring Dan Evaluasi Dinas Perhubungan Kota Banda Aceh Terhadap Sistem Perparkiran Dalam Perspektif Siyasa Idariyah," *Ijtihad* 19, no. 1 (2025): 127–44.

weak supervision and indecisive rule enforcement. From the perspective *of siyasah idariyah*, the principles of justice, accountability, and responsibility have not been implemented optimally, so public trust in the parking system is still low.

Fifth, the thesis written by Nazhifah Husna S. with the title "*The Implementation of Incidental Parking According to the Three Regional Regulations of Malang City and Islamic Law*".²⁴ The focus of this research study is to discuss the regulation and review of Islamic law related to incidental parking practices in Malang City with a normative analysis of incidental parking practices in Malang City based on three Regional Regulations, namely Regional Regulation No. 2 of 2011 concerning Business Services Levy, Regional Regulation No. 3 of 2015 concerning Public Service Levy, and Regional Regulation No. 4 of 2009 concerning Parking Management. This study uses a normative juridical method with a legislative and conceptual approach. From the perspective of Islamic law, this study uses the theory *of maslahah mursalah* to assess whether the practice of incidental parking carried out is in accordance with the principle of benefit or actually causes *mafsadah*. The results of the study show that many incidental parking practices in Malang City are not in accordance with the provisions of the Regional Regulation and the principle of *maslahah* in Islamic law. This happens due to weak supervision, low compliance of incidental parking attendants, and lack of synchronization of rules between PERDA.

Sixth, the thesis written by Akbarrizky Nurdin Ginasaputra with the title "*Law Enforcement and Protection in the Management of Indidental Parking in the City*

²⁴ Husna S, "Penyelenggaraan parkir insidental menurut tiga peraturan daerah Kota Malang dan hukum Islam."

of Yogyakarta".²⁵ The focus of the study is how the rules regarding incidental parking in the city of Yogyakarta are implemented, as well as how to protect the public from the practice of illegal levies carried out by incidental parking attendants. This research uses an empirical juridical method, with data collection through interviews, observations, and legal document reviews. The results of the study show that incidental parking practices in Yogyakarta City are still often problematic due to the rampant levies that are not in accordance with the rules, weak supervision from the local government, and lack of public legal awareness. In terms of legal protection, people are often disadvantaged because they have to pay more than official provisions. The solutions offered are increased supervision, strict sanctions for rogue parking attendants, and socialization of incidental parking rules.

Seventh, a journal written by Aditya Najib Alfiqri, et al (2025) with the title "*Supervision of the Transportation Agency in the Context of Parking Order in Cimahi City*".²⁶ The focus of the study is the level of effectiveness of the Dishub's supervision of illegal parking based on the theory of the Nawawi supervision pillar, which includes monitoring, enforcement, evaluation, and education and information. The research method used is qualitative descriptive with data collection techniques through observation, interviews, and documentation. The results of the study show that the supervision of the Cimahi City Transportation Department on parking order has not been running optimally. This can be seen from the lack of continuous enforcement policies (such as towing), lack of education for

²⁵ NIM.: 18103040135 Akbarrizky Nurdin Ginasaputra, "PENEGAKAN DAN PERLINDUNGAN HUKUM DALAM PENGELOLAAN PARKIR INSIDENTAL DI KOTA YOGYAKARTA" (skripsi, UIN SUNAN KALIJAGA YOGYAKARTA, 2023), <https://digilib.uin-suka.ac.id/id/eprint/61668/>.

²⁶ Aditya Najib Alfiqri dkk., "PENGAWASAN DINAS PERHUBUNGAN DALAM RANGKA KETERTIBAN PARKIR DI KOTA CIMAHI," *Praxis Idealist: Jurnal Mahasiswa Ilmu Pemerintahan* 1, no. 2 (2025), <https://ejournal.fisip.unjani.ac.id/index.php/praxis-idealist/article/download/3133/923>.

the community, weak internal evaluation, and inadequate official parking facilities. Another factor that worsens this condition is the rise of illegal parking attendants and low public awareness of parking rules.

Eighth, Thesis by Anisa Mutiara Amalia (2023) with the title "*Protection of Incidental Parking Consumers Who Are Not in Accordance with Malang City Regional Regulation Number 4 of 2009 concerning Parking Lot Management*".²⁷

The focus of the study is how legal protection is provided to incidental parking consumers who are often harmed by collection practices that are not in accordance with the Regional Regulation, as well as what legal remedies can be taken in the event of a loss. This study uses an empirical juridical method with a legislative and sociological approach, through interviews with incidental parking attendants and literature studies. The results of the study show that the implementation of incidental parking in Malang City still deviates from the rules of the Regional Regulation, for example, the withdrawal of levies exceeding the provisions and the use of parking tickets is illegal. This causes consumer rights, such as security, comfort, and safety, to be unfulfilled. Legal protection for consumers is still weak, so it needs stricter supervision and increased public legal awareness.

Ninth, a journal written by Achmad Riyanto, Iwan Setiawan, and Darwanto (2024) with the title "*Implementation of the Policy to Counter Illegal Parking Attendants to Public Roadside Order at the Cirebon City Transportation Office*".²⁸

²⁷ Anisa Mutiara Amalia, "Perlindungan terhadap konsumen parkir insidental yang tidak sesuai peraturan daerah Kota Malang nomor 4 tahun 2009 tentang pengelolaan tempat parkir" (undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2023), <http://etheses.uin-malang.ac.id/58047/>.

²⁸ Achmad Riyanto dkk., "IMPLEMENTASI KEBIJAKAN PENANGGULANGAN JURU PARKIR LIAR TERHADAP KETERTIBAN DI TEPI JALAN UMUM PADA DINAS PERHUBUNGAN KOTA CIREBON," *PRAJA Observer: Jurnal Penelitian Administrasi Publik* (e- ISSN: 2797-0469) 4, no. 05 (2024): 125–45, Bahasa Indonesia, <https://doi.org/10.69957/paob.v4i05.1645>.

The focus of this research study is on the problem of rampant illegal parking attendants that cause congestion and disorder in Cirebon City. This study uses a descriptive qualitative method with George Edward III's policy implementation theory which emphasizes communication indicators, resources, disposition, and bureaucratic structure. The results of the study show that the implementation of illegal parking attendant control by the Cirebon City Transportation Agency has not been maximized due to instrict sanctions, lack of control personnel, and low level of compliance of parking attendants with applicable regulations.

Tenth, a journal written by Yosefina Avelin Daman (2024) with the title "*The Role of the Government in Dealing with Illegal Parking Attendants in Malang City*".²⁹ This research focuses on the role of the government, especially the Transportation Agency, in dealing with the practice of illegal parking attendants in Malang City. The method used is qualitative with case studies, through observation, interviews, and documentation. This research uses the concept of the role of government and good governance. The result of this study is that although the Malang Transportation Department has conducted routine patrols 6-8 times per month and collaborated with other apparatus (police, TNI, Satpol PP, and Military Police), the limited number of officers and weak public awareness are still obstacles. The researcher emphasized the need to increase law enforcement, socialization, and active community involvement.

²⁹ Yosefina Avelin Daman, "Peran Pemerintah Dalam Menangani Juru Parkir Ilegal Di Kota Malang," *Konstruksi Sosial: Jurnal Penelitian Ilmu Sosial* 4, no. 4 (2024): 115–21, <https://doi.org/10.56393/konstruksisocial.v4i4.2459>.

Tabel 2.1 Differences and Similarities with Previous Research

No.	Author, University, Year	Title	Equations	Differences
1.	Muhammad Nur Alim, M. Fahrudin Andriansyah, Faisol. Unisma. 2025.	Effectiveness of Parking Levy Management by the Malang City Transportation Office.	Both discussed the role of the Malang City Transportation Department and the problem of illegal parking and illegal levies, as well as highlighting the weak supervision.	This research focuses on the effectiveness of the management of official parking levy and digital innovation (SIPARMA, E-Parkir), while the research that will be carried out by the researcher focuses only on illegal incidental parking during the Malang City carnival, the researcher also relates it to community participation and the perspective of <i>sadd al-dhari'ah</i> .
2.	Mohammad Riyan Hidayatulloh. UIN Sunan Ampel Surabaya. 2023	The application of criminal sanctions against illegal levies by illegal parking operators.	Both discussed illegal parking practices and illegal levies, as well as weak government supervision.	The focus of this research is the application of criminal sanctions (Criminal Code & Tipikor) through normative research on violators who carry out illegal parking practices, while the research that will be carried out by the researcher emphasizes the implementation of participatory supervision of the

No.	Author, University, Year	Title	Equations	Differences
				community to counter illegal parking practices.
3.	Commander Ababil Mahardita. Diponegoro University. 2023.	Management of Illegal Parking Practices in Tembalang District (Case Study of Diponegoro University Area).	Both discussed illegal parking and weak government supervision, as well as the need for community involvement.	The focus of this research is on permanent illegal parking in the Tembalang education area with the use of E-Parking by the community, while the research that will be carried out by the researcher focuses on illegal incidental parking during the Malang City carnival which actively approaches the community to fill the gap in the government's capabilities, in this case the Transportation Department.
4.	Nazira Kayla Maharani, Hasanuddin Yusuf Adan, T. Surya Reza. UIN Ar-Raniry Banda Aceh. 2025.	Monitoring and Evaluation of the Banda Aceh City Transportation Office on the Parking System in the Perspective of Siyasaah Idariyah.	Both discussed illegal parking and illegal levies, weak supervision of the Transportation Department, and both used the perspective of Islamic law.	This research focuses on monitoring and evaluation of the Banda Aceh Transportation Department with the perspective of siyasah idariyah, while the research that will be conducted by the researcher focuses on overcoming illegal incidental

No.	Author, University, Year	Title	Equations	Differences
				parking in the Malang carnival with community participation, as well as differences in perspectives using the perspective of <i>sadd al-dhari'ah</i> .
5.	Nazhifah Husna S. UIN Maulana Malik Ibrahim Malang.	Implementation of Incidental Parking According to the Three Regional Regulations of Malang City and Islamic Law.	Both discussed incidental parking in Malang City, weak supervision, and both used the perspective of Islamic law.	This research only focuses on the normative analysis of the Regional Regulation & <i>Maslahah</i> Mursalah on inappropriate parking practices in Malang City while the research that will be carried out by the researcher adds the prevention of community participation to the Transportation Department.
6.	Akbarrizky Nurdin Ginasaputra. UIN Sunan Kalijaga. Yogyakarta. 2022.	Law Enforcement and Protection in the Management of Incidental Parking in the City of Yogyakarta.	Both discussed illegal incidental parking, weak supervision, and community protection from illegal levies.	This research focuses on the enforcement and protection of incidental parking laws in Yogyakarta by increasing supervision, sanctions and socialization of incidental parking rules, while the research that will be conducted by the researcher focuses on

No.	Author, University, Year	Title	Equations	Differences
				overcoming illegal incidental parking, especially in the Malang carnival with community participation.
7.	Aditya Najib Alfiqri, Tinda Irawaty, Agustina Setiawan. Unjani. 2025.	Supervision of the Transportation Agency in the Context of Parking Order in Cimahi City.	Both discussed illegal parking, weak supervision of the Transportation Department, and the importance of the role of the community in supervision.	The focus of this study is on the supervision of illegal parking in the Cimahi parking prohibition zone with the theory of the Nawawi supervision pillar, while the research that will be carried out by the researcher focuses on illegal incidental parking during the Malang carnival with countermeasures using community participation to the Transportation Department.
8.	Anisa Mutiara Amalia. UIN Maulana Malik Ibrahim Malang. 2023.	Protection of Incidental Parking Consumers That Are Not in Accordance with the Malang City Regulation Number 4 of 2009 concerning Parking Lot Management.	Both discussed incidental parking in Malang City, weak government supervision, and the protection of the community as aggrieved parties.	The focus of this research is on the legal protection of incidental parking consumers in general, while the research that will be conducted by the researcher focuses on countering illegal incidental parking specifically during the Malang carnival with

No.	Author, University, Year	Title	Equations	Differences
				community participation to the Transportation Department.
9.	Achmad Riyanto, Iwan Setiawan, Darwanto. University of August 17, 1945 Cirebon. 2024.	Implementation of the Policy to Counter Illegal Parking Attendants to Order on Public Roadsides at the Cirebon City Transportation Office.	Both discussed illegal parking practices and highlighted the role of the Transportation Department.	This study emphasizes the implementation of the Dishub policy with Edward III's theory, while the research that will be conducted by the researcher focuses on supervision based on community participation with the perspective of <i>sadd al-dhari'ah</i> in Malang.
10.	Yosefina Avelin Daman. University of PGRI Kanjuruhan Malang. 2024.	The Role of the Government in Dealing with Illegal Parking Attendants in Malang City.	Both discussed illegal parking in Malang and involved the role of the Transportation Department.	This research highlights the role of the government and the development of jukir through patrols and cooperation of the apparatus, while the research that will be carried out by the researcher emphasizes the involvement of the community as active supervisors on the basis of <i>sadd al-dHari'ah</i> .

The novelty of this study is the use of community involvement-based supervision and the *sadd al-dhari'ah* approach in dealing with illegal incidental

parking practices at carnival moments in Malang City which have never been used in a simultaneous analysis before. Previous research generally stops at the normative study of regulations, the performance of the Transportation Department's supervision, consumer protection, the application of sanctions, or illegal parking with a general overview.

There has been no previous research that places the community as an integral part of a real-time surveillance system on incidental activities. Previous research has not seen how the community can actually play a role as a supervisory partner in closing the opportunity for *mafsadah* to occur through the prevention approach offered by *sadd al-dhari'ah*. Therefore, this research makes a new contribution in the form of designing a participatory supervision model that is in line with sharia values. This study also introduces a framework for the prevention of *mafsadah* through the integration of the principles of *Sadd al-dhari'ah* in the supervision of incidental parking management.

B. Theoretical Framework

A theory is a logical or reasoning flow that is a set of concepts, definitions, and processes that are systematically arranged³⁰. In general, theory has three functions, namely to explain, predict, and control a symptom. While the theoretical framework is defined as a conceptual model of how to theorize a relationship between each factor that has been defined as essential to a problem³¹.

³⁰ Muhammad Ridho Bahtiar dkk., "Teori Sebagai Landasan Ilmiah: Bahasa, Penalaran, Justifikasi, Penjelasan, Dan Pengujian," *Journal ANC* 1, no. 3 (2025): 306–17.

³¹ Lili Marliyah, "Hakekat Teori Dalam Riset Sosial," *Journal of Economic Education and Entrepreneurship* 2, no. 1 (2021): 30–37, <https://doi.org/10.31331/jee.v2i1.1691>.

The theoretical framework is a brief description of the theory that will be used in answering the research question. So that this research is more directed and precise. In this study, the right theory as a basis for thinking is as follows:

1. Surveillance theory

Supervision is an important element that influences the effectiveness of the implementation of legal products. In the General Dictionary of the Indonesian Language, supervision begins from the word "awas" which means the ability to see carefully, be keen, and be alert, then develop into the act of seeing and paying attention (supervising). In management science, although the terms "control" and "supervision" are often thought of as synonymous with *controlling*, their primary function, as Mc. Farland affirms, is to ensure that the performance of subordinates is as aligned as possible with a predetermined plan³². According to Ndraha, supervision can be defined as the task of monitoring, comparing, evaluating, and taking preventive, educational, and corrective actions that are external by the community³³. From all of these views, it can be interpreted that supervision functions as a mechanism to detect deviations from the beginning so as to allow for rapid correction and improvement, which ultimately prevents or corrects errors, deviations, nonconformities, and irregularities that are not in accordance with the set goals.

³² Didi Djadjuli, "PELAKSANAAN PENGAWASAN OLEH PIMPINAN DALAM MENINGKATKAN KINERJA PEGAWAI," *Dinamika : Jurnal Ilmiah Ilmu Administrasi Negara* 4, no. 4 (2018): 565–73, <https://doi.org/10.25157/dinamika.v4i4.879>.

³³ Rahmawati Sururama dan Rizki Amalia, *Pengawasan Pemerintahan* (CV. Cendekia Press, 2020), <http://eprints2.ipdn.ac.id/id/eprint/488/>.

The word "surveillance" often has negative or unpleasant connotations because it is considered to threaten a person³⁴'s freedom. In fact, every organization needs supervision to ensure the achievement of the goals that have been set. The function of supervision cannot be separated from planning and implementation, because all three are a unit in management that is oriented towards achieving goals³⁵. Supervision is carried out so that the planned activities can be carried out according to procedures and prevent irregularities in the field. In the context of this study, supervision is an important function in traffic management and public order carried out by the Malang City Transportation Department, especially in supervising and overcoming illegal incidental parking practices during the implementation of the Malang City Carnival.

The use of supervision theory in this study was chosen because it has strong relevance to efforts to analyze the effectiveness of supervision based on community participation in tackling illegal incidental parking practices. This theory provides a framework for understanding how the supervision process is carried out, who is involved, and the extent to which its implementation achieves the expected goal, namely the creation of order and compliance with the rules. In addition, supervision theory is an important theory in the relationship between policy planning and implementation in the field in this study.

³⁴ Sururama dan Amalia, *Pengawasan Pemerintahan*.

³⁵ "Pengantar Manajemen - Cia Cai Cen - Google Buku," diakses 20 Januari 2026, https://books.google.co.id/books?id=wdS5EAAAQBAJ&printsec=frontcover&dq=Pengertian+manajemen&hl=id&newbks=1&newbks_redir=0&source=gb_mobile_search&ovdme=1&sa=X&redir_esc=y#v=onepage&q=Pengertian&f=false.

2. Community participation theory

Community participation in the Indonesian dictionary is a person's participation in an activity or participating in a role or participation. Meanwhile, according to Dr. Made Pidarta, participation is the involvement of one or several people in an activity³⁶. In this case, involvement has a broader meaning, where involvement can be in the form of mental, emotional or physical involvement that uses all the abilities it has. Therefore, participation is also defined as a person's mental and emotional involvement in group situations that encourage them to achieve and take responsibility for their group goals³⁷. The Regulation of the Minister of Home Affairs Number 5 of 2007 states that participation is the active participation and involvement of the community in the development planning process³⁸. Community participation or citizen participation is a process when citizens as individuals as well as social groups and organizations, take a role and participate in influencing the process of planning, implementation, and monitoring policies that directly affect their lives.

There are several different views on the definition of community participation, including Pasaribu & Simanjuntak, who see participation as

³⁶ S. E. I Nyoman Wahyu Widiana, "Analisis Pengaruh Partisipasi Masyarakat Terhadap Program Corporate Sosial Responsibility (CSR) DI Provinsi Bali," *WORLDVIEW (Jurnal Ekonomi Bisnis dan Sosial Sains)*, t.t., diakses 19 Februari 2026, https://www.academia.edu/164721480/Analisis_Pengaruh_Partisipasi_Masyarakat_Terhadap_Program_Corporate_Sosial_Responsibility_CSR_DI_Provinsi_Bali.

³⁷ Diradimalata Kaehe dkk., "PARTISIPASI MASYARAKAT DALAM PERENCANAAN PEMBANGUNAN DI KAMPUNG PINTARENG KECAMATAN TABUKAN SELATAN TENGGARA," *JURNAL ADMINISTRASI PUBLIK* 5, no. 80 (2019), <https://ejournal.unsrat.ac.id/v3/index.php/JAP/article/view/25447>.

³⁸ "PERMENDAGRI No. 5 Tahun 2007," diakses 19 Februari 2026, <https://peraturan.bpk.go.id/Details/126362/permendagri-no-5-tahun-2007>.

participating in government activities, while Allport and Davis see it as deep mental and emotional involvement. Meanwhile, Sumarto and Alastaire White's definition focuses on the stages of the process and the scope of the project that are influenced by the residents³⁹. From some of the views above, community participation is the active involvement, both mentally (mind) and emotionally (feeling), of citizens (as individuals, social groups, or organizations) in participating in, contributing, and influencing the entire process of policies or development projects from planning, implementation, to monitoring that directly impact their lives, as well as bearing shared responsibility for these efforts.

In the practice of illegal parking, the theory of community participation is relevant to overcome it because the community here is the party who knows the most about the surrounding conditions and needs, so that their participation can provide accurate data and direct evaluation of illegal incidental parking practices. Direct public participation can also ensure the voices of groups that are still marginalized, so that supervision becomes comprehensive. The community can also become a supervisor of public services that reduce irregular practices while improving the quality of incidental parking management that has not been fully touched by the authorities.

3. The theory of *sadd al-dhari'ah*

³⁹ Kaehe dkk., "PARTISIPASI MASYARAKAT DALAM PERENCANAAN PEMBANGUNAN DI KAMPUNG PINTARENG KECAMATAN TABUKAN SELATAN TENGGARA."

Sadd al-dhari'ah is united from two separate words, namely *sadd* and *al-dhari'ah* to show one unified meaning. *Sadd* both in terms of etymology and terminology contains the meaning of closing or closing. Whereas *al-dhari'ah* etymologically can be interpreted as any intermediary or path that leads to a thing or a connection that connects it to something. While the meaning of *al-dhari'ah* terminologically is one of the most accurate if it is based on the meaning of the word *sadd* "to close" is something that is originally obligatory, but for strong reasons and factors it can lead to things that are forbidden⁴⁰.

The meaning of *sadd al-dhari'ah* from several prominent scholars' definitions includes: Al-Qarafi, which means to cut the path of damage (*mafsadah*) as a way to avoid the damage. While. Ibn Qayyim al-Jauziyah, he defines *al-dhari'ah* in general as "everything that is the intermediary and the way to something," both the good (*maslahah*) that is recommended (which is called *fath al-dhari'ah*) and the bad (*mafsadah*) that is forbidden (which is called *sadd al-dhari'ah*). However, in the context of *Sadd al-dhari'ah*, it means forbidding and rejecting everything that can be a means to haram. Furthermore, Ash-Syaukani, which interprets *Sadd al-dhari'ah* as a problem or matter that is permissible (*mubah*) at birth, but will lead to forbidden acts (*al-mahzhur*). And there is also Al-Syatibi who interprets it as the enactment of a work that originally contained benefits but led to a damage (*kemafsadatan*). Then among them there are also other scholars who say that

⁴⁰ Mohd Nasir Abdul Majid, "View of Al-Dharā'ic Dalam Ijtihad Menurut Al-Qarāfiyy Dan Al-Shāṭibiyy: Satu Analisis," 2022, <https://ejournal.muftiwp.gov.my/index.php/jiftah/article/view/44/22>.

the definition of *sadd al-dhari'ah* is inclined to efforts to prevent things called *mafsadah*, which are forbidden, which are forbidden.⁴¹

The whole of *Sadd al-dhari'ah* is a method of establishing the law that aims to close the road or means that were originally permissible (*mubah*) or even encouraged, but the intermediary must be prohibited because it is suspected that it is strong or can be ascertained to lead to prohibited acts or contain damage (*mafsadah*).

Sadd al-dhari'ah is one of the evidences in disputed Islamic law (*mukhtalaf*). This is because there is no *nash* that clearly and firmly disputes doing *sadd al-dhari'ah*. As for the opinion of *fukaha* on *sadd al-dhari'ah* for its blasphemy, there are two *madzhabs*, namely *Malikiyah* and *Hanabilah*, which accept and prioritize it. They fully accept *sadd al-dhari'ah* as the basis for a strong legal establishment. For them, preventing something that will bring harm is an important part of the *sharia*. In fact, the *Hanabilah* scholar, *Ibn Qayyim*, calls it a quarter of the religion because of its great role in prevention.

The *madhhabs* that accept but only in a limited way are *Hanafiyah* and *Shafi'iyah*. They do not make it a stand-alone main postulate, but use it in certain cases that are very urgent on the condition that they are only willing to use it if the damage that will occur is certain, or at least strongly suspected/likely to occur. The reason for *Shafi'iyah* to reject it absolutely is because *Imam Shafi'i* emphasized that the law must be determined based on

⁴¹ Ahmad Munif, "(PDF) Penerapan Sadd Dhari'ah Pada Bidang Muamalah," ResearchGate, 2021, https://www.researchgate.net/publication/354088214_Penerapan_Sadd_Dhari'ah_pada_Bidang_Muamalah.

what appears (*zahir*), and not on the basis of alleged intentions or potential hidden dangers, because the unseen is the business of Allah. They focus more on the intention during the contract (transaction) and not on the final goal that may arise. While the Hanafiyahs, despite rejecting *sadd al-dhari'ah* in name, Hanafiyah scholars often use a similar practice for the consideration of *Maslahah*, which they refer to as *Istihsan*.

In addition, there is also the *Zahiriyyah* school that absolutely rejects *sadd al-dhari'ah*. The reason is that they only hold on to the literal (outward) text of the Qur'an and Sunnah. They reject the use of logic (*ra'yu*) and conjecture in establishing the law. The principle of *sadd al-dhari'ah* is considered to require logic to assess potential harm, thus contradicting their rigid methodology on the text⁴².

In this study, the meaning of the word countermeasure for illegal parking practices which is interpreted as *mafsadah* or damage is very much in line with the theory of *sadd al-dhari'ah*, where the researcher places countermeasures as an effort to close the road that allows illegal parking to occur. This study uses *sadd al-dhari'ah* to view every gap and opportunity used by illegal parking persons as a "road" that must be closed through a supervision mechanism based on community participation.

⁴² Ahmad Munif, "(PDF) Penerapan Sadd Dhari'ah Pada Bidang Muamalah."

CHAPTER III

RESEARCH METHODS

Research method is a process or method that is specifically chosen to solve the problem posed in a research⁴³. In a research, a research method is needed to facilitate the systematic completion of research and provide results that can be used to solve practical problems and support decision-making. In accordance with the title of this study, the researcher in his research uses the following research methods:

A. Types of Research

In this study, the researcher used a type of empirical juridical research. The type of empirical juridical research is a legal research method that aims to combine the study and understanding of the normative study of the provisions of applicable laws and regulations with how the law actually works in practice in society or in other words looking at the actual legal reality that⁴⁴ occurs. This method is a method that considers external perspectives, especially people's views⁴⁵.

In resolving the problem of supervision of illegal parking practices that occur in Malang City, the researcher uses empirical juridical research methods to review the extent of the role of the Malang City Transportation Department in supervising and overcoming illegal incidental parking practices that often occur in the Malang City carnival, as well as how the role of community participation in helping these efforts. This is realized by observing social reality or facts directly with the aim of

⁴³ Dini Silvi Purnia dan Tuti Alawiyah, *Metode Penelitian : Strategi Menyusun Tugas Akhir*, 2021, 1–57.

⁴⁴ Dr Jonaedi Efendi M.H S. H. I. dan Prof Dr Johnny Ibrahim M.Hum S. H. ., S. E. ., M. M., *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018).

⁴⁵ Prof Dr I. Made Pasek Diantha M.S S. H., *Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum* (Prenada Media, 2016).

finding the truth by conducting direct interviews as primary data to the Malang City Transportation Agency.

B. Research Approach

a. Sociological Approach

The term sociology comes from a combination of two words from Latin and Greek. The Latin word *socius* or *societas* means friend or society, while the Greek word *logos* means science or the study of knowledge. Terminologically, according to the Great Dictionary of the Indonesian Language, sociology is defined as the science that studies society and its dynamics of change, which includes aspects such as nature, behavior, development, social structure, and social processes that occur in people's lives. Using this approach, the researcher wanted to understand social behavior and interaction as well as the factors that influence the occurrence of illegal incidental parking practices and examine the effectiveness of community participation-based supervision.

b. Legislative Approach

The statute approach is a type of research that focuses on the use of legal materials in the form of laws and regulations as the main source of reference in the analysis. This approach is generally used to review legal provisions that in their application still contain deficiencies, inconsistencies, or even have the potential to cause deviant practices, both at the normative level and implementation in the field. Through this approach, researchers can identify and understand various legal provisions that govern parking practices, especially those related to illegal incidental parking in Malang City.

The reason for using this approach is because this research is oriented to analyze legal norms and policies related to overcoming illegal incidental parking practices.

c. Conceptual Approach

The conceptual approach is a method used to examine in depth the meaning contained in legal terms contained in laws and regulations, as well as examine the cases that are the focus of the research. This approach departs from various legal views and doctrines that have developed in legal science, especially related to the concept of countering illegal incidental parking practices. Through this conceptual approach, researchers can understand legal principles and doctrines relevant to the prevention of illegal incidental parking practices, such as the principles of justice, prevention of harm (*sadd al-dhari'ah*), and social responsibility. This approach is used because research not only examines positive legal rules, but also requires an understanding of Islamic legal values that emphasize the importance of prevention, social order, and the protection of the public interest through community participation.

C. Research Location

1. Malang City Transportation Office

The main location of this research is the Malang City Transportation Office, a local government agency located at Jl. Raden Intan No. 1, Purwodadi Kelurahan, Blimbing District, Malang City, East Java. This office is a regional apparatus that has the authority to organize, manage, and

supervise parking in the Malang City area, as stated in the official document on "Requirements and Criteria for Parking Implementation Procedures".⁴⁶

The selection of the Malang City Transportation Office as the location of this research is because the Malang City Transportation Agency in accordance with the Malang City Regional Regulation Number 4 of 2009 concerning the Management of Parking Lots and the Malang City Regional Regulation Number 3 of 2015 concerning Public Service Levies, should have the authority to carry out the implementation of parking⁴⁷ management and control. Malang Mayor Regulation Number 34 of 2016. Article 3 paragraph (2) letter d also states that the Transportation Agency has a function in organizing and controlling parking.⁴⁸

2. Malang City Kelurahan

The next locations used in the study are in 2 Kelurahans in Malang City, namely:

a. Kelurahan Cemorokandang

The Kelurahan Cemorokandang Office is located on Jl. Raya Cemorokandang No. 1, in the eastern area of Malang City which is directly adjacent to the Malang Regency area (and Tumpang Districts). Kelurahan Cemorokandang is located in Kedungkandang District, Malang City, East Java Province. Kelurahan Cemorokandang is one of 12 Kelurahans in the Kedungkandang District, Malang City. This

⁴⁶ "PERSYARATAN-DAN-KRITERIA-PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf," t.t., diakses 18 Januari 2026, <https://dishub.malangkota.go.id/wp-content/uploads/sites/16/2017/05/PERSYARATAN-DAN-KRITERIA-PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf>.

⁴⁷ "PERSYARATAN-DAN-KRITERIA-PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf."

⁴⁸ Tata dan Dinas, *Peraturan Walikota Malang Nomor 34 Tahun 2016*.

Kelurahan functions as the smallest government unit that is in direct contact with community services at the site level.

Article 25 of Government Regulation Number 17 of 2018 concerning Districts states that the duties of the Kelurahan head include community empowerment, maintenance, and public peace and order. In Article 8 of Malang City Regional Regulation Number 8 of 2008, it is stated that the Kelurahan Head has the main task of organizing government, development and community affairs. In this context, community affairs are operationalized through the function of the Kelurahan which includes the implementation of improving community welfare, community empowerment, and fostering community institutions. It is also stated in Article 27 that the Kelurahan community institution is a partner of the Kelurahan in the implementation of the government.

The vision of Kelurahan Cemorokandang is 'The Realization of the Implementation of Accountable, Transparent Government and Participatory Development by Prioritizing Public Services towards an Independent and Prosperous Society'

b. Kelurahan Merjosari

Kelurahan Merjosari is one of the strategic areas in Lowokwaru District, Malang City, which is known as an educational area because it is surrounded by various large universities. Geographically, this Kelurahan is located in the western part of Malang City with an area of about 422.9 hectares. Its location on a fairly high plain provides cool

air, and is directly adjacent to Tlogomas Kelurahan to the north and Dinoyo Kelurahan to the east.

In running the wheels of its government, Kelurahan Merjosari carries a vision to realize excellent, transparent, and accountable public services for the sake of creating an independent and prosperous society. This vision is supported by a mission to improve the quality of human resources, optimize infrastructure development based on citizen participation, and strengthen local economic empowerment, especially in the MSME sector and boarding house services which are the main economic drivers in this region.

As a heterogeneous Kelurahan, Merjosari has very complete public facilities, ranging from traditional shopping centers (Merjosari Market) to green open areas such as Merjosari Singha Park which is a sports and recreational center for residents. With a population that continues to grow and is dominated by students and immigrants, this Kelurahan continues to innovate in combining religious local culture with the dynamics of modern urban life.

D. Data Source

In conducting the research, the researcher used two types of data sources, namely:

- a. Data Primer

In legal research, primary data sources are data sources obtained directly through field observation to the first source⁴⁹. Primary data is data in the form of experiences, understandings, opinions, expectations, and others from the research subject. Primary data in this study was obtained from interviews with the Malang City Transportation Department in the field.

Primary data in this study was used to obtain empirical facts regarding the implementation of supervision, forms of community participation, and the effectiveness of countering illegal incidental parking that occurred in the Malang City carnival.

b. Data Seconds

Secondary data is data that is closely related to primary data because it serves as a support for primary primary legal data. Secondary data in legal research is data obtained from the results of a review of literature related to research problems and materials, commonly referred to as data.⁵⁰ In writing this proposal, secondary data was obtained from several book literature, laws and regulations, scientific works in the form of journal articles, theses, as well as through internet searches related to the research topic, such as Malang City Regional Regulation Number 2 of 2011 concerning business service charges, Number 3 of 2015 concerning public service charges, and Malang Mayor Regulation Number 34 of 2016, literature that discusses community participation-based supervision as well as Islamic legal literature on *sadd al-dhari'ah* and the concept of participatory supervision.

⁴⁹ Mukti Fajar ND dan Yulianto Achmad, *Dualisme penelitian hukum: normatif & empiris* (Pustaka Pelajar, 2010).

⁵⁰ ND dan Achmad, *Dualisme penelitian hukum*.

E. Data Collection Methods

This study uses several data collection methods, including:

a. Interview

Interviews are one of the data collection techniques that are carried out face-to-face with direct questions and answers by data collectors and researchers to sources or data sources. Interviews are an important data/fact collection technique and are often carried out in a research.

In this study, interviews were conducted which were semi-structured interviews with the preparation of topics and a list of questions before the interview was conducted.⁵¹ The interview was conducted with Dishub officers as the authority in supervising the practice of illegal incidental parking at the Malang City Carnival.

b. Documentation

The method of data collection through documentation carried out by the researcher is the recording of events during the research, both in the form of written documents and recordings. The written documents used by the researcher are in the form of written documents, both archives and records related to research problems and facts that occur in the field, while the recorded documents used by the researcher are images (photos) or audio or video recordings taken while conducting research⁵².

F. Data Processing Methods

⁵¹ “Metode Penelitian Hukum.pdf,” t.t., diakses 20 Oktober 2025, <https://eprints.unram.ac.id/20305/1/Metode%20Penelitian%20Hukum.pdf>.

⁵² ND dan Achmad, *Dualisme penelitian hukum*.

Data processing is the process of changing the form of data into information that has useful value⁵³. The data processing methods in this study include:

a. Data Reduction

Data reduction is the process of selecting, concentrating, simplifying, and abstracting rough data from field records that takes place continuously from the beginning to the end of the research, in accordance with the conceptual framework, problems, and data collection methods used.⁵⁴ In this study, data reduction was carried out on the results of interviews, observations, and documentation regarding the implementation of parking supervision carried out during the study.

b. Data Presentation

Data presentation is the process of organizing data in a structured and concise manner so that it is easy to understand for drawing conclusions. In this study, the data is presented in the form of a coherent, effective, and systematic narrative so that it is easy to read, understand, and analyze further.⁵⁵ According to Miles and Huberman, data presentation is a collection of information that is arranged in a regular manner, so that it is possible to draw conclusions and actions based on the data. By presenting the data, researchers can see an overview of the relationships between variables and phenomena that occur in the field⁵⁶.

⁵³ ND dan Achmad, *Dualisme penelitian hukum*.

⁵⁴ Ahmad Rijali, *Analisis Data Kualitatif*, 17, no. 33 (2018): 81–95.

⁵⁵ Robert K. Yin, *Qualitative Research from Start to Finish*, Second edition, Research Methods (The Guilford Press, 2016).

⁵⁶ Prof. Dr. Sugiyono, *METODE PENELITIAN KUANTITATIF, KUALITATIF, DAN R&D* (t.t.), diakses 19 Februari 2026, <http://archive.org/details/buku-metode-penelitian-sugiyono>.

In this study, the presentation of data was carried out in the form of descriptive narrative descriptions, tables, and direct excerpts of interview results by describing the results of interviews, observations, and documentation that had been previously reduced. The data is compiled in the form of narrative descriptions, classification tables, and direct quotes from informants to provide a complete picture of the implementation of community participation-based supervision by the Malang City Transportation Agency in tackling illegal incidental parking practices. Through the presentation of this data, the researcher seeks to show how the principle of *sadd al-dhari'ah* is applied in efforts to prevent social afsadism through a monitoring mechanism that actively involves the community.

c. Conclusion drawing

Drawing conclusions is the process of formulating the meaning of research results in a concise and clear manner. The conclusion is ensured to remain relevant and in line with the title, objectives, and problems of the research. This process takes place gradually from the preparation of temporary conclusions when the data is adequate, and ends with a final conclusion after all the data is completely collected.⁵⁷

⁵⁷ Sharan B. Merriam dan Elizabeth J. Tisdell, *Qualitative Research: A Guide to Design and Implementation* (John Wiley & Sons, 2015).

CHAPTER IV

RESULTS OF RESEARCH AND DISCUSSION

A. RESEARCH RESULTS

1. Research Location

a. Malang City Transportation Office

The Malang City Transportation Agency (Dishub) is a government agency responsible for the management and development of the transportation and transportation sector in Malang City. The Malang City Transportation Agency is led by the Head of the Service. In carrying out its duties and functions, the Head of Service is located under and responsible to the Mayor through the Regional Secretary.⁵⁸ The role of this Office includes creating an efficient, safe, and regular transportation system to support community mobility and economic growth in Malang City.

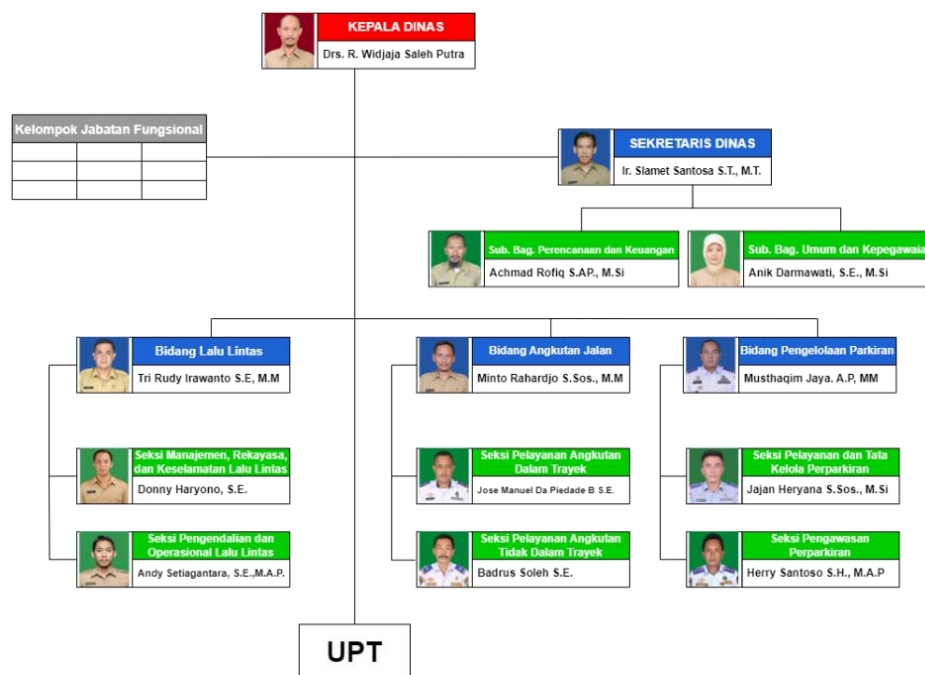
In carrying out its duties, the Malang City Transportation Department has several core areas, namely the traffic sector, the parking management sector, and the road transportation sector. These fields can cooperate with related parties in carrying out their duties, for example the police in improving traffic safety and reducing congestion on the streets of Malang City. The Transportation Department also plays a role in formulating policies and programs for the development of transportation infrastructure, such as roads, bridges, and terminals to support the smooth running of the transportation system in Malang City⁵⁹.

⁵⁸ “PERWALI Kota Malang No. 34 Tahun 2016,” Database Peraturan | JDIH BPK, diakses 3 Januari 2026, <http://peraturan.bpk.go.id/Details/48950>.

⁵⁹ “Struktur Organisasi,” *DINAS PERHUBUNGAN KOTA MALANG*, t.t., diakses 3 Januari 2026, <https://dishub.malangkota.go.id/profil/struktur-organisasi/>.

The organizational structure of the Malang City Transportation Office consists of several core parts, including the following⁶⁰:

Figure 4. 1 Organizational structure of the Malang City Transportation Office



Among other fields, the Parking Management field is a part that has a focus of responsibility on the management of parking facilities in Malang City. The tasks carried out include the development of parking policies, the regulation of parking lot use, and ensuring the availability of adequate parking facilities and the management of income from parking.⁶¹ This study highlights the Parking Management Field on illegal incidental parking practices in this study.

The reason for selecting the Transportation Agency (Dishub) as the research location is based on Article 3 paragraph (2) letter d of Malang Mayor Regulation Number 34 of 2016, which states that the Transportation Agency

⁶⁰ “Struktur Organisasi.”

⁶¹ “Struktur Organisasi.”

has functions in the administration and control of parking, including incidental parking. This is further strengthened by Article 6 paragraph (2) letter d, which mentions that the Transportation Agency has duties in fostering and organizing public relations, which can serve as the basis for integrating community participation-based supervision in this research.

b. Malang City Kelurahan

The involvement of the Kelurahan administration (kelurahan) in this research is based on Article 4 paragraph (1) of Government Regulation Number 17 of 2018 concerning Districts, which states that the Kelurahan Head (Lurah) has the task of assisting the District Head (Camat) in implementing Kelurahan government activities, community empowerment, and maintaining public order and peace. Malang Mayor Regulation Number 96 of 2019 concerning the Position, Organizational Structure, Duties, and Functions of Districts and Kelurahans further emphasizes that the Kelurahan has the function of implementing community empowerment, facilitating the implementation of peace and public order, and coordinating with relevant regional apparatus in the work area. In other words, indirectly the Kelurahan is a local government apparatus that has an important role in the context of community empowerment which is used in community participation-based supervision. Some of the outputs that were used as research locations include:

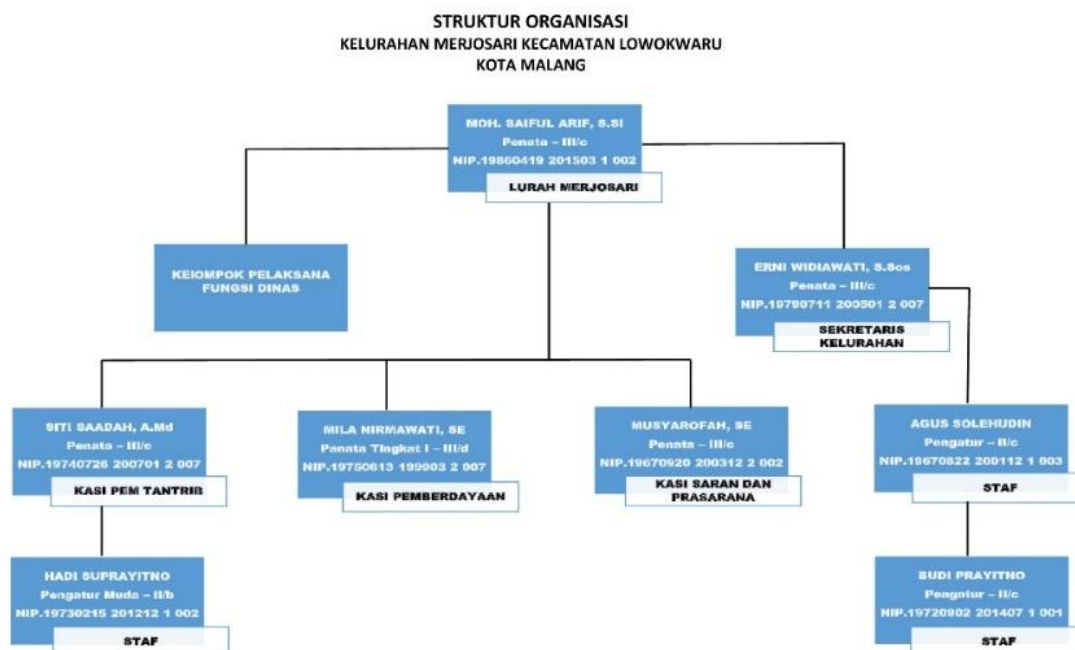
1) Kelurahan Merjosari

Kelurahan Merjosari is one of the Kelurahans in Lowokwaru District, Malang City, which has the characteristics of an urban area with a relatively high population density and dynamic community social activities. Kelurahan Merjosari is led by the Kelurahan Head who

is under the coordination of the Lowokwaru Sub-district Head. Based on Article 229 paragraph (4) of Law Number 23 of 2014, which places the Kelurahan as part of the district apparatus, the position of Kelurahan Merjosari in the regional government structure is as a district apparatus that carries out governmental functions, community empowerment, and maintenance of environmental order.

The organizational structure in Kelurahan Merjosari is as follows:

Figure 4. 2 Organizational Structure of Kelurahan Merjosari



If viewed normatively, the involvement of community institutions at the Kelurahan level in this study has a multi-layered regulatory framework. Based on Article 4 paragraph (1) of Government Regulation Number 17 of 2018, the Kelurahan Head is tasked with implementing community empowerment as well as maintaining public peace and order. This provision is operationally explained through Article 11 of Malang Mayor Regulation Number 96 of 2019, which explicitly assigns Kelurahan heads to provide guidance to community institutions as government partners. Based on this legal construction, the existence of neighborhood associations (RT/RW), youth organizations (Karang Taruna), and community empowerment institutions (LPM) within the Kelurahan has a strong legal basis to be actively involved in the community participation-based supervision mechanism in this research.

2) Kelurahan Cemorokandang

Kelurahan Cemorokandang is a regional apparatus at the Kelurahan level located within the administrative area of Kedungkandang District, Malang City. In accordance with Article 229 paragraph (4) of Law Number 23 of 2014 concerning Regional Government, it is emphasized that the Kelurahan is a district apparatus that assists the District Head in administering regional governance. The Kelurahan is led by a Kelurahan head who is located below and is responsible to the Sub-district Head. The Kelurahan functions as the center of local government implementation at the level closest to the community, especially in public services, community empowerment, and the maintenance of public order and order in the area⁶².

2. Interview Results

a. Interview results with the Staff of Parking Management of the Malang City Transportation Office

The researcher conducted an interview with Nasrudin Banaredi A.Md.Tra, one of the Parking Management Staff of the Malang City Transportation Department. Some of the questions that the researcher asked along with the answers by the parties concerned are as follows:

1) Dishub Authority in Supervision of Incidental Parking Practices

As stated in Article 3 paragraph (2) letter d of Malang Mayor Regulation Number 34 of 2016 concerning the position, organizational structure, duties, functions, and work procedures of the Transportation

⁶² *Tentang Kelurahan – Kelurahan Cemorokandang*, t.t., diakses 26 Februari 2026, https://kelcemorokandang.malangkota.go.id/?page_id=155.

Agency, it is explained that the Transportation Agency has functions in managing and supervising the parking sector. The Transportation Department explained that the word 'parking' also refers to incidental parking, including maintaining order and parking control in large-scale activities such as carnivals.

2) Efforts made by the Malang City Transportation Department in regulating incidental parking during carnivals in Malang City

From the interview conducted by the researcher with Nasrudin Banaredi, the regulatory efforts including the supervision mechanism carried out by the Transportation Department every time there is incidental parking at the Malang City Carnival, it is explained that:

"So each activity if it requires a personal from the Transportation Department, then the person who carries out the activity must first write to the Transportation Department, if for example the rich need security or personnel assistance or the smooth flow of traffic, but if at the time of the carnival or the activity is not licensed by the Transportation Department, then the Transportation Department does not have the authority to carry out security in the activity"

The resource person said that incidental parking must be legal. Every event that requires incidental parking must have a permit in advance for its implementation⁶³.

Furthermore, the resource person explained the implementation of regional division before the carnival was held:

⁶³ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

"Yes, there must be, the road cover continues to be directed to where the flow is, diverted to where, continue to park where it is"

In the arrangement of incidental parking lots, the resource person explained that the Transportation Department divided the area before the carnival was held in Malang City in tandem with the permit given by the Transportation Department for each carnival⁶⁴.

Furthermore, the Transportation Department has also conducted direct supervision every time the Malang City carnival is held. Supervision carried out by the Transportation Department is in the form of patrols with internal tasks and schedules that have been arranged for carnival supervision every day.

3) Obstacles and solutions in carrying out incidental parking supervision at the Malang City Carnival

Some of the obstacles in the carnival that have recently occurred, there are many illegal incidental parking practices that are troubling residents. Researchers together with previous research⁶⁵ and reports from the news circulating⁶⁶, found that the supervision carried out by the Transportation Department is still not comprehensive. However, the results of the interview conducted by the researcher and Nasrudin Banaredi as a staff of the Parking Management Division of the Malang City Transportation Department. The resource person said that supervision during the carnival had been carried out in accordance with

⁶⁴ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

⁶⁵ Yurika Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental: Studi di Dinas Perhubungan Kota Malang" (undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2025), <http://etheses.uin-malang.ac.id/80941/>.

⁶⁶ D. Nana, "Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online," 29 Juli 2025, <https://indonesiaonline.co.id/pungli-parkir-event-viral-dishub-malang-perkuat-pengawasan/>.

existing procedures. The obstacles that occurred in the field were not due to the lack of personnel in supervision, the resource person said:

"Yes, it can be said that it is very minimal because in one day there can be several events, for example one day there are 5 events at the same time which is very rare, so for example there is one or 2 events, for example the route is long from Malang to the stone, for example, yes the personnel along with the departure of the carnival followed from the beginning at the city hall, there are already some in the city hall and there are some that have been in the city hall In the middle of the trip, if the city hall is free, the city hall immediately shifts to secure the next route like that, and it is well coordinated, so there is a lack of personnel, which can be said to be very minimal."⁶⁷

However, even if it is so, in its implementation there are still many shortcomings that trigger the constraints of the shortage of personnel in supervision as stated in previous research⁶⁸.

In other obstacles such as real-time coordination with other apparatus, the Transportation Department explained that in the implementation of supervision, the Transportation Department has collaborated with other apparatus at the time needed as it should, the Transportation Department said:

"There is, so if for example such activities must be secured often with SATPOL PP to secure such street vendors, then there may be an

⁶⁷ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

⁶⁸ Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidentil."

anticipation of riots or how the Dishub, SATPOL PP and TNI POLRI also allow for such personnel assistance"

- 4) The importance of community participation in assisting the supervision of incidental parking carried out by the Malang City Transportation Department

Although in previous interviews the Transportation Department has overridden all obstacles that occurred during carnival supervision, and said that the supervisory officers have been quite competent in carrying out their duties. The Transportation Department still stated that the implementation of community participation in incidental parking supervision is very important, the resource person said:

*"Yes, it is important because the name of the community is very helpful or builds the progress of the city of Malang, for example there is a submission at this point at this point it is very helpful for us because we can know, oh this point is problematic, this point is not safe, so we can carry out routine patrols to several points directed from the community, like that."*⁶⁹

Here the resource person said that the importance of community participation is not only to help supervision, but to place the community as a party that is very helpful or builds the progress of the city of Malang as the 'eyes and ears' of the government.

- 5) Mechanism for community involvement in reporting illegal incidental parking practices

⁶⁹ Nasrudin Banareidi, interview, (Malang, December 8, 2025).

Previously, the community had never been involved in incidental parking supervision in the Malang City carnival event directly. However, the resource person explained that in several examples of cases that have occurred, reports on *monitoring* carried out by the community are used as a spearhead for development in the field of parking. One example is the solution of parking problems in the Kayutangan area. Resource person said:

"Yes, the community is often involved because, for example, for example, it is not incidental parking, but the case is similar; in the city it used to be parking on the right and left when it was still jammed before there was a parking building, so along the right road, there is a lane of bicycles pancal (pedal bikes) that is green, right?, well it's for cyclists and the left side is used for parking along the road, Right parking is also available, and there are many people who complain because the road is jammed because there are many parking spaces on the right and left..."⁷⁰

This was completed by the Transportation Department through the purchase of land and buildings or parking buildings. Then the Malang city government through the Transportation Department provides a parking policy that is only allowed on the left side of the road. The Transportation Department admitted that this reform could not be realized without complaints from the community. Resource person said:

⁷⁰ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

"... The Transportation Department invites all hand wood parking attendants and all RT RW in the area as well as community representatives and pokdarwis or tourist groups in the Kayutangan area to conduct coaching or socialization that to apply for MSMEs in the Kayutangan is not possible if the road is jammed, many people are worried, so the Transportation Department provides a parking policy only on the left side of the road, on the right of the road and can park with the parking solution in the hand wood parking building, So the Transportation Department also invites the community in the area if there is a problem"

- 6) The opinion of the Transportation Department on the idea of parking supervisory volunteers from residents to overcome illegal incidental parking

One of the ideas taken by the researcher in dispersing the community in supervising incidental parking at the Malang City Carnival is the formation of special volunteers from residents who are in charge of supervising incidental parking at carnival events. After hearing the ideas submitted by the researcher, the Transportation Department said:

"Oh why it's so good because it's very supportive, in fact, there are always a lot of parking complaints on Instagram infomalang or malang raya info, it's very constructive for us to know this viral point, the danger, why? Immediately the next day or as soon as possible, we will immediately follow up"

The resource person agreed with the idea on the basis that before the idea existed, even though it was only a few, the reports that had been obtained by the Transportation Department from several citizen complaint submission platforms had been very helpful to the Transportation Department in the practice of parking supervision. In the context of incidental parking, the Transportation Department approved it as an idea that helps the Transportation Department to be more responsive and agile in following up on violations that occur in the field⁷¹.

- 7) Reporting channels for reporting violations of illegal parking practices including illegal incidental parking

In the previous answer, the Transportation Department had mentioned the platform that is currently used by the public in reporting violations of illegal parking practices⁷². In more detail, the resource person said:

"What is already available now is through the Sambat Online website. It is under the auspices of the Malang City Government to oversee all existing complaints. It is through the Diskominfo for its operations. But there are also many parking complaints that go through the Sambat Online website and are channeled to the Malang City Transportation Office. One of them is that."

"Then the next one can go through, what is the name, the Instagram of the Malang City Transportation Office or Instagram in the

⁷¹ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

⁷² See the results of the research, especially in the results of the interview with the staff of the Malang City Transportation Office, p. 11.

field of parking management, already exists on its own. So the Malang City Transportation Office has an Instagram, the Malang City Transportation Office also has an Instagram. So if you refer to it, you can go directly through Instagram."⁷³

Even though these platforms and social media have been used, it is undeniable that there are still many residents of Malang who may not use it, or even do not know that there is a reporting system in some of these accesses. The Transportation Department said that in the future, the parking violation reporting system can be simplified and information disseminated using communication media commonly used by the public, the resource person said:

*"And next there is the WA complaint. So every new parking bar has a complaint service, so you can immediately complain on the cellphone number, directly connected to us. Next can also be through tickets. So later next year there will be a new ticket, yes a little improvement to the design, adding a new cellphone number complaint WA, then you can go through each ticket there is a complaint WA, so it can be seen directly through the ticket, directly connected to the parking field. For now, it is still in the parking point bars, the 'P' sign, the new parking sign. But for some, it has not been widespread."*⁷⁴

The use of reporting platforms like this is usually accompanied by *scams* by irresponsible people. However, the Transportation

⁷³ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

⁷⁴ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

Department admitted that among the few reports that came in, no unwanted things happened. Resource person said:

*"Oh, for scams are rare. Because the average report is very what it is called, it really happens. So when people report directly to the field whether it really happened, we immediately go to the parking attendant concerned or which parking point was reported at that time."*⁷⁵

8) The reason why there are still few people who are seen to participate in the supervision of illegal incidental parking violations

Because there are still many parking cases that disturb the community, the researcher asked the Transportation Department whether the unrest was accompanied by a report to the Malang City Transportation Department. The researcher asked whether the public could be considered apathetic in this parking problem, the resource person replied:

*"Oh, I think for the reality in Malang City, there are a lot of people... It's not apathetic, though... eh, there are a lot of worries because Malang is known as a 'parking city' like that, right. Many complaints have been submitted to the Malang City Transportation Office. So for an apathetic society, it can be said that it is not appropriate. Yes, there may be, but partially. But on average, many people report."*⁷⁶

⁷⁵ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

⁷⁶ Nasrudin Banaredi, interview, (Malang, December 8, 2025).

The researcher concluded that the word 'apathy' here still often occurs for violations that are considered minor by the community. This is evidenced by the many violations that still occur among the community which, although many have been reported, are still an ongoing culture, including the culture of increasing parking rates, or can be referred to as the practice of illegal incidental parking, especially in the Malang City Carnival.

b. Interview results with the Kelurahan Head of Malang City Kelurahan

1) Kelurahan Merjosari Head

This interview was conducted by the researcher to Moh. Saiful Arif, S.Si as the Kelurahan Head of Kelurahan Merjosari who is responsible as the Regional Stakeholder which is placed as the location for the carnival in Malang City. Some of the questions that the researcher asked along with the answers by the parties concerned are as follows:

a) Community complaints to the Kelurahan related to parking problems

Based on the results of the interview, the Kelurahan Merjosari stated that so far it has never received direct complaints from the community regarding the problem of public parking or incidental parking. The Kelurahan Head emphasized that the situation related to parking tends to be conducive and there are no negative reports that come to the Kelurahan. The Kelurahan Head also emphasized that complaints that usually arise during a big

momentum such as carnival are not about parking, but only problems around traffic congestion. Resource person said:

"Never. It's rare to find a parking spot, so what are the chances of a car crash,... If there are no complaints..."⁷⁷.

- b) Coordination between the Kelurahan and the Malang City Transportation Office in overcoming illegal incidental parking at the carnival momentum

In terms of coordination with the Transportation Office (Dishub), Kelurahan Merjosari Head explained that the main focus of coordination during the carnival momentum was not on the parking aspect, but on road use permits and traffic regulation. This is because carnival routes often use provincial roads, so coordination is carried out in stages both to the Malang City Transportation Department and the Provincial Transportation Department. Resource person said:

"Oh we coordinate not in terms of actual parking, but in terms of road use permits and traffic regulation. So if we hold an event, then the event in Merjosari is routinely held by the Merjosarian Festival. Last year the Merjosarian Festival was three. So the carnival route is not only licensed at the Malang City Transportation Department, because we use provincial roads, we go to the Provincial Transportation Department. It's just for road licensing, not for parking."⁷⁸.

⁷⁷ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

⁷⁸ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

In addition, the Kelurahan also views that the practice of parking during the carnival is difficult to manage formally due to the nature of the route that continues to move along public roads.

Resource person said:

"... All carnival implementations in Malang City must use public roads that will not emphasize parking where, not... If it's a carnival because you use all public roads, where do you want to park? We don't manage that practice."⁷⁹

In this case, even though the Kelurahan Head stated that there was no parking during the carnival that was continuously running and did not nail at one point. However, the resource person added an explanation of the strategic crowd points that usually occur during carnival. Resource person said:

"Towards the finish there is a stage to perform. Usually that's the case. There are 65 parking teams at the border of the road that will be passed, these people have friends."⁸⁰

However, in the planning of this parking situation, there are several considerations based on the reality that usually occurs, where in the implementation of carnival there are still many placement of vehicles at the end of the road during the carnival that may or may not exist, legal or not guards at certain points.

Although there is no definite direct coordination with the Malang City Transportation Office, Kelurahan Merjosari Head

⁷⁹ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

⁸⁰ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

explained that they have a different focus on carnival activities, where they focus on reducing other negative impacts that often accompany crowds, such as brawls, liquor, and firecrackers. The Kelurahan Head requires a statement of commitment from each RT/RW before approving the implementation of the event to ensure regional order⁸¹.

- c) The Kelurahan's view on synergy and cooperation in incidental parking supervision through community group empowerment

The Kelurahan Merjosari Head has a positive view of the involvement of community groups in various activities in their area, including in terms of incidental parking supervision during the carnival. The Kelurahan Head also explained that all activities in the Kelurahan are always based on community empowerment, such as involving the Youth Organization, LPMK, and Satlinmas which have been formed and supervised by him. Resource person said:

"... We are based on a community group. All of our activities in the Kelurahan Kelurahan, if it does not involve community institutions, we will not run in the Kelurahan. According to Permendagri 18 2018, the community institutions are RT, RW, LPMK, then Posyandu, PKK, and Youth Organizations. But the Kelurahan can form other institutions such as the Disaster Resilient Kelurahan, the Alert Kelurahan, the Healthy Working

⁸¹ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

Group, the Community Information Group, many of us institutions. That institution is what helps us. If we are going to be able to do that tomorrow, we will be able to do that."⁸².

Although the momentum of the Kelurahan carnival focuses more on the smooth flow of traffic, the Kelurahan Head still opens up synergy space and agrees if the community is empowered as supervisors or reporting intermediaries before being forwarded to the Transportation Office. Resource person said:

*"It's OK, just agree with the community."*⁸³.

2) Acting Kelurahan Head of Cemorokandang

The interview was conducted by the researcher with Misnan S.AP as Plt. lurah of Kelurahan Cemorokandang. Some of the questions that the researcher asked along with the answers by the parties concerned are as follows:

- a) Community complaints to the Kelurahan related to parking problems

The Kelurahan explained that complaints related to order and security, including parking, are usually directed to the Head of Pemtrantib in the Kelurahan. The resource person also admitted that every major activity such as carnival must always raise problems in the community related to the extraordinary density of vehicle volumes. However, the Kelurahan stated that despite the complaints, it was still an understandable number due

⁸² Moh. Saiful Arif, interview, (Malang, February 5, 2026).

⁸³ Moh. Saiful Arif, interview, (Malang, February 5, 2026).

to the nature of the event which is an annual folk party. Resource person said:

*"If there are complaints, there must be a complaint. It's just not that fatal. What is the most important problem... The place is too full, and maybe the road is a bit jammed."*⁸⁴.

Furthermore, the Kelurahan also added that in practice, residents in each RW tend to independently secure the parking lot in front of their own houses or areas, although sometimes there is a phenomenon of residents from outside who participate in managing. Resource person said:

*"He takes care of himself, the parking must be there. If it's here, yes."*⁸⁵.

b) Coordination between the Kelurahan and the Malang City Transportation Office in overcoming illegal incidental parking at the carnival momentum

Plt. Kelurahan Cemorokandang Head explained that every time there is a big event such as a carnival, to deal with incidental parking permits, the Kelurahan always forms a committee involving various institutions such as RT, RW, and LPMK from the 11 existing RWs. This committee will later divide technical tasks in the field, including regarding the arrangement of the area to be passed through and parking points. Resource person said:

⁸⁴ Misnan, interview, (Malang, February 11, 2026)

⁸⁵ Misnan, interview, (Malang, February 11, 2026)

"Look, if you usually come here, Mr. RT, RW, LPMK, all institutions are gathered. And then there's the annoyance. communication. Deliberation. Who is the committee."⁸⁶.

Furthermore, the resource person recommended an interview with the parties involved who know more about the form of coordination between the Kelurahan and the Transportation Department on the prevention of illegal incidental parking at the carnival momentum.

- c) The Kelurahan's view on synergy and cooperation in incidental parking supervision through community group empowerment

Kelurahan Cemorokandang gave a positive view expressing its approval of the community empowerment mechanism. According to him, the direct involvement of residents will facilitate social control because it is the community that best understands the conditions of their area. However, he emphasized that any new form of supervision must still involve official Kelurahan institutions and get approval from the event committee. Resource person said:

"It's OK to think that people are getting better. But yes, it definitely involves ANU, institutions. Approval from the committee, you know."⁸⁷.

⁸⁶ Misnan, interview, (Malang, February 11, 2026)

⁸⁷ Misnan, interview, (Malang, February 11, 2026)

Furthermore, the resource person also added that the resource person as a superior in the Kelurahan Government expressed support for the running of this mechanism. The resource person stated:

"We don't want to be in this situation, but we are here to support the Conservatives. The one who works is LPMK or the chairman of the front stage committee. Later it will be who arranges everything. The problem here is just support here."⁸⁸.

c. Interview results with the Malang City Youth Organization

1) Interview results with the Chairman of the Kelurahan Merjosari Youth Organization

This interview was carried out by the researcher to Achmad Maulana Yakin as the Chairman of the Kelurahan Merjosari Youth Organization. The following are the results of the interview from the Chairman of the Kelurahan Merjosari Youth Organization:

a) Community complaints against Karang Taruna related to illegal parking during carnival

The Kelurahan Merjosari Youth Organization admitted that it had received complaints from the community regarding parking problems during carnival events or other major activities. These complaints generally come from residents or visitors who feel objections because they have to pay for parking repeatedly due to an inefficient system of entry and exit of the event area such as when they have an urgent need to enter and exit the area.

⁸⁸ Misnan, interview, (Malang, February 11, 2026)

However, this is acknowledged because the community is admitted to be still unfamiliar and does not know the mechanism applied by the relevant guards. The resource person explained:

"If there is an event here, let alone a banteng, there will be 5,000 [five thousand] parking. He is a salesman, going in and out and out of the house. What is complained of. So pay back and forth. If the children park if the card is loved, it will be like coming back again, it will definitely not pay anymore, right?"⁸⁹.

The resource person explained that this happened at the Kelurahan Clean at the mid-2025 carnival yesterday.

b) Karang Taruna followed up on illegal parking complaints to the Malang City Transportation Office.

In handling public complaints related to incidental parking problems at the carnival that have occurred, the Chairman of the Kelurahan Merjosari Youth Organization admitted that there was no reporting to the Transportation Office. Regarding these complaints, the settlement was carried out in a family manner within Mulyosari Kelurahan. If the problem cannot be overcome at the local level, then multi-level coordination will be carried out through Babinsa, Bhabinkamtibmas, and the Kelurahan before being forwarded to the Transportation Department. The resource person explained:

"Oh, there is no (report to the Transportation Department). Internal deliberations in Mulyosari. Maybe it's an intern first,

⁸⁹ Achmad Maulana Yakin, interview, (Malang, February 14, 2026)

*ma'am. Intern first between Babinsa, Bhabinkamtibmas, sub-districts, and then if you don't penetrate it will go to the Transportation Department."*⁹⁰.

- c) Coordination of Karang Taruna with the Malang City Transportation Office in Countering Illegal Incidental Parking

Until now, the Kelurahan Merjosari Youth Organization has never coordinated directly specifically with the Malang City Transportation Office for parking matters during carnival. Parking management has been under the authority of the Kelurahan Community Empowerment Institute (LPMK) or the event committee. The resource person explained:

*"Never (related to the Malang City Transportation Office). If the licensing of parking problems is LPMK itself, Mbak. LPMK is the one in front of this in the realm of LPMK. The one who manages LPMK."*⁹¹.

The resource person explained that coordination in the field during carnival events usually involves internal elements such as Linmas, Babinsa, and Koramil to maintain vulnerable points, and the resource person does not know the specifics of coordinating with the Transportation Department.

⁹⁰ Achmad Maulana Yakin, interview, (Malang, February 14, 2026)

⁹¹ Achmad Maulana Yakin, interview, (Malang, February 14, 2026)

- d) Karang Taruna's views on synergy and cooperation in incidental parking supervision through organizational empowerment

In terms of supervision based on community participation, the Chairman of the Youth Organization welcomed and agreed with the synergy discourse or mechanism, even the Youth Organization agreed to be placed as a parking supervisory partner who would later report to the Transportation Department. However, he still emphasized the importance of respecting the internal structure of the Kelurahan in every problem-solving process in the field. Resource person said:

"If you agree, ma'am, but in this sub-district it will be resolved first between the person concerned and the one who has this problem... Karang Taruna can also do it, ma'am, if you are a supervisor. There is no burden on the children of Karang Taruna."

⁹².

Karang Taruna added that they are willing if empowered as supervisors or parking coordinators, as long as it aims for mutual order and is supported by official instructions from the relevant authorities.

- 2) Results of an interview with the Head of the Peace and Public Order Section (Kasi Pemtrantib) of Kelurahan Cemorokandang

The interview was conducted by the researcher with Malindra Disix Sukarno, S. Sos., MM. As the Head of the Kelurahan

⁹² Achmad Maulana Yakin, interview, (Malang, February 14, 2026)

Cemorokandang Government on the follow-up recommendation of the Plt. lurah of Kelurahan Cemorokandang. The reason why the Head of Pemrantib is important in this study is because the Head of Pemrantib is an official responsible for leading, coordinating, and implementing the enforcement of regional regulations (perda), fostering public order, and empowering the community related to parking in each carnival. The following are the results of the interview with the Head of the Peace and Public Order Section of Kelurahan Cemorokandang:

- a) Public complaints against the Head of Pemrantib related to illegal parking during the carnival

Regarding public complaints about illegal parking during carnival, the Kelurahan actually did not receive complaint reports directly or through the Kelurahan's official online service. The problem was actually known by the Kelurahan after complaints from residents went viral on various social media platforms. This was triggered by the policy of the parking manager (Event Organizer) which generalized the tariff for all road crossers, both event visitors and local residents who only passed. The rate set is also considered burdensome and unreasonable, triggering a wave of protests in cyberspace. Resource person said:

"There is no face-to-face reporting. It's just that he conveyed it maybe from... What... Yes, from the media, you know. That's it. So for residents affected by parking, it was conveyed

through social media, like that. If there are official complaints in person or online complaints in the Kelurahan, there is no one."⁹³.

"So eh, the special parking committee that is quoted in the EO-kan ... That's it, I can't tell which are the residents, which are the visitors. In the end, everything that crosses the road is subject to a tariff of 10,000, like that. That's what became the complaint or viral of yesterday's carnival activity, like that."⁹⁴.

b) Follow-up of the Head of Transportation on illegal parking complaints to the Malang City Transportation Office

In following up on the viral parking problem, the Head of Trantib of Kelurahan Cemorokandang confirmed that no reporting, coordination, or special copy was forwarded to the Malang City Transportation Office. The handling of this case is fully resolved locally at the Kedungkandang sector police level (Polsek) through mediation. The National Holiday Committee (PHBN) as the organizer of the event was finally summoned, evaluated, and has officially apologized as a form of problem resolution. Resource person said:

"Eh, there is none, there is no copy. So the completion was mediated at the Police Station after the activity... That is why I apologize. That's it. Because what... eh from PHBN the big day committee has been mediated with the Kedungkandang Police

⁹³ Malindra Disix Sukarno, interview (February 13, 2016).

⁹⁴ Malindra Disix Sukarno, interview (February 13, 2016).

*Chief. The point is that it is part of the evaluation and from PHBN to apologize. Like that.*⁹⁵.

- c) Coordination of the chairman of the Head of Pemrantib with the Malang City Transportation Office in dealing with illegal incidental parking

Regarding the coordination of countermeasures against illegal incidental parking with the Malang City Transportation Agency (Dishub), the Kelurahan views that the authority of the Transportation Department has certain area limitations. The Transportation Department generally only takes care of areas that are officially designated as government levy points and rarely has direct intervention in activities that are purely Kelurahan-scale. Even if there is the involvement of the Transportation Department at residents' events, it is usually only limited to technical assistance for traffic engineering due to the closure of the main road, not to take over the management of the parking lot.

"If the involvement of the Transportation Department itself is usually in traffic arrangements, if indeed if the scale is small, if those in the Kelurahans usually do not use the Transportation Department, but if the one who closes the road, that's it... of course, from PHBN it has been written. But he doesn't regulate the parking, he just regulates how to make sure the traffic is effective, like that."

⁹⁵ Malindra Disix Sukarno, interview (February 13, 2016).

*"For the Transportation Department related to parking, it also seems that there are spots that are indeed to be levied. ... But if the parking lot is in... What, in a Kelurahan like that, it doesn't seem to be within his authority."*⁹⁶.

This indirectly reflects the authorities' ignorance of the existing regulations on the technical procurement of incidental parking. So far, the Head of Pemtrantib also emphasized that there has been no form of socialization or specific guidance from the Transportation Department regarding incidental parking standards in his area. The resource person explained:

*"If the Dishub participates in socialization or coaching related to activities in residents for incidental parking, until today there has not been any."*⁹⁷.

d) The views of the Head of Pemtrantib on synergy and cooperation in incidental parking supervision through organizational empowerment

The Head of Pemtrantib expressed his approval. However, in practice so far, the Kelurahan has centralized the supervision command at one door through the Coordinator or Person in Charge (PIC) from the event organizer itself. The PIC is required to not only take care of parking, but also monitor all aspects of Public Security and Order (Kamtibmas). To maintain neutrality and representation from the apparatus, supervision in the field

⁹⁶ Malindra Disix Sukarno, interview (February 13, 2016).

⁹⁷ Malindra Disix Sukarno, interview (February 13, 2016).

also empowers the elements of community protection (Linmas) at the Kelurahan level who are directly accompanied by Babinsa and Bhabinkamtibmas. The resource person stated:

"Agreed... In practice, we actually hold the PIC from the organizer..."

"So for the field, we have handed it over from the organizers themselves, assisted by Babinsa and Babinkamtibmas and there is Linmas. So for the representation of the Kelurahan from Linmas, where Linmas is part of the partner's decree, the Kelurahan Head, a community institution in the Kelurahan."⁹⁸

B. The Role of The Malang City Transportation Agency in Conducting Community Participation-Based Supervision in Addressing Incidental Parking Law Violations at The Malang City Carnival

1. The authority and strategies of the Malang City Transportation Agency in supervision

Illegal incidental parking practices are temporary parking activities that appear at a certain event, but do not meet the provisions of the Requirements and Criteria for Parking Procedures of the Malang City Transportation Agency such as not having a permit, not in accordance with the agreed point, not using official attributes or tickets and collecting tariffs that are not in accordance with the provisions⁹⁹. In large-scale activities such as carnivals in Malang City, this practice often causes disruptions to the smooth flow of traffic which narrows the movement space of other vehicles and triggers

⁹⁸ Malindra Disix Sukarno, interview (February 13, 2016).

⁹⁹ "PERDA Kota Malang No. 3 Tahun 2015," Database Peraturan | JDIH BPK, diakses 25 Januari 2026, <http://peraturan.bpk.go.id/Details/20969/perda-kota-malang-no-3-tahun-2015>.

congestion because vehicles are parked on the road body or in areas that should not be designated for parking.

In addition, illegal incidental parking practices also have a further impact such as environmental pollution due to increased exhaust emissions because the vehicle's engine remains on when waiting in line or looking for a parking space because the vehicle stops or runs very slowly for a long time¹⁰⁰. In addition, the time wasted due to congestion and the increasingly difficult process of finding a parking space, also increases the cost of time and stress of the community. If this condition occurs repeatedly at every major event, it will indirectly have a negative impact on city productivity due to increased parking search times due to illegal parking¹⁰¹.

Article 18 paragraph (1) of Malang City Regional Regulation Number 4 of 2009 concerning parking management emphasizes that the guidance and supervision of public parking areas and/or special parking areas are carried out by the Mayor or appointed officials.¹⁰² So that normatively the authority of parking supervision is a matter for the local government whose implementation can be delegated to the technical regional apparatus. This provision is further emphasized in Article 3 paragraph (2) letter d of Malang Mayor Regulation Number 34 of 2016, which states that the Transportation Agency has functions in the administration and control of parking.¹⁰³ In other

¹⁰⁰ Tsakalidis Anastasios dan Tsoleridis Panagiotis, "The Impacts of Illegal Parking on the Urban Areas' Traffic and Environmental Conditions: The Case of the City of Thessaloniki," *Spatium* 2015, no. 33 (2015): 41–46, <https://doi.org/10.2298/spat1533041t>.

¹⁰¹ "Cruising for parking: New empirical evidence and influential factors on cruising time | Journal of Transport and Land Use," diakses 26 Februari 2026, <https://www.jtlu.org/index.php/jtlu/article/view/1142>.

¹⁰² "Microsoft Word - PERDA NOMOR 4 TAHUN 2009 TENTANG PENGELOLAAN TEMPAT PARKIR.rtf," t.t., diakses 25 Januari 2026, https://jdih.malangkota.go.id/laravel/storage/upload_file_hukum/PERDA_NOMOR_4_TAHUN_2009_TENTANG_PENGELOLAAN_TEMPAT_PARKIR.pdf.

¹⁰³ Tata dan Dinas, *Peraturan Walikota Malang Nomor 34 Tahun 2016*.

words, the Malang City Transportation Department acts as a technical implementer who carries out the Mayor's mandate in the field of parking. As for the meaning of parking, as has been emphasized by the Malang City Transportation Department, the function of parking management and supervision also refers to incidental parking, including maintaining order and parking control in large-scale activities such as¹⁰⁴ carnivals.

Based on interviews with staff of the Malang City Transportation Office¹⁰⁵, the supervision mechanism implemented during the carnival includes preventive measures such as the division of surveillance zones, the placement of patrol officers in strategic corridors, the installation of temporary signs, the establishment of checkpoints, and the regulation of flow and temporary parking lots. However, in terms of implementation, even though officers feel that they have carried out their duties in accordance with existing regulations, in the field there is still a limited capacity, both the number of personnel deployed by the Transportation Department under supervision, the rarity of *real-time coordination* between agencies in the field, and the rarely occurrence of checking official parking attendants. So that in events such as carnivals there are still loopholes that are often used by illegal parking attendants or illegal levies. The results of the interviews also show that incidental parking arrangements are based on permit enforcement, the enforcement of regional division before the carnival is held, as well as

¹⁰⁴ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, pp. 5-6.

¹⁰⁵ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, p. 6.

direct supervision through patrols with internal tasks and schedules that have been arranged for carnival supervision every day¹⁰⁶.

In the requirements and criteria for the parking implementation procedure of the Malang City Transportation Agency in the section of obligations, prohibitions, and sanctions of parking managers¹⁰⁷, there are actually quite clear stages of sanctions for parking attendants or managers who violate the rules. The sanctions start from verbal warnings, then written warning letters, to the stage of minor crimes (*tipiring*), and can even lead to the revocation of the letter of appointment, the revocation of the KTA, and the termination of parking activities. This provision shows that the Transportation Department has a strong enough basis to take action against violations not only administratively, but also in the legal realm if violations continue to be repeated. However, based on the results of research in previous research,¹⁰⁸ until now the Malang City Transportation Department has never brought cases of illegal incidental parking violations to the *Tipiring* stage. The handling carried out is still limited to giving reprimands or warning letters. Even when there are cases that are finally handled by law enforcement officials, it usually happens because of public pressure due to viral videos or news on social media, not because of direct follow-up from the sanction mechanism in the SOP. This condition shows that there is a difference between the rules that are already available and their implementation in the field. This fact is also one of the causes of the weak deterrent effect and the

¹⁰⁶ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, pp. 6-7.

¹⁰⁷ “PERSYARATAN-DAN-KRITERIA-PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf.”

¹⁰⁸ Salsabila, “Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental.”

occurrence of illegal incidental parking practices that do not recede among the people of Malang City.

The Malang City Transportation Department also has various steps to organize and control illegal parking which are recognized as having been realized. These measures are also part of efforts to reduce congestion as well as violations of the use of public spaces such as illegal incidental parking practices. These efforts are realized by joint operations with Satpol PP, TNI/Polri, cracking down on illegal parking at a number of strategic points by raiding vehicles, applying tickets to parking sign violators, regulating parking pockets in certain areas such as Kayutangan Heritage, and socializing official parking rates to suppress illegal collection practices by illegal parking attendants. However, a number of previous articles¹⁰⁹ and research¹¹⁰ still show that illegal parking remains flourishing in various corners of Malang city.

The existence of a trail of violations such as the one that occurred at the carnival in mid-2025¹¹¹, indicates that law enforcement in the field is still weak and has not achieved significant control. Previous researchers¹¹² also assessed that this phenomenon reflects the weak regulation, supervision, and clarity of the authorities in managing parking spaces which actually opens a gap for illegal parking attendants to continue operating. The resource person stated that although many concrete actions in the form of periodic control

¹⁰⁹ Admin Upload, "Wali Kota Malang Soroti Penarikan Tarif Parkir Saat Karnaval," *Suara Gong*, 31 Juli 2025, <https://suaragong.com/wali-kota-malang-soroti-penarikan-tarif-parkir-saat-karnaval/>.

¹¹⁰ Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental."

¹¹¹ Nana, "Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online."

¹¹² Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental."

have been carried out¹¹³, the practice of illegal incidental parking has not receded and continues to occur in the midst of the people of Malang City. This has become part of the community's routine, even the Kelurahan also prefers and provides a way to pay for it to avoid conflicts and utilize the phenomenon as a common mechanism that is included in the HTM event¹¹⁴.

Parking management at events such as carnivals must follow regional levy rules in order to create legal certainty, transparency, accountability, and legal protection for the public as parking service users. The main legal basis comes from Article 110 paragraph (1) letter e of **Law Number 28 of 2009** concerning Regional Taxes and Regional Levies, which emphasizes that parking services on the side of public roads are the object of public service levies. This provision then requires the local government to establish local regulations as the basis for official collection, so that any parking levy carried out without the basis of local law can be categorized as an illegal levy. The arrangement in Malang City has been updated through Article 59 of the Malang City Regional Regulation Number 4 of 2023 concerning Regional Taxes and Regional Levies and the previous regulation in Regional Regulation Number 3 of 2015, which states that parking services on public roadsides are the provision of parking services determined by the Regional Government in accordance with the provisions of laws and regulations. Furthermore, Article 60 states that the subject of the levy is an individual or entity that uses the parking lot provided by the local government, so that every

¹¹³ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, pp. 6-7.

¹¹⁴ See the results of the research, especially in the results of the interview with the Kelurahan, pp. 15-17.

official parking user has a legal obligation to pay the levy according to the predetermined rate.

Specifically regarding parking at incidental activities such as carnivals, festivals, night markets, or other crowded events, Appendix III Malang City Regulation Number 4 of 2023 expressly regulates the amount of incidental parking mention the tariff is set to create official standards so that there is no arbitrary withdrawal of tariffs by illegal parking attendants and activity committees. For trucks, buses, and minibuses, the incidental parking fee is IDR 20,000 per parking lot, for sedans, jeeps, pick-ups, and the like is IDR 5,000 per parking lot, while for motorcycles it is IDR 3,000 per parking lot. This rate is different from regular public roadside parking which has a lower rate, namely motorcycles of IDR 2,000 and sedans of IDR 3,000 per parking lot. Thus, at the time of the carnival that uses the incidental parking scheme, the public is obliged to pay according to the official tariff and it is not allowed to levy outside the provisions of the regional regulation.

In addition to the obligation to pay the levy, the legality of official parking is also determined by the provision of parking tickets as valid proof of payment. In the Article 23 Malang City Regulation Number 3 of 2015 it is stated that the levy period for parking services on the side of public roads is when a ticket is given. This provision shows that tickets are not only administrative tools, but also legal evidence of the existence of a service relationship between parking attendants and service users. The ticket is the basis for the public to demand responsibility in the event of vehicle loss, damage, or misuse of the levy by parking officers. If the parking user does not receive an official ticket, then the public has the right to question the

legality of the levy and even refuse payment because it does not meet the administrative elements of the regional levy.

The discussion of the authority and strategy of the Malang City Transportation Office in supervising and overcoming violations of incidental parking laws is not only directed to the Malang City Transportation Office, but also the involvement of other parties needed in supervision. The analysis of the rights and obligations of each party is as follows:

- a. The Transportation Office as the leading sector in the implementation of incidental parking at the Malang City carnival plays a major role that cannot be transferred to other parties, although in its implementation it still requires the support of various actors. This is affirmed in Article 18 paragraph (1) of Regional Regulation of Malang City Number 4 of 2009 which states that "The guidance and supervision of the activities of public parking lots and/or special parking lots is carried out by the Mayor or appointed officials." This provision clearly places the Transportation Department as the implementer of the parking supervision mandate. Furthermore, Article 3 paragraph (2) letter d of Malang Mayor Regulation Number 34 of 2016 states that "The Transportation Agency has the function of organizing and controlling parking," which shows that the Transportation Department not only plays the role of a supervisor, but also as an organizer of the parking system as a whole, including incidental parking in carnival activities. Additionally, Article 15 letter a Law Number 25 of 2009, states "The Organizer is obliged to compile and establish service standards," which means that the Transportation Department must ensure the existence of

operational standards in the implementation of parking. Meanwhile, Article 36 paragraph (1) states that "Organizers are obliged to manage complaints from service recipients," which shows that supervision cannot run without community participation. Thus, even though the Transportation Department is the main actor in the implementation of incidental parking, the effectiveness of supervision still depends on the involvement of other parties as part of an interconnected system.

- b. In this framework, the community occupies a strategic position as a party that is directly in contact with incidental parking practices, so that it has an important role in supporting the supervisory function of the Transportation Department. The rights of the community as service users are protected under Article 4 letter a Law Number 8 of 1999 concerning Consumer Protection states "The right to comfort, security, and safety," and letter c which states "The right to true, clear, and honest information." This provision indicates that the public has the right to get parking services that are in accordance with standards and transparent. In addition, Article 4 letter h affirms "The right to compensation, compensation, and/or reimbursement," which strengthens the position of the community in the event of a violation. However, the community also has obligations, such as paying official levies as stipulated in Article 60 of Regional Regulation Number 4 of 2023 and acting in good faith as stated in Article 5 letter a of the Consumer Protection Law. In the practice found in this study, the community not only plays the role of users, but also as the main source of information through reporting violations. Therefore, the existence of

the community becomes the initial element in the chain of supervision, which then requires regulation and facilitation from the government at the regional level.

- c. This role is then accommodated by the Kelurahan as a government apparatus that has direct proximity to the community, so that it functions to regulate, direct, and maintain order in the local context. Article 25 of Government Regulation Number 17 of 2018, it is stated that "The Kelurahan Head is in charge of carrying out community empowerment, maintaining peace and public order," which shows that the Kelurahan has a responsibility in creating orderly regional conditions. This is reinforced by Article 8 of Regional Regulation of Malang City Number 8 of 2008 which states that the Kelurahan head organizes government, development, and community affairs, which in the context of incidental parking includes the control of community activities during carnival. Additionally, Article 225 paragraph (1) of Law Number 23 of 2014 emphasizes the role of community empowerment by the Kelurahan, which in practice is realized through community organizing and the formation of a commitment to order. In this study, the Kelurahan plays a role as a liaison between community reports and the Transportation Department, as well as a party that ensures order at the local level before further action is taken. Thus, the community that previously acted as a reporter was directed and facilitated by the Kelurahan to become part of a more structured supervision system.

- d. Furthermore, in the technical implementation in the field, the Kelurahan does not work alone, but appoints and involves community organizations such as Karang Taruna as implementers or supervisory executors. This has a normative basis in Article 1 point 1 of Minister of Social Affairs Regulation Number 25 of 2019, which defines "Karang Taruna is a youth social organization as a forum for the participation of the younger generation." This provision shows that Karang Taruna has legitimacy as a representation of the community in social activities, including supervision. Based on the results of interviews in this study, Karang Taruna is actively appointed by the Kelurahan to be directly involved in parking supervision during carnival, both in the form of field monitoring and the delivery of information to the Transportation Department. This role makes Karang Taruna an extension of the Kelurahan as well as an operational partner of the Transportation Department in the field. Thus, continuity between the community and the government does not stop at the reporting stage, but continues on direct involvement in oversight through organizations that have a clear structure and coordination.
- e. As for the operational level, incidental parking operators and parking attendants are the parties who directly carry out parking activities, so that their obligations are an important part of maintaining the overall order of the system. Articles 59–60 of Regional Regulation Number 4 of 2023 stipulate that parking operations must comply with official provisions, including administrative requirements and levy systems. This is reinforced by Article 23 of Regional Regulation Number 3 of

2015, which establishes tickets as valid proof of payment, serving as a control mechanism against illegal levies. Additionally, Article 13 of Law Number 9 of 1998 states that event organizers must maintain public order, emphasizing that parking organizers cannot act outside legal control. For parking attendants, liability for vehicle security is governed by Article 1365 of the Civil Code, "Every unlawful act that causes loss requires the perpetrator to compensate for damages." This provision shows that violations by field implementers not only have administrative impacts, but can also have legal consequences. Therefore, the parking implementer becomes the end point in the chain of supervision, which determines whether the system that has been built by the Transportation Department, the community, the Kelurahan, and the Youth Organization can run according to the provisions.

- f. In addition, under certain conditions, the implementation of supervision can also involve cooperation between agencies to strengthen the effectiveness of control in the field. This shows that even though the Transportation Department is the main actor in the implementation of incidental parking, the implementation in the field is still collaborative and situational as needed. Thus, this entire series shows that incidental parking supervision in the Malang City carnival is a tiered system, starting from the main authority of the Transportation Department, strengthened by community participation, regulated by the urban Kelurahan, carried out by the Youth Organization, and run by parking implementers in the field.

It can be emphasized that in the practice of implementing carnival parking in Malang City, agencies, communities or individuals who organize the event must first coordinate with the Transportation Department to obtain incidental parking permits. The permit includes the determination of parking points, traffic flow regulation, the number of official parking officers, and tariff adjustments according to the provisions of the regional regulation. The Transportation Department has the authority to supervise and regulate parking so that parking does not cause congestion, does not disturb public order, and does not become a loophole for illegal collection practices. The Kelurahan or the event committee is responsible for ensuring that the parking officers used are registered official officers and that all the results of the levy collection are correctly recorded as regional revenue. Meanwhile, the public has the right to obtain safe parking services, clear rates, and official tickets, and has the obligation to pay according to the regional regulation rate and report if there is a levy that exceeds official provisions.

The urgency of such supervision is heightened by Malang City's challenges in optimizing local revenue (PAD), particularly from regional taxes and levies. Recent reports indicate that the city's 2025 tax revenue target was significantly adjusted from approximately IDR 1 trillion to IDR 840 billion, a reduction of IDR 160 billion. This adjustment reflects changes in revenue structure and realistic capacity, requiring stricter measures to prevent revenue leakage. In the regional levy sector, by the end of 2025, the target of IDR 311.8 billion was only realized at approximately IDR 218.6 billion, indicating weaknesses in supervision and collection. In this context, incidental parking at large events like carnivals becomes a vulnerable point

for revenue leakage if not strictly monitored, as illegal charges often occur without permits, tickets, or proper remittance to the regional treasury. Therefore, synergy between legal frameworks, official permits, ticket usage, and community participation is essential to prevent illegal parking practices and ensure that parking levies contribute to regional income rather than becoming unlawful charges.¹¹⁵.

Overall, it can be interpreted that the authority to supervise incidental parking in Malang City actually has a fairly clear legal basis. The Transportation Agency (Dishub) is mandated to control parking through the Mayor Regulation of Malang City Number 34 of 2016. However, from the perspective of administrative law supervision theory, this condition shows a gap between the regulation and its implementation. Surveillance theory asserts that effective surveillance is not enough to have a basis of authority, but must also be supported by clear standards, continuous monitoring, and integrated corrective actions¹¹⁶. However, judging from the description above, the sectoral work carried out by the Malang City Transportation Department without involving crucial parties such as the Kelurahan who admitted in the interview that they did not comply with incidental parking rates in the procurement of¹¹⁷ carnivals, is still far from effective and has not touched a truly comprehensive control.

¹¹⁵ “Target Pajak Daerah Kota Malang Turun Rp 160 Miliar,” Target Pajak Daerah Kota Malang Turun Rp 160 Miliar, diakses 28 April 2026, <https://radarmalang.jawapos.com/kota-malang/2411060031/target-pajak-daerah-kota-malang-turun-rp-160-miliar>.

¹¹⁶ “Sistem pengawasan terhadap perbuatan aparat pemerintah dan peradilan tata usaha negara di Indonesia disusun oleh Muchsan | Dinas Perpustakaan dan Arsip Daerah DIY,” diakses 27 Februari 2026, <https://balaiyanpus.jogjaprov.go.id/opac/detail-opac?id=41658>.

¹¹⁷ See the results of the research, especially in the results of interviews with the Kelurahan Authority.

Supervision theory has the goal of creating order and compliance with rules¹¹⁸. From the evidence of illegal incidental parking practices at the Malang City carnival which remain repeated and even internalized as a habit such as the data mentioned above, it shows that the supervisory function of the Transportation Department over the supervision of incidental parking practices at the Malang City carnival which is currently still not achieving this goal. From the results of the interviews, the work pattern of the Transportation Department is still predominantly reactive by emphasizing that there must be an official permit for activities first or act on problems after public reports appear¹¹⁹. In fact, in the theory of government supervision, preventive supervision should be placed in front as an early prevention effort before violations occur¹²⁰.

The attitude of the Transportation Department that states the limitations of authority in the interview, such as the affirmation that it does not have supervisory authority if the activity is not licensed, shows a tendency for supervision that is too procedural. This makes the supervision space narrow and limited, especially in community activities that run without initial coordination. The approach taken by the Transportation Department to date has also not fully reflected the urgency of the presence of the state which should be more proactive in anticipating and supervising spaces that tend to be prone to violations in this modern era¹²¹.

¹¹⁸ “Pengantar Manajemen - Cia Cai Cen - Google Buku.”

¹¹⁹ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, pp. 6-7.

¹²⁰ “Buku Pengawasan Pemerintahan.pdf,” t.t., diakses 27 Februari 2026, <http://eprints2.ipdn.ac.id/id/eprint/488/1/Buku%20Pengawasan%20Pemerintahan.pdf>.

¹²¹ “Governance and Development,” Text/HTML, World Bank, diakses 27 Februari 2026, <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/604951468739447676>.

2. The urgency of involving community participation in the supervision of illegal incidental parking at the Malang City carnival

From the various efforts that have been carried out by the Malang City Transportation Agency, as mentioned by the resource persons in the interview¹²² and mentioned in previous research¹²³, even from the evidence of the incident of illegal incidental parking practices at the Malang City carnival in mid-2025¹²⁴ shows that this role is not fully effective due to the lack of resources that cause delays in the arrival of information due to the implementation of carnivals in a large area, weaknesses in sanctions enforcement, and operational coordination gaps that allow illegal incidental parking practices to continue to recur¹²⁵. This proves that there are still many loopholes that are used by illegal parking attendants or illegal levies.

The problem of supervision of the Transportation Department which is still arguably less responsive to the problems that occur in, makes the mechanism of community participation in the supervision of illegal incidental parking is urgently needed. This is in line with the theory of community participation by Conyers (1994) which states that community participation is a tool to obtain information about the conditions, needs and attitudes of the local community¹²⁶. In this theory, the form of community participation is not only understood in the form of symbolic participation, but as an active subject who can directly monitor problems in their environment so that the

¹²² See the results of the research, especially in the results of the interview with the staff of the Malang City Transportation Office, p. 6.

¹²³ Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental."

¹²⁴ Nana, "Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online."

¹²⁵ Salsabila, "Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidental."

¹²⁶ Ricky Wirawan dkk., "Partisipasi Masyarakat dalam Perencanaan Pembangunan Daerah," *Jurnal Ilmu Sosial dan Ilmu Politik Universitas Tribhuwana Tungadewi* 4, no. 2 (2015): 42434.

information provided is more accurate and in accordance with field conditions.

The involvement of this participation indirectly serves to reduce the distance between the government and the community, because through the participation of the community more open two-way communication is created. Community participation will be an efficient solution to the problem of laxity in the supervision of illegal incidental parking practices at the Malang City carnival without charging any party because community participation puts people who were originally victims, into supervisors who can express complaints about the rampant practice of illegal incidental parking. In addition, community involvement can also foster a sense of ownership of the policies implemented, so that participation is no longer just a complement that can be ignored, but an important part of building a more responsive and sustainable supervisory system.

Although the participatory policy framework for the procurement of complaint websites such as "sambat online"¹²⁷ or Instagram of the Malang City Transportation Agency¹²⁸ has been adopted¹²⁹, in practice there are obstacles such as low public awareness of the reporting mechanism, unclear complaint procedures, and even long response times. These obstacles prove that the mechanism and policy of community participation have never been implemented optimally before. Some people, as explicitly admitted by the staff of the Transportation Department in interviews¹³⁰, are still apathetic for

¹²⁷ *The website* can be accessed at [the https://sambat.malangkota.go.id/ link](https://sambat.malangkota.go.id/)

¹²⁸ Instagram can be accessed at [the https://www.instagram.com/dishubmalangkota/ link](https://www.instagram.com/dishubmalangkota/)

¹²⁹ See the results of the research, especially in the results of interviews with the staff of the Malang City Transportation Office, p. 17.

¹³⁰ See the results of the research, especially the results of interviews with the staff of the Malang City Transportation Office, pp. 14-15.

the reason that the reporting facilities are not clear and are still not known to the public. The above information requires a clear mechanism in handling, because the more structured and communicative the involvement mechanism offered, the higher the public's enthusiasm to provide their ideas, suggestions, and energy¹³¹.

The clarity of the flow of supervision over illegal incidental parking practices in carnival activities basically depends on the activeness of the Transportation Agency (Dishub) as the main coordinator. The Transportation Department needs to be more proactive to build communication and cooperation with all parties involved, ranging from the Kelurahan, the Youth Organization, to the community. This active role is important so that the supervision mechanism is not only formal on paper, but truly implemented in the field. This is also in line with Mayor Regulation of Malang Number 34 of 2016 Article 6 paragraph (2) letter d, which emphasizes that the Transportation Agency has the duty to carry out guidance and organize public relations in the transportation sector.

In this scheme, the community functions as an informal supervisor who conducts direct monitoring of alleged parking violations. This form of supervision can be in the form of documentation through photos or videos, as well as submitting reports and complaints from residents regarding inconvenience due to incidental parking during the carnival in the Kelurahan area. With active coordination from the Transportation Department, community participation can be more directed, response to violations can be

¹³¹ OECD, *Citizens as Partners: OECD Handbook on Information, Consultation and Public Participation in Policy-Making* (OECD, 2001), <https://doi.org/10.1787/9789264195578-en>.

faster, and the goal of maintaining traffic order in the community environment is easier to achieve¹³².

The problems related to the weak supervision of incidental parking as described in the previous section have basically shown that the handling that only relies on the government or the Transportation Department has not been fully able to reach the dynamics of violations in the field. Delay in response, limited personnel, and distance supervision are factors that open up space for repeated violations. Therefore, community participation-based supervision is urgently needed as a solution to close the supervision gap.

By placing residents as part of participatory supervisors, potential violations can be identified faster because the community is closest to the scene of the incident¹³³. The presence of residents is expected to allow direct communication with those who commit violations such as the collection of tariffs that are not in accordance with the provisions¹³⁴. The need for community participation-based supervision is also in line with the legal framework of local government. Article 354 paragraph (1) of Law Number 23 of 2014 concerning Regional Government explicitly mandates that regional governments must encourage community participation in the administration of regional governance, including efforts to maintain order and public interest.

¹³² “DASAR-DASAR-MANAJEMEN.pdf,” t.t., diakses 27 Februari 2026, https://www.researchgate.net/profile/Bravo-Press/publication/390037890_DASAR-DASAR_MANAJEMEN/links/67dcd392fe0f5a760f5b4734/DASAR-DASAR-MANAJEMEN.pdf.

¹³³ “(PDF) World Development Report 2004: Making Services Work For Poor People,” diakses 27 Februari 2026, https://www.researchgate.net/publication/44831660_World_Development_Report_2004_Making_Service_s_Work_For_Poor_People.

¹³⁴ Database Peraturan | JDIH BPK, “PERDA Kota Malang No. 3 Tahun 2015.”

This communicative approach between citizens is important to prevent minor violations from being considered commonplace, because if left unattended for too long, the practice has the potential to cause unrest and damage public order. In addition, community involvement is also in line with the demands of modern governance which emphasizes the need for the government to be more proactive and collaborative with the public in the supervisory function¹³⁵. The community is expected to be able to channel their aspiration rights if they feel burdened by the practice of illegal incidental parking at the carnival with all kinds of violations.

In its realization, the community that is appointed to be the accommodator of aspirations, can be in the form of groups or individuals who are trusted in each Kelurahan. Based on interviews conducted by researchers, the two Kelurahan parties actually agreed on this mechanism and will entrust the position to the task of community groups¹³⁶. As explained by the Kelurahan Merjosari, if this mechanism is implemented, the responsibility is entrusted to the Kelurahan Community Empowerment Institution (LPMK) and is run by the Youth Organization¹³⁷.

Article 1 point 1 of Minister of Social Affairs Regulation Number 25 of 2019 concerning Karang Taruna states that Karang Taruna is a youth social organization at the Kelurahan or sub-district level that functions as a forum for youth participation in social community activities. In the context of the carnival, the position of Karang Taruna is considered the most appropriate to conduct direct supervision of illegal incidental parking practices because they

¹³⁵ OECD, "Government at a Glance 2023," *Government at a Glance 2023* (Juni 2023), <https://doi.org/10.1787/3d5c5d31-en>.

¹³⁶ See the results of the research, especially in the results of the interview with the Kelurahan, pp. 15-22

¹³⁷ See the results of the research, especially in the results of the interview with the Kelurahan, pp. 16-18.

are closest to the community, understand field conditions, and are usually involved in the event committee. However, interview results show that Karang Taruna of Merjosari Sub-district has not yet established formal coordination with the Transportation Agency¹³⁸. The Kelurahan stated in the interview that it has never officially determined incidental parking because so far it has relied on crowd permits from the police, if viewed from the perspective of the *ius constituendum*, the Kelurahan still needs the idea of a clearer coordination mechanism as an anticipatory step if at any time the problem of incidental parking arises due to the increasing intensity of the carnival.

The absence of an active coordination mechanism indicates that the role of the sub-district administration is still relatively passive. In fact, Article 229 paragraph (4) of Law Number 23 of 2014 in conjunction with Article 4 of Government Regulation Number 17 of 2018 concerning Sub-districts places the head of sub-district (lurah) as the executor of community empowerment and the maintenance of public peace and order in their area. This condition indicates the need to strengthen the role of the Kelurahan more proactively within the framework of the *ius constituendum*. The Kelurahan needs to strengthen its role as the closest coordinator who proactively fosters, directs, and oversees community participation in supervising incidental parking practices in every carnival event.

The reality that has been happening so far, when viewed from the Kelurahan, the application of the community as a parking supervisor will be very difficult to implement. This argument occurred because so far in

¹³⁸ See the results of the research, especially in the results of the interview with the Kelurahan, pp. 15-22

accordance with the interviews conducted¹³⁹, the Kelurahan has become a body that supports and ignores the regulation of special tariffs in the procurement of incidental parking that occurs every carnival such as the implementation of parking rates in conjunction with HTM which causes inconsistency with the provisions in the regulations¹⁴⁰. The withdrawal in question is carried out by combining the withdrawal of parking fees as well as HTM which in the explanation of the resource person is used as accommodation costs at each event¹⁴¹.

Based on the facts that have been mentioned, in accordance with the results of interviews in two Kelurahans that have been carried out by researchers, it was agreed that there is a new mechanism in the form of the implementation of supervision assistance against illegal parking based on community participation¹⁴². The approval from the Kelurahan shows the availability of the Kelurahan as a party that will later become the coordinator or bodyguard of the illegal incidental parking supervision mechanism based on community participation.

Looking at the various conditions that occur, incidental parking supervision at the Malang City carnival is no longer enough if it only relies on the supervision that has been carried out by the Transportation Office. The vastness of public space that makes the scope of supervision limited requires a collaborative mechanism with the community to be able to expand supervision to the closest point to the community. The involvement of

¹³⁹ See the results of the research, especially in the results of the interview with the Kelurahan, p.

¹⁴⁰ Database Peraturan | JDIH BPK, "PERDA Kota Malang No. 3 Tahun 2015."

¹⁴¹ See the results of the research, especially the results of the interview with the Kelurahan, pp. 15-16.

¹⁴² See the results of the research, especially the results of the interview with the Kelurahan, pp. 18-22.

residents through participatory supervision supported by the coordination of the Kelurahan through Karang Taruna, is the answer to the urgency in closing the gap in violations that have been repeating so far. The sooner information on alleged violations is received from the public, the faster control actions can be taken, so that traffic order problems and violations of illegal incidental parking practices in every carnival can be resolved on an ongoing basis.

3. The implementation mechanism of community participation-based supervision by the Malang City Transportation Agency at the Malang City carnival

The flow of supervision based on community participation in the Malang City carnival from the community to the Dishub is to make the Dishub remain the main supervisor and holder of regulatory authority. Community participation does not replace the Transportation Department, but rather becomes a prevention tool and evidence support so that the Transportation Department can act faster and on target. In order for the flow to be effective and not convoluted, the chain of supervision is made one door, where residents or visitors report to the Youth Organization as *a verifier* and then the report is given to the Transportation Department who will be the *executor*.

Residents or visitors act as early reporters because they are the ones who see the incident the fastest. For example, there is an unreasonable fare collection, parking at an unreasonable point, no official tickets, etc. This model places the public as an *early warning system* that accelerates the

government's response to potential violations¹⁴³. However, in this reporting model, residents must have various forms and nature of reports, sometimes emotional and even incomplete, so this needs to be filtered so as not to burden the Transportation Department. This is where Karang Taruna functions as an institution that best understands the state of the local community that can accommodate the aspirations of residents, ensure clear and fact-based reports.

Theoretically, community involvement in incidental parking supervision mechanisms is in line with the concept of community participation in modern public governance. According to Conyers, community participation is important because the community is the party that knows the needs and problems in their environment and can increase the effectiveness of the implementation of government programs¹⁴⁴. In the context of carnival supervision, residents act as early reporters who have the fastest access to information on potential violations. However, effective participation is not enough to just open up a reporting space, but must be equipped with a structure that is able to channel aspirations in a directed manner. At this point, the placement of Karang Taruna as a verifier becomes relevant because it is able to bridge citizens' reports so that they are not raw and emotional before being forwarded to the Transportation Department.

In modern governance, the involvement of Karang Taruna as a verifier is in line with the principle of community participation in *good governance*,

¹⁴³ "Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave Highlights | PDF," diakses 27 Februari 2026, <https://www.slideshare.net/slideshow/innovative-citizen-participation-and-new-democratic-institutions-catching-the-deliberative-wave-highlights-235704427/235704427>.

¹⁴⁴ Diana Conyers dan Peter J. Hills, *An Introduction to Development Planning in the Third World* (Wiley, 1984).

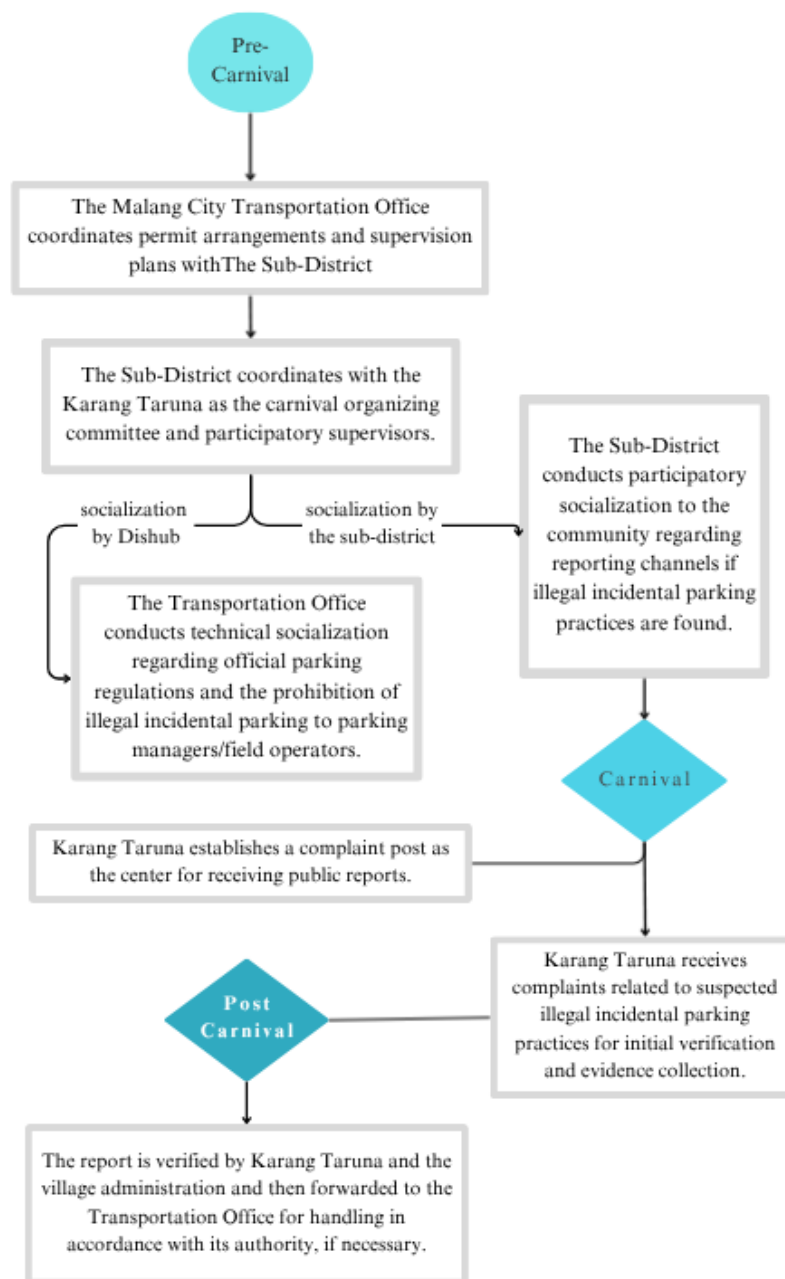
where the community is given space to be involved in the supervisory process without taking over the government's authoritative functions¹⁴⁵. This report is then forwarded to the Transportation Department as a report that is ready for action. The function of Karang Taruna which is often involved in managing carnivals and agreeing to play a role in this mechanism also supports its involvement in this reporting. Regarding the proposal of the Transportation Department in the interview¹⁴⁶, by appointing 1 community representative who is praised can be placed as a field supervisor who helps calm the situation in the event of a conflict, however, it still places Karang Taruna as a supervisory institution in its implementation.

The flow of supervision of incidental parking practices at the Malang City carnival is as follows:

Figure 4. 3 Flow of Community Participation-Based Supervision Mechanism

¹⁴⁵ “Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave Highlights | PDF.”

¹⁴⁶ See the results of the research, especially in the results of the interview with the staff of the Malang City Transportation Office, p.11.



The flow describes the supervision of incidental parking practices at the Malang City carnival in stages through the pre-activity, during the activity, and post-activity phases as follows:

1. Pre-carnival, In the pre-activity stage, the Transportation Department conducts initial coordination with the Kelurahan to ensure the readiness

of supervision, which is then followed up by the Kelurahan by coordinating with the Youth Organization as the field implementer. This stage is also filled with socialization to the public regarding the prohibition of illegal incidental parking and the introduction of reporting channels.

2. During the carnival, Karang Taruna formed a complaint post and received community reports as a form of participatory supervision.
3. After the carnival, at the stage after the event is over, Karang Taruna and the Kelurahan verify the report, then the verified report is forwarded to the Transportation Office if further handling is needed. With this flow, supervision is expected to run more systematically, responsively, and still place the Transportation Department as the main supervisor.

In its implementation, the mechanism for supervising community participation is carried out by: First, residents submit reports to the Karang Taruna post orally or in writing, either in writing or with contacts owned by residents. The minimum format should convey the location, time, type of violation, and if possible photo/video evidence. Second, Karang Taruna conducts quick verification to ensure that the report is not mistargeted that proves the existence of illegal incidental parking practices that occur, and the location is valid. Third, Karang Taruna sends a neat summary to the authorized members of the Transportation Department or has been promised a previously verified report for follow-up. Theoretically, this pattern of reporting, verification, and action reflects the character of preventive supervision in the law, which is supervision directed at detecting and

preventing violations as early as possible before they cause wider impacts. Preventive supervision is seen as more effective because it places the control function at the early stage of the government process¹⁴⁷.

The role of the Transportation Department in this mechanism remains the core supervisor by affirming members as a reporting channel that provides technical limits on what is considered a violation, and takes disciplinary action according to its authority¹⁴⁸. Provisions regarding the role of the Transportation Agency in fostering relations with the community also obtain a legal basis from Mayor Regulation of Malang Number 34 of 2016 Article 6 paragraph (2) letter d, which emphasizes that the Transportation Agency has the duty to carry out guidance and organize public relations in the transportation sector. This regulation strengthens the legitimacy of community involvement in the incidental parking supervision mechanism which is structurally mandated by the Transportation Department to build communication and partnerships with the community.

In this mechanism, the Kelurahan as an institution above the Youth Organization, it is safer to be placed as a party that knows the existence of this mechanism as a general coordination and *controller* without holding the flow of reports. By placing Karang Taruna as a reservoir of aspirations, the mechanism becomes more efficient, participatory, and close to residents to avoid the problems of community involvement that have been discussed previously¹⁴⁹. With the mechanism that has been mentioned, it is hoped that

¹⁴⁷ “Sistem pengawasan terhadap perbuatan aparat pemerintah dan peradilan tata usaha negara di Indonesia disusun oleh Muchsan | Dinas Perpustakaan dan Arsip Daerah DIY.”

¹⁴⁸ Database Peraturan | JDIH BPK, “PERWALI Kota Malang No. 34 Tahun 2016.”

¹⁴⁹ See the results of the research, especially in the results of the interview with the staff of the Malang City Transportation Office, p. 14.

community involvement is not just wishful thinking, but a manifestation of the efficiency desired by the community as well. Because so far people who are considered apathetic can occur because the mechanism is poorly known, difficult to reach and lacks efficiency.

C. The Perspective of Sadd Al-Dhari'ah on The Role of The Malang City Transportation Agency in Conducting Community Participation-Based Supervision to Address Incidental Parking Law Violations at The Malang City Carnival

Sadd al-dhari'ah in ushul fiqh functions as a preventive principle by closing opportunities for actions that are not inherently unlawful, but are very likely to be the entrance to damage (*mafsadah*). In the legal context, it can be interpreted that actions that are legally permissible or neutral can still be restricted if there is a strong indication that greater violations will arise from them. An example of the implementation of *sadd al-dhari'ah* that has been implemented is how Islamic social institutions in Central Java apply *sadd al-dhari'ah* to limit business licenses or public activities that have the potential to harm the community, so as to avoid before negative impacts occur¹⁵⁰. The existence of this principle has also been recognized in several previous studies that *preventive measures* are significantly more effective in reducing the risk of public violations. The real manifestation of *sadd al-dhari'ah* in the Malaysian study is the implementation of early prevention measures through education and regulation before major problems arise¹⁵¹.

¹⁵⁰ Ahmad Izzuddin Ahmad Munif, "Nahdlatul Ulama, Social Problem, and Preventive Principle | Request PDF," 2021, https://www.researchgate.net/publication/349626242_Nahdlatul_Ulama_Social_Problem_and_Preventive_Principle.

¹⁵¹ Nazerah Mustafa dkk., "The Concept of Sad Al-Dhara'i' (Blocking the Means) Related to Preventive and Rehabilitation in Sexuality Education in Malaysia," *MENARA : Journal of Islamic and Contemporary Issues* 2, no. 2 (2021): 74–92.

In this study, if parking permits or temporary parking abilities at public events without adequate supervision will be a means for illegal parking practices that are detrimental to the public interest, then *sadd al-dhari'ah* encourages the government to take actions such as establishing proper incidental parking locations, patrolling every incidental parking implementation, and reporting standards before violations occur. Within the framework of *sadd al-dhari'ah*, the preventive function of the law is the basis for the government to implement pre-emptive supervision of all conditions that have the potential to be an entry point for violations, especially in the context of parking at mass events such as carnivals. This means that although temporary parking on the shoulder of the road formally does not violate the regulations in principle, however, the government is authorized to regulate, restrict, or close access to these opportunities if there is evidence that shows a strong tendency that illegal practices such as illegal levies, careless parking, congestion, or even safety disturbances will develop from there. This *sadd al-dhari'ah approach* is an anticipatory step, not merely a repressive step after a violation has occurred with the aim of realizing the protection of the public interest (*maslahah*).¹⁵²

The Malang City Transportation Office, as one of the public supervisory institutions, has a moral and legal responsibility to take preventive measures that prevent the community from social, economic, and safety damage. This is in line with the concept of *dar' al-mafasid* in ushul fiqh which emphasizes that protection against harm (*mafsadah*) must take precedence over the pursuit of benefits (*jalb al-*

¹⁵² Laizatunorhasikin Mohd Adom Wan Zulkifli Wan Hassan, "(PDF) Theory and Application of Sadd al-Dhara'i' (Blocking the Means) in Curbing Crime in Malaysia," 2022, https://www.researchgate.net/publication/359874203_Theory_and_Application_of_Sadd_al-Dhara'i'_Blocking_the_Means_in_Curbing_Crime_in_Malaysia.

mashalih).¹⁵³ *Dar' al-mafasid* is the substantive goal (*al-ghayah*) of the application of *sadd al-dhari'ah*¹⁵⁴. In the context of illegal incidental parking supervision at carnivals, this responsibility requires the Transportation Department to establish strict regulations, strengthen field supervision, and optimize coordination between stakeholders so that potential violations do not develop into greater damage as previously described. The principle of *dar' al-mafasid* provides a basis for the government not to wait for reports or major losses to appear, but to proactively identify the vulnerable points, conduct risk assessments, and take administrative and operational measures that are set from the beginning.

According to Al-Burhani, there are three pillars in *sadd al-dhari'ah*:

1. The original thing is *mubah* which becomes the will. Among them there are three scopes, namely:
 - a. The thing or act is intended for something else,
 - b. The act is intended for the act itself.
 - c. This act is the initial basis for an intermediary.
2. Strong accusation (*al-ifda'*) / bridge between the initial act and the forbidden act.
3. The end result is the forbidden *mafsadah* (*al-mamnu'*)¹⁵⁵.

If analyzed using the three pillars of *sadd al-dhari'ah* as explained by al-Burhani, then the supervision practice of the Malang City Transportation Department has fulfilled these pillars. First, the principle of original deeds is illustrated in the policy of granting incidental parking permits on the shoulder of

¹⁵³ Ahmad Gazali, "MAQASID AL-SYARIAH DAN REFORMULASI IJTIHAD SEBAGAI SUMBER HUKUM ISLAM," *Alhadharah: Jurnal Ilmu Dakwah* 18, no. 2 (2019), <https://doi.org/10.18592/alhadharah.v18i2.3133>.

¹⁵⁴ Muhamad Takhim, "Saddu Al-Dzari'ah Dalam Muamalah Islam," *AKSES: Jurnal Ekonomi Dan Bisnis* 14, no. 1 (2019), <https://doi.org/10.31942/akses.v14i1.3264>.

¹⁵⁵ Ahmad Munif, "(PDF) Penerapan Sadd Dhari'ah Pada Bidang Muamalah."

the road during carnivals, which is legally allowed to support the order of the event. Second, the harmony of strong suspicions leading to damage (*al-ifda'*) arises when the limited personnel of the Transportation Department in the field create a wide gap for violators of illegal incidental parking during carnival to levy above the official rate. If left unsupervised by the community, then disobedience in the form of extortion of visitors' property will inevitably occur. Third, the harmony of the existence of prohibited things (*al-mamnu'*) as the final result, in this case is the practice of illegal incidental parking which is clearly contrary to the principle of *hifdz al-mal* (protection of property) in *Maqashid Shariah*. Therefore, the move by the Transportation Department to include supervision based on community participation to close these gaps is a tangible form of practicing the *sadd al-dhari'ah* pillar to stop *wasilah* that leads to economic tyranny in the public space.

Wahbah Zuhaili maps out two main possibilities that are the basis for prohibiting an action through the lens of *sadd al-dhari'ah*. First, seen from the aspect of the intention or motive of the perpetrator where if an act that is originally *halal* is done with a hidden intention to achieve something *haram*, then the act must be prevented. Second, it is seen from the aspect of the consequences or impacts caused regardless of what the intention behind it is. This means that if an action is strongly suspected to cause damage (*mafsadah*) or violation of the law in the community, then the path to the act must be closed in order to maintain the benefits¹⁵⁶.

If drawn into the phenomenon of violating incidental parking laws at the Malang City carnival, the *nini* provision can be used to dissect the role of supervision carried out by the Transportation Agency. In terms of motives, many

¹⁵⁶ Ahmad Munif, "(PDF) Penerapan *Sadd Dhari'ah* Pada Bidang Muamalah."

perpetrators of incidental parking violations at carnivals take advantage of temporary parking permit loopholes. Permits that are supposed to help the smooth running of the event are only as a cover to legalize illegal levies for personal gain. Meanwhile, in terms of consequences, the policy of the Transportation Department that allows the use of road shoulders during carnival, if not accompanied by strict supervision based on community participation, will automatically result in adverse impacts such as the withdrawal of tariffs outside the provisions and will even cause severe congestion. In this provision, community participation-based supervision is not just technical assistance, but *an instrument of sadd al-dhari'ah* that functions to break the bad intentions of violators of the incidental parking law during carnival while preventing wider negative impacts in the field.

The concept of community participation-based supervision applied by the Malang City Transportation Office has strong relevance to the value *of ta'awun 'ala al-birr*. The involvement of citizens in monitoring and reporting illegal parking practices is not only a form of social concern, but also a manifestation of moral responsibility to prevent social harm. This principle is in line with the teachings of the Qur'an as affirmed in QS. Al-Maidah [5]:2

..وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ

"Help yourselves in virtue and piety, and do not help each other in sin and enmity."

Supervision carried out by involving community participation is a form of implementation of religious values in social governance. Through participatory mechanisms, the community and the government jointly form a collaborative preventive surveillance system. Each individual is part of the implementation of *amar ma'ruf nahi munkar* in the context of public governance. From the perspective

of Islamic law, *this ta'awun* strengthens *the maslahah* because it directs the participation of citizens to maintain order and justice around them. However, the implementation of *ta'awun* in the context of parking supervision still faces challenges due to the weak legal awareness of the community and the limited space for real participation¹⁵⁷.

The synergy between the principle *of sadd al-dhari'ah* and the theory of community participation strengthens the collaborative surveillance system between the government and citizens, as both emphasize early prevention of social harm. In the context of supervision involving community participation, the community as informal reporters and supervisors of illegal incidental parking practices is a form of implementing *sadd al-dhari'ah*, which is closing the road to iniquity through preventive measures based on social awareness. The above explanation is in line with the theory of community participation which places citizens as active subjects in the public policy process, not just as the object of policy recipients¹⁵⁸. People who are often involved and required to participate in social life, and even get legal education, have a higher level of legal awareness because they are used to being encouraged to maintain public order ¹⁵⁹independently.

The policy of involving carnival parking supervisor volunteers implemented by the Malang City Transportation Office is very relevant to the principle *of sadd*

¹⁵⁷ Ghaida Shaumi Manganti, "Analisis Partisipasi Masyarakat Dalam Pelaksanaan Kebijakan Publik," *De Cive: Jurnal Penelitian Pendidikan Pancasila Dan Kewarganegaraan* 3, no. 11 (2023): 380–89, <https://doi.org/10.56393/decive.v3i11.2053>.

¹⁵⁸ "Pengaruh Partisipasi Masyarakat, Sosialisasi dan Edukasi terhadap Peningkatan Kesadaran Hukum Masyarakat dalam Memelihara Keamanan dan Ketertiban," diakses 26 Februari 2026, https://www.researchgate.net/publication/391416677_Pengaruh_Partisipasi_Masyarakat_Sosialisasi_dan_Edukasi_terhadap_Peningkatan_Kesadaran_Hukum_Masyarakat_dalam_Memelihara_Keamanan_dan_Ketertiban.

¹⁵⁹ Muhammad Tajuddin Ulya dan Muhammad Chairul Huda, "PENGAWASAN PARTISIPATIF PEMILIHAN UMUM: KAJIAN PERSPEKTIF TUJUAN HUKUM DAN MASLAHAH MURSALAH," *Jurnal Darussalam: Jurnal Pendidikan, Komunikasi Dan Pemikiran Hukum Islam* 14, no. 1 (2022): 108–29, <https://doi.org/10.30739/darussalam.v14i1.1641>.

al-dhari'ah, both emphasize the importance of early prevention of potential violations. This program serves to close or reduce the chances of illegal parking practices by providing real monitoring with documentation in the field, so that the Transportation Department can act immediately before violations spread. From the perspective of community participation theory, this policy reflects a form of active collaboration, where citizens not only act as passive whistleblowers, but also contribute through the provision of data and feedback that can be the basis for policy formulation and subsequent preventive measures. Volunteer parking supervisors at this carnival can also be used as an answer to the main problem of rampant illegal parking which lies in the low awareness and participation of the public in the public supervision function which is also a loophole for violations even though the rules have been made so far¹⁶⁰.

The complaint forum that is regularly held also has a strong synergy with *sadd al-dhari'ah*, because through this forum the community plays a role in identifying early vulnerable points and illegal parking problems. The forum also provides space for the government to evaluate and adjust policies. For example, the development of temporary parking locations as explained by the ¹⁶¹speakers, tariff adjustments, or the affirmation of sanctions before deviant practices become a habit and cause wider losses. This kind of form of public participation shows that citizens play an active role in the social control system that maintains the public interest while preventing the development of *mafsadah* or negative social impacts. However, the main challenge lies not in regulations, but in the lack of a systematic reporting

¹⁶⁰ Robinson dkk., "Tata Kelola Parkir Di Kota Pekanbaru Tahun 2023-2024," *Jurnal Niara* 18, no. 2 (2025): 616–25, <https://doi.org/10.31849/6yxjse70>.

¹⁶¹ See the results of the research, especially in the results of interviews with staff of the Malang City Transportation Office, pp. 10-11.

mechanism between the public and the government, so that violations often recur.¹⁶² Therefore, the implementation of supervision as well as a clear aspiration mechanism for citizens as well as an open and responsive feedback mechanism is important so that the principle *of sadd al-dhari'ah* does not only stop as a normative concept, but is truly realized in collaborative supervision practices that are able to prevent the emergence of social damage in the field.

Article 3 paragraph (2) letter d of Mayor Regulation of Malang Number 34 of 2016 states that the Transportation Agency has functions in parking management, which include regulating and supervising parking activities. This provision provides a normative legal basis for the government to carry out preventive supervision in line with the concept *of sadd al-dhari'ah*. In this context, the authority of the Transportation Department includes measures such as restricting incidental parking areas, regulating tariffs and permits, as well as the implementation of patrols and community involvement to prevent violations. In addition to making it more effective, the involvement of community participation in this management function strengthens the implementation *of dar' al-mafasid* which is the spirit *of sadd al-dhari'ah*, which is to prevent damage before it occurs. *Sadd al-dhari'ah* in Islamic law acts as a preventive instrument to safeguard maqāsid al-sharia by blocking any means that allow the emergence of *mafsadah*¹⁶³. Thus, Article 3 paragraph (2) letter d of Mayor Regulation Number 34 of 2016 does not only function as a technical guideline for the Transportation Agency, because when it is associated with the principle *of Sadd al-dhari'ah* and community

¹⁶² Albra Wijaya dan Ahmad Fitra Yuza, "Pengawasan Dinas Perhubungan Dalam Menertibkan Parkir Liar Di Kota Pekanbaru," *Jurnal Mahasiswa Pemerintahan*, 11 Mei 2025, 291–97.

¹⁶³ Muhammad Sarumpaet dan Dhiauddin Tanjung, "Al-Adillah Al-Mukhtalaf Fiha : Sadd Al-Zari'ah," *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL* 3 (Juli 2024): 42–57, <https://doi.org/10.55606/jhpis.v3i4.3981>.

participation, the regulation can be a strategic basis for supervision and close the opportunity for violations, so that preventive control can run optimally and sustainably¹⁶⁴.

Thus, the supervision of illegal incidental parking at carnival events by the Malang City Transportation Agency is a manifestation of the preventive principles of *sadd al-dhari'ah* and *dar' al-mafasid* which aims to prevent harm, especially public losses proactively before violations occur. Based on the authority of the Transportation Agency mentioned in Article 6 paragraph (2) letter d of Mayor Regulation of Malang Number 34 of 2016 concerning the position, organizational structure, duties, functions, and work procedures of the Transportation Agency, which states that the agency has duties in fostering and organizing public relations, this anticipatory step strengthened through community involvement reflects the value of *ta'awun 'ala al-birr* (Help in Kindness) through the Supervisory Volunteer Program and the Complaint Forum to detect and close the gaps in violations from an early age.

However, there are still social and technical barriers to the implementation of community-based supervision. This needs to be overcome immediately because the involvement of residents is actually a form of applying *the value of sadd al-dhari'ah* which is a preventive effort to close the opportunity for violations to occur from an early age. In this context, building legal awareness and social trust in the community is very important so that citizens dare to participate without worrying about potential conflicts in the field. These efforts can be carried out by increasing continuous legal awareness counseling and the use of digital technology as a means

¹⁶⁴ Diki Alfarisi dan Irhamuddin Irhamuddin, "Urgensi Pendekatan Sadd Zārī'Ah Dalam Pengambilan Putusan Hukum Islam," *Innovative: Journal Of Social Science Research* 4, no. 6 (2024): 4050–63, <https://doi.org/10.31004/innovative.v4i6.16143>.

of public reporting. Public participation will increase if the government provides reporting channels that are easily accessible, quick to follow-up, and transparent¹⁶⁵. In addition, digital reporting can also strengthen government transparency and accountability and build a sustainable participatory culture¹⁶⁶.

¹⁶⁵ Nur Atnan dan Ayub Ilfandy Imran, “TINGKAT PARTISIPASI PUBLIK MELALUI PEMANFAATAN MEDIA LAPOR DI KOTA BANDUNG,” *JWP (Jurnal Wacana Politik)* 3, no. 2 (2018): 150–62, <https://doi.org/10.24198/jwp.v3i2.19883>.

¹⁶⁶ Hendra Wijayanto, “IMPLEMENTASI INOVASI SISTEM LAYANAN PENGADUAN PUBLIK BERBASIS DIGITAL (STUDI LAYANAN ADUAN ULAS DI KOTA SURAKARTA),” *The Indonesian Journal of Public Administration (IJPA)* 10, no. 1 (2024), <https://doi.org/10.52447/ijpa.v10i1.8629>.

CHAPTER V

CONCLUSION

A. CONCLUSION

1. As mentioned in this study, the role of the Malang City Transportation Agency in tackling the practice of illegal incidental parking at carnivals has not run optimally if it only relies on structural supervision. The pattern of supervision that still tends to be reactive, limited resources, the vastness of the carnival implementation area, and weak coordination between parties cause the practice of illegal incidental parking to continue to be repeated. This condition shows that the supervisory function has not been fully able to achieve preventive goals, because actions are generally carried out after a public report or after a violation occurs.

This study found that community participation-based supervision is an effective approach to close the supervision gap. Community involvement allows for faster information on violations, expands the scope of surveillance, and helps the government respond to illegal parking practices more quickly. Community participation plays a role as preventive supervision that is able to detect potential violations early, so that it not only functions as a complement, but as an important component in a collaborative surveillance system between the government and the community.

2. From the perspective of sadd al-dhari'ah, community participation-based supervision is in line with the principle of prevention of potential fraud. Community involvement in surveillance is seen as an effort to close roads that can lead to social harm, such as illegal levies, conflicts, and public

inconvenience. Thus, the application of participatory supervision not only has administrative legitimacy, but also has a normative basis in Islamic law as a form of prevention against means that have the potential to cause damage.

Overall, this study emphasizes that overcoming the practice of illegal incidental parking at the Malang City carnival will be more effective if it is carried out through synergy between the Transportation Department and the community. The integration of formal supervision with community participation is able to strengthen preventive supervision, accelerate the handling of violations, and realize more orderly, transparent, and fair parking governance. This approach also shows that collaboration between the government and the community is a relevant strategy to overcome the limitations of structural supervision in the context of public services.

B. RECOMMENDATIONS

1. Based on the results of the research on the new monitoring mechanism involving community participation in this thesis, further research is recommended to conduct a more in-depth assessment of the level of effectiveness and efficiency of the mechanism in the long term.

The next study is also expected to make a comparison between the new supervision mechanism based on community participation and the conventional supervision mechanism that has relied more on supervision from the government to see the advantages of each approach, both in terms of supervision effectiveness, operational cost efficiency, and the level of public acceptance.

In addition, further research is recommended to examine the impact of the implementation of new supervisory mechanisms on employee work culture, especially in agencies involved in supervision. This is important to ensure that participatory supervision mechanisms are not only technically effective, but also able to form a more accountable, responsive, and adaptive work culture in public services.

2. For the Transportation Agency together with local governments, it is recommended to strengthen the implementation of a community participation-based supervision mechanism through the preparation of clear operational procedures regarding the flow of reporting, verification, and follow-up of community reports. This is important because there is still a lack of clarity in the reporting mechanism and response to public complaints that are not optimal as explained. In addition, the Transportation Department needs to increase socialization to the Kelurahan, Youth Organizations, and the community regarding the procedures for implementing incidental parking and the division of roles in supervision so that coordination does not run unstructured.

The Transportation Department is also advised to build more integrated coordination through regular communication forums with the Kelurahan, Linmas, and the community who act as supervisors to overcome the limitations of the surveillance range and accelerate the response to violations in the field. In addition, local governments also need to be encouraged to fully comply with illegal incidental parking regulations so that a supervision mechanism based on community participation is not only

a concept, but can be applied sustainably and effectively in maintaining order in incidental parking during carnival activities.

BIBLIOGRAPHY

- Ahmad Munif. “(PDF) Penerapan Sadd Dhari’ah Pada Bidang Muamalah.” ResearchGate, 2021.
https://www.researchgate.net/publication/354088214_Penerapan_Sadd_Dhari'ah_pada_Bidang_Muamalah.
- Ahmad Munif, Ahmad Izzuddin. “Nahdlatul Ulama, Social Problem, and Preventive Principle | Request PDF.” 2021.
https://www.researchgate.net/publication/349626242_Nahdlatul_Ulama_Social_Problem_and_Preventive_Principle.
- Akbarrizky Nurdin Ginasaputra, NIM :. 18103040135. “PENEGAKAN DAN PERLINDUNGAN HUKUM DALAM PENGELOLAAN PARKIR INSIDENTAL DI KOTA YOGYAKARTA.” Skripsi, UIN SUNAN KALIJAGA YOGYAKARTA, 2023. <https://digilib.uin-suka.ac.id/id/eprint/61668/>.
- Alfandi, Imam Nur. *Partisipasi Masyarakat dalam Pelayanan Pengaduan Pungutan Liar Melalui Aplikasi Laporan Aspirasi Kotak Saran Anda (Laksa) pada Dinas Komunikasi dan Informatika Kota Tangerang Provinsi Banten*. Dalam *Thesis. Politik Indonesia Terapan*. no. 17. 2022.
- Alfandi, Imam Nur. “Partisipasi Masyarakat Dalam Pelayanan Pengaduan Pungutan Liar Melalui Aplikasi Laporan Aspirasi Kotak Saran Anda (Laksa) Pada Dinas Komunikasi Dan Informatika Kota Tangerang Provinsi Banten.” PhD Thesis, Institut Pemerintahan Dalam Negeri, 2022. <http://eprints.ipdn.ac.id/6844/>.

Alfarisi, Diki, dan Irhamuddin Irhamuddin. “Urgensi Pedekatan Sadd Zārī‘Ah Dalam Pengambilan Putusan Hukum Islam.” *Innovative: Journal Of Social Science Research* 4, no. 6 (2024): 4050–63. <https://doi.org/10.31004/innovative.v4i6.16143>.

Alfiqri, Aditya Najib, Tinda Irawaty, dan Agustina Setiawan. “PENGAWASAN DINAS PERHUBUNGAN DALAM RANGKA KETERTIBAN PARKIR DI KOTA CIMAHI.” *Praxis Idealist: Jurnal Mahasiswa Ilmu Pemerintahan* 1, no. 2 (2025). <https://ejournal.fisip.unjani.ac.id/index.php/praxis-idealist/article/download/3133/923>.

AM, Ahmad Muntaha, dan Sunnatullah. “Ushul Fiqih: Metode Saddudz Dzari’ah Dan Klasifikasi Hukumnya.” NU Online, 10 Agustus 2021. <https://islam.nu.or.id/syariah/ushul-fiqih-metode-saddudz-dzari-ah-dan-klasifikasi-hukumnya-LCjrT>.

Amalia, Anisa Mutiara. “Perlindungan terhadap konsumen parkir insidental yang tidak sesuai peraturan daerah Kota Malang nomor 4 tahun 2009 tentang pengelolaan tempat parkir.” Undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2023. <http://etheses.uin-malang.ac.id/58047/>.

Amin, Rukhul. “Sadd Al-Dzari’Ah:Korelasi Dan Penerapannya Dalam Hukum Ekonomi Syariah.” *Jurnal Justisia Ekonomika: Magister Hukum Ekonomi Syariah* 4, no. 2 (2020). <https://doi.org/10.30651/justeko.v4i2.6856>.

Anastasios, Tsakalidis, dan Tsoleridis Panagiotis. “The Impacts of Illegal Parking on the Urban Areas’ Traffic and Environmental Conditions: The Case of the City of

Thessaloniki.” *Spatium* 2015, no. 33 (2015): 41–46.
<https://doi.org/10.2298/spat1533041t>.

Atnan, Nur, dan Ayub Ilfandy Imran. “TINGKAT PARTISIPASI PUBLIK MELALUI PEMANFAATAN MEDIA LAPOR DI KOTA BANDUNG.” *JWP (Jurnal Wacana Politik)* 3, no. 2 (2018): 150–62.
<https://doi.org/10.24198/jwp.v3i2.19883>.

Bahtiar, Muhammad Ridho, Aril Kemal Nugraha, Muhammad Dimas Munggaran, Muhamad Raka Irfansah, Raka Filiadipura, dan Aryanto Nur. “Teori Sebagai Landasan Ilmiah: Bahasa, Penalaran, Justifikasi, Penjelasan, Dan Pengujian.” *Journal ANC* 1, no. 3 (2025): 306–17.

“Buku Pengawasan Pemerintahan.pdf.” t.t. Diakses 27 Februari 2026.
<http://eprints2.ipdn.ac.id/id/eprint/488/1/Buku%20Pengawasan%20Pemerintahan.pdf>.

Conyers, Diana, dan Peter J. Hills. *An Introduction to Development Planning in the Third World*. Wiley, 1984.

“Cruising for parking: New empirical evidence and influential factors on cruising time | Journal of Transport and Land Use.” Diakses 26 Februari 2026.
<https://www.jtlu.org/index.php/jtlu/article/view/1142>.

Daman, Yosefina Avelin. “Peran Pemerintah Dalam Menangani Juru Parkir Ilegal Di Kota Malang.” *Konstruksi Sosial : Jurnal Penelitian Ilmu Sosial* 4, no. 4 (2024): 115–21. <https://doi.org/10.56393/konstruksisosial.v4i4.2459>.

“DASAR-DASAR-MANAJEMEN.pdf.” t.t. Diakses 27 Februari 2026.

https://www.researchgate.net/profile/Bravo-Press/publication/390037890_DASAR-DASAR_MANAJEMEN/links/67dcd392fe0f5a760f5b4734/DASAR-DASAR-MANAJEMEN.pdf.

Database Peraturan | JDIH BPK. “PERDA Kota Malang No. 3 Tahun 2015.” Diakses 25 Januari 2026. <http://peraturan.bpk.go.id/Details/20969/perda-kota-malang-no-3-tahun-2015>.

Database Peraturan | JDIH BPK. “PERWALI Kota Malang No. 34 Tahun 2016.” Diakses 3 Januari 2026. <http://peraturan.bpk.go.id/Details/48950>.

Djadjuli, Didi. “PELAKSANAAN PENGAWASAN OLEH PIMPINAN DALAM MENINGKATKAN KINERJA PEGAWAI.” *Dinamika : Jurnal Ilmiah Ilmu Administrasi Negara* 4, no. 4 (2018): 565–73. <https://doi.org/10.25157/dinamika.v4i4.879>.

Dongoran, Makmur. *Sadd Al-Dharī’ah dan Fath Al-Dharī’ah dalam Kompilasi Hukum Islam Tahun 1991*. Dalam *Sekolah Pascasarjana UIN Syarif Hidayatullah Jakarta*. no. 25. 2023.

EVELINE, LEE. “PERANCANGAN MOTION GRAPHIC TEMATIK SEBAGAI MEDIA KOMUNIKASI VISUAL PADA AKUN INSTAGRAM MALANG FLOWER CARNIVAL (MFC).” Sarjana, Sekolah Tinggi Informatika & Komputer Indonesia, 2024. <https://www.stiki.ac.id>.

Gazali, Ahmad. “MAQASID AL-SYARIAH DAN REFORMULASI IJTIHAD SEBAGAI SUMBER HUKUM ISLAM.” *Alhadharah: Jurnal Ilmu Dakwah* 18, no. 2 (2019). <https://doi.org/10.18592/alhadharah.v18i2.3133>.

Hidayatulloh, Mohammad Riyan. “Penerapan Sanksi Pidana Terhadap Pungutan Liar Oleh Penyelenggara Parkir Ilegal.” *Jurnal Legisla* 15, no. 1 (2023): 36–49.

Hidayatulloh, Mohammad Riyan. “Penerapan sanksi pidana terhadap pungutan liar oleh penyelenggara parkir ilegal.” *Jurnal Legisla* 15, no. 1 (2023): 36–49.

Husna S, Nazhifah. “Penyelenggaraan parkir insidentil menurut tiga peraturan daerah Kota Malang dan hukum Islam.” Undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2018. <http://etheses.uin-malang.ac.id/14022/>.

I Nyoman Wahyu Widiani, S. E. “Analisis Pengaruh Partisipasi Masyarakat Terhadap Program Corporate Sosial Responsibility (CSR) DI Provinsi Bali.” *WORLDVIEW (Jurnal Ekonomi Bisnis dan Sosial Sains)*, t.t. Diakses 19 Februari 2026. https://www.academia.edu/164721480/Analisis_Pengaruh_Partisipasi_Masyarakat_Terdapat_Program_Corporate_Social_Responsibility_CSR_DI_Provinsi_Bali.

“Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave Highlights | PDF.” Diakses 27 Februari 2026. <https://www.slideshare.net/slideshow/innovative-citizen-participation-and-new-democratic-institutions-catching-the-deliberative-wave-highlights-235704427/235704427>.

Kaehe, Diradimalata, Joorie Marhaen Ruru, dan Welson Rompas. "PARTISIPASI MASYARAKAT DALAM PERENCANAAN PEMBANGUNAN DI KAMPUNG PINTARENG KECAMATAN TABUKAN SELATAN TENGGARA." *JURNAL ADMINISTRASI PUBLIK* 5, no. 80 (2019). <https://ejournal.unsrat.ac.id/v3/index.php/JAP/article/view/25447>.

Larasati, Dewi Citra, dan Abd. Rohman. "Tumpang Tindih Pengelolaan Tempat Parkir (Studi Tentang Retribusi Dan Pajak Parkir Di Kota Malang)." *Reformasi* 10, no. 1 (2020): 45–60. <https://doi.org/10.33366/rfr.v10i1.1801>.

Maharani, Nazira Kayla, Hasanuddin Yusuf Adan, dan T. Surya Reza. "Monitoring Dan Evaluasi Dinas Perhubungan Kota Banda Aceh Terhadap Sistem Perparkiran Dalam Perspektif Siyazah Idariyah." *Ijtihad* 19, no. 1 (2025): 127–44.

Mahardita, Panglima Ababil, Fitriyah - -, dan Budi- Setiyono. "PENGELOLAAN PRAKTIK PARKIR ILEGAL DI KECAMATAN TEMBALANG (STUDI KASUS KAWASAN UNIVERSITAS DIPONEGORO)." *Journal of Politic and Government Studies* 13, no. 4 (2024): 397–411.

Manganti, Ghaida Shaumi. "Analisis Partisipasi Masyarakat Dalam Pelaksanaan Kebijakan Publik." *De Cive: Jurnal Penelitian Pendidikan Pancasila Dan Kewarganegaraan* 3, no. 11 (2023): 380–89. <https://doi.org/10.56393/decive.v3i11.2053>.

Maritza, Dhiya Fahriyyah, dan Taufiqurokhman Taufiqurokhman. "Peranan Masyarakat Sipil dalam Peningkatan Akuntabilitas Birokrasi Melalui Pengawasan Publik

yang Aktif.” *JURNAL ILMIAH ILMU ADMINISTRASI* 14, no. 1 (2024): 71–84.

<https://doi.org/10.33592/jiia.v14i2.4679>.

Marliyah, Lili. “Hakekat Teori Dalam Riset Sosial.” *Journal of Economic Education and Entrepreneurship* 2, no. 1 (2021): 30–37. <https://doi.org/10.31331/jeee.v2i1.1691>.

Merriam, Sharan B., dan Elizabeth J. Tisdell. *Qualitative Research: A Guide to Design and Implementation*. John Wiley & Sons, 2015.

“Metode Penelitian Hukum.pdf.” t.t. Diakses 20 Oktober 2025.

<https://eprints.unram.ac.id/20305/1/Metode%20Penelitian%20Hukum.pdf>.

M.H, Dr Jonaedi Efendi, S. H. I., dan Prof Dr Johnny Ibrahim M.Hum S. H. ., S. E. ., M.

M. Metode Penelitian Hukum: Normatif dan Empiris. Prenada Media, 2018.

“Microsoft Word - PERDA NOMOR 4 TAHUN 2009 TENTANG PENGELOLAAN

TEMPAT PARKIR.rtf.” t.t. Diakses 25 Januari 2026.

https://jdih.malangkota.go.id/laravel/storage/upload_file_hukum/PERDA_NOMOR_4_TAHUN_2009_TENTANG_PENGELOLAAN_TEMPAT_PARKIR.pdf.

Mohd Nasir Abdul Majid. “View of Al-Dharā’ic Dalam Ijtihad Menurut Al-Qarāfiyy Dan

Al-Shāṭibiyy: Satu Analisis.” 2022.

<https://ejournal.muftiwp.gov.my/index.php/jiftah/article/view/44/22>.

M.S, ProfDr I. Made Pasek Diantha, S. H. *Metodologi Penelitian Hukum Normatif dalam*

Justifikasi Teori Hukum. Prenada Media, 2016.

Muhammad Nur Alim, M Fahrudin Andriansyah, Faisol. “Efektifitas Pengelolaan Retribusi Parkir Oleh Dinas Perhubungan Kota Malang.” *Dinamika* 31 (2025): 12243–54. <https://doi.org/10.48175/ijarsct-13062>.

Munif, A. *Penerapan Sadd Dh pada Bidang Muamalah*. Dalam *Researchgate.Net*. t.t.

Mustafa, Nazerah, Abdul Latiff Abu Bakar, Mokmin Basri, dan Abur Hamdi Usman. “The Concept of Sad Al-Dhara’i’(Blocking the Means) Related to Preventive and Rehabilitation in Sexuality Education in Malaysia.” *MENARA : Journal of Islamic and Contemporary Issues* 2, no. 2 (2021): 74–92.

Nana, D. “Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online.” 29 Juli 2025. <https://indonesiaonline.co.id/pungli-parkir-event-viral-dishub-malang-perkuat-pengawasan/>.

ND, Mukti Fajar, dan Yulianto Achmad. *Dualisme penelitian hukum: normatif & empiris*. Pustaka Pelajar, 2010.

OECD. *Citizens as Partners: OECD Handbook on Information, Consultation and Public Participation in Policy-Making*. OECD, 2001. <https://doi.org/10.1787/9789264195578-en>.

OECD. “Government at a Glance 2023.” *Government at a Glance 2023* (Juni 2023). <https://doi.org/10.1787/3d5c5d31-en>.

“(PDF) World Development Report 2004: Making Services Work For Poor People.” Diakses 27 Februari 2026.

https://www.researchgate.net/publication/44831660_World_Development_Report_2004_Making_Services_Work_For_Poor_People.

“Pengantar Manajemen - Cia Cai Cen - Google Buku.” Diakses 20 Januari 2026.

https://books.google.co.id/books?id=wdS5EAAAQBAJ&printsec=frontcover&dq=Pengertian+manajemen&hl=id&newbks=1&newbks_redir=0&source=gb_mobile_search&ovdme=1&sa=X&redir_esc=y#v=onepage&q=Pengertian&f=false.

“Pengaruh Partisipasi Masyarakat, Sosialisasi dan Edukasi terhadap Peningkatan Kesadaran Hukum Masyarakat dalam Memelihara Keamanan dan Ketertiban.”

Diakses 26 Februari 2026.

https://www.researchgate.net/publication/391416677_Pengaruh_Partisipasi_Masyarakat_Sosialisasi_dan_Edukasi_terhadap_Peningkatan_Kesadaran_Hukum_Masyarakat_dalam_Memelihara_Keamanan_dan_Ketertiban.

“Peraturan Daerah Nomor 10 Tahun 2019 tentang Penyelenggaraan Perparkiran - Peraturan Daerah Nomor 10 Tahun 2019 | JDIH Kab Malang.” Diakses 20 Januari 2026.

<https://jdih.malangkab.go.id/produk-hukum/peraturan-daerah/2019/10/peraturan-daerah-nomor-10-tahun-2019-tentang-penyelenggaraan>.

“PERMENDAGRI No. 5 Tahun 2007.” Diakses 19 Februari 2026.

<https://peraturan.bpk.go.id/Details/126362/permendagri-no-5-tahun-2007>.

“PERSYARATAN-DAN-KRITERIA-PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf.” t.t. Diakses 18 Januari 2026.

<https://dishub.malangkota.go.id/wp->

content/uploads/sites/16/2017/05/PERSYARATAN-DAN-KRITERIA-
PROSEDUR-PENYELENGGARAAN-PERPARKIRAN.pdf.

Prof. Dr. Sugiyono. *METODE PENELITIAN KUANTITATIF, KUALITATIF, DAN R&D.*

t.t. Diakses 19 Februari 2026. <http://archive.org/details/buku-metode-penelitian-sugiyono>.

“Profil Dinas Perhubungan Kota Malang.” *DINAS PERHUBUNGAN KOTA MALANG,*

t.t. Diakses 20 Januari 2026. <https://dishub.malangkota.go.id/profil/profil-dinas-perhubungan-kota-malang/>.

“Pungli Parkir Event Viral, Dishub Malang Perkuat Pengawasan - Indonesia Online.”

Preprint, t.t.

Purnia, Dini Silvi, dan Tuti Alawiyah. *Metode Penelitian : Strategi Menyusun Tugas*

Akhir. 2021, 1–57.

Rijali, Ahmad. *Analisis Data Kualitatif*. 17, no. 33 (2018): 81–95.

Riyanto, Achmad, Iwan Setiawan, dan Darwanto. “IMPLEMENTASI KEBIJAKAN

PENANGGULANGAN JURU PARKIR LIAR TERHADAP KETERTIBAN DI
TEPI JALAN UMUM PADA DINAS PERHUBUNGAN KOTA CIREBON.”

PRAJA Observer: Jurnal Penelitian Administrasi Publik (e- ISSN: 2797-0469) 4,

no. 05 (2024): 125–45. Bahasa Indonesia.

<https://doi.org/10.69957/praob.v4i05.1645>.

- Robinson, Ali Yusri, dan Zulkarnaini. “Tata Kelola Parkir Di Kota Pekanbaru Tahun 2023-2024.” *Jurnal Niara* 18, no. 2 (2025): 616–25. <https://doi.org/10.31849/6yxjse70>.
- S., Nazhifah Husna. “Penyelenggaraan parkir insidentil menurut tiga peraturan daerah Kota Malang dan hukum Islam.” *Undergraduate thesis, Universitas Islam Negeri Maulana Malik Ibrahim Malang*, 2018.
- Salsabila, Yurika. “Pengawasan Dinas Perhubungan Kota Malang terhadap penetapan tarif parkir Insidentil: Studi di Dinas Perhubungan Kota Malang.” *Undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim*, 2025. <http://etheses.uin-malang.ac.id/80941/>.
- Sarumpaet, Muhammad, dan Dhiauddin Tanjung. “Al-Adillah Al-Mukhtalaf Fiha : Sadd Al-Zari’ah.” *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL* 3 (Juli 2024): 42–57. <https://doi.org/10.55606/jhpis.v3i4.3981>.
- Sidiq, Ade Jafar, dan Risna Resnawaty. “PENGEMBANGAN DESA WISATA BERBASIS PARTISIPASI MASYARAKAT LOKAL DI DESA WISATA LINGGARJATI KUNINGAN, JAWA BARAT.” *Prosiding Penelitian dan Pengabdian kepada Masyarakat* 4, no. 1 (2017): 38. <https://doi.org/10.24198/jppm.v4i1.14208>.
- “Sistem pengawasan terhadap perbuatan aparat pemerintah dan peradilan tata usaha negara di Indonesia disusun oleh Muchsan | Dinas Perpustakaan dan Arsip Daerah DIY.” Diakses 27 Februari 2026. <https://balaiyanpus.jogjaprovo.go.id/opac/detail-opac?id=41658>.

“Struktur Organisasi.” *DINAS PERHUBUNGAN KOTA MALANG*, t.t. Diakses 3 Januari 2026. <https://dishub.malangkota.go.id/profil/struktur-organisasi/>.

Sururama, Rahmawati, dan Rizki Amalia. *Pengawasan Pemerintahan*. CV. Cendekia Press, 2020. <http://eprints2.ipdn.ac.id/id/eprint/488/>.

Takhim, Muhamad. “Saddu Al-Dzariâ€™ah Dalam Muamalah Islam.” *AKSES: Jurnal Ekonomi Dan Bisnis* 14, no. 1 (2019). <https://doi.org/10.31942/akses.v14i1.3264>.

Target Pajak Daerah Kota Malang Turun Rp 160 Miliar. “Target Pajak Daerah Kota Malang Turun Rp 160 Miliar.” Diakses 28 April 2026. <https://radarmalang.jawapos.com/kota-malang/2411060031/target-pajak-daerah-kota-malang-turun-rp-160-miliar>.

Tata, Serta, dan Kerja Dinas. *Peraturan Walikota Malang Nomor 34 Tahun 2016*. 2016, 1–40.

Tentang Kelurahan – Kelurahan Cemorokandang. t.t. Diakses 26 Februari 2026. https://kelcemorokandang.malangkota.go.id/?page_id=155.

Ulya, Muhammad Tajuddin, dan Muhammad Chairul Huda. “PENGAWASAN PARTISIPATIF PEMILIHAN UMUM: KAJIAN PERSPEKTIF TUJUAN HUKUM DAN MASLAHAH MURSALAH.” *Jurnal Darussalam: Jurnal Pendidikan, Komunikasi Dan Pemikiran Hukum Islam* 14, no. 1 (2022): 108–29. <https://doi.org/10.30739/darussalam.v14i1.1641>.

Upload, Admin. “Wali Kota Malang Soroti Penarikan Tarif Parkir Saat Karnaval.” *Suara Gong*, 31 Juli 2025. <https://suaragong.com/wali-kota-malang-soroti-penarikan-tarif-parkir-saat-karnaval/>.

Wan Zulkifli Wan Hassan, Laizatunnorhasikin Mohd Adom. “(PDF) Theory and Application of Sadd al-Dhara’i’ (Blocking the Means) in Curbing Crime in Malaysia.” 2022. https://www.researchgate.net/publication/359874203_Theory_and_Application_of_Sadd_al-Dhara'i'_Blocking_the_Means_in_Curbing_Crime_in_Malaysia.

Wijaya, Albra, dan Ahmad Fitra Yuza. “Pengawasan Dinas Perhubungan Dalam Menertibkan Parkir Liar Di Kota Pekanbaru.” *Jurnal Mahasiswa Pemerintahan*, 11 Mei 2025, 291–97.

Wijayanto, Hendra. “IMPLEMENTASI INOVASI SISTEM LAYANAN PENGADUAN PUBLIK BERBASIS DIGITAL (STUDI LAYANAN ADUAN ULAS DI KOTA SURAKARTA).” *The Indonesian Journal of Public Administration (IJPA)* 10, no. 1 (2024). <https://doi.org/10.52447/ijpa.v10i1.8629>.

Wirawan, Ricky, Mardiyono Mardiyono, dan Ratih Nurpratiwi. “Partisipasi Masyarakat dalam Perencanaan Pembangunan Daerah.” *Jurnal Ilmu Sosial dan Ilmu Politik Universitas Tribhuwana Tungadewi* 4, no. 2 (2015): 42434.

World Bank. “Governance and Development.” Text/HTML. Diakses 27 Februari 2026. <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/604951468739447676>.

Yin, Robert K. *Qualitative Research from Start to Finish*. Second edition. Research Methods. The Guilford Press, 2016.

APPENDIX



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : 596 /F.Sy.1/TL.01/08/2025
Hal : Pra-Penelitian

Malang, 29 Agustus 2025

Kepada Yth.
Kepala Pemerintah Kota Malang Dinas Perhubungan
Jl. Raden Intan No.1, Polowijen, Kec. Blimbing, Kota Malang, Jawa Timur

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Fathia Auliya Afifah
NIM : 220202110065
Fakultas : Syariah
Program Studi : Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan *Pra Research* dengan judul :
Penanggulangan Praktik Parkir Insidental Ilegal di Karnaval Kota Malang Melalui Pengawasan Berbasis Partisipasi Masyarakat Perspektif Sadd Al-Dhari'Ah (Studi di Dinas Perhubungan Kota Malang), pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



a.n Dekan
Wakil Dekan Bidang Akademik

Miftahul Huda

Tembusan :

1. Dekan
2. Ketua Prodi Hukum Ekonomi Syariah
3. Kabag. Tata Usaha



Appendices 1. Pre-Research Letter of the Malang City Transportation Office



KEMENTERIAN AGAMA REPUBLIK INDONESIA
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Nomor : 72 /F.Sy.1/TL.01/01/2026
Hal : Permohonan Izin Penelitian

Malang, 03 Februari 2026

Kepada Yth.
Kepala Kelurahan Cemorokandang
Jl. Raya Cemorokandang No.1, Kecamatan Kedungkandang, Kota Malang, Jawa Timur,
kode pos 65138

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Fathia Auliya Afifah
NIM : 220202110065
Program Studi : Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan penelitian dengan judul :
Penanggulangan Praktik Parkir Insidentil Ilegal di Karnaval Kota Malang Melalui Pengawasan Berbasis Partisipasi Masyarakat Perspektif Sadd Al-Dzari'ah (Studi di Dinas Perhubungan Kota Malang), pada instansi yang Bapak/Tbu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Tbu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

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Dekan,

Umi Sumbulah

Tembusan :

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2. Ketua Prodi Hukum Ekonomi Syariah
3. Kabag. Tata Usaha



Appendices 2. Pre-Research Letter for Kelurahan Cemorokandang



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FAKULTAS SYARIAH

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Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : 73 /F.Sy.1/TL.01/01/2026
Hal : Permohonan Izin Penelitian

Malang, 03 Februari 2026

Kepada Yth.
Kepala Kantor Kelurahan Merjosari
Jl. Mertojoyo No.1, Merjosari, Kec. Lowokwaru, Kota Malang, Jawa Timur 65144

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Fathia Auliya Afifah
NIM : 220202110065
Program Studi : Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan penelitian dengan judul :
Penanggulangan Praktik Parkir Insidentil Ilegal di Karnaval Kota Malang Melalui Pengawasan Berbasis Partisipasi Masyarakat Perspektif Sadd Al-Dzari'ah (Studi di Dinas Perhubungan Kota Malang), pada instansi yang Bapak/Tbu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Tbu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



Dekan,

Umi Sumbulah

Tembusan :

1. Dekan
2. Ketua Prodi Hukum Ekonomi Syariah
3. Kabag. Tata Usaha



Appendices 3. Kelurahan Merjosari Pre-Research Letter



**PEMERINTAH KOTA MALANG
DINAS PERHUBUNGAN**

Jl. Raden Intan No. 1 Telp. (0341) 491140 Fax. (0341) 411626
e-mail : dishub@malangkota.go.id

MALANG

Kode Pos 65125

SURAT KETERANGAN

Nomor : 400.10.5.4/1867/35.73.410/2025

Yang bertanda tangan dibawah ini :

Nama : **Ir. SLAMET SANTOSA, ST, MT**
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Pangkat/Golongan : Pembina Tingkat I (IV/b)
Jabatan : Sekretaris Dinas Perhubungan Kota Malang

Dengan ini menerangkan bahwa :

Nama : **FATHIA AULIYA AFIFAH**
NIM : 220202110065
Pekerjaan : Mahasiswa Universitas Islam Negeri Maulana Malik Ibrahim
Program Studi Hukum Ekonomi Syariah

Yang bersangkutan telah diperkenankan untuk melaksanakan Pra Penelitian di Dinas Perhubungan Kota Malang dengan judul Penelitian "Penanggulangan Praktik Parkir Insidentil Ilegal di Karnaval Kota Malang Melalui Pengawasan Berbasis Partisipasi Masyarakat Perspektif Sadd Al-Dhari' Ah (Studi di Dinas Perhubungan Kota Malang)

Demikian untuk dipergunakan sebagaimana mestinya.

Malang, 4 September 2025

**a.n. KEPALA DINAS PERHUBUNGAN
KOTA MALANG**
Sekretaris Dinas



Ir. SLAMET SANTOSA, ST, MT
Pembina Tingkat I
NIP. 19720806 200312 1 004

Appendices 4. Malang City Transportation Agency Research Answer Letter



Appendices 5. Interview of Parking Management Staff of the Malang City Transportation Office



Appendices 6. Interview with Lurah Merjosari Head



Appendices 7. Interview with the Chairman of the Kelurahan Merjosari Youth Organization



Appendices 8. Interview with Plt. lurah of Kelurahan Cemorokandang



Appendices 9. Interview with the Head of the Public Peace and Order Section (Kasi Pemrantib) of Kelurahan Cemorokandang

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