

**LEGAL AWARENESS AS A PREVENTIVE MEASURE  
AGAINST THE PRACTICE OF TRAFFIC CONTROL FOR  
MONETARY COMPENSATION: A MAQASHID AL-SHARIA  
PERSPECTIVE**

**(A Study in Sukun Subdistrict, Malang City)**

**THESIS**

**BY:**

**LIRA FARIMATUS ZAHRO**

**SIN. 220202110082**



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

**2026**

## **DECLARATION OF THESIS AUTHENTICITY**

In the name of Allah,

With the full awareness and a sense of responsibility for the development of knowledge, the author hereby declares that the thesis entitled:

**LEGAL AWARENESS AS A PREVENTIVE MEASURE AGAINST  
THE PRACTICE OF TRAFFIC CONTROL FOR MONETARY  
COMPENSATION: A MAQASHID AL-SHARIA PERSPECTIVE  
(A Study in Sukun Subdistrict, Malang City)**

is truly an original work written independently in accordance with the principles of scientific writing and can be accounted for. Should it later be proven that this thesis is a result of plagiarism, either in part or in whole, then thesis as a requirement for obtaining a degree shall be declared null and void by law.

Malang, 18<sup>th</sup> of May 2026

Author,



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## **APPROVAL PAGE**

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**LEGAL AWARENESS AS A PREVENTIVE MEASURE AGAINST  
THE PRACTICE OF TRAFFIC CONTROL FOR MONETARY  
COMPENSATION: A MAQASHID AL-SHARIA PERSPECTIVE  
(A Study in Sukun Subdistrict, Malang City)**

The advisor then declared that the thesis met the academic requirements for submission and examination by the Examination Committee.

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## **MOTTO**

You don't have to run fast, you don't have to be perfect,  
just keep moving forward, because the journey is more important than simply  
arriving.

## PREFACE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillahirobbil`alamin, We give thanks to Allah SWT, who has granted us His mercy and assistance in the writing of this thesis, entitled: **LEGAL AWARENESS AS A PREVENTIVE MEASURE AGAINST THE PRACTICE OF TRAFFIC CONTROL FOR MONETARY COMPENSATION: A MAQASHID AL-SHARIA PERSPECTIVE (A Study in Sukun Subdistrict, Malang City)**

may be successfully resolved. We send our prayers and greetings to the Prophet Muhammad, peace be upon him, who has set a fine example for us in living a life in accordance with Islamic law by following him. May we be counted among the believers and receive his intercession on the Day of Judgment.

Given all the instruction, guidance, and assistance provided, the author would like to humbly express his gratitude to:

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9. To the author's parents, Mr. Abdul Qosim and Mrs. Mutomimah, who have always been a source of prayer, strength, and inspiration in every step of the author's life. Thank you for all your sacrifices, love, moral and material support, and unceasing prayers, which have enabled the author to complete this thesis. May all the kindness and sincerity you have shown become a source of ongoing charity and be rewarded by Allah SWT.

After completing this thesis, the author hopes that the information presented here will be useful and serve as a good deed both in this world and in the hereafter. The author sincerely welcomes

constructive criticism and suggestions from all parties as a foundation for future progress, and humbly asks for forgiveness as a human being who is not immune to error.

## TRANSLITERATION GUIDELINES

The list of Arabic letters and their transliteration into Indonesian Latin script is provided in the following table:

| Arab | Indonesia | Arab | Indonesia |
|------|-----------|------|-----------|
| أ    | ‘         | ط    | t         |
| ب    | b         | ظ    | z         |
| ت    | t         | ع    | ‘         |
| ث    | th        | غ    | gh        |
| ج    | j         | ف    | f         |
| ح    | h         | 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    | s         | ي    | y         |
| ض    | d         |      |           |

The letter Hamzah (ء), when at the beginning of a word, is often represented by the letter alif and follows the vowel without requiring any diacritical marks. However, when it appears in the middle or at the end of a word, it is written with a fathah (‘).

To indicate a long vowel (madd), a horizontal line is written above the letter, such as ā, ī, and ū (أ, ي, و). Double Arabic sounds are transliterated by

combining the two letters “ay” and “aw,” as in lawwāmah. Words ending in tā’ marbūṭah that function as an adjective or muḍāf ilayh are transliterated as “ah,” while those functioning as muḍāf are transliterated as “at”.

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## ABSTRAK

Lira Farimatus Zahro, NIM 220202110082, 2026. **Kesadaran Hukum Sebagai Upaya Preventif Terhadap Larangan Praktik Pengatur Lalu Lintas Untuk Mendapatkan Imbalan Jasa Perspektif *Maqashid Syariah* (Studi di Kecamatan Sukun, Kota Malang)**. Skripsi. Program Studi Hukum Ekonomi Syariah, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Dosen Pembimbing: Iffaty Nasyi'ah, M.H.

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### **Kata Kunci: Kesadaran Hukum, Pengatur Lalu Lintas, Upaya Preventif**

Praktik pengatur lalu lintas oleh masyarakat untuk memperoleh imbalan jasa masih banyak ditemukan di Kota Malang meskipun telah terdapat ketentuan hukum yang melarang praktik tersebut. Kondisi ini menunjukkan bahwa tingkat kesadaran hukum masyarakat masih perlu ditingkatkan melalui upaya preventif yang tidak hanya berorientasi pada penegakan hukum, tetapi juga melalui pembinaan dan penyuluhan hukum. Berdasarkan permasalahan tersebut, penelitian ini bertujuan untuk menganalisis kesadaran hukum masyarakat pengatur lalu lintas untuk mendapatkan imbalan jasa di Kecamatan Sukun, Kota Malang terhadap Pasal 104 Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan, dan mengkaji upaya Kepolisian Resor Malang Kota dalam meningkatkan kesadaran hukum dalam permasalahan tersebut yang ditinjau dari perspektif *Maqashid Syariah*.

Penelitian ini menggunakan metode yuridis empiris dengan pendekatan yuridis sosiologis. Lokasi penelitian dilakukan di Kecamatan Sukun Kota Malang dengan melibatkan masyarakat pengatur lalu lintas sebagai responden dan Kepolisian Resor Malang Kota sebagai informan. Data yang digunakan berupa data primer dan data sekunder yang diperoleh melalui wawancara bersama responden dan informan, yang kemudian dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa kesadaran hukum masyarakat pengatur lalu lintas di Kota Malang masih tergolong rendah, sehingga diperlukan upaya peningkatan kesadaran hukum yang tidak hanya bersifat informatif, tetapi juga menyentuh aspek sosial dan ekonomi masyarakat. Upaya yang dilakukan oleh pihak Kepolisian Resor Malang Kota dalam hal ini berfokus pada pemberian teguran secara humanis, dan memberikan arahan kepada masyarakat pengatur lalu lintas agar bergabung dengan komunitas dibawah binaan kepolisian, yakni Supeltas. Upaya yang dilakukan oleh Kepolisian Resor Malang Kota mencerminkan nilai kemaslahatan untuk mewujudkan salah satu prinsip dalam *maqashid syariah* khususnya *hifz an-nafs* melalui pembinaan yang dilakukan secara rutin untuk tetap menjaga keselamatan dan ketertiban di jalan raya dengan tetap mempertimbangkan ketertiban umum dan ekonomi masyarakat.

## ABSTRACT

Lira Farimatus Zahro, Student ID 220202110082, 2026. **Legal Awareness as a Preventive Measure Against the Practice of Traffic Control for Monetary Compensation: A Maqashid al-Sharia Perspective (A Study in Sukun District, Malang City)**. Thesis. Department of Sharia Economic Law, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University, Malang. Advisor: Iffaty Nasyi'ah, M.H.

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**Keywords: Legal Awareness, Traffic Controllers, Preventive Measures.**

The practice of community members acting as traffic controllers in exchange for payment is still widespread in the city of Malang, despite the existence of legal provisions prohibiting such practices. This situation indicates that the public's level of legal awareness still needs to be improved through preventive measures that are not only focused on law enforcement but also on legal education and guidance. Based on these issues, this study aims to analyze the legal awareness of traffic controllers seeking compensation in Sukun District, Malang City, regarding Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation, and to examine the efforts of the Malang City Police in raising legal awareness regarding this issue from the perspective of Maqashid Syariah.

This study employs an empirical legal methodology with a sociological-legal approach. The research was conducted in Sukun District, Malang City, involving traffic controllers as respondents and the Malang City Police Department as informants. The data used consists of primary and secondary data obtained through interviews with respondents and informants, which were then analyzed qualitatively.

Research findings indicate that legal awareness among traffic controllers in Malang City remains relatively low, necessitating efforts to raise legal awareness that are not merely informative but also address the social and economic aspects of the community. The efforts undertaken by the Malang City Police Department in this regard focus on issuing warnings in a humane manner and guiding traffic controllers to join a community under police supervision, namely Supeltas. The efforts undertaken by the Malang City Police Department reflect the principle of public welfare in realizing one of the objectives of Sharia law, specifically hifz an-nafs, through regular training aimed at maintaining safety and order on the roads while also considering public order and the community's economic well-being.

## ملخص

ليرا فاريماتوس زهرة، رقم الطالب ٢٢٠٢٠٢١١٠٠٨٢، ٢٠٢٦. الوعي القانوني كإجراء وقائي ضد حظر ممارسات تنظيم حركة المرور بهدف الحصول على أجر من منظور مقاصد الشريعة (دراسة في منطقة سوكون، مدينة مالانج). أطروحة. برنامج دراسة القانون الاقتصادي الإسلامي، كلية الشريعة، جامعة مالانا مالك إبراهيم الإسلامية الحكومية في مالانج. المشرفة: إيفاتي ناشية، ماجستير في القانون

## الكلمات المفتاحية: الوعي القانوني، مراقبي المرور، الإجراءات الوقائية

لا تزال ممارسات تنظيم حركة المرور من قبل أفراد المجتمع مقابل الحصول على مكافآت شائعة في مدينة مالانج، على الرغم من وجود أحكام قانونية تحظر هذه الممارسات. ويشير هذا الوضع إلى أن مستوى الوعي القانوني لدى المجتمع لا يزال بحاجة إلى تحسين من خلال جهود وقائية لا تقتصر على إنفاذ القانون فحسب، بل تشمل أيضًا التثقيف والتوعية القانونية. وبناءً على هذه المشكلة، يهدف هذا البحث إلى تحليل الوعي القانوني لدى أفراد المجتمع الذين يقومون بتنظيم حركة المرور مقابل الحصول على مكافأة في منطقة سكون بمدينة مالانج فيما يتعلق بالمادة ١٠٤ من القانون رقم ٢٢ لعام ٢٠٠٩ بشأن حركة المرور والنقل البري، ودراسة جهود شرطة مدينة مالانج في تعزيز الوعي القانوني بشأن هذه المشكلة من منظور مقاصد الشريعة

استخدمت هذه الدراسة المنهج القانوني التجريبي مع اتباع نهج قانوني-اجتماعي. وأجريت الدراسة في منطقة سكون بمدينة مالانج، حيث شارك فيها منظمو حركة المرور كمستجيبين، وشرطة مالانج كمصدر للمعلومات. وتضمنت البيانات المستخدمة بيانات أولية وثانوية تم الحصول عليها من خلال مقابلات مع المستجيبين ومصادر المعلومات، ثم تم تحليلها تحليلًا نوعيًا

أظهرت نتائج الدراسة أن الوعي القانوني لدى أفراد تنظيم المرور في مدينة مالانج لا يزال منخفضًا، مما يستلزم بذل جهود لزيادة الوعي القانوني لا تقتصر على الجانب الإعلامي فحسب، بل تشمل أيضًا الجوانب الاجتماعية والاقتصادية للمجتمع. وتركز الجهود التي تبذلها شرطة مدينة مالانج في هذا الصدد على توجيه الإنذارات بطريقة إنسانية، وتوجيه أفراد تنظيم المرور للانضمام إلى مجتمع «سوييلتاس» الذي تشرف عليه الشرطة. وتعكس الجهود التي تبذلها شرطة مدينة مالانج قيمة المصلحة العامة لتحقيق أحد مبادئ مقاصد الشريعة، ولا سيما حفظ النفس، من خلال التوعية التي تتم بشكل روتيني للحفاظ على السلامة والنظام على الطرق العامة مع مراعاة النظام العام واقتصاد المجتمع

## **CHAPTER I**

### **INTRODUCTION**

#### **A. Background**

Pursuant to Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation, which states that “Under certain circumstances, for the sake of order and the smooth flow of road traffic and transportation, officers of the Indonesian National Police may take the following actions: a. stop traffic and/or road users; b. order road users to proceed; c. accelerate traffic flow; d. slow down traffic flow; and/or e. divert the direction of traffic flow.”<sup>1</sup> The regulation stipulates that the police have the authority to direct traffic on public roads. This means that members of the general public are prohibited from performing such activities. These regulations are further clarified in local regulations, such as Malang City Local Regulation No. 2 of 2012 on Public Order and the Environment, specifically in Article 5 (a), which states that “Any person or group of persons without the proper authority is prohibited from directing traffic for the purpose of receiving payment.”<sup>2</sup> This is further elaborated in Article 33, which clearly states that individuals who violate this provision shall be subject to a penalty of imprisonment

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<sup>1</sup> Pasal 104 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

<sup>2</sup> Pasal 5 Peraturan Daerah (PERDA) Kota Malang No. 2 Tahun 2012 Tentang Ketertiban Umum Dan Lingkungan.

for a maximum of 3 (three) months and/or a fine of up to Rp. 10,000,000 (ten million rupiah).<sup>3</sup>

However, in reality, these regulations have not been fully implemented, as there are still people acting as traffic controllers, commonly known as “Pak Ogah.” Based on interviews with three individuals encountered in Sukun Subdistrict, Malang City, they stated that they engage in this activity on their own initiative; no law enforcement officials have provided them with any guidance.<sup>4</sup> This situation indicates that law enforcement efforts have not been accompanied by preventive measures aimed at fostering legal awareness among the relevant authorities.

According to Sudikno Mertokusumo, legal awareness refers to the perceptions and beliefs held by society regarding what the law is or what it should be.<sup>5</sup> This legal awareness can be achieved through legal values that encompass knowledge, understanding, and compliance with the law.<sup>6</sup> Legal awareness is essential in society to ensure order, peace, tranquility, and justice.<sup>7</sup> Legal awareness can serve as a preventive legal tool because, by possessing a high level of legal awareness, individuals will understand and respect existing laws, leading the public

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<sup>3</sup> Pasal 33 Peraturan Daerah (PERDA) Kota Malang No. 2 Tahun 2012 Tentang Ketertiban Umum Dan Lingkungan.

<sup>4</sup> Wawancara dengan para pengatur lalu lintas di Kecamatan Sukun Kota Malang (semua subjek wawancara tidak berkenan disebutkan namanya) Wawancara dilakukan penulis di beberapa titik di Kecamatan Sukun Kota Malang, tanggal 13 Januari 2026.

<sup>5</sup> Faisal Santiago and M. Natsir Asnawi, *Pengantar Teori Hukum* (Jakarta: Kencana, 2024).

<sup>6</sup> Zainal Arifin Mochtar and Edy O. S. Hiarej, *Dasar-Dasar Ilmu Hukum, Memahami Kaidah, Teori, Asas Dan Filsafat Hukum* (Yogyakarta: Perpustakaan Nasional: Katalog Dalam Terbitan, 2021).

<sup>7</sup> Irwan et al., “Peningkatan Kesadaran Hukum Melalui Penyuluhan Hukum Terhadap Pelajar SMK 1 Marisa Di Kabupaten Pohuwato,” *Jurnal Pengabdian Pada Masyarakat* 3, no. 1 (April 2025): 20.

to be more conscious of avoiding unlawful behavior. In the context of the “Pak Ogah” practice, preventive measures must be implemented through legal awareness.

From the perspective of Maqashid al-Sharia, raising legal awareness regarding the “Pak Ogah” practice is important because this practice is considered to be contrary to the principle of *maslahah al-ammah* (the public interest, which concerns the welfare of the general public). This also contradicts the principle of *maqashid hifz an-nafs* because it poses potential dangers, such as accidents, even if done with the intention of helping road users. Therefore, legal awareness is expected to encourage the public to understand the correct legal rules and act in accordance with the values of maqashid syariah, which aim to safeguard the public interest.<sup>8</sup> This legal awareness is fostered not only through public awareness campaigns that prohibit traffic regulation practices, but also through moral and spiritual approaches that instill an understanding that every action must be in accordance with the principles of *maqashid al-sharia*.

A study by Mohammad Fahmi Shofrillah highlights the effectiveness of Malang City Regulation No. 2 of 2012, which is considered effective in regulating the presence of Supeltas because it is seen as beneficial in helping to keep traffic

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<sup>8</sup> Busriyanti, “Maqasid Al-Syari’ah Dalam Penegakkan Hukum Lalu Lintas Di Indonesia,” *Al-Istibath: Jurnal Hukum Islam* 6, no. 1 (May 2021).

flowing smoothly and ensuring safety.<sup>9</sup> A study by Tarzet Prasetyo M. and A. Sholikhin Ruslie examines the legal status of the “Pak Ogah” practice. The authors argue that the “Pak Ogah” practice constitutes a violation of the law because it is often carried out in an organized manner and involves illegal toll collection, based on an analysis of its legal status and legitimacy under Law No. 22 of 2009.<sup>10</sup> Another study by Dika Pola Rizki et al. highlights the legal aspects of informal traffic controllers; the authors state that informal traffic controllers lack. Unlike those three studies, the novelty of this research lies in its focus on efforts to raise the legal awareness of traffic controllers regarding the receipt of compensation from the Malang City Police, viewed from the perspective of *maqashid syariah* in promoting public safety and order.

This study was conducted in the Sukun District of Malang City, with traffic controllers serving as respondents and the Malang City Police Department as informants, as Article 5(2) of Law No. 22 of 2009 on Road Traffic and Transportation stipulates that the central and local governments are required to oversee road traffic and transportation to ensure order and public safety.<sup>11</sup> Technically, this authority is regulated in No. 22 of 2009 on Road Traffic and Transportation, specifically in Article 200, Paragraph (3), Letter c, which states

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<sup>9</sup> M. Fahmi Shofrillah, “Eksistensi Sukarelawan Pengatur Lalu-Lintas (Supeltas) Dalam Mewujudkan Ketertiban Umum Dan Lingkungan Perspektif Masalah Mursalah,” *Al-Balad: Journal of Constitutional Law*, no. 2 (2020).

<sup>10</sup> Tarzet Prasetyo Mukti and Ahmad Sholikhin Ruslie, “Status Hukum Jasa Penyebrangan Ditinjau Dari Peraturan Lalu Lintas Dan Angkutan Jalan,” *Journal Evidence Of Law* 3, no. 1 (January 2024).

<sup>11</sup> Pasal 5 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

that the Police are responsible for providing education, training, counseling, and information regarding road traffic in order to enhance public awareness of the law and ethics in road traffic, with the aim of achieving and maintaining road traffic and transportation safety.<sup>12</sup>

This study aims to analyze the legal awareness of traffic controllers regarding the receipt of compensation in Sukun District, Malang City, as well as efforts to enhance their legal awareness, with the hope of fostering traffic order and safety that can provide a sense of security, ensure smooth traffic flow, and reduce the potential for road accidents. In addition, this study also aims to help the public understand that, from the perspective of the *maqashid al-sharia*, the establishment of traffic order is part of the effort to realize *maslahah al-‘ammah* (the public interest) and the application of the principles of the *maqashid al-sharia*, particularly *maqashid hifz an-nafs* (preserving life), so that order on the roads is not merely a matter of positive law but also holds religious merit and aligns with Sharia’s objectives in safeguarding the safety and well-being of society.

## **B. Research Question**

1. What is the legal awareness of traffic controllers seeking compensation in Sukun District, Malang City, regarding Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation?

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<sup>12</sup> Pasal 200 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

2. What efforts has the Malang City Police made to enhance the legal awareness of traffic controllers seeking compensation from the perspective of maqashid syariah?

### **C. Research Objective**

Based on the research questions above, the objectives of this study include:

1. To determine the legal awareness of traffic controllers in Sukun District, Malang City regarding Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation.
2. To examine the efforts of the Malang City Police in enhancing the legal awareness of traffic controllers regarding the receipt of compensation from the perspective of maqashid syariah.

### **D. Research Benefits**

1. Theoretical Benefits

Theoretically, this study contributes to enriching the literature on law enforcement based on a preventive approach through legal awareness education, particularly from the perspective of Islamic law through the principles of maqashid al-sharia. This study is also expected to contribute to research on the theory of public legal awareness in the implementation of the Law on Road Traffic and Transportation. In addition, the findings of this study are expected to serve as a reference for future research focusing on public policy and Sharia studies in the areas of public order and traffic

safety, thereby fostering a more comprehensive academic discourse in the study of law and public institutions.

## 2. Academic Benefits

Academically, this study is expected to serve as a reference for students or researchers examining similar topics, while also enriching the academic discourse on the integration of government regulations with Sharia values (particularly the *maqashid al-Sharia*) in public governance. Furthermore, this study is expected to encourage the development of curricula and teaching materials on education- and Sharia-based law enforcement.

## E. Systematics of Discussion

In the study titled “Legal Awareness as a Preventive Measure Against the Practice of Traffic Control for Monetary Compensation: A Maqashid al-Sharia Perspective (A Study in Sukun Subdistrict, Malang City),” the following structure was used:

**Chapter I: Introduction**, includes the background of the problem, the research question, the research objectives, the research benefits, operational definitions, and the structure of the discussion.

**Chapter II: Literature Review**, It includes a review of previous research used as a reference by the researcher and presents a theoretical framework that explains the theories relevant to the research subject.

**Chapter III: Research Methodology**, This section describes the research methods used by the researcher, including the type of research, research approach, research location, data sources, data collection methods, and data analysis methods.

**Chapter IV: Result and Discussion**, this chapter focuses on the core of this study, which involves the presentation and analysis of data collected during the research, including both primary data—such as interview results with relevant parties—and secondary data—such as laws and regulations and supporting literature. In this chapter, the author first outlines a general description of the research location, then presents the data systematically in accordance with the research questions, which are subsequently analyzed using an empirical legal approach to examine the alignment between field practices and applicable legal provisions.

**Chapter V: Conclusion**, contains conclusions and recommendations. The conclusions provide a brief response to the research questions, while the recommendations serve as input for relevant parties and offer guidance for future researchers.

## **CHAPTER II**

### **LITERATURE REVIEW**

#### **A. Previous Research**

1. A study by Mohammad Fahmi Shofrillah entitled “Eksistensi Sukarelawan Pengatur Lalu-Lintas (Supeltas) Dalam Mewujudkan Ketertiban Umum Dan Lingkungan Perspektif Masalah Mursalah.” In this study, the author concludes that Article 5 of Malang City Regulation No. 2/2012 is considered effective in regulating the presence of Supeltas. From a legal standpoint, the regulation clearly prohibits unauthorized parties from directing traffic in exchange for payment; however, in this case, the police have been providing guidance and coordinating with the Supeltas, and the public has accepted their presence and feels that they are helpful. From the perspective of masalah mursalah, the existence of Supeltas is considered to bring public benefit (facilitating traffic flow, ensuring safety) even though its role is classified as tahsiniyah (a matter of improvement, not a basic necessity). In this study, the subject under examination is Supeltas (which can be considered official since it receives direct supervision from the police); this study focuses on assessing the effectiveness of Malang City Regulation No. 2 of 2012 from the perspectives of legal effectiveness and masalah mursalah, whereas in the research plan, the subjects under study are traffic controllers (acting on their own initiative without direction from

the authorities), and the focus is on efforts to enhance legal awareness carried out by the Malang City Police Department from the perspective of *maqashid syariah*, using Law No. 22 of 2009 on Road Traffic and Transportation as the primary legal framework.<sup>13</sup>

2. A study by Ach. Fadlail entitled “Membangun Kesadaran Hukum bagi Masyarakat dan Penegak Hukum Agar Tercipta Penegakan Hukum yang Berkeadilan.” In this study, the author argues that public awareness plays a crucial role in achieving fair law enforcement. Low legal awareness is influenced by legal aspects, law enforcement officials, infrastructure, the public, and legal culture. Efforts to increase legal awareness are carried out through repressive, preventive, and persuasive measures, as well as formal and non-formal legal education. This study similarly examines public legal awareness as a key factor in fostering order and the enforcement of the law. However, this study is of a general nature and employs a normative-conceptual legal approach, whereas the research proposal focuses on traffic controllers receiving compensation for their services and analyzes this issue from the perspective of *maqashid al-sharia*.<sup>14</sup>
3. A study by Sunaryo et al. entitled “Peningkatan Kesadaran Hukum Masyarakat terhadap Undang-Undang Nomor 22 Tahun 2009 sebagai

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<sup>13</sup> Shofrillah, “Eksistensi Sukarelawan Pengatur Lalu-Lintas (Supeltas) dalam Mewujudkan Ketertiban Umum dan Lingkungan Perspektif Masalah Mursalah.”

<sup>14</sup> Ach. Fadlail, “Membangun Kesadaran Hukum Bagi Masyarakat dan Pengak Hukum Agar Tercipta Penegakan Hukum yang Berkeadilan,” *HUKMY: Jurnal Hukum* 3, no. 1 (April 2023).

Upaya Mewujudkan Tertib Lalu Lintas di Jalan Raya.” In this study, the author highlights the importance of raising public awareness (particularly among students) regarding Law No. 22 of 2009. Factors hindering the implementation of this law include students’ low levels of understanding, discipline, and awareness regarding compliance with traffic regulations, which contribute to high rates of violations and accidents on the roads. The author states that legal education has successfully increased students’ knowledge and understanding of the importance of traffic order. In this study, vocational high school students were the target audience for legal education, involving the University of Lampung in collaboration with the school (SMK Patria Gadingrejo). Meanwhile, the research plan focused on traffic enforcement officers in Malang City, involving the Malang City Police as the agency responsible for implementing the policy.<sup>15</sup>

4. A study by Muhammad Fauzan Zein entitled “Pentingnya Menaati dan Meningkatkan Kesadaran Hukum di Masyarakat.” In this study, the author found that public legal awareness is not yet optimal and does not automatically lead to law-abiding behavior, as it is influenced by many social factors. This lack of awareness results in non-compliance with legal regulations; therefore, efforts to improve it through educational and

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<sup>15</sup> Sunaryo et al., “Peningkatan Kesadaran Hukum Masyarakat Terhadap Undang-Undang Nomor 22 Tahun 2009 Sebagai Upaya Mewujudkan Terciptanya Tertib Lalu Lintas di Jalan Raya,” *SAKAI SAMBAYAN —Jurnal Pengabdian Kepada Masyarakat* 4, no. 2 (July 2020).

outreach approaches are necessary to ensure public compliance with the law. The scope of this study is general in nature, targeting the public, with a simple empirical approach, whereas the research plan focuses primarily on the legal awareness of traffic controllers regarding the receipt of specific service fees, analyzed through the *maqashid syariah* perspective.<sup>16</sup>

5. A study by Tarzet Prasetyo M., and A. Sholikhin Ruslie, entitled “Status Hukum Jasa Penyebrangan Ditinjau dari Peraturan Lalu Lintas dan Angkutan Jalan.” In this study, the author states that the activities of “Pak Ogah” are often carried out in an organized manner and involve illegal toll collection, thus constituting a violation of the law. Direct criminal penalties have not yet been explicitly established for “Pak Ogah,” but measures such as warnings, removal, or detention by law enforcement officials may be applied based on violations of public order. Thus, the author concludes that the practice of providing road-crossing services or “Pak Ogah” is an illegal act, lacks a legal basis, and violates the authority of law enforcement officials (Traffic Police and the Department of Transportation). This study focuses on informal traffic controllers or “Pak Ogah,” specifically examining the legal status of these individuals, whereas the research plan

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<sup>16</sup> Muhammad Fauzan Zein, “Pentingnya Mentaati Dan Meningkatkan Kesadaran Hukum Di Masyarakat,” *NOMOS: Jurnal Penelitian Ilmu Hukum* 2, no. 3 (April 2023).

focuses on examining efforts to raise legal awareness among “Pak Ogah” traffic controllers carried out by the Malang City Police.<sup>17</sup>

6. A study by Satrio Nur Hadi and Tahura Malagano entitled “Analisis Penerapan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan dalam Mewujudkan Kesadaran Hukum Berlalu Lintas (Penelitian di Polres Pesawaran).” In this study, the author found that the implementation of Law No. 22 of 2009 on Road Traffic and Transportation has not been fully effective in raising traffic law awareness. The level of legal awareness remains low due to various factors, such as public understanding, legal education patterns, and the lack of comprehensive law enforcement. This study emphasizes the importance of legal education strategies and enforcement of regulations to foster traffic law awareness. Both studies examine legal awareness within the context of traffic. However, this study focuses more on the effectiveness of the general application of the Traffic Law at the enforcement level (police stations), Meanwhile, the research plan focuses on the legal awareness of traffic officers regarding the receipt of compensation, examined from the perspective of the maqashid al-sharia.<sup>18</sup>

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<sup>17</sup> Mukti and Ruslie, “Status Hukum Jasa Penyebrangan Ditinjau Dari Peraturan Lalu Lintas Dan Angkutan Jalan.”

<sup>18</sup> Satrio Nur Hadi and Tahura Malagano, “Analisis Penerapan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan Dalam Mewujudkan Kesadaran Hukum Berlalu Lintas (Penelitian di Polres Pesawaran),” *Jurnal Kepastian Hukum & Keadilan* 2, no. 1 (December 2020).

7. A study by Dika Pola Rizki, et al entitled “Aspek Hukum Pengatur Lalu Lintas Informal di Kota Mataram.” In this study, the author demonstrates that informal traffic controllers lack a valid legal basis, and thus their existence contradicts the principle of legality in administrative law. Furthermore, from a criminal law perspective, their actions in demanding payment from drivers can be categorized as extortion, while under civil law, drivers who have suffered losses are entitled to seek compensation. Law enforcement efforts still face obstacles, including economic factors and low public awareness. Therefore, this study recommends specific regulations, improved coordination among agencies, and the provision of alternative employment for informal traffic controllers. This study focuses on examining the legality of traffic controllers in Mataram City and the enforcement of the law from the perspectives of criminal and civil law. Meanwhile, the research plan focuses on examining legal awareness regarding traffic controllers from the perspective of Islamic law, specifically the maqashid syariah.<sup>19</sup>
8. A study by Nanci Yosepin Simbolon et al entitled “Penyuluhan Hukum dalam Upaya Peningkatan Kesadaran Hukum Berlalu Lintas Melalui Pemahaman Terhadap Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.” In this study, the author demonstrates that legal

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<sup>19</sup> Dika Pola Rizki et al., “Aspek Hukum Pengatur Lalu Lintas Informal di Kota Mataram (Legal Aspects of Informal Traffic Regulation in Mataram City),” *Jurnal Diskresi* 4, no. 1 (June 2025).

education can improve public understanding of traffic regulations. This increased understanding leads to greater traffic law awareness; however, a lack of legal knowledge is one of the causes of low traffic law awareness among the public. This study discusses traffic law awareness and highlights the importance of legal understanding as the foundation for the development of legal awareness in society. However, this study focuses on examining the effectiveness of legal education regarding Law No. 22 of 2009 on Road Traffic and Transportation using an educational approach. Meanwhile, the research plan focuses on analyzing public legal awareness and efforts to improve the legal awareness of traffic regulators by examining indicators of legal awareness<sup>20</sup>

9. A study by Firman Tri Wahyuono entitled “Analisis Hukum Pidana dan Kriminologi Terhadap Sukarelawan Pengatur Lalu Lintas di Kabupaten Bantul.” In this study, the author found that the factors contributing to the existence of Supeltas in Bantul Regency include economic hardship, a limited number of police and law enforcement officers who fail to impose deterrent measures, as well as ineffective personal discipline and social bonds within Supeltas. In this study, the activities of Supeltas are categorized as the criminal offense of begging in accordance with Bantul

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<sup>20</sup> Nanci Yosepin Simbolon et al., “Penyuluhan Hukum dalam Upaya Peningkatan Kesadaran Hukum Berlalu Lintas Melalui Pemahaman Terhadap Isi Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan,” *Jurnal Abdimas Bina Bangsa* 4, no. 1 (2023), <https://doi.org/https://doi.org/10.46306/jabb.v4i1.496>.

Regency Regulation No. 4 of 2018. This study examines the criminal law analysis of Supeltas, thus focusing on its enforcement. Meanwhile, the research plan examines efforts to raise legal awareness regarding traffic regulation practices carried out by the Malang City Police from the perspective of maqashid syariah.<sup>21</sup>

10. A Study by Busriyanti entitled “Maqashid al-Syariah dalam Penegakkan Hukum Lalu Lintas di Indonesia.” In this study, the author demonstrates that integrating the principles of maqashid al-sharia into traffic enforcement can strengthen the normative foundation for legal compliance and legal education in society. The principles examined in this study focus on hifz al-nafs (protection of life) and hifz al-mal (protection of property) to promote awareness of traffic compliance. Both studies discuss traffic law awareness from a normative legal perspective using the concept of maqashid syariah as part of an evaluative approach to legal phenomena in society. However, this study emphasizes the application of the principles of maqashid syariah to traffic law enforcement in general, whereas the proposed study focuses specifically on the legal awareness of traffic regulators.<sup>22</sup>

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<sup>21</sup> Firman Tri Wahyuono, “Analisis Hukum Pidana dan Kriminologi Terhadap Sukarelawan Pengatur Lalu Lintas di Kabupaten Bantul,” *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 4, no. 3 (November 2023).

<sup>22</sup> Busriyanti, “Maqashid Al-Syariah dalam Penegakkan Hukum Lalu Lintas Di Indonesia,” *Al-Istinbath: Jurnal Hukum Islam* 6, no. 1 (May 2021).

**Table 1.** Previous Research

| No. | Author,<br>Title,<br>Research<br>Method                                                                                                                                                                                                        | Research<br>Findings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Similarities                                                                                                                                                                                | Differences                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | <p>Author:<br/>Mohammad Fahmi Shofrillah.</p> <p>Title:<br/>Eksistensi Sukarelawan Pengatur Lalu-Lintas (Supeltas) Dalam Mewujudkan Ketertiban Umum Dan Lingkungan Perspektif Masalah Mursalah.</p> <p>Research Method:<br/>Empirical Law.</p> | <p>In this study, the author asserts that Article 5 of Malang City Regulation No. 2/2012 is considered effective in regulating the presence of Supeltas. From a legal standpoint, the regulation clearly prohibits unauthorized parties from directing traffic in exchange for compensation; however, in this case, the police provide guidance and coordinate with Supeltas, and the public accepts their presence and feels assisted by them. From the perspective of masalah mursalah, the presence of Supeltas is considered to bring benefits (helping to ensure smooth</p> | <p>This study also examines Article 5 of Malang City Regulation No. 2/2012 regarding the prohibition on directing traffic for compensation, viewed from the perspective of Islamic law.</p> | <p>In this study, the subjects under examination are Supeltas (who can be considered official personnel due to direct supervision by the police); the study focuses on examining the effectiveness of Malang City Regulation No. 2 of 2012 from the perspectives of legal effectiveness and masalah mursalah, whereas in the research proposal, the subject under study is traffic controllers (acting on their own initiative without direction from the authorities), and the focus is on efforts to enhance legal awareness carried out by the Malang City Police Department from the perspective of maqashid syariah. This study</p> |

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|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                                                                | <p>traffic flow and maintaining safety) even though their role is classified as tahsiniyah (supplementary, not a basic necessity).</p>                                                                                                                                                  |                                                                                                                | <p>concludes that Supeltas is considered effective, brings public benefit, and is accepted by the community. Meanwhile, the research plan aims to demonstrate the legal awareness of traffic controllers in Malang City, as well as the forms of legal awareness training and education conducted by the Malang City Police regarding the prohibition of traffic control practices, with the hope that they will understand the consequences involved.</p> |
| 2. | <p>Author: Ach. Fadlail.</p> <p>Title: Membangun Kesadaran Hukum bagi Masyarakat dan Penegak Hukum agar Tercipta Penegakan Hukum yang Berkeadilan.</p> <p>Research Method:</p> | <p>In this study, the author argues that public awareness plays a crucial role in ensuring fair law enforcement. Low legal awareness is influenced by legal factors, law enforcement officials, infrastructure, the public, and legal culture. Efforts to raise legal awareness are</p> | <p>Both studies examine public legal awareness as a key factor in maintaining order and enforcing the law.</p> | <p>This study is general in nature and employs a normative-conceptual legal approach, Meanwhile, the research plan focuses on traffic controllers receiving compensation and analyzes this from the perspective of</p>                                                                                                                                                                                                                                     |

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|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | Normative Law.                                                                                                                                                                                                                  | carried out through repressive, preventive, and persuasive measures, as well as formal and informal legal education.                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                          | the maqashid al-sharia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 3. | <p>Authors: Sunaryo, et al.</p> <p>Title: Peningkatan Kesadaran Hukum Masyarakat terhadap Undang-Undang Nomor 22 Tahun 2009 sebagai Upaya Mewujudkan Tertib Lalu Lintas di Jalan Raya.</p> <p>Research Method: Qualitative.</p> | <p>In this study, the author highlights the importance of raising public awareness (particularly among students) regarding Law No. 22/2009. The main obstacles to the implementation of this law stem from students' low levels of understanding, discipline, and awareness regarding compliance with traffic regulations, which contribute to high rates of traffic violations and accidents on the roads. The author states that legal education has successfully increased students' knowledge and understanding of the importance of traffic order.</p> | <p>Both studies address legal awareness education using a preventive approach. Both studies aim to improve public understanding so that people do not break the law, thereby fostering social order.</p> | <p>In this study, the subjects were vocational high school students, who served as the target audience for legal education, in collaboration with the University of Lampung and the school (SMK Patria Gadingrejo). Meanwhile, the research plan focused on traffic controllers in the city of Malang, in collaboration with the Malang City Police Department as the agency responsible for implementing policies. This study utilizes the legal provisions of Law No. 22/2009, while the research plan employs the legal provisions of Malang City Regulation No. 2/2012, grounded in the maqashid</p> |

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|    |                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              | syariah perspective as the moral and spiritual foundation for law enforcement.                                                                                                                                                                                                                             |
| 4. | <p>Authors: Muhammad Fauzan Zein.</p> <p>Title: Pentingnya Menaati dan Meningkatkan Kesadaran Hukum di Masyarakat.</p> <p>Research Method: Empirical law</p> | In this study, the author found that public legal awareness is not yet optimal and does not automatically lead to law-abiding behavior, as it is influenced by many social factors. This lack of awareness results in non-compliance with legal regulations; therefore, efforts to improve it through educational and outreach approaches are necessary to ensure public compliance with the law. | Both studies examine the public's legal awareness in relation to maintaining public order.                                                   | The scope of this study is general in nature, focusing on the public, and employs a simple empirical approach. However, the research plan focuses specifically on the legal awareness of traffic controllers as a specialized profession, utilizing an analysis based on the maqashid syariah perspective. |
| 5. | <p>Authors: Tarzet Prasetyo M., and A. Sholikhin Ruslie.</p> <p>Title: Status Hukum Jasa Penyebrangan Ditinjau dari Peraturan Lalu Lintas</p>                | In this study, the author states that the activities of "Pak Ogah" are often carried out in an organized manner and involve illegal toll collection, thereby constituting a violation of the law. Direct                                                                                                                                                                                          | Both studies examine the phenomenon of traffic controllers (Pak Ogah) on public roads. Both studies aim to promote traffic order and safety. | This study employs a normative legal research method, focusing on the legal status and legitimacy of the "Pak Ogah" practice under Law No. 22 of 2009. The study is conducted from a positive law perspective with the                                                                                     |

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|    | <p>dan Angkutan Jalan.</p> <p>Research Method: Normative Law.</p>                                                                    | <p>criminal penalties have not yet been explicitly established for “Pak Ogah,” but measures such as warnings, removal, or detention by law enforcement officials may be applied based on violations of public order.</p> <p>Consequently, the author concludes that the practice of providing road-crossing services, or “Pak Ogah,” constitutes an illegal act, lacks a legal basis, and exceeds the authority of law enforcement officials (Traffic Police and the Department of Transportation).</p> |                                                                        | <p>aim of assessing whether the “Pak Ogah” activity has a legal basis and associated sanctions.</p> <p>Meanwhile, the research plan employs an empirical legal research method, focusing on efforts by the Malang City Police to enhance legal awareness as a preventive measure, viewed from the perspective of maqashid syariah. The primary objective of the research plan is to analyze the efforts made to enhance legal awareness among those engaged in traffic regulation practices.</p> |
| 6. | <p>Authors: Satrio Nur Hadi and Tahura Malagano.</p> <p>Title: Analisis Penerapan Undang-Undang Nomor 22 Tahun 2009 tentang Lalu</p> | <p>In this study, the author found that the implementation of Law No. 22 of 2009 on Road Traffic and Transportation has not been fully effective in raising traffic law awareness. The level of legal awareness remains</p>                                                                                                                                                                                                                                                                             | <p>Both studies examine legal awareness in the context of traffic.</p> | <p>This study focuses more on the effectiveness of the implementation of traffic laws in general at the law enforcement level (district police). Meanwhile, the research plan focuses on traffic controllers receiving</p>                                                                                                                                                                                                                                                                       |

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <p>Lintas dan Angkutan Jalan dalam Mewujudkan Kesadaran Hukum Berlalu Lintas (Penelitian di Polres Pesawaran).</p> <p>Research Method: Normative law and empirical law.</p> | <p>low due to various factors, such as public understanding, legal education practices, and the lack of comprehensive law enforcement. This study emphasizes the importance of legal education strategies and enforcement of regulations to foster traffic law awareness.</p>                                                                                                                               |                                                                                                         | <p>compensation and analyzes this from the perspective of the maqashid al-sharia.</p>                                                                                                                                                                                                                                                                                                                                                                          |
| 7. | <p>Authors: Dika Pola Rizki, et al.</p> <p>Title: Aspek Hukum Pengatur Lalu Lintas Informal di Kota Mataram.</p> <p>Research Method: Empirical law.</p>                     | <p>In this study, the author demonstrates that informal traffic controllers lack a valid legal basis, and thus their existence contradicts the principle of legality in administrative law. Furthermore, from a criminal law perspective, their actions in demanding payment from drivers can be categorized as extortion, while under civil law, drivers who have suffered losses are entitled to seek</p> | <p>Both studies address traffic control with the shared goal of maintaining order in the community.</p> | <p>This study focuses on examining the legality of traffic controllers in Mataram City and the enforcement of the law from the perspectives of criminal and civil law. Meanwhile, the research proposal focuses on examining legal awareness education for traffic controllers from the perspective of Islamic law, specifically the maqashid al-sharia. The subject of study in this research is the police, who play a role in enforcing the law against</p> |

|    |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                   |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                                                                                                        | <p>compensation. Law enforcement efforts still face obstacles, including economic factors and low public awareness. Therefore, this study recommends specific regulations, improved coordination among agencies, and the provision of alternative employment for informal traffic controllers.</p>                                 |                                                                                                                                                                                              | <p>traffic controllers, while the subject in the research plan is the police, who play a role in providing guidance or counseling to traffic controllers.</p>                                                                                                                                                                     |
| 8. | <p>Authors:<br/>Nanci Yosepin Simbolon, et al.</p> <p>Title:<br/>Penyuluhan Hukum dalam Upaya Peningkatan Kesadaran Hukum Berlalu Lintas Melalui Pemahaman Terhadap Undang-Undang Nomor 22 Tahun 2009 tentang Lalu</p> | <p>In this study, the author demonstrates that legal education can improve the public's understanding of traffic regulations. This improved understanding leads to greater awareness of traffic laws; however, a lack of legal knowledge is one of the factors contributing to low awareness of traffic laws among the public.</p> | <p>Both studies discuss legal awareness in the field of traffic and highlight the importance of legal understanding as the foundation for the development of legal awareness in society.</p> | <p>This study focuses on examining the effectiveness of legal education regarding Law No. 22 of 2009 on Road Traffic and Transportation using an educational approach. Meanwhile, the research plan focuses on analyzing public legal awareness and efforts to enhance legal awareness among traffic controllers by examining</p> |

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|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <p>Lintas dan Angkutan Jalan.</p> <p>Research Method: Normative Law.</p>                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              | indicators of legal awareness.                                                                                                                                                                                                                                                                |
| 9.  | <p>Author: Firman Tri Wahyuono.</p> <p>Title: Analisis Hukum Pidana dan Kriminologi Terhadap Sukarelawan Pengatur Lalu Lintas di Kabupaten Bantul.</p> <p>Research Method: Empirical law and Normative law.</p> | <p>In this study, the author found that the factors contributing to the occurrence of Supeltas in Bantul Regency include economic hardship, a shortage of police and law enforcement personnel that fails to serve as a deterrent, and ineffective personal discipline and social bonds within Supeltas. In this study, Supeltas activities are classified as the criminal offense of begging in accordance with Bantul Regency Regulation No. 4 of 2018.</p> | <p>Both studies address the issue of traffic controllers who disrupt order on the roads.</p> | <p>This study examines the criminal law analysis of Supeltas, focusing on its enforcement. Meanwhile, the research proposal examines efforts to raise legal awareness regarding traffic control practices carried out by the Malang City Police from the perspective of maqashid syariah.</p> |
| 10. | <p>Author: Busriyanti</p> <p>Title: <i>Maqashid al-Syari'ah dalam</i></p>                                                                                                                                       | <p>In this study, the author demonstrates that integrating the principles of maqashid al-sharia</p>                                                                                                                                                                                                                                                                                                                                                           | <p>Both of these studies examine traffic law awareness through the concept of</p>            | <p>This study emphasizes the application of the principles of maqashid al-sharia to traffic law</p>                                                                                                                                                                                           |

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|  | Penegakkan Hukum Lalu Lintas di Indonesia.<br><br>Research Method: Normative law. | into traffic enforcement can strengthen the normative foundation for legal compliance and legal education in society. The principles examined in this study focus on hifz al-nafs (protection of life) and hifz al-mal (protection of property) to promote awareness of traffic compliance. | maqashid al-sharia as part of an evaluative approach to legal phenomena in society. | enforcement in general, while the research proposal focuses specifically on legal awareness regarding traffic regulations. |
|--|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|

## B. Literature Review

### 1. The Theory of Legal Awareness

#### 1a. Definition of Legal Awareness

According to Sudikno Mertokusumo, legal awareness refers to the perceptions and beliefs held by society regarding what the law is or what it should be.<sup>23</sup> In another sense, legal awareness can be defined as the awareness that every individual has to comply with applicable legal rules. Legal awareness can be achieved through the values present in society regarding the law, such as knowledge, understanding, compliance, or obedience to the law. In other words, law is a human abstract concept of

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<sup>23</sup> Santiago and Asnawi, *Pengantar Teori Hukum* .

harmony between interdependence and the desired peace, as seen through specific indicators that must be used as measures or references in the formulation or development of laws to be implemented.

In this regard, the public's legal behavior reflects a certain level of legal understanding. These laws can be considered effective if the public complies with them. Conversely, laws can be said to be ineffective or less effective if the public continues to violate them. A nation's ideals cannot be separated from legal consciousness. Compliance with the law must be autonomous. That is, there must be a sense of conscience that compels one to obey these rules. Compliance with the law should not be heteronomous—that is, based on external pressure or coercion.<sup>24</sup>

Public legal awareness is a social value reflected in the public's understanding of and compliance with applicable legal standards and regulations. Public legal awareness is the result of efforts to foster an understanding of the law that cultivates respect for the law through practical application. A society is considered to have legal awareness if the majority complies with the law because they possess legal awareness. This means that people comply with the law not out of fear of punishment or sanctions. To uphold the rule of law, this public legal awareness will foster a legal

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<sup>24</sup> Mochtar and Hiarej, *Dasar-Dasar Ilmu Hukum, Memahami Kaidah, Teori, Asas Dan Filsafat Hukum*.

culture characterized by order, obedience, and compliance with applicable rules and regulations.<sup>25</sup>

#### 1b. The Process of Developing Legal Awareness

According to Soerjono Soekanto, the process of developing legal awareness involves several stages related to the public's legal knowledge and attitudes. In this regard, Soekanto identifies indicators of legal awareness that represent the stages of this process, including:<sup>26</sup>

##### 1) Knowledge of legal regulations.

In this context, an individual or a community recognizes that certain behaviors or actions are prohibited by law - whether through written or unwritten rules - which establish legal boundaries. These behaviors or actions include both those that are legally permitted and those that are legally prohibited.

##### 2) Understanding of the content of legal regulations.

Understanding the content of legal regulations refers to a person's knowledge of the provisions contained in a specific law. Legal understanding is a process of comprehending the purpose, content, and

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<sup>25</sup> Yul Ernis, "Implikasi Penyuluhan Hukum Langsung Terhadap Peningkatan Kesadaran Hukum Masyarakat (Implication of Direct Legal Education to the Improvement of Public Legal Awareness)," *Jurnal Penelitian Hukum De Jure* 18, no. 4 (November 2018): 484.

<sup>26</sup> Ibrahim Ahmad, "Rencana dan Strategi Peningkatan Kesadaran Hukum Masyarakat," *Gorontalo Law Review* 1, no. 1 (April 2018): 16-17.

benefits of a legal regulation for the community whose lives are governed by the applicable laws.

3) Attitude toward legal regulations.

Attitude toward legal regulations is defined as the tendency to accept the law because one believes that it is beneficial or useful if obeyed.

4) Legal behaviour.

Legal compliance is defined as a situation in which the public adheres to existing laws. This is the most important indicator because it reflects the level of legal understanding within society by showing whether a regulation is being followed or not.

In this study, legal awareness is necessary for the public—or, more specifically, for traffic controllers—to ensure a high level of understanding. In reality, the public's level of legal awareness is not always ideal. Some members of the public are sometimes unaware of the legal regulations governing certain behaviors, or they may be aware but fail to understand the intent and purpose of the law; others may understand the law yet still violate it due to economic pressures or specific social circumstances. These conditions are also evident in the focus of this study; some participants admitted that they knew their activities violated the law but continued to do so due to economic pressures and the lack of viable alternative employment. This indicates that efforts to enhance public legal awareness must go

beyond merely providing legal information or knowledge; they must be accompanied by the cultivation of legal understanding and awareness so that these legal values are truly internalized in public behavior.

## 2. Laws and Regulations

### 2a. Law No. 22 of 2009 on Road Traffic and Transportation

Article 5, paragraphs 1 and 2, of Law No. 22 of 2009 on Road Traffic and Transportation states that “1. The State is responsible for road traffic and transportation, and its supervision is carried out by the Government. 2. The management of road traffic and transportation as referred to in paragraph (1) includes: a. planning; b. regulation; c. control; and d. supervision.”<sup>27</sup> This regulation provides a legal basis for the central and local governments in the administration of road traffic and transportation, specifically by providing guidance in the form of legal awareness activities and increasing public awareness to ensure orderly traffic.

Furthermore, Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation states that “Under certain circumstances, to ensure order and the smooth flow of road traffic and transportation, officers of the Indonesian National Police may take the following actions: a. stop traffic and/or road users; b. order road users to proceed; c. accelerate traffic flow;

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<sup>27</sup> Pasal 5 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

d. slow down traffic flow; and/or e. divert the direction of traffic flow..”<sup>28</sup>

The regulation states that the police have the authority to direct traffic on public roads. This means that members of the general public are prohibited from doing so.

This is further elaborated in Article 200(3)(c), which states that “to achieve and maintain road traffic and transportation safety as referred to in paragraph (1), the following activities shall be carried out: c. the implementation of education, training, guidance, counseling, and public awareness campaigns regarding traffic rules in order to enhance public awareness of traffic laws and ethics.”<sup>29</sup> This article grants the Police the authority to provide counseling or guidance to the public regarding traffic regulations.

#### 2b. Malang City Regulation No. 2 of 2012 on Public Order and the Environment

Section 5(a) of Malang City Regulation No. 2 of 2012 on Public Order and the Environment states that “Any person or group of persons without the proper authority is prohibited from: a. directing traffic for the purpose of receiving payment.”<sup>30</sup> This regional regulation clarifies the main rule, namely Article 104 of Law No. 22 of 2009 on Road Traffic and

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<sup>28</sup> Pasal 104 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

<sup>29</sup> Pasal 200 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

<sup>30</sup> Pasal 5 Peraturan Daerah Kota Malang Nomor 2 Tahun 2012 tentang Ketertiban Umum dan Lingkungan.

Transport. It is clear that the activities of traffic controllers/Pak Ogah (people without authority) are illegal because they can interfere with the security of traffic and transport on the roads, so they need to be regulated and supervised by the relevant authorities.

### 3. Maqashid al-Sharia

Linguistically, maqashid al-sharia consists of two words: maqashid and al-sharia. Maqashid means intention or purpose. Meanwhile, sharia means the path to a water source or the path to the source of life.

Terminologically, maqashid al-sharia refers to the values that serve as the objectives of the legislation of Islamic law. Thus, as explained by Ahmad al-Raisuni in *Nazhariyyat al-Maqashid ‘inda al-Syatibi*, the maqashid of Sharia are the intentions or objectives behind the legislation of Islamic law. In this regard, Al-Syatibi states that the maqashid of Sharia have a single legal objective: to lead to the good and well-being of humanity.<sup>31</sup>

In terms of terminology, scholars of *usul al-fiqh* have also provided definitions of the maqasid al-sharia; among them is the definition by Wahbah Al-Zuhaili:

هي المعاني والأهداف الملحوظة للشرع في جميع احكامه او معظمها او هي الغاية من الشريعة و

الأسرار التي وضعها الشارع عند كل حكم من احكامها

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<sup>31</sup> M. Syukri Albani Nasution, *Filsafat Hukum* (Jakarta: PT Raja Grafindo Persada, 2013).

“The maqashid al-shari’ah are the meanings and objectives outlined in the codification of Islamic law. They are also the underlying motives or principles established by Islamic law in each of its rulings.”

In this regard, Wahbah al-Zuhaili argues that something can be classified as a maqashid al-sharia if it meets four conditions, including:<sup>32</sup>

1. It must be definitive, implying that the intended meaning must be certain or highly likely to be certain.
2. It must be clear, so that jurists can interpret the meaning in the same way. For example, the purpose of the institution of marriage is to preserve the lineage.
3. It must be measurable, implying that the meaning must have definite and unambiguous standards or limits. For example, the purpose of the prohibition of alcohol is to preserve sound judgment, and the established standard is intoxication.
4. It must be universal, meaning that the meaning will always be the same despite differences in time and place. Such as the Islamic nature and the ability to provide financial support as requirements for kafa’ah in marriage according to the Maliki school of thought.

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<sup>32</sup> Paryadi, “Maqashid Syariah: Definisi dan Pendapat Para Ulama,” *Cross-Border*, no. 2 (2021): 209.

Another definition is also put forward by Thahir Ibn ‘Asyur in his book “Maqashid al-Syariah al-Islamiyyah”, namely:

المعاني والحكم الملحوظة للشارع في جميع أحوال التشريع أو معظمها، بحيث لا تختص ملاحظتها بالكون في نوع خاص من أحكام الشريعة

“These objectives and principles serve as the Sharia basis for all—or the majority of—religious rulings. By establishing these objectives, they apply not only to specific Sharia legal rulings.”

The definition put forward by Thahir Ibn ‘Asyur refers more specifically to the general objectives of Sharia (maqashid al-syariah al-ammah). In his work, he provides examples such as maintaining public order, upholding justice, achieving the public good, and so on.<sup>33</sup>

To achieve the public good in accordance with the objectives of maqashid al-sharia, there are five key elements that must be upheld and realized, namely:<sup>34</sup>

1. Hifz al-din (preserving religion): To achieve this, Islam has established faith and the five fundamental pillars as the foundation of the religion, namely: testifying that there is no god but Allah and that Muhammad is the Messenger of Allah;

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<sup>33</sup> Suhaimi, Muhamad Rezi, and Maman Rahman Hakim, “Al-Maqashid Al-Syariah; Teori dan Implementasi,” *SAHAJA: Journal Sharia And Humanities* 2, no. 1 (2023).

<sup>34</sup> Nasution, *Filsafat Hukum*.

performing the prayers; paying zakat; fasting during the month of Ramadan; and performing the Hajj.

2. Hifz al-nafs (preserving life): In this regard, Islam protects human life by prohibiting murder without a valid reason. Murder without a basis in Islamic law is forbidden by Allah, and those who commit such a crime will face the punishment of qishas (Quran 2:178). Islam not only condemns the killing of others but also prohibits suicide (Quran 4:29).
3. Hifz al-aql (preserving the mind): To preserve the mind, Islam encourages abstaining from haram substances such as alcohol and anything that intoxicates, or imposes punishment on those who consume or use them.
4. Hifz al-nasl (preserving honor): Islam prescribes punishments for adultery committed by men, women, and those who accuse others of adultery without witnesses, in order to preserve honor.
5. Hifz al-mal (preserving wealth): To safeguard wealth, Islam prohibits earning a living through unlawful means, such as theft, usury, fraud, and others, and obligates people to seek lawful means of livelihood to protect their property.

In this study, the maqashid al-sharia were used as a reference in providing legal counseling to the public or traffic enforcement officers by the Malang City Police. This aims to develop or enhance legal and moral

awareness to ensure compliance with regulations and avoid actions that endanger public safety, in accordance with the principle of hifz an-nafs.

## **CHAPTER III**

### **RESEARCH METHODOLOGY**

#### **A. Type of Research**

The type of research used in this study is empirical legal research. Abdulkadir Muhammad explains that “empirical legal research explores patterns of behavior that exist in society as legal phenomena through the expression of actual behavior experienced by members of society.” Such actual behavior serves a dual function: it is both a pattern of conduct that is justified, accepted, and valued by society, and simultaneously a living normative form within society. This behavior is justified, accepted, and valued by society because it is not prohibited by law, does not conflict with public order, and does not violate societal moral standards. This patterned behavior is generally found in the customs, traditions, and social norms of various ethnic groups in Indonesia.

Meanwhile, Salim HS and Erlies Septiana Nurbaini define empirical legal research as “legal research that examines and analyzes the legal behavior of individuals or society in relation to the law, using primary data as its source.”<sup>35</sup> This study employs an empirical legal approach due to the practice of traffic regulation by members of the public (Pak Ogah), who, normatively

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<sup>35</sup> Muhaimin, *Metode Penelitian Hukum* (Mataram-NTB: Mataram University Press, 2020): 81-82 <https://doi.org/978-623-7608-48-6>.

speaking, lack official authority, yet are still commonly found in the field. Additionally, there is a phenomenon in which the police not only enforce regulations but also provide guidance through the formation of the Volunteer Traffic Regulators (Supeltas) community as a form of community involvement in traffic regulation.

This situation indicates a gap between existing legal provisions and actual practices in society, making a purely normative legal approach insufficient. Therefore, an empirical approach is employed through field data collection, such as interviews with police officials, to understand how the exercise of such authority aligns with on-the-ground realities.

## **B. Research Approach**

This study employs a sociological-juridical approach. The sociological approach analyzes the reactions and interactions that occur when a system of norms operates within society. Using this approach, researchers can analyze the legal awareness of traffic enforcement officers and identify the actual and contextual social impacts of their practices.

## **C. Research Location**

The selection of the research location is crucial for ensuring the validity of the data collected by the author. In this study, the selected location is Sukun District, Malang City, with traffic controllers as the research subjects, as this area is quite densely populated and has a large number of people working as

traffic controllers. Another reason is that the community working as traffic controllers still tends to be difficult to regulate. Consequently, in this context, individuals engaged in such activities tend to require more guidance from the relevant authorities. Additionally, the researcher initially planned to designate the Malang City Civil Service Police Unit (Satpol PP) as the research site, as the implementing agency for the Regional Regulation, because, normatively, Article 3 of Malang City Regional Regulation No. 8 of 2012 on the Organization and Work Procedures of the Civil Service Police Unit states that the Satpol PP has the primary duty of enforcing Regional Regulations, Mayoral Regulations, and Mayoral Decisions, as well as maintaining public order and peace and protecting the community.<sup>36</sup>

However, in practice, the author encountered difficulties in obtaining data from that agency. Therefore, to ensure the continuity of the research and to obtain data relevant to the issue under study, the author subsequently shifted the data source to the Police, which, in practice, has a direct connection to the phenomenon of community-led traffic regulation on public roads as stipulated in No. 22 of 2009 on Road Traffic and Transportation, specifically Article 200(3)(a), which states that the Police are responsible for providing education, training, counseling, and information on traffic matters to enhance public

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<sup>36</sup> Peraturan Daerah Kota Malang Nomor 8 Tahun 2012 tentang Organisasi dan Tata Kerja Satuan Polisi Pamong Praja, Pub. L. 3, BPK RI (2012), <https://peraturan.bpk.go.id/Details/50864>.

awareness of legal and ethical standards in traffic, with the aim of achieving and maintaining road traffic and transportation safety.

#### **D. Population**

A population is a group or collection of people who meet certain criteria related to the research topic. In this study, the population consists of all traffic controllers in Malang City who engage in this practice to receive compensation.

#### **E. Sample**

A sample is a portion of a population selected for study. This study employed purposive sampling, which involves the deliberate selection of research subjects based on specific criteria aligned with the study's objectives. In this case, the research sample consisted of 10 (ten) traffic controllers or members of the public managing traffic in Sukun Subdistrict, Malang City, who served as respondents. These 10 (ten) respondents were identified at several locations within Sukun Subdistrict, Malang City, including the following areas: Kebonsari Village, Bandulan Village, Mulyorejo Village, Karangbesuki Village, Pisangcandi Village, Bandungrejosari Village, Gadang Village, Ciptomulyo Village, Tanjungsari Village, and Bakalankrajan Village. The author selected Sukun District, Malang City, as the sample area because, based on field observations, the community in that location is generally more difficult to manage than communities in other parts of Malang City.

## **F. Data Source**

### **1. Primary Data**

Primary data refers to data obtained from primary sources. In this study, primary data was obtained from respondents—traffic controllers in Sukun District, Malang City—and an informant, namely the Head of the Traffic Unit (Satlantas) of the Malang City Police Department.

### **2. Secondary Data**

Secondary data is data obtained from various literature sources, such as books, journals, previous research findings, and others. In this study, the author used the following secondary data sources:

- a. Law No. 22 of 2009 on Road Traffic and Transportation.
- b. Malang City Regulation No. 2 of 2012 on Public Order and the Environment.
- c. Islamic law, particularly regarding the maqashid al-sharia.
- d. Books and scientific journals highlighting issues related to violations of public order.

## **G. Data Collection Methods**

### **1. Interview**

Interviews are a method of collecting primary data obtained directly from research informants in the field. These interviews are intended to facilitate direct question-and-answer sessions with informants to obtain the

information needed by the researcher. In empirical research, interviews are a crucial element because without them, the researcher would miss key information. In this study, the author selected traffic controllers in Sukun Subdistrict, Malang City, as respondents, including: Mr. Yanto, Mr. Kholil, Mr. Yusuf, Mr. Suwoto, Mr. Purnomo, Mr. Dedik, Mr. Ahmad Toyiyib, Mr. Yusa, Mr. Nanang, and Mr. Usman where the 10 (ten) traffic controllers carry out their duties at several locations in Malang City. The author also conducted an interview with the sole informant in this study, namely the Head of the Traffic Unit of the Malang City Police Department (Ms. Juana), to gather information regarding the efforts of the Malang City Police Department to enhance the legal awareness of traffic controllers who seek compensation in Malang City.

## **H. Data Processing and Analysis Methods**

Once the data and legal materials have been collected and those with good validity have been selected, the next step is to process the data—that is, to organize the data in such a way that it is presented in a coherent and systematic manner, thereby facilitating the researcher's analysis.<sup>37</sup>

According to Sugiyono, the technical aspects of data analysis involve the systematic collection and organization of data from field notes, interviews, and documentation. This data is then categorized, broken down into units,

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<sup>37</sup> Muhaimin, *Metode Penelitian Hukum*, 103.

synthesized, organized into patterns, and conclusions are drawn in a manner that is easily understood by both the researcher and others.

The data analysis method in this study employs an empirical legal approach, which involves analyzing data collected from the field and relating it to applicable legal provisions. The processed data is then qualitatively analyzed by describing the empirical facts observed in the field—such as the practices of traffic regulators (*pak ogah*) and comparing them with legal norms in relevant legislation. The results of this analysis are then interpreted to assess the alignment between these practices and legal provisions, as well as to identify efforts by relevant agencies to enhance legal awareness, thereby enabling conclusions that address the research questions.

The components of the analysis are:

1. Data Reduction

Data reduction is a process of selecting, separating, reducing, abstracting, and manipulating raw data derived from field notes. In this study, the researcher sorted and discarded data that did not align with the study's focus, namely Public Order and Traffic Safety as implemented by the Traffic Unit (*Satlantas*) of the Malang City Police Department.

## 2. Data Presentation

After performing data reduction, the researcher displays the data through data presentation. In this study, the data will be presented in the form of descriptive narratives, images, and photographs.

## 3. Drawing Conclusions

In the conclusion-drawing stage, the researcher analyzes the findings to answer the research questions using secondary data as a reference.

## CHAPTER IV

### RESULT AND DISCUSSION

#### A. Overview of the Research Location

##### 1. Sukun Subdistrict, Malang City

##### 1a. Geographical Location of Sukun Subdistrict, Malang City

Sukun Subdistrict covers an area of 20.97 km<sup>2</sup> divided into 11 (eleven) villages, namely Ciptomulyo Village, Gadang Village, Kebonsari Village, Bandungrejosari Village, Sukun Village, Tanjungrejo Village, Dulan Village, Mulyorejo Village, Pisangcandi Village, Karangbesuki Village, Bandulan Village, and Bakalankrajan Village.<sup>38</sup>

**Table 2.** Area and Percentage of Subdistrict Area by Neighborhood, 2019

| No. | Neighborhood    | Area (Km <sup>2</sup> ) | % of Subdistrict Area |
|-----|-----------------|-------------------------|-----------------------|
| 1.  | Kebonsari       | 1,57                    | 7,49                  |
| 2.  | Gadang          | 1,95                    | 9,30                  |
| 3.  | Ciptomulyo      | 0,83                    | 3,96                  |
| 4.  | Sukun           | 1,29                    | 6,15                  |
| 5.  | Bandungrejosari | 2,75                    | 13,11                 |
| 6.  | Bakalan Krajan  | 1,78                    | 8,49                  |
| 7.  | Mulyorejo       | 2,75                    | 13,11                 |
| 8.  | Bandulan        | 2,24                    | 10,68                 |
| 9.  | Tanjungrejo     | 0,93                    | 4,43                  |

<sup>38</sup> Kecamatan Sukun Kota Malang, "Letak Geografis Kecamatan Sukun," accessed March 8, 2026, <https://kecsukun.malangkota.go.id/letak-geografis/>.

|                   |              |       |        |
|-------------------|--------------|-------|--------|
| 10.               | Pisangcandi  | 1,84  | 8,77   |
| 11.               | Karangbesuki | 3,04  | 14,50  |
| Sukun Subdistrict |              | 20,97 | 100,00 |

Note: Based on Ministry of Home Affairs Regulation No. 137 of 2017 dated December 29, 2017

Source: Ministry of Home Affairs

#### 1b. Geographical Conditions of Sukun Subdistrict, Malang City

- 1) Elevation above sea level: 440 m asl – 460 m asl
- 2) Temperature (min/max): 20°C / 30°C
- 3) Annual rainfall: 210 mm
- 4) Topography of the Area:
  - Flat to undulating: 100%
  - Undulating to hilly: -
  - Hilly to mountainous: -
- 5) Distance from the subdistrict administrative center to:
  - City: 4 Km
  - Province: 92 Km
  - Furthest village: 6 Km

#### 1c. Vision and Mission of Sukun Subdistrict, Malang City

Vision: To create a prosperous, cultured, and educated community in Sukun Subdistrict based on spiritual values that are religious, tolerant, and equitable.

Mission:

- 1) To boost economic growth, reduce unemployment, and eradicate poverty in Sukun Subdistrict.
- 2) To guide the community toward a more cultured society, characterized by religious and tolerant values, mutual respect for differences, and the absence of conflicts and violence based on ethnicity, religion, race, or intergroup relations (SARA) in Sukun Subdistrict.
- 3) To create an orderly and safe community in Sukun Subdistrict, characterized by low crime rates and increasingly guaranteed public safety and order.
- 4) To prioritize both formal and non-formal education as a priority for the community of Sukun Subdistrict by promoting the continuity of education in Sukun Subdistrict.<sup>39</sup>

## 2. Malang City Police Department

### 2a. History and Profile of the Malang City Police Department

The Malang City Police Department has a long history rooted in Indonesia's struggle for independence. According to the book "Peran Polri dalam Perjuangan Kemerdekaan di Jawa Timur Tahun 1945-1949" published by the East Java Regional Police, the Malang Residency Police

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<sup>39</sup> Kecamatan Sukun Kota Malang, "Visi dan Misi Kecamatan Sukun," accessed March 8, 2026, <https://kecsukun.malangkota.go.id/visi-dan-misi/>.

once occupied an office at 1–3 Brigjen Slamet Riadi Street in Malang. During the armed rebellion against colonial rule, this building served a dual function as both a command center and a police headquarters. The building’s original structure and interior have largely been preserved as a tribute to the history of the police force and the struggle of the Republic of Indonesia as a whole. However, after the Malang City Police Department moved into the building, a number of renovations were carried out, particularly on the facade, to bring it up to modern standards.

On November 28, 2019, the Malang Police Department was renamed the Malang City Police Department in response to regional development and growing demands for public services. The purpose of this change is to enhance the police’s capacity and service quality in addressing rapid population growth and increased community participation. With this status change, the Malang City Police Department now oversees five police precincts: Klojen, Blimbing, Kedungkandang, Lowokwaru, and Sukun. Additionally, there are plans to double the number of police precincts; for instance, the Pakis, Singosari, and Lawang Police Precincts, which were previously under the Malang Police District, will become part of the Malang City Police Department’s jurisdiction.<sup>40</sup>

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<sup>40</sup> Polres Malangkota, “Sejarah Polres Malang Kota.”

The Malang City Police Department, which is part of the East Java Regional Police, is responsible for maintaining public order, security, and law enforcement within the city of Malang. Located at Jalan Jaksa Agung Suprpto No. 19, Samaan, Klojen District, Malang City, the Malang City Police Department is primarily tasked with maintaining a safe and comfortable environment in this dynamic city, which is considered the center of tourism, education, and the economy in East Java.

The Malang City Police Department also actively participates in a number of cutting-edge initiatives to improve public services, including the app-based programs “Jogo Malang” and “Arema Police Sobo Kelurahan,” as well as the “Samsat Corner” and “Samsat Drive Thru” services, which aim to simplify motor vehicle administration. The Malang City Police Department is committed to maintaining security and order in the city of Malang while continuously improving the quality of its services.<sup>41</sup>

## 2b. Vision and Mission of the Malang City Police Department

Vision: To be a professional, modern, and trustworthy police department that provides the best service to the community and creates a safe, orderly, and prosperous environment in the city of Malang.

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<sup>41</sup> Polres Malangkota, “Profil Polres Malang Kota.”

Mission:

- 1) To improve the quality of public services by providing prompt, accurate, and humane assistance to the residents of Malang City.
- 2) Enforcing the law fairly, transparently, and firmly, and eradicating all forms of criminal activity within the City of Malang.
- 3) Maintaining public safety and order through preventive measures, routine patrols, and enhanced communication and collaboration with the community.
- 4) Enhancing the professionalism of Malang City Police personnel through continuous training and capacity building to address new challenges.
- 5) Optimizing the use of information technology in public services to facilitate access and provide more efficient services to the community.
- 6) Building better synergy with relevant agencies, community leaders, and other stakeholders in maintaining a conducive public security and order situation in Malang City.
- 7) Prioritizing prevention in addressing crime through a community-based approach and increasing legal awareness among the public.<sup>42</sup>

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<sup>42</sup> Polres Malangkota, “Visi & Misi Polres Malangkota,” accessed March 8, 2026, <https://polresmalangkota.com/visi-misi/>.

**B. Legal Awareness Among Traffic Controllers Seeking Compensation for Their Services in Sukun Subdistrict, Malang City, Regarding Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation**

According to Sudikno Mertokusumo, legal awareness refers to the perceptions and beliefs held by the public regarding what the law is or what it should be.<sup>43</sup> In another sense, legal awareness can be defined as the awareness of every individual to comply with applicable legal rules. Legal awareness, as the foundation for the enforcement of written positive law, indicates that the law will not be truly binding unless supported by the legal awareness of the community itself. This means that a legal norm is not sufficient if it is merely established in writing; it must also be understood and accepted by the community in order to be properly enforced.

Legal awareness has several important aspects. One of them relates to legal compliance, namely the willingness of the public to abide by applicable regulations. In addition, legal awareness is also linked to the law-making process, as good laws should be drafted with due consideration for the values and needs of society. Another aspect is the effectiveness of the law, namely the extent to which a rule or norm can be implemented and observed in daily life.

Article 104 of Law No. 22 of 2009 on Road Traffic and Transportation stipulates that the police are the authority responsible for regulating traffic on

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<sup>43</sup> Santiago and Asnawi, Pengantar Teori Hukum.

public roads. This means that the general public is prohibited from engaging in such activities. This regulation is further reinforced in several Regional Regulations, one of which is Article 5(a) of Malang City Regional Regulation No. 2 of 2012 on Public Order and the Environment, which prohibits the general public from regulating traffic on public roads for the purpose of receiving compensation. However, in reality, many people still violate these regulations. As is the case in Sukun District, Malang City, many people direct traffic to receive compensation. This practice is considered to have both negative and positive impacts on the community.

The positive impacts of having traffic controllers on the roads include:<sup>44</sup>

1. The public finds these traffic controllers helpful, especially at locations where road users have difficulty crossing the street.
2. Traffic police (Polantas) find the presence of traffic controllers helpful, given that the number of police personnel assigned to traffic duties remains limited and they are not yet fully able to cover all points of heavy traffic flow.

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<sup>44</sup> Juana (Kepala Bidang Satlantas Polresta Malang Kota), wawancara, (Malang, 11 Februari, 2026).

However, behind these positive impacts, the practice of traffic control also has negative consequences, including:<sup>45</sup>

1. It often causes traffic jams, as many traffic controllers lack specialized knowledge, so they do not know which vehicles should be given priority and tend to favor road users who offer bribes.
2. Causing accidents when traffic controllers do not understand the basics of managing traffic on the road.
3. Extortion of road users; some traffic controllers sometimes refuse to assist road users unless given a bribe, or in some cases display uncooperative behavior and lose their temper when they do not receive a bribe from road users.

To assess the legal awareness of residents in Sukun District, Malang City, regarding traffic regulations on public roads, the author conducted interviews with 10 (ten) respondents at various locations in Sukun District, Malang City, including:

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<sup>45</sup> Juana, wawancara, (Malang, 11 Februari, 2026).

**Table 3.** List of Respondents

| No. | Name         | Age (years) | Location/Placement                                                                                      |
|-----|--------------|-------------|---------------------------------------------------------------------------------------------------------|
| 1.  | Yanto        | 35          | The intersection of Jl. Raya Kebonsari                                                                  |
| 2.  | Kholil       | 50          | The intersection of Jl. Dieng Atas, Bandulan                                                            |
| 3.  | Yusuf        | 29          | The intersection of Jl. Raya Mulyorejo                                                                  |
| 4.  | Suwoto       | 45          | The intersection of Jl. Raya Candi V D, Karangbesuki                                                    |
| 5.  | Purnomo      | 28          | U-turn on Jalan Raya Langsep, Pisang Candi                                                              |
| 6.  | Dedik        | 44          | The intersection of Jl. S. Supriadi No. 48, Bandungrejosari (in front of Kanjuruhan University, Malang) |
| 7.  | Ahmad Toyyib | 60          | Traffic light/intersection at Gadang Terminal                                                           |
| 8.  | Usman        | 48          | Jl. Kolonel Sugiono, Ciptomulyo (near the Old City Station)                                             |
| 9.  | Yusa         | 28          | Jl. S. Supriyadi Intersection, Tanjungrejo (near Soepraoen Hospital)                                    |
| 10. | Nanang       | 29          | Jl. Pelabuhan Ketapang II Intersection, Bakalankrajan                                                   |

To assess the legal awareness of the community in Sukun District, Malang City, regarding the existence of traffic regulations, certain indicators of legal awareness are required, including:

## 1. Knowledge of legal regulations (Law awareness)

Knowledge of legal regulations means that an individual or the community is aware that certain behaviors or actions are prohibited by law, whether in written or unwritten rules that form a legal boundary. These behaviors or actions include both those permitted by law and those prohibited by law.

Based on field research findings, the legal knowledge of the community regulating traffic in Sukun District, Malang City, is still relatively low. This is evident from the fact that the majority of respondents are still unclear about the existence of legal regulations prohibiting traffic regulation by the general public, and only a small portion of respondents possess knowledge regarding this matter.

This aligns with the statement of one respondent who was aware of the regulation; he stated that:

*“Ya, saya tahu bahwa mengatur lalu lintas seperti ini dilarang, tapi saya tidak tahu aturannya ada dimana, setahu saya memang ada, tapi tetap saya lakukan karena cari pekerjaan sulit.”<sup>46</sup>*

The author also interviewed other respondents who were unaware of the regulation. One of these respondents stated that:

*“Selama ini saya tidak pernah mengetahui/mendengar aturan tentang larangan mengatur lalu lintas, dan selama saya bekerja sebagai pengatur lalu lintas juga tidak ada yang menegur saya. Jadi*

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<sup>46</sup> Nanang, wawancara, (Malang, 12 Januari 2026).

*tidak ada yang memberitahu saya bahwa pekerjaan yang saya lakukan ini dilarang”<sup>47</sup>*

This statement indicates that some respondents actually had a basic understanding of the legal regulation prohibiting such practices. However, this knowledge has not been fully translated into compliance for various reasons, such as the difficulty of finding work, a lack of public awareness, and so on.

The author also interviewed several respondents regarding why they were unaware of the legal regulation, and one respondent provided the following statement:

*“Selama saya melakukan pengaturan lalu lintas disini, saya tidak pernah mendengar ada yang melarang tentang pekerjaan yang saya lakukan saat ini, baik itu dari pihak-pihak seperti kepolisian atau pihak-pihak lainnya, saya juga tidak pernah melihat berita-berita mengenai adanya aturan tersebut, jadi saya berfikir bahwa pekerjaan tersebut diperbolehkan.”<sup>48</sup>*

Based on the interview results, it can be concluded that many of the respondents' lack of awareness regarding the prohibition on traffic regulation on public roads is not solely due to a lack of individual awareness, but is also influenced by the limited legal information they have received. Several respondents stated that during the time they engaged in this practice, they had never received any information from the authorities, whether from the police or relevant agencies.

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<sup>47</sup> Purnomo, wawancara, (Malang, 12 Januari 2026).

<sup>48</sup> Purnomo, wawancara, (Malang, 12 Januari 2026).

In addition, nearly all respondents also stated that they had never received any information regarding the ban—whether through the mass media, social media, or other legal publications—explaining that such practices were prohibited. This situation has led the public to view the traffic control practices they engage in as routine and not in violation of the law.

Furthermore, under the legal fiction principle, every piece of legislation that has been enacted is deemed to be in force and binding on the entire public without exception. This theory is based on the assumption that everyone is presumed to know the law, so there is no justification for violating it on the grounds of ignorance of the law. Thus, the validity of a regulation does not depend on whether the public actually understands, accepts, or is able to comply with its provisions. The law remains binding from the moment it is enacted, and every citizen is treated as if they already know and understand the content of the regulation. Simply put, the doctrine of legal fiction holds that “everyone is presumed to know the law,” so ignorance cannot be used as a valid excuse for a violation committed..<sup>49</sup>

However, when considered in light of findings from field research, the assumptions underlying this legal fiction reveal a discrepancy with empirical reality, as the majority of respondents were actually unaware of

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<sup>49</sup> Fathul Hamdani et al., “Fiksi Hukum: Idealita, Realita, dan Problematikanya di Masyarakat,” *PRIMAGRAHA LAW REVIEW* 1, no. 2 (September 2023): 72.

the existence of regulations prohibiting the general public from directing traffic on public roads.

When considered in relation to Soerjono Soekanto's theory of legal consciousness, legal knowledge serves as an initial indicator in the process of developing public legal consciousness. At this stage, an individual must first be aware that there are legal rules prohibiting a certain act. The low level of legal knowledge among traffic regulators in this study indicates that the process of internalizing legal norms has not yet been fully realized. This is due to a lack of legal outreach, both directly and through the media. Thus, the low level of legal understanding among the public in this study is influenced not only by internal factors within the community but also by the fact that efforts to disseminate information by the authorities have not yet been fully effective.

## 2. Understanding the content of legal regulations (Law acquaintance).

Understanding the content of legal regulations refers to a person's knowledge of the provisions in a specific law. Legal understanding is a process of comprehending the purpose, content, and benefits of a legal regulation for the community whose lives are governed by applicable laws.

Based on field research findings, the legal understanding of traffic enforcement officers in Sukun Subdistrict, Malang City, remains relatively low. Although some respondents in the previous indicator were aware of the

legal prohibitions, many of them did not yet have a deep understanding of the content, purpose, and consequences of those regulations.

This is evident from the results of interviews with respondents, in which the majority of respondents were unable to specifically explain the legal basis prohibiting traffic control by the general public. One respondent stated that:

*“Saya tahu memang tidak boleh, namun saya tidak tahu alasannya, saya melakukan pekerjaan ini dikarenakan biasanya disini orang-orang suka lalai ketika putar balik, sehingga berbahaya jika tidak ada yang mengatur.”<sup>50</sup>*

This statement indicates that the respondents are only at the stage of being aware of the existence of legal regulations, but have not yet reached the stage of understanding the content and purpose of those regulations.

However, there is also a small portion of respondents who have a better understanding of the law. This was expressed by one respondent who stated that:

*“Ya, sebenarnya saya tahu bahwa aturan tersebut dibuat untuk mengurangi kecelakaan di jalan raya, dikarenakan saya juga melakukannya dengan keinginan saya sendiri dan tidak ikut pembinaan seperti Supeltas. Tapi selama saya bekerja sebagai pengatur lalu lintas selama 10 (sepuluh) tahun ini Alhamdulillah tidak pernah terjadi kecelakaan, dan dulu juga sempat saya diawasi sebentar oleh Babinsa”<sup>51</sup>*

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<sup>50</sup> Ahmad Toyyib, wawancara, (Malang, 13 Januari 2026).

<sup>51</sup> Suwoto, wawancara, (Malang, 13 Januari 2026).

This statement indicates that respondents are not only aware of the prohibition but also understand the purpose of the regulation, which is to maintain order and traffic safety on public roads.

Based on the results of the study conducted with the respondents, it was found that a small portion of the public who engage in traffic control have indeed heard of regulations regarding the prohibition of traffic control on public roads, but they do not fully understand the content, purpose, or legal consequences of these regulations. Some respondents were only generally aware that traffic control is indeed the authority of certain officials, but they were unaware of the specific provisions prohibiting the general public from engaging in such activities to receive compensation. This situation indicates that initial awareness of the existence of the law has not yet fully developed into a comprehensive legal understanding of the substance of the applicable norms.

A lack of legal understanding can also be influenced by the nature of legal rules, which in practice are sometimes drafted using legal language that is formal, technical, and often esoteric, making them difficult for the general public to understand. In fact, when establishing legal norms, a rule should adhere to the principle of *Lex Certa*—that is, it must be formulated clearly and precisely and must not give rise to multiple interpretations so

that it can be understood by the public who are subject to its provisions.<sup>52</sup>

In the context of this study, the public's lack of understanding of regulations prohibiting the general public from directing traffic indicates that, in addition to a lack of public awareness, the accessibility of legal language can also influence the public's level of legal understanding.

From the perspective of legal consciousness theory according to Soerjono Soekanto, this situation indicates that the majority of the public has not yet reached the stage of legal awareness (law acquaintance), while a small minority has begun to understand the content and purpose of these legal rules. Thus, it can be concluded that the legal understanding of the traffic enforcement community is still not optimal, so legal education efforts are needed that not only emphasize the existence of these legal rules but also an understanding of their content and purpose.

### 3. Attitude toward legal regulations (*legal attitude*).

Attitude toward legal regulations is defined as a tendency to accept the law because one believes that it is beneficial or useful if obeyed.

Based on the results of field research, the attitude toward legal regulations among traffic controllers in Sukun District, Malang City, shows

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<sup>52</sup> Christovel Yamado Jacob, "Problematika Penerapan Pasal 28 Ayat (2) Undang-Undang Nomor 19 Tahun 2016 Tentang Informasi dan Transaksi Elektronik," *Jurnal Legalita* 6, no. 2 (2024): 164.

a tendency to be less supportive of the enforcement of traffic control regulations by the general public.

During the research process, the author also informed the respondents about the existence of legal regulations prohibiting such practices, particularly those who were previously unaware of the prohibition. However, even after being made aware of this, all respondents continued to state that they did not accept the existence of such regulations.

This was expressed by one of the respondents:

*“Saya bekerja sebagai pengatur lalu lintas karena kebutuhan, kalau dilarang saya juga bingung mau bekerja apa karena cari pekerjaan sulit, sedangkan saya butuh untuk makan saya sehari-hari.”<sup>53</sup>*

Additionally, other respondents also stated that:

*“Disini kan ramai, biasanya orang-orang terburu-buru sehingga jika tidak ada yang membantu menyeberang jadinya bahaya, sehingga saya bekerja sebagai pengatur lalu lintas niatnya juga untuk mengurangi kecelakaan.”<sup>54</sup>*

This statement indicates that respondents’ attitudes toward the law are not solely influenced by legal knowledge or understanding, but are also significantly influenced by economic factors.

From the perspective of legal consciousness theory according to Soerjono Soekanto, a legal attitude is an individual’s tendency to accept or reject a legal rule based on an assessment of its benefits. In this context,

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<sup>53</sup> Dedik, wawancara, (Malang, 13 Januari 2026).

<sup>54</sup> Yusuf, wawancara, (Malang, 13 Januari 2026).

respondents tend to assess that the rule is not economically beneficial, leading to a rejection. This situation indicates that even though they have been provided with an understanding of the legal rule, this has not been sufficient to significantly change the respondents' attitudes. Economic needs are the primary factor dominating the formation of the public's legal attitudes.

Thus, it can be concluded that compliance with traffic laws remains low, as evidenced by a tendency to disregard these laws even after becoming aware of and understanding the prohibitions.

#### 4. Legal behaviour.

Legal compliance is defined as a situation in which the public adheres to existing laws. This is the most important indicator because it reflects the level of legal understanding within the community by showing whether a regulation is being enforced or not.

The legal behavior of traffic controllers in Sukun District, Malang City, indicates that all respondents continue to engage in traffic control practices in exchange for payment, even though they are aware of the legal prohibition against such activities. Even after the researcher provided information and clarification regarding the applicable regulations, there was no significant change in the respondents' behavior. They chose to continue these activities due to economic necessity. This is consistent with an

interview conducted with one of the respondents, who stated that he would continue doing that job; he said that:

*“Saya bekerja sebagai pengatur lalu lintas dikarenakan kebutuhan, saya mempunyai banyak anak, sebenarnya saya mempunyai pekerjaan lain yaitu sebagai penjual kerupuk samiler, tapi biasanya anak-anak saya yang kecil yang menjualnya, karena jika hanya bergantung pada hasil dari berjualan tidak cukup. Jika saya bekerja sebagai pengatur lalu lintas biasanya ada yang memberi Rp. 1.000,- (seribu rupiah) atau Rp. 2.000 (dua ribu rupiah).”<sup>55</sup>*

Another respondent also stated that:

*“Sekarang mencari pekerjaan susah, jadi saya bekerja apa adanya saja, selain menjadi pengatur lalu lintas biasanya saya juga bekerja sebagai pengamen angklung, jadi pekerjaan ini saya jadikan sampingan untuk memenuhi kebutuhan sehari-hari saya seperti untuk membeli makan, rokok, dan lain-lain. Jika ada pekerjaan yang layak dan penghasilannya menjanjikan saya juga akan melakukan pekerjaan itu., tapi karena tidak ada, saya tetap melakukan pekerjaan ini”<sup>56</sup>*

This statement indicates that the public's legal behavior does not yet reflect compliance with applicable laws. According to Soerjono Soekanto's theory of legal consciousness, legal behavior is the final stage of legal consciousness, in which an individual complies with the law through concrete actions. However, in this study, the public's legal behavior has not yet reached that stage. The legal knowledge and understanding they possess have not yet been sufficient to encourage behavior that aligns with legal provisions.

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<sup>55</sup> Kholil, wawancara, (Malang, 12 Januari 2026).

<sup>56</sup> Purnomo, wawancara, (Malang, 13 Januari 2026).

This situation indicates a gap between cognitive aspects (knowledge and understanding) and practical aspects (behavior). Economic factors are the primary reason influencing the public to continue violating the law. Thus, it can be concluded that the legal compliance of traffic enforcement personnel remains low, necessitating an approach that is not merely normative but also solution-oriented, such as providing alternative livelihoods and ongoing training.

Based on the analysis of the four indicators of legal awareness, legal knowledge, legal understanding, legal attitudes, and legal behavior, it can be concluded that the level of legal awareness among traffic controllers in Sukun District, Malang City, remains relatively low; These four indicators show that the community's legal awareness has not yet been comprehensively established, as there is no continuity between legal knowledge, understanding, attitudes, and behavior. Limited knowledge and understanding, coupled with attitudes that tend to be resistant, result in behavior that does not comply with legal provisions.

Therefore, it can be concluded that legal awareness among traffic controllers who receive compensation in Sukun District, Malang City, remains relatively low; consequently, efforts are needed to raise legal awareness that are not only informative but also address the social and economic aspects of the community.

### **C. Efforts by the Malang City Police to Improve the Legal Awareness of Traffic Control for Monetary Compensation in Sukun District, Malang City**

The Malang City Police Department is a law enforcement agency responsible for maintaining security and order and enforcing the law within the city of Malang. In addition, the Malang City Police Department plays a role in providing protection, guidance, and services to the community, as well as addressing any threats that may disrupt security and order in its jurisdiction.

The functions of the Malang City Police Department include:<sup>57</sup>

1. Maintaining public safety and order. By taking preventive measures to prevent disturbances to public safety and order. This includes routine patrols, public education, and early detection of potential security threats.
2. Law enforcement. Conducting investigations and taking action against various criminal offenses, both general and specific, to ensure justice and fair law enforcement within the City of Malang.
3. Protection, care, and community service. By providing professional and humane police services, including police administrative services (such as issuing driver's licenses, vehicle registration certificates, and police

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<sup>57</sup> Polres Malangkota, "Tugas dan Fungsi Polresta Malang Kota," Polres Malang Kota, accessed February 25, 2026, <https://polresmalangkota.com/sop/>.

clearance certificates), handling public complaints, and providing legal assistance.

4. Community development. By conducting community development and education regarding legal awareness, the importance of maintaining order, and building good relations between the police and the community through various programs such as outreach, social activities, and collaboration with community leaders.
5. Traffic management and enforcement. This involves managing traffic, enforcing traffic laws, and reducing accident rates through enforcement and public education for road users.
6. Prevention and combating of drug-related crimes. Combating the distribution and abuse of drugs through operations, outreach, and collaboration with relevant agencies to reduce drug-related crime rates in the City of Malang.
7. Intelligence and security (Intelkam). This involves collecting and analyzing information regarding potential security threats that could undermine regional stability, as well as taking preventive actions based on the intelligence gathered.
8. Patrols and security. This involves conducting routine patrols to prevent criminal acts, providing a sense of security to the public, and providing security at major events, crowded areas, and situations requiring strict surveillance.

Functional Units (Sat) of the Malang City Police Department:<sup>58</sup>

1. Criminal Investigation Unit (Sat Reskrim): Handles investigations into criminal offenses within the city of Malang.
2. Traffic Unit (Sat Lantas): Manages traffic control and enforces laws related to traffic violations.
3. Narcotics Unit: Combats drug trafficking and drug abuse in Malang City.
4. Intelligence and Security Unit (Sat Intelkam): Responsible for gathering information related to potential security threats.
5. Public Order Unit (Sat Sabhara): Handles security patrols, crowd control, and riot control.
6. Community Development Unit (Sat Binmas): Conducts community development, education, and outreach activities regarding public safety and order.
7. Detention and Evidence Unit (Sat Tahti): Manages detainees and evidence related to legal proceedings.

Based on the above description, it has been explained that one of the duties and functions of the Malang City Police Department is to provide guidance and education to the public regarding legal awareness, the importance of maintaining order, and building good relations between the police and the

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<sup>58</sup> Polres Malang Kota, "Struktur Organisasi Polres Malang Kota," Polres Malang Kota, accessed February 25, 2026, <https://polresmalangkota.com/pelayanan-publik/>.

community through various programs such as outreach, social activities, and collaboration with community leaders, as well as managing and enforcing traffic regulations. This is achieved by regulating traffic, enforcing traffic laws, and reducing accident rates through enforcement and education of road users. These duties are carried out by the Traffic Unit (Sat Lantas).

Following an interview with the Head of the Traffic Unit (Sat Lantas) of the Malang City Police Department, who stated that:

*“Sebenarnya di unit kami ada program pembinaan terhadap Supeltas (Sukarelawan Pengatur Lalu Lintas) yang kami sebut dengan rekan polisi lalu lintas, Supeltas ini dibina oleh unit Kamsel Satlantas, artinya mereka ini terorganisir (ada komunitasnya) meskipun belum ada AD ART nya, dan untuk pengatur lalu lintas informalnya seperti Pak Ogah, kami juga memberikan himbauan sedikit demi sedikit agar lebih baiknya mau bergabung dengan komunitas kami, dengan tujuan agar kami dapat mengidentifikasi terkait identitas diri dan penempatannya. Dikarenakan jika tidak ada data-data tersebut, terkadang ada suatu titik-titik yang ditempati oleh preman yang hanya merugikan masyarakat”<sup>59</sup>*

From the source's statement, it is clear that within the Traffic Unit (Satlantas), there are individuals who assist the police in managing traffic, namely the Volunteer Traffic Controllers (Supeltas). Supeltas are partners of the police who receive specialized training from law enforcement, particularly from Satlantas, regarding the proper methods and procedures for traffic control. This training is conducted in depth so that the volunteers have a sufficient

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<sup>59</sup> Juana, wawancara, (Malang, 11 Februari 2026).

understanding of traffic control duties and are able to assist the police in maintaining order on the roads.

However, limited human resources—particularly the shortage of certified traffic controllers—have become a major obstacle to effective traffic management on public roads. Meanwhile, the city of Malang experiences relatively high traffic density. Consequently, the Malang City Police Department has opted to adopt a guidance-based approach toward informal traffic controllers, encouraging them to transition and register as certified traffic controllers. Through direct guidance from the police, it is hoped that these traffic controllers can assist road users in a more orderly and professional manner, while maintaining traffic order and safety, and minimizing the potential for undesirable actions such as extortion or harassment of road users. Thus, rather than urging these traffic controllers to abandon their work, the Malang City Police are seeking alternative solutions so that the community can continue performing their duties, the police can benefit from their cooperation, and, of course, the ultimate goal of maintaining traffic order and safety on the roads remains intact.

Based on an interview conducted with the Head of the Traffic Unit (Sat Lantas) of the Malang City Police Department, who outlined efforts to raise

awareness among traffic enforcement officers regarding the prohibition on accepting bribes, the following points were highlighted:<sup>60</sup>

1. Issue advisories and warnings to informal traffic controllers who direct traffic on public roads.

Based on the results of the interviews, the Malang City Police Traffic Unit first collected data on members of the public who informally direct traffic at various road locations, such as intersections, crossroads, and other busy areas. This was done because most of these traffic directors are residents living near the locations where they direct traffic.

After the data collection, the Traffic Police then approached them directly to provide guidance and warnings regarding the importance of maintaining order while managing traffic. In these advisories, the police emphasized that the primary purpose of traffic control is to ensure that traffic flows smoothly and does not cause disruption to other road users. If disorderly conduct is observed, the police generally issue only verbal warnings, unless the behavior constitutes a criminal offense, such as extortion of road users.

2. Issue persuasive and compassionate appeals to encourage informal traffic controllers to register as Volunteer Traffic Controllers (Supeltas).

In addition to issuing general appeals, the police are also taking a persuasive and humane approach to encourage informal traffic controllers to

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<sup>60</sup> Juana, wawancara, (Malang, 11 Februari 2026).

join the Volunteer Traffic Controllers (Supeltas) community. This is because Supeltas is a group under the supervision of the Malang City Police Traffic Unit, making it easier to organize, register, and direct them in carrying out their traffic control duties. With clear membership, the police can also identify these traffic controllers, including their placement at specific locations. This effort also aims to minimize various problems that often arise from unorganized traffic controllers, such as complaints from road users regarding disorderly traffic control procedures.

3. Providing specialized training to traffic controllers who have agreed to transition and register as Volunteer Traffic Controllers (Supeltas).

The next initiative undertaken by the Malang City Police Traffic Unit is to provide specialized training and instruction to traffic controllers who have voluntarily registered and joined as Volunteer Traffic Controllers (Supeltas). This training includes instruction on traffic discipline, understanding of traffic regulations, and training on the hand signals used in traffic control on public roads. Through this training, the Supeltas are expected to possess adequate knowledge and skills to help maintain the smooth flow of traffic at various busy locations in Malang City. The delivery of this material is conducted in accordance with Law No. 22 of 2009 on Road Traffic and Transportation, specifically Article 105 regarding Order and Safety.

This aligns with a statement made by one of the Volunteer Traffic Controllers (Supeltas) in the Sukun District of Malang City, who stated that:

*“kami dari Supeltas setiap bulan, yakni setiap tanggal 10 selalu dilakukan apel bersama dengan kepolisian, dan memang benar kami di dalam komunitas Supeltas ini diberikan pembinaan secara khusus mengenai tata cara dan isyarat-isyarat dalam melakukan pengaturan di jalan raya, jadi beda dengan orang-orang yang melakukan pengaturan lalu lintas tanpa pembinaan.”<sup>61</sup>*

This demonstrates the validity of the police conducting special and regular training for Volunteer Traffic Controllers (Supeltas).

In addition to providing training, the Traffic Police Unit of Malang City Police also implements a monitoring mechanism for registered Supeltas. If, during their duties, any Supeltas fails to comply with regulations or does not perform their duties in accordance with established guidelines, or if there are reports and complaints from the local community causing public concern, the police may impose certain sanctions, ranging from verbal warnings to suspension from Supeltas membership. The imposition of these sanctions aims to maintain discipline among Supeltas members and ensure that traffic control activities are carried out in an orderly and responsible manner.

This is also in line with a statement from one of the Traffic Control Volunteers in Sukun Subdistrict, Malang City, who stated that:

*“kalau saya sendiri belum pernah diberikan sanksi oleh kepolisian karena laporan dari masyarakat, namun rekan sejawat saya pernah ditegur secara lisan oleh kepolisian dan didatangi ke lokasi dimana ia ditempatkan tetapi tidak sampai diberikan skors, dikarenakan ia hanya melakukan kesalahan-kesalahan ringan yang masih dapat ditoleransi.”<sup>62</sup>*

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<sup>61</sup> Usman, Wawancara, (Malang, 14 April 2026).

<sup>62</sup> Usman, wawancara, (Malang, 14 April 2026).

The statements provided indicate that it is true that sanctions imposed by the police are indeed enforced; however, based on the respondents' experience, these are limited to verbal warnings and monitoring of the assigned locations, and do not extend to the imposition of suspensions.

Nevertheless, while the presence of these traffic volunteers can be seen as assisting the police in managing traffic, particularly at points prone to congestion, this does not negate the fact that their existence lacks a clear legal basis and cannot serve as justification for such practices. Thus, the limited number of police personnel on the ground does not automatically grant the general public the authority to manage traffic. Thus, although the presence of "supeltas" is practically considered helpful and arises due to on-site conditions, this does not alter the applicable legal provisions. Traffic regulation remains the authority of the competent authorities, so such practices are fundamentally prohibited.

#### **D. An Analysis of the Maqashid al-Sharia Regarding Efforts to Raise Awareness of Traffic Control for Monetary Compensation**

The science of Maqasid al-Shariah plays a very significant role in society. People will find it difficult to understand the meaning of a law established in daily life if they do not understand the science of Maqasid al-Shariah. Among the roles of the science of Maqasid al-Shariah are:<sup>63</sup>

- a. The science of Maqasid al-Sharia can distinguish between general rules (Kuliyyah) and specific rules (Juz'iyyah).
- b. It provides a practical understanding of Sharia texts in their application.
- c. It accurately interprets the intended meaning of words, as legal texts contain various terms and meanings.
- d. Mujtahids use the science of Maqasid al-Shariah to establish rulings after integrating ijtihad, ihtisan, and istihlah in modern contexts when there is no evidence from the Qur'an or Sunnah.
- e. The science of Maqasid al-Shariah assists mujtahids in identifying the rulings most appropriate to the conditions of society.

In this study, the maqashid al-sharia serve as a foundation for the argument that traffic control practices that pose a potential threat to life

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<sup>63</sup> Dewi Nuril Afifah et al., "Maqashid Syariah Sebagai Tujuan Ekonomi Islam," *Economics and Business Management Journal (EBMJ)* 3, no. 1 (February 2024).

are deemed contrary to the principle of hifz al-nafs; thus, the principles of maqashid al-sharia are invoked to encourage individuals to abandon such practices and transition to safer work that complies with existing laws. Furthermore, raising legal awareness can be viewed as an effort to realize the public interest and prevent harm.

The efforts undertaken by the Malang City Police to raise awareness of traffic laws, as mentioned earlier, include the following when viewed from the perspective of the maqashid al-sharia:

1. Issuing advisories and warnings to informal traffic controllers who direct traffic on public roads.

From the perspective of the maqashid al-sharia, these advisories align with the principle of hifz al-nafs, which is the preservation of human life. Disorderly traffic control has the potential to cause accidents that threaten the safety of road users. Therefore, by issuing these advisories and warnings, the police aim to prevent actions that could endanger the lives of the public as road users.

2. Issue persuasive and humane appeals to encourage informal traffic controllers to register as Volunteer Traffic Controllers (Supeltas).

From the perspective of the maqashid al-sharia, this step is also consistent with the principle of hifz al-nafs. This is because

traffic control carried out by organized individuals under the supervision of the authorities will be more focused and in accordance with traffic safety procedures. Thus, the potential for errors in traffic control that could endanger the safety of road users can be minimized, thereby achieving the principle of *hifz al-nafs* (preserving life).

3. Provide specialized training to traffic controllers who have agreed to transition and are registered as Volunteer Traffic Controllers (Supeltas).

When viewed from the perspective of the *maqashid al-sharia*, the provision of training and the imposition of sanctions are also part of efforts to realize the principle of *hifz al-nafs*, which is to safeguard and protect human life. Through training accompanied by supervision and the enforcement of sanctions for rule violations, it is hoped that Supeltas will perform their duties with greater discipline and professionalism. This is important because traffic management that is not carried out properly has the potential to cause accidents that can endanger the safety of road users. Therefore, the presence of Supeltas who are trained and directly supervised by the police not only helps maintain smooth traffic flow but also plays a role in ensuring the protection of the lives of the

public as road users in accordance with the principle of hifz al-nafs within the maqashid syariah.

## **CHAPTER V**

### **CONCLUSION**

#### **A. Conclusion**

Based on the results of a study on Legal Awareness as a Preventive Measure Against the Practice of Traffic Control for Monetary Compensation from the Perspective of Maqashid Syariah, conducted in Sukun District, Malang City, it can be concluded that the legal awareness of the traffic directing community remains relatively low due to economic factors, a lack of public outreach, and limited public understanding. Therefore, efforts to enhance legal awareness are still needed—efforts that are not merely informative but also address the social and economic aspects of the community. The authority to provide such guidance lies with the Malang City Police Department, as stipulated in Article 200, Paragraph (3), Letter a of Law No. 22 of 2009 on Road Traffic and Transportation. There are three main efforts undertaken by the Malang City Police Department to enhance legal awareness among informal traffic controllers, namely: 1) issuing advisories and warnings to informal traffic controllers managing traffic on public roads; 2) providing persuasive and humane appeals to encourage informal traffic controllers to register as Volunteer Traffic Controllers (Supeltas), 3) providing specialized training to traffic controllers who have agreed to transition and are registered as Volunteer Traffic Controllers (Supeltas). This measure was implemented by the

Malang City Police Department as an alternative approach to enforce existing regulations while taking into account the economic needs of the community.

When viewed from the perspective of the *maqashid al-sharia*, the efforts made by the Malang City Police to raise legal awareness among traffic enforcement personnel in Sukun District, Malang City, are part of the implementation of the principles of *maqashid al-sharia*, particularly the principle of *hifz al-nafs* (preservation of life). Through legal awareness campaigns aimed at raising public awareness, the police are striving to prevent potential dangers and the risk of accidents that could threaten the safety of road users. These efforts align with the principles of *maqashid syariah*, which prioritize the preservation of life as the foremost concern that must be safeguarded. However, based on findings from field research, the efforts undertaken by the police have not yet been fully effective in enhancing the public's legal awareness. This is evident from the fact that some members of the public continue to engage in such practices despite having received education and understanding regarding the applicable regulations. This situation indicates that the approach taken still needs to be optimized, not only through a normative legal approach but also through a more comprehensive approach that takes into account the social and economic factors of the community.

## **B. Recommendations**

Based on the findings of this study, the author recommends that the Malang City Police Department provide guidance and education using a more

comprehensive approach; this is because, although regulations explicitly prohibit such traffic control practices, many members of the public continue to engage in them for economic reasons.

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## **APPENDIXES**

### **Appendix 1. Interview Guidelines**

#### **A. List of Questions for Respondents**

1. Apakah bapak pernah mendengar adanya aturan atau ketentuan dari pemerintah yang berkaitan dengan pengaturan lalu lintas di jalan raya?
2. Biasanya, bapak mendapatkan informasi mengenai aturan-aturan tersebut dari mana, misalnya dari teman, aparat, media, atau pengalaman pribadi?
3. Menurut pemahaman bapak, siapa saja pihak yang secara resmi memiliki tugas mengatur lalu lintas di jalan raya?
4. Menurut pandangan bapak, apa alasan pemerintah membuat aturan terkait pengaturan lalu lintas di jalan raya?
5. Apakah bapak pernah mendapatkan informasi tentang kemungkinan risiko hukum atau keselamatan dari kegiatan tersebut?
6. Bagaimana pendapat bapak tentang adanya aturan yang mengatur soal pengaturan lalu lintas di jalan raya?
7. Apakah bapak melihat adanya manfaat dari aturan tersebut, terutama berkaitan dengan keselamatan pengguna jalan?
8. Apa yang menjadi pertimbangan utama bapak sehingga memilih tetap menjalani pekerjaan ini sampai sekarang?
9. Apakah bapak pernah terpikir untuk mencoba pekerjaan lain di luar mengatur lalu lintas?

10. Selain kegiatan ini, apakah bapak juga memiliki pekerjaan lain atau usaha lain untuk memenuhi kebutuhan sehari-hari?

B. List of Questions for Informants

3. Bagaimana bapak/ibu memandang keberadaan pengatur lalu lintas tidak resmi (Pak Ogah) di jalan raya apakah keberadaannya menguntungkan atau justru merugikan dilihat dari aturan yang ada?
4. Peraturan atau ketentuan hukum apa saja yang menjadi landasan bagi Kepolisian Resor Malang Kota dalam melaksanakan pembinaan kepada masyarakat yang melakukan praktik pengaturan lalu lintas di jalan raya?
5. Apakah bapak/ibu memiliki program sosialisasi atau penyuluhan terkait aturan larangan pengaturan lalu lintas (Pak Ogah) yang diperuntukkan bagi petugas berwenang?
6. Bagaimana bentuk dan metode yang biasanya digunakan dalam menyampaikan informasi hukum tersebut kepada masyarakat?
7. Menurut pengamatan bapak/ibu, sejauh mana para pengatur lalu lintas telah mengetahui terkait adanya larangan pengaturan lalu lintas di jalan raya untuk masyarakat umum?
8. Dalam kegiatan penyuluhan, apakah bapak/ibu juga menjelaskan latar belakang dan tujuan diberlakukannya larangan praktik pengaturan lalu lintas (Pak Ogah) oleh masyarakat umum?

9. Apakah terdapat contoh atau pengalaman di mana masyarakat yang sebelumnya beraktivitas sebagai pengatur lalu lintas tidak resmi kemudian menghentikan kegiatannya setelah mendapatkan pembinaan?
10. Menurut pandangan bapak/ibu, faktor apa yang paling memengaruhi keberlanjutan praktik tersebut di masyarakat?
11. Berdasarkan hasil wawancara lapangan, beberapa pengatur lalu lintas (pak ogah) menyampaikan bahwa mereka belum mengetahui terkait adanya aturan terhadap larangan praktik pengaturan lalu lintas tersebut. Bagaimana pandangan dan penjelasan dari bapak/ibu mengenai hal tersebut?
12. Mereka juga menyebutkan faktor ekonomi sebagai pertimbangan utama dalam menjalankan aktivitas ini. Bagaimana bapak/ibu melihat aspek tersebut dalam konteks pembinaan?

## Appendix 2. Documentation with Respondents







Documentation of interviews with traffic controllers on the roads of Sukun  
Subdistrict, Malang City



Documentation of traffic congestion caused by the presence of traffic controllers  
on the roads

### Appendix 3. Documentation with Informants



Documentation of an Interview with Ms. Juana (Head of the Traffic Division, Malang City Police Department)

## CURRICULUM VITAE



|                         |   |                                                                                    |
|-------------------------|---|------------------------------------------------------------------------------------|
| Name                    | : | Lira Farimatus Zahro                                                               |
| Gender                  | : | Female                                                                             |
| Place and Date of Birth | : | Malang, June 12, 2004                                                              |
| Religion                | : | Islam                                                                              |
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