

PARKING GOVERNANCE IN PERSPECTIVE PUBLIC SPHERE. CASE STUDY OF ILLEGAL PARKING IN BANDUNG CITY

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ABSTRACT

Illegal parking has become a problem in the city of Bandung that never ends. The limitation of parking spaces is one of the causes. There are no strict sanctions against illegal parking attendants, causing illegal parking to mushroom. In addition to illegal parking eating up a lot of public facilities and narrowing the public sphere, illegal parking has an impact on the practice of thuggery that disturbs the community. Starting from parking fee hikes, to acts of persecution and even murder. Murder has occurred in the city of Bandung due to the fight for (illegal) parking lots, and resulted in the road body getting narrower and the congestion severe. It has a negative impact on public comfort, order and safety. Illegal parking is a serious problem that must be immediately fixed by the Bandung City government. If not corrected immediately, it will have a negative impact on people's lives and hinder the development process of the city of Bandung.

The practice of illegal parking is getting 'wilder' and rampant in the city of Bandung, causing losses to the community. Illegal parking in the community causes people to be uneasy, even feeling intimidated by this legal practice. The phenomenon of parking fee hikes carried out by illegal parking attendants has become a difficult condition for the Bandung city government to abolish which does not act firmly. Illegal parking makes a lot of use of the space of the road body, resulting in the road getting narrower and causing long traffic jams. The Bandung city government has a lot of government land that can be used as an official parking lot. Like the former Palaguna land in the Bandung city square area, it can be collaborated with the private sector in the Build Operate Transfer (BOT) scheme. So that public spaces can be functioned optimally by the people of the city of Bandung. Conditions have a positive impact on people's lives. The level of congestion has decreased positively by reducing the level of stress and unrest of the community. maximizing the function of public spaces, not as a recreational space, but as a means of education, creativity, so as to foster a better democratic climate for the community.

Kata Kunci/Keywords : *Illegal Parking, Bandung City, Getok Tarif, Public Sphere*

BACKGROUND

Illegal parking is a never-ending problem in the city of Bandung. The limitation of parking spaces is the cause. On the other hand, the absence of strict sanctions to crack down on illegal parking officers, causing illegal parking to mushroom in the city of Bandung. In fact, various public facilities have now changed their function to illegal parking, such as street sidewalks to mini market land and ATM outlets. Joey, one of the students in Bandung, admitted that there was actually no problem with the existence of jukir if the minimarket implemented a paid parking system. "It's annoying if you say parking is free but there is a jukir, then the parking attendant doesn't help but nagih, and if at first there is no parking attendant and when you come back, suddenly someone shouts 'continue!'. But if the parking attendant is helpful, friendly, and there is no free parking writing, it doesn't matter," he told detikJabar, Friday (10/5/2024).

In addition to illegal parking taking up a lot of public facilities and narrowing public spaces, illegal parking has an impact on the birth of the practice of disturbing the community. Starting from the increase in parking fees, to acts of persecution and even murder. As viral on social media, the parking fee in the Al Jabbar Grand Mosque area has become a hot topic of discussion among netizens. A social media user X shared his experience of being asked for a parking fee Rp 25 thousand. The problem of exorbitant parking rates is not the first time it has occurred in the city of Bandung. Similar cases have occurred in the former Palaguna parking lot, Asia Afrika road and on the shoulder of Jalan Sultan Agung.

Murders have also occurred in the city of Bandung due to the fight for (illegal) parking lots. This murder case occurred on Jalan Raya Riung Bandung, Cipamokolan, Rancasari, Bandung City, on January 3, 2023, two Bandung residents were involved in a fight that caused one of them to die due to a fight over parking space. The illegal practice of the city of Bandung is out of control, resulting in narrow roads and severe traffic jams. Like Braga and Asia Africa, limited parking causes vehicles to park on the road, and traffic jams in both areas. Illegal parking is very detrimental to the community and is negative for public comfort, order, and safety. Illegal parking makes traffic jams severe. Rizal Septiyani Ashari's research (2023) that the city of Bandung is second in West Java after the city of Bogor. According to West Java data, the city of Bandung in 2021 is 1,552,747 units. Meanwhile, the Transportation Agency in February 2023 has 2.2 million motorized vehicles in the city of Bandung, consisting of 1.7 million motorcycles and 500 cars. The number is almost the same as the population of Bandung City reaching

2.4 million people. Until now, there has been no government effort to regulate illegal parking. So that good parking governance can be a potential for Regional Original Revenue (PAD). As conveyed by the press by the Acting Head of the Bandung City Transportation Office, Asep Kuswaea stated that "illegal parking is not the government's fault but the public must understand. Select (parking location). So the parking area on the sidewalk is for pedestrians. Quoted from the Bandung City BPS page in 2021 as many as 256 points. This figure has shrunk by half in 2020 amounting to 445 points as shown in the table below:

Table 1.
Bandung City Public Parking Zone

Parking Location	Number of Public Parking Spaces By Location		
	2019	2020	2021
Public Roads	224	445	63
Parking Environment	22	-	155
Market Courtyard	-	-	38
Sum	246	445	256

Source : BPS, <https://bandungkota.bps.go.id/indicator/17/192/1/jumlah-tempat-parkir-umum-menurut-lokasi.html>

Data shows that in 2021, there are 256 public parking locations consisting of 63 public roads, 155 parking neighborhoods, and 38 market yards. The condition is not comparable, the number of motorcycles in the city of Bandung reaches 2.2 million units. Mobility is high, the number of vehicles moving every day, and parking spaces are limited, the vehicles are careless. This condition is used by illegal parking officers (jukir) to regulate illegal parking on sidewalks, shop land or minimarket land. As a result, there is congestion on narrow roads, traffic mixes occur affecting the use of resources in addition to affecting environmental activities (Mustikarani, 2016:144).

Law Number 22 of 2009 concerning Road Traffic and Transportation, parking is defined as a situation where a vehicle is stationary or not moving for a certain period of time and the driver leaves the vehicle. The availability of parking spaces is an absolute necessity to implement traffic services, but limited parking causes congestion, but has a wide impact on psychological, social, cultural, and economic aspects (Boediningsih, 2011: 122). This condition becomes serious and must be improved because it negatively impacts people's lives, and hinders the development process. The rise of illegal

parking has become a bad mirror of parking management in the city of Bandung. the question arises whether it is deliberately allowed? Considering that the parking industry is very tempting.

LITERATURE REVIEW

Parking Governance in Bandung City

Governance is defined as a form or process of implementing political, economic, and administrative authority in managing problems faced by society or nation by involving all sectors, including: the public sector, the private sector, and civil society. Governance is an interaction system where political, economic, and administrative processes are organized in a democratic, accountable, and participatory manner by involving all actors and stakeholders (Asaduzzaman, 2020:79). The above definition emphasizes the involvement of the public, private and civil society sectors in the implementation of a public organization. This is quite reasonable, considering that all decisions issued by public organizations have a wide impact on all sectors. So that the involvement of the public, private and civil society sectors is an effort to implement good governance. Through good governance, it produces good decisions or policies for the life of the nation and state.

Therefore, Kaufmann et al., (2000:56) explain that governance refers to three aspects: (i) The process by which the government is elected, organized, held accountable, supervised, and replaced. (ii) the government's ability to effectively manage resources and develop and implement policies and regulations; (iii) public spaces to access services and participate in the implementation of development; In a practical sense, governance is defined as the decision-making process and the process by which the decision is implemented or not implemented (United Nations E-Government, 2014:16). Pacific (2000:83) said that good governance refers to a governance system that includes good procedures, mechanisms and procedures in managing political, economic, and administrative power, based on the principles and measures of accountability, transparency, efficiency, effectiveness, and integrity. There are eight indicators of good governance, namely based on the rule of law, responsible, transparent, inclusive and fair, participatory, consensus, responsive, efficient and effective.

Etymologically, the word management comes from the word "manage" or "to manage" which means to regulate, run, organize or direct a government, business, program, or project through an order and process to achieve a certain goal (Appel-Meulenbroek & Danivska, 2021:13). Management is a series of processes that begin with planning, organizing, allocating resources, implementing, monitoring, and evaluating to achieve predetermined goals

(Sumadi & Ma'ruf, 2020:85). Thus, governance or management is an effort or series of processes carried out by an organization to achieve a goal that has been set. And good governance is a series of political, economic, and administrative power based on the principles and measures of accountability (accountable), transparent, efficient, effective, and integrity. Management objectives ensure the assets and resources available are used to achieve the expected performance and results. Management is said to be successful if the results are achieved according to the eight indicators of good governance, based on the rule of law, accountability, transparency, responsiveness, consensus, inclusiveness and fairness, participation, efficiency and effectiveness (Florentina & Vasile Lotos, 2018:51). There are at least three general objectives of management as follows:

1. Realizing the vision and mission of the organization, institution or activity;
2. Maintain balance and reduce conflicts between conflicting goals, interests or objectives in the organization;
3. Creating work efficiency and effectiveness so that optimal performance can be achieved.

In order for these management objectives to be achieved, the following management steps are required:

1. Develop a strategy;
2. Establish authority & responsibility limits, job descriptions, and personnel lists;
3. Establish indicators, measures, achievement targets, outcome & quality assessment criteria, and time constraints;
4. Measuring performance on the implementation of the action plan;
5. Creating Standard Operating Procedures (SPO);
6. Establish work standards based on efficiency and effectiveness;
7. Make a criterion of assessment;
8. Carry out control, monitoring and evaluation activities;
9. Implementation;
10. *Benchmarking*

Governance has the goal of realizing the organization's vision and mission of maintaining a balance in conflict management so that it can create efficiency and effectiveness of work to achieve optimal performance. The implementation of parking in the City of Bandung is regulated by the Regional Regulation of the City of Bandung Number 3 of 2020 concerning the Second Amendment to the Regional Regulation of the City of Bandung Number 16 of 2012 concerning the Implementation of Transportation and Levies in the Field

of Transportation and the Regulation of the Mayor of Bandung Number 121 of 2022 concerning the Management of Off-Road Parking. Article 23A of Bandung City Regulation Number 3 of 2020 concerning the Second Amendment to Bandung City Regional Regulation Number 16 of 2012 concerning the implementation of Transportation and Levies in the Transportation Sector, the management of parking in the Bandung City UPTD area, the implementation of PPK-BLUD means that it is managed by the UPTD under the Bandung City Transportation Office and is the responsibility of the Bandung City parking department. Article 1 paragraph (34) of the Bandung City Regulation Number 3 of 2020 concerning the second amendment to the Bandung City Regional Regulation number 16 of 2012 concerning the Implementation of Transportation and Levies in the Transportation Sector and Article 1 paragraph (10) of the Bandung Mayor Regulation Number 66 of 2021 concerning Parking Service Rates The State of Vehicles Stopped or Not Explained Point (11) Parking Lots Located on the Side of Public Roads and/or Areas Owned by Roads Do Not Interfere with the Movement of Traffic Spaces and/or Facilities especially in the form of parking and/or parking lots. The above definition of parking does not interfere with the movement of traffic spaces. This means that the implementation of parking must not cause congestion or disturb public spaces.

Public Sphere

The concept of public space area is used by bourgeois society as a means of bridging civil society and the state. In this context, public space is used as a place to collect public opinion in response to state policies. This kind of model of public space is found in the 17th-century history of United Kingdom and France society. Coffee shops became the center of criticism and a new group emerged between bourgeois intellectuals and the aristocracy, an educated group with the same mindset. With the decline in the role of the bourgeoisie in the industrial society system and the emergence of mass democracy, the concept of public space has acquired a new dimension (Habermas, 2010). Despite finding a new dimension, the concept of public space has not experienced a shift in meaning and function as an area that can be accessed openly by the entire community. Therefore, Carr (1992:73) said that the public sphere is a common space that can be accessed by the entire community as a place to carry out functional and ceremonial activities, both in daily life and in routine celebrations. All people have the right to access physical and visual public spaces. Because public space is a common space that is used for the common good. In the context of democracy, public space is an important condition that is met. Hadirman (2010:185) public space is a place where citizens communicate their political anxieties. In

addition, the public space is a forum for citizens where they freely express their attitudes and arguments of the state or government. For this reason, Hadirman (2009:128) requires that public spaces be free, open, and transparent, and there should be no state or independent intervention. This is because public space is a democratic space or a means of public debate where citizens discursively express their opinions, interests, and needs. This public space allows us to concentrate the power of our community solidarity and express our desire against the fear and social injustice that prevails in our society.

Thus, the public sphere is a space that can be used by the entire community to carry out activities, both individuals and groups in daily life. Public spaces are also used by the public to collect opinions, hold discussions, build critical attitudes and even rally community solidarity in responding to government policies. Therefore, Hakim (1993:63) classifies public space based on its nature, namely:

1. Closed public spaces, namely public spaces that have a physical cover or are in buildings, such as malls, museums, post offices and so on.
2. Open public spaces, namely public spaces that do not have a physical cover or are outside the building, can also be referred to as open spaces, such as parks, squares and pedestrians.

Based on the explanation above, public space is an important condition for democratic life. Public space must exist and be provided by democratic government. With public spaces, people have space to express their complaints related to the lives of the community, nation and state. Public spaces provide an open, transparent and independent place for the public to discuss, collect opinions and consolidate community solidarity in response to government policies. On the other hand, the public vibration of public education as well as community recreation removes boredom from routines.

Illegal Parking in the Public Sphere Perspective

It is undeniable that the existence of public space is important in democratic life. With public spaces, people carry out various activities, both educational and recreational spaces as well as consolidating public opinion to criticize the government. Public space is an important means of civil society development. The problem is that the public space of the city of Bandung has changed its function into a (illegal) parking lot managed by illegal parking officers. As a result, public spaces do not function properly, but it also raises various social, cultural and economic problems. Illegal parking causes congestion, criminal acts and unsettles the community.

In addition to Bandung City Regulation Number 3 of 2020 concerning the Implementation of Transportation and Levies in the Transportation Sector and Bandung Mayor Regulation Number 121 of 2022 concerning the Management of Parking Outside the Road Agency (Off Street), the Bandung city government has issued Mayor Regulation Number 1005 of 2014 concerning Parking Rental Prices and technical instructions for parking management that regulate more specifically for buildings and parking lots in the city of Bandung. Judging through the juridical regulations, it is enough to implement the City of Bandung. But the implementation of parking in Bandung City is not well managed. In addition to limited parking that is not proportional to vehicle mobility, human resources for parking management have not been properly regulated. So that it gives the appearance of illegal parking officers in every place, and at various crowded points in the city of Bandung. Jukir illegally 100% parking tax for their own profits and the potential loss of regional revenue. From the perspective of public space, the existence of illegal parking taking up public space is very detrimental to people who cannot use the space to express themselves or relieve fatigue after carrying out activities. Bandung City Square, high community mobility and illegal parking make people unable to use public spaces. It even causes congestion.

Several tourist areas, Al Jabar Mosque, Bandung City, illegal parking practices cause people to be unable to access the available facilities properly. People often feel uncomfortable with illegal parking setting parking rates that are not in accordance with the provisions. The practice of theft of parking fees is a phenomenon that cannot be separated from the practice of illegal parking. This condition has a bad impact on the community. Not only do people become anxious, but they are reluctant to access public spaces. Instead of public spaces being able to enlighten and relieve stress and burden of facing problems faced on a daily basis, it is a new problem due to the practice of illegal parking. The impact is even wider if it is allowed to continue.

With the government's silent attitude and not giving strict sanctions for the practice of illegal parking, it is not impossible that public spaces in the city of Bandung no longer belong to the community that can be accessed by anyone. Public spaces may change their function into illegal parking lots if the Bandung city government does not provide adequate parking spaces. And this is the beginning of the death of the democratic space in the city of Bandung. This condition is allowed to develop, from an economic perspective the Bandung City Square utilizes the former palaguna land for one day there are 5000 units of two-wheeled vehicles, and no less than 1000 units of four-wheeled vehicles. The tariff is Rp.5000/two-wheeled unit and Rp.10,000/four-wheeled unit with an income of Rp.30 million, and it is illegal

because of the former palaguna, and ironically allowed by the Bandung City government. In fact, right on the ground there is the Bandung City Satpol PP office as well as the National Police Post which should act or may be deliberately allowed to become the income of Bandung City employees.

The second reason is because the Bandung City government is not sensitive to the role and function of public spaces. The government sees public spaces as a recommendation for people to be recreational rather than creative. The concept of public space developed by the Bandung City Government is more creative. Only a few public spaces are a means of critical construction. In line with the bureaucratic character of the Bandung City government, maintaining a corrupt culture. Many corrupt officials are a real indicator that the culture of corruption is still rooted in the Bandung City government. Third, public space in the city of Bandung has never functioned as a democratic space. The Bandung City government's lack of care provides democratic facilities that do not utilize public spaces to collect people's aspirations. Rather, the community distributes on the streets that make traffic jams and illegal parking has access. Illegal practices take up public space which causes losses to the community and the government. by managing the government well, it can create potential income for development and improve the welfare of the people of Bandung.

CONCLUSION

Illegal parking is increasingly 'wild' and rampant in the city of Bandung causing problems, causing people to be anxious, even intimidated by this legal practice. The phenomenon of increasing parking fees carried out by illegal parking officers is a condition that is difficult to eliminate as long as the Bandung City government is not firm. Illegal practices make a lot of use of road body space, resulting in narrow roads and old congestion. Not only did the weekend double the number of vehicles, traffic jams occurred throughout the day. The limitation of parking spaces is the main problem in the city of Bandung mushrooming illegal parking. Some buildings in the area are not functioning.

For example, the former Sun Haouse building in the Banceuy area can be built as a parking lot for tourists visiting the Asian-African region, Braga and its surroundings. The provision of representative parking lots and being able to accommodate the mobility of motor vehicles in the city of Bandung is an urgent need immediately carried out by the Bandung City government The Bandung city government has a lot of government land that can be used as an official parking lot. For example, the former Palaguna land in the Bandung city square area can be collaborated with the private sector through the Build

Operate Transfer (BOT) scheme. Through this scheme, the private sector is given the right and authority to organize parking by building parking buildings and providing more adequate parking facilities. In addition to more professional and accountable management, parking management involving the private sector can provide more adequate parking facilities, so that people become more comfortable and safe to park their vehicles. On the other hand, this collaboration can provide income for the regional treasury. As explained, the problem of illegal parking does not have an impact on congestion, crime and disturbs the community. In addition, illegal parking causes the death of democracy in the city of Bandung. The practice of illegal parking in the city of Bandung takes up a lot of public space, reducing the availability of public space, people are creative and express their views on the government. That means, illegal parking does not directly kill the critical power of the people of Bandung. In other words, illegal parking control is an urgent need for the Bandung City government. So that public spaces are optimally functioned by the people of Bandung. You can imagine, the Bandung city government provides parking lots and the practice of illegal parking is abolished, so vehicle mobility runs smoothly. Conditions have a positive impact on people's lives. The level of congestion reduction has caused community riots. With no illegal parking, the community is enthusiastic about maximizing public space, not as a recreational space, but as a means of education and creativity, so as to develop a better democratic climate in society.

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