

Pseudo Participation?: Conflict Resolution for the Relocation of Bloater Sellers in the city of Surabaya

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Abstract: The purpose of this research is to identify the degree of participation of smoked fish traders in conflict resolution efforts conducted by the Surabaya City Government in relocating those sellers from along the curb of Kejawen Lor to Sentra Ikan Bulak (Bulak Fish Center) Surabaya. The relocation is caused by the presence of smoked fish traders which has disrupted the esthetics of the city, the order, and the comfort of the surrounding community. However, the relocation plan did not succeed to move them to the new location, even it inevitably triggered conflict between Surabaya City Government and the sellers. Hence, conflict resolution undertaken by the Surabaya municipal government is to conduct conciliation with providing space to participate for smoked fish traders. The theory used in this research is conflict resolution theory from Dahrendorf (1998) which mentions three forms of conflict resolution, namely: 1) conciliation, 2) mediation, and 3) arbitration. Meanwhile, to measure the degree of participation, the theory of Arnstein (1969) introduces ladder of participation which consists of 1) non participation (manipulation and therapy) 2) tokenism (informing, consultation, and placation) and 3) citizen power (Partnership, delegated power and citizen control). The result of this research indicates that unsuccessful relocation of smoked fish traders to Sentra Ikan Bulak is due to the giving of participation space only at tokenism degree. In other words, it is only a formality. Meanwhile, the level of sellers' participation is merely on consultation or accommodating the proposal. In other words, the Surabaya City Government accommodated all proposals from smoked fish merchants, yet did not grant the entire offers. Thus, it did not resolve the conflict.

1 INTRODUCTION

The term peddler in Indonesia was first known in the Indies era, precisely at the time of Governor General Stanford Raffles ruling in 1811-1816. He issued a regulation requiring informal traders to make a distance of 5 feet or about 1.2 meters from a formal building in the city center (Danisworo, 2000). Meanwhile, according to Presidential Regulation No. 125 of 2012, PKK is a business actor engaged in trading business using movable and immovable business facilities, using municipal infrastructure, social facilities, public facilities, land and buildings owned by the government and / or private property that is temporary / non-permanent.

Street vendors in Indonesia are generally low-income, education and low-skilled societies that they assume the work is the best job for survival. Street vendors are commonly found in urban areas due to the absence of an entire workforce that is increasingly growing. As a result, people with low educational and

skill backgrounds are unable to compete for available job positions. Therefore, the informal sector such as the street vendors business becomes the main alternative and thrives in line with the growth and development of urban population. According Suyanto (2008) there are several traits of street vendors; the pattern of distribution is generally close to the crowd and without permission to occupy the zones that should belong to the public. Second, street vendors generally have resilient social resistance to pressure, such as government's order. Third, they have an involutive mechanism of employment. Fourth, most of the street vendors are migrant communities, and the adaptation process is formed on patronage relationships based on the bonding factor of similarity of origin. Fifth, in average, the sellers do not have alternative skills and skills to develop new businesses outside the informal sector in urban areas. In line with that, Mitullah (2003) characterizes street vendors are traders who use tables, carts or bicycles that choose strategic places such as main roads, sidewalks, parks

and corners of the city as a selling area. Street vendors sell items that are cheaper than store prices and work between 8-12 hours a day with varying cover times.

Surabaya is one of the big cities in Indonesia that has quite a lot street vendors. Based on data from the Department of Cooperatives and Micro Enterprises, Surabaya shows that the number of street vendors in

Surabaya in 2013 as many as 11,508 traders spread over 560 points. While in 2014, a number of 10,952 traders are spotted in 415 dots. Towards its development, the number of street vendors decreased dramatically in 2015 to 6,324 at 395 points and in 2016 around 6,129 traders at 366 points.

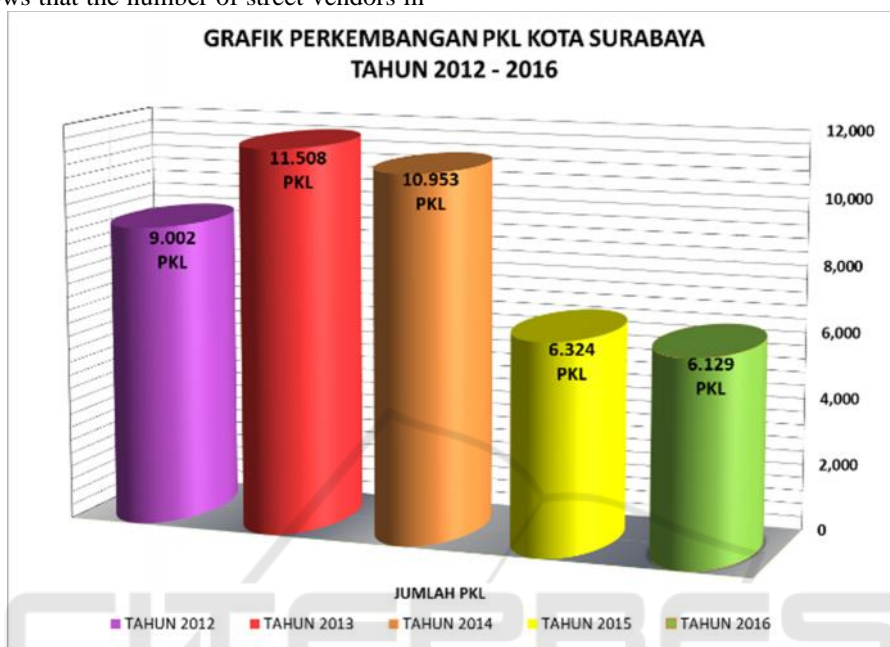


Figure 1: Development of Street Vendors of Surabaya. Source: Department of Cooperatives and Micro Enterprises Surabaya City.

By region, the distribution of street vendors in North Surabaya in 2016 is as many as 702 traders at 55 points. In South Surabaya, as many as 1616 traders at 80 points. Central Surabaya has as many as 1,418 traders at 88 points. West Surabaya has approximately 1340 traders at 70 points. While in East Surabaya, there are 1,053 traders at 73 points.

The number of spread of street vendors in Surabaya to make the city of Surabaya in a dilemmatic condition, on the one hand can create jobs while on the other hand a burden for the city. The existence of street vendors is often regarded as a source of problems. This happens because street vendors often violate the use of public spaces such as trading on sidewalks, road shoulders, city parks, over waterways, and so on, which results in disturbing the city's beauty, order, and the convenience of road users.

One of the kinds is street vendors in Bulak sub-district, North Surabaya. Bulak sub-district is one of the coastal areas in Surabaya; most of its citizens are experts in processing seafood such as processing smoked fish. The main livelihood of the residents is

selling smoked fish. Approximately 30 smoked fish traders sell their products by opening a stall along the edge of Jalan Kejawan Lor, precisely in front of the Beach Amusement Park (THP) Kenjeran. Some of them fish-wash in the river near their stalls before starting the process of fogging. Then, in the early hours, usually these merchants start smoking with a simple stove.



Figure 2: The stalls for smoked fish traders are usually located along roadside of Kejawan Lor. Source: Documentation of the Civil Service Police Unit.

Unfortunately, the existence of fish traders caused troublesome among the local people. Various public complaints against the activities of the fish traders such as the smell of smoke that is easily attached to clothing, air pollution, traffic fluency is disrupted, the environment becomes dirty. This issue is ultimately a burden for the Surabaya City Government.



Figure 3: Fish washing process. Source: Documentation of the Civil Service Police Unit.

As an effort to arrange smoked fish traders in Bulak District, the Surabaya City Government relocated them in mid-December 2011 to January 2012. Relocation is undertaken by arranging and transporting the smoked fish traders to a place called Sentra Ikan Bulak by providing stand for selling. The legal basis covered this relocation is the Local Regulation of Surabaya City number 17 of 2003 on Structuring and Empowerment.

However, in fact, the smoked fish traders are reluctant to occupy Sentra Ikan Bulak (Bulak Fish Center) provided by the Surabaya City Government. From interviews with smoker fish traders, they are not willing to be relocated due to the four main things: firstly, the central location is far from their dwellings that makes them difficult to mobilize. Secondly, the location of Sentra is far from the amusement park and thus, many people are not aware of the existence of the center. This makes the turnover of smoked fish merchants decreased which was originally around IDR 1,000,000, - per day to about IDR 500.000, - Thirdly, the chimney available in Sentra Ikan Bulak (Bulak Fish Center) is not sufficient. Fourth, there are other fish traders who open new stalls in the old place.

In order for smoked fish traders to be relocated, then in 2014 Surabaya Municipal Government informs them to not to sell their products in the old place. They are obliged to move to Sentra Ikan Bulak (Bulak Fish Center). But these merchants ignore the socialization and keep selling at the old location. This is the beginning of conflict between Surabaya City Government and smoked fish traders. There are several conflict triggers that cause these smoked fish

traders to not relocate to new places. The trigger of conflict and action of smoked fish traders can be seen in the following table:

Table 1: Triggering Conflict That Causes Traders of Smoked Fish Unwilling to be Relocated.

Number	Conflict Triggers	Merchant Actions
1.	Infrastructure at the new location is not sufficient and decent.	Keep trading on the old location
2.	By the time some smoked fish traders are willing to occupy a new location, the revenue decreases drastically.	Return to the previous location.
3.	The government carried out evictions with acts of violence	Keep trading on the old location
4.	Willing to move to a new location, but the products were not sold out, hence the revenue declined.	Traded at the old location

Source: The result of the data

Because the socialization by the Surabaya City government failed to relocate the smoked fish traders, the Surabaya City government made another strategy by using conflict resolution. The smoked fish traders are invited to discuss and be given the opportunity to participate so they can give expected suggestions to support the relocation. The first conflict resolution effort was made on January 2, 2014. The Surabaya municipal government negotiated resulting on the agreement that the traders will occupy the Sentra Ikan Bulak (Bulak Fish Center) on January 06, 2014. Yet, until the deadline, the traders have not occupied his stand. Surabaya City Government conducted a second conflict resolution on January 8, 2016 and it was attended by 30 merchants. They suggested that the facilities at the Sentra Ikan Bulak (Bulak Fish Center) are still inadequate regarding to the non-optimized chimneys. Surabaya city government's response was to build an adequate chimney, while the smoked fish traders were defending their ideas to return to the old location. After the construction of the chimney was complete, the smoked fish traders were encouraged to return to Sentra Ikan Bulak (Bulak Fish Center). However, this effort was unsuccessful. The third resolution effort was conducted by the subdistrict apparatus on February 23, 2015 by socializing the merchants back to Sentra Ikan Bulak (Bulak Fish Center). This continued at the forth meeting on June 5, 2015 with the results of smoked fish traders were willing to occupy the Sentra Ikan Bulak (Bulak Fish

Center), but then they went back again to the old location. Subsequent resolution of the fifth conflict was carried out by the sub-district apparatus on July 19, 2016 through negotiations. The result of the negotiation was the expectation of the smoked fish traders for Sentra Ikan Bulak (Bulak Fish Center) location; in addition, there should be the place to sell smoked fish and food products made from smoked fish and entertainment events to attract the public attention. The response of Surabaya City Government is to fulfill all suggestion from the people bloaters, but these efforts have not succeeded until nowadays.



Figure 4: Sentra Ikan Bulak (Bulak Fish Center) is not as crowded as the other traditional market, there is almost no buyer. Source: Documentation of the Civil Service Police Unit

The unwillingness of smoked fish traders to move to Sentra Ikan Bulak (Bulak Fish Center) shows that the Surabaya City Government has not succeeded in resolving the conflict despite negotiations and giving the opportunity to the targets to participate. Therefore, the researchers are interested to know how the Surabaya city government conciliates in the form of discussion / negotiation to reach mutual agreement in resolving the conflict. Furthermore, researchers are also interested to know the degree of participation of smoked fish traders in the settlement of the conflict.

Several studies on conflict resolution by the government in relocating street vendors have been widely used. Bojobun (2017) conducted a study on conflict resolution undertaken by the Bangkok Government in an effort to structuring the city in 2014. The Bangkok government made the rules on city planning called the Bangkok Metropolitan Administration (BMA) through the policy of "reclaiming pavements" reclaimed sidewalks to restore pavement functions as pedestrian spots. This led to the eviction of about a quarter of street vendors in bangkok. Attempts to remove street vendors have resulted in demonstrations and violence rooted in gangster conflicts. Furthermore, conflict resolution efforts are conducted with the intermediary of a monk

as a mutually agreed mediator. The conflict resolution eventually succeeds in moving street vendors to new places such as the Chang Tha area.

Milgram (2011) examines conflict resolution efforts between the government of Baguio City, Philippines and female street vendors. The emergence of conflicts stems from the introduction of Baguio city regulations in 2007 which prohibited trade along the central business district roads. Baguio City's government planned to relocate the merchants to the suburbs. Furthermore, traders formed associations as representatives in conducting conflict resolution. The agreement was a business agreement between a female street vendor, shopkeeper in the business district, and the government of Baguio city, so they can sell along the business district.

In the Owusu-Sekyere et al (2016) study, the Kumasi municipal government in Ghana (West Africa) has sought to evict street vendors periodically at the Centra Business District (CBD). Evictions were carried out by confiscating goods, raising money to beating on street vendors. This situation eventually causes tension and conflict. To that end, the city government of Kumasi negotiated with various interest groups such as the United Traders Association and business and retail stakeholders to determine conflict resolution. The resulting conflict resolution is the Kumasi Metropolitan Assembly (KMA) in the form of providing a satellite market for traders in the CBD who do not own a store. In the contrary, the resolution of this conflict is not approved by street vendors because of high rental prices, poor infrastructure, and a few of buyers. Another conflict resolution is KMA should impose a daily tax on street vendors in the CBD. However, this policy makes the Municipal Government of Kumasi highly financially profitable and opens opportunities for corruption. Finally, conflict resolution is achieved with the CBD agreement not being displaced or relocated as long as the street vendors vote in the election period.

These three studies show that implementing conflict resolution requires help from social agent such as religious leaders and trader associations as mediators. The conflict resolution conducted by Surabaya City Government, however, was without involving other party as mediator, but directly discussed with the bloater sellers.

2 RESEARCH METHODS

This research uses descriptive qualitative approach. The informants are as many as 10 from smoked fish

traders, 2 persons from the Agriculture Office, and 2 from the Kecamatan (subdistrict officers) Data collection methods were conducted through in-depth interviews, secondary data, and field observations. While to analyze the data, the writers use interactive analysis (Miles et al, 2014); an analysis consisting of four activity lines of data collection, condensation data, data presentation, and conclusion.

3 RESULTS AND DISCUSSION

Pace and Faules (1994) define conflict as an expression of contention between individuals or groups for several reasons. In this view, dispute shows the difference between two or more individuals. Meanwhile, Miall, et al (1999) states that conflict is the opposite difference and has its own peculiarities. Miall categorizes conflicts into 2 types: symmetrical and asymmetric conflicts. A symmetrical conflict is a conflict of equal importance, such as a conflict between two individuals or two organizations. While asymmetric conflict is a conflict of interest that arises between different parties such as government conflicts with insurgent groups. In this case, asymmetrical conflict has a syllogism that the top level always wins and the lowest level always loses.

The conflict between smoked fish merchants and the Surabaya City Government is an asymmetrical conflict. This conflict occurred between the Surabaya city governments as a government institution with smoked fish traders as a community of street vendors. Surabaya city government has the power to regulate the presence of smoked fish traders (which is the category of street vendors) in an effort to beautify and order the urban planning of a city. Meanwhile, smoked fish traders group as a target group that must comply with the rules of the government. To strengthen the role as regulator, the Government of Surabaya City enforces the Regional Regulation number 17 of 2003 on Structuring and Empowerment of Street Traders. In Chapter II, article 2 on the Management of the Place of Business, it is mentioned that: 1). Business activities of street hawkers can be done in the Region, 2). Regional Head is authorized to assign, move and remove the location of street hawkers, 3). Stipulation, evacuation, and location removal of the street vendors shall be regulated considering the social, economic, order and environmental hygiene interests of the surrounding area. 4) The Regional Head is also authorized to prohibit the use of certain public utility land as a place of business of street vendors, 5). Everyone is

prohibited from trading with street vendors at public facilities that are prohibited as a place of business of street vendors. Whereas in Article 3, it is explained that the Head of Region or appointed official has the authority to: a) stipulate and regulate the business activities of the street vendors, b) establish and manage the number of street vendors at their location, c) specify the types of traded goods and d) arrange props for street vendors. Based on the formal rules, the Surabaya city government argued that the relocation of smoked fish traders is for their sake of social, economic, orderliness, and environmental hygiene.

According to Galtung (2003), conflicts can be prevented or regulated if conflicting parties can find ways or methods of negotiating differences of interests and agree on rules to govern conflict. In other words, conflicts can be resolved depending on how the conflict resolves so as not to develop into a disadvantage. In this regard, Fisher (2001) mentions that there is an attempt to address the causes of conflict and then seek to build a lasting relationship between the disputants. As Mindes (2006) argues that conflict resolution is the ability to resolve a difference that requires skill in negotiating, compromising, and justice. Meanwhile, Dahrendorf (1998) mentions that there are three forms of conflict arrangements commonly used as conflict resolution: 1) *Conciliation*, where all parties discuss and argue openly to reach an agreement without the party monopolizing the conversation or imposing the will. 2) *Mediation*, when both parties agree to seek advice from a third party. 3) *Arbitration*, both sides agreed to have a final, legal decision from the arbitrator as a way out of the conflict.

In relation to how to resolve the conflict in the relocation of smoked fish traders, the Surabaya City Government uses conciliation method. How conciliation taken is a discussion to reach a mutual agreement. There have been 5 discussions that resulted in a mutual agreement to address the problems related to the relocation. Here is a table of conciliation activities undertaken between the Surabaya City Government with a smoked fish trader.

Table 2: The Conciliation between Surabaya City Government and Smoke Fish Traders.

Number	Date of Meeting	Present Representatives	Agreement
1.	02/01/2014	1.The sub-district head and staff from Bulak sub-district	Delaying relocation of smoked fish traders

		2. Wholesaler of smoked fish	
2.	08/01/2014	1. The sub-district head and staff from Bulak sub-district 2. Representatives from the Department of Agriculture and Food Security 3. Wholesaler of smoked fish	While waiting for the completeness of the means of infrastructure, traders are provided place of contemporary curing and washing fish in other locations
3.	2/23/2015	1. The sub-district head and staff from Bulak sub-district 2. Wholesaler of smoked fish	Traders are willing to occupy Sentra Ikan Bulak (Bulak Fish Center) but return to the old location because it has almost no visitor.
4.	05/06/2015	1. The head and staff from Bulak sub-district 2. Wholesaler of smoked fish	Traders are willing to occupy Sentra Ikan Bulak (Bulak Fish Center) but return to the old location because it has almost no visitor.
5.	July 19, 2016	1. The sub-district head and staff from Bulak sub-district 2. Representatives from the Department of Agriculture and Food Security 3. Wholesaler of smoked fish	Wholesalers of smoked fish are willing to occupy the Sentra Ikan Bulak (Bulak Fish Center) as long as it is provided with food made of fish, it frequently hosts events to enliven Sentra Ikan Bulak (Bulak Fish Center), and the government purchases the whole unsold smoked fish

Source: The result of the data

From the conciliation, it is seen that the Surabaya city government provides space for smoked fish

traders to participate in overcoming the problems. According to Graham and Philips (1998) at the level 'local government' they categorize public participation into two types, first the participation of citizens in the overall process of election of city leaders. Second, public participation involves interaction and two-way communication to influence policy decisions. The type of participation given to smoked fish traders is by interaction and two-way communication in the form of discussion and negotiation.

Arnestein (1969) introduces *ladder of participation* with categorizing participation based on degree of participation that is a). No participation consists of manipulation and therapy. b). tokenism, consisting of informing, consultation, placation and c). Citizen power consists of partnership, delegated power and citizen control. The lowest level is a very low level of community participation, then the top level is the level where community participation is very large and strong. The following is an explanation of community participation in the ladder of participation of Arnestein.

Table 3: Ladder of participation.

Number	Ladder of Participation	The Nature of Participation	Level of Participation
1.	<i>Manipulation</i>	The government elects community representatives to approve various programs	No participation
2.	<i>Therapy</i>	The government only informs the public about some programs.	
3.	<i>Informing</i>	The government informs various programs that will be and have been implemented, yet merely communicates through one way direction.	Tokenism / justification just to say yes, in terms of sudden agreement.
4.	<i>Consultation</i>	The government discusses with many elements of society on various agendas. All suggestions and criticism are heard but those who have power decide the result.	
5.	<i>Placation</i>	The government promises to do	

		various suggestions and criticism from the public, but they secretly runs the original plan	
6.	<i>Partnership</i>	The government treats society as a co-worker. They partner in designing and implementing public policies.	Citizen power is in the community
7.	<i>Delegated Power</i>	Delegation of authority by the government to the community.	
8.	<i>citizen control</i>	The public is more dominant than the government, even up to evaluate performance	

Source: Arnstein (1969)

Associated with the theory of the Arnstein, thus, the degree of participation of smoked fish traders is assumed on the degree of tokenism. Looking further, it turns out that ladder of participation smoked fish merchants are at the consultation level only. Data on degree of participation and ladder of participation can be seen on the nature of smoked fish traders in relocation to Sentra Ikan Bulak (Bulak Fish Center). The inclusion of smoked fish traders in conflict resolution on business relocation is shown in 5 conciliation agenda. They have given suggestions and criticism related to the relocation to Sentra Ikan Bulak (Bulak Fish Center). But not all the proposals submitted by smoked fish traders can be granted by the city of Surabaya. Data on the nature of smoke fish traders in the effort of conflict resolution on relocation of business from along Kejawan Lor road to Sentra Ikan Bulak can be seen in the following table:

Table 4: The Nature of Participation of Smoked Fish Traders in Conciliation with Surabaya City Government.

Number	Date of Meeting	Suggestions of the Trader of Smoked Fish	Government Response	The Nature of Participation
1.	02/01/2014	Delaying relocation	The government gave the time period requiring them to dismantle the tent in the old location	The government invites discussion and accommodates the proposal. But the decision is still taken unilaterally by the government
2.	08/01/2014	Improvement of facilities and infrastructure for the purpose of fish washing and fumigation; particularly of chimneys and blowers	Government improves facilities and infrastructure. In the meantime, curing and fish washing would be provided in other locations	Idem
3.	2/23/2015	Asking the government to make the Sentra Ikan Bulak (Bulak Fish Center) busy visited by buyers	The government does the eviction with the assumption that the Sentra Ikan Bulak (Bulak Fish Center) will be crowded if it is filled by smoked fish traders	Idem
4.	05/06/2015	Asking the government to make the Sentra Ikan Bulak (Bulak Fish Center) busy visited by buyers	The government does the eviction with the assumption that the Sentra Ikan Bulak (Bulak Fish Center) will be crowded if it is filled by smoked fish traders	Idem
5.	19/07/2016	The government hosts the event to enliven the Sentra	The Government instructs all the Local Government Working Units of Surabaya to organize the event for Sentra Ikan	Idem

		<p>Ikan Bulak (Bulak Fish Center)</p> <p>The government buys all the unsold smoked fish</p>	<p>Bulak (Bulak Fish Center) in order to attract visitors.</p> <p>The government provides freezers to store smoked fish and transport vehicles for the mobilization of traders.</p>	
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Source: The result of the data

From the table, it is seen that the Surabaya city government has provided an opportunity for smoked fish traders to participate by providing some suggestions. It can be seen that street vendors have also voiced their opinions to delay the relocation, improvement of infrastructure suggestion, the effort for Bulak Fishing Center to be visited by the public through the provision of certain interesting events, as the demand that the Surabaya City government will bear the losses of the merchants by buying their entire unsold products. However, it is also seen that the Surabaya City Government is not willing to fulfill the suggestion from smoked fish traders, even the Surabaya City Government makes a decision that is not fully in favor for smoked fish traders.

4 CONCLUSION

The unsuccessful efforts to relocate smoked fish traders from along the curb of Kejawan Lor to Sentra Ikan Bulak (Sentra Ikan Bulak (Bulak Fish Center) is more likely because the Surabaya city government is less able to accommodate the interests of the traders. Conflict resolution attempted to solve the problems often adds new problems. Although the Surabaya City Government has given space to participate to smoked fish traders through conciliation, this effort has not succeeded in getting traders to move to new locations. Participation space is merely a formality, where the Government is willing to accommodate the various proposals given by the merchant's but the final decision tends to remain unsatisfying for the merchants' needs. This seems to trigger new conflicts and increasingly cause smokers fish traders be reluctant to move to the new locations.

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