

The Phenomenon of Bandung Street Musicians: Interaction with Road Users and Legal Aspects

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ABSTRACT

The objective of this study is to investigate the phenomenon of street musicians at Bandung Traffic Lights from the perspective of traffic law and road transportation. The research method employed is a qualitative approach with a specific focus on the interaction between road users and aspects of traffic law and road transportation concerning street musicians at Bandung Traffic Lights. The research methodology includes observations, interviews, documentation, and in-depth analysis. The research findings reveal that the presence of street musicians at Bandung Traffic Lights has a diverse impact on commuters; some find it entertaining, while others feel distracted. From the standpoint of traffic and road transport law, the activities of street musicians on the sidewalk or roadway may be considered violations of Article 275, paragraph (1), and Article 28, paragraph (2), of Law No. 22 of 2009 on Traffic and Road Transport. The implications of this study underscore the significance of arts education in fostering a sense of discipline among street musicians. This research can help ensure that their artistic performances are more focused and orderly without causing disruption to road users.

KEYWORDS

Street Musicians
Street User
Interaction
Law
Traffic

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INTRODUCTION

The existence of buskers is a social problem that commonly occurs in big cities (Rabbani, 2022: 186). The reason someone chooses to become a busker is, among other things, poverty. However, there are also several reasons where the choice to become a busker is also based on passion which is used as the main capital to earn a living. Buskers who stay at red lights usually use musical instruments in the form of loudspeakers, electric guitars, and usually they always form musical groups.

So far, many street singers are still given bad reviews in the street environment, especially at every intersection, such as committing criminal acts, sexual harassment, etc. Buskers are often differentiated from others as if they are different from us, especially those with sufficient income, they are considered to have a bad image in society. However, we are creatures who cannot live alone and will always need other people to fulfill our daily needs. Therefore, the aim of this research is to better understand self-description in the form of society's opinions and views towards musical buskers and because of the encouragement of the needs of musical buskers.

Street music performances, while providing exciting entertainment, also carry a negative impact that is considered a moral offense due to violations of established rules (Falcão D., et al., 2022). In Indonesia, street musician performances are occasionally

conducted on sidewalks or even in the middle of the road, potentially causing discomfort to other road users. The interaction between street musicians and street users is constrained by spatial and temporal factors (Walalayo, M. C., 2021). In the context of Bandung Traffic Lights, this phenomenon indicates a hindrance to interactive communication between street musicians and street users, particularly during red light situations.

Apart from musicians, problems can occur from drivers, as stated by Fajrin (2021: 53) that via CCTV, the Bandung City Transportation Service often catches drivers violating traffic rules. This can of course endanger other road users if street musicians, drivers and road users collide.

The spatial factor plays a pivotal role in limiting the interaction between street musicians and street users. On congested roads, the space available for stopping or pausing momentarily is so restricted that drivers cannot easily approach street musicians. Consequently, this results in limited opportunities for street users to genuinely engage with and appreciate the performances of street musicians. Moreover, during red light situations, riders tend to focus on their own vehicles or communication devices, making it difficult for them to fully enjoy the street musicians' performances.

This article's objective is to look at the phenomenon of street musicians at Bandung Traffic Lights, with a specific focus on the interaction between road users and various aspects of Traffic Law and Road Transport within the context of street musicians at Bandung Traffic Lights. This analysis aims to provide an understanding and identify potential solutions to overcome these limitations. Additionally, this article aims to underscore the scientific significance of its contribution, which is expected to fill the knowledge gap in contemporary literature.

Although some researchers have explored the interaction between street musicians and street users, no prior research has explicitly examined the legal consequences of traffic and road transportation on street musician activities. Therefore, we hope that this research will address this knowledge gap, facilitating the development of solutions to create a more harmonious environment for street musicians and street users and promoting the effective utilization of the potential of street art.

METHOD

This research uses a qualitative approach with a research design that emphasizes holistic and contextual exploration of phenomena, rather than relying on statistical procedures or calculations. Researchers act as data collection instruments (Fadli, M.R., 2021). Several data collection methods were used, including observation, documentary research, and interviews. Initially we made observations directly observing the activities of the buskers at the Cokro Pasteur stand at 4 Bandung traffic lights. This observation was carried out systematically, aiming to gain a deeper understanding of this phenomenon. Researchers documented various details such as location, timing, type of musician, genre of music performed, interactions with road users, as well as reactions and responses from both motorcyclists and pedestrians.

Next, we conducted interviews with buskers, road users and traffic officers on duty at Cokro Pasteur. This interview was designed to gain their insight and experience regarding the challenges associated with limited public space and interactions between road users. Interview questions addressed to buskers, road users and traffic officers revolved around the phenomenon of buskers at Bandung traffic lights.

Documentation is then carried out to collect facts, including photos, videos or audio recordings of research activities. Next, a literature study was carried out to collect and analyze relevant literature regarding traffic regulations, use of public space, and the

phenomenon of street musicians. After the data is collected, the data analysis process includes data description by summarizing the findings of observations, interviews, literature studies and documentation. Conclusions are drawn by identifying relevant patterns, trends and legal implications. Data analysis was carried out systematically and objectively to provide a comprehensive understanding of public space constraints and interactions between road users in the context of the phenomenon of street musicians at Bandung traffic lights.

RESULT AND DISCUSSION

The presence of street musicians has enriched the cultural history of various nations with a unique wealth of art and culture. Their street performances not only represent a form of creative expression but also foster engaging interactions with passing riders. Public places like sidewalks and street corners become dynamic stages for them to share their music and art with a wider audience. This interaction possesses its own charm as it can influence the mood and social dynamics of the surrounding area.

However, beneath the beauty and harmony offered by street musicians, there are legal considerations that require in-depth examination. This pertains to whether their activities on the road can be categorized as violations of traffic regulations and disturbances to the comfort of pedestrians. Consequently, the question arises as to the extent to which street art can transcend boundaries and disrupt public order, as well as the safety of other road users.

In this discussion, we will delve deeper into the existence and significance of street art, how their interactions with riders add vibrancy to urban routines, and how related legal regulations form the framework that allows street artists to work without compromising order and public safety. By comprehending this dynamic, we can appreciate the vital role of street art in urban culture while ensuring that this activity remains in compliance with applicable norms and regulations.

The phenomenon of street music in highway areas has two aspects that need simultaneous consideration. The first aspect revolves around street musicians, who must prioritize traffic safety for both themselves and other road users. Street musicians must also ensure that their presence does not disrupt drivers and pedestrians. It's important to remember that different individuals have varying tolerance levels for the presence of street musicians. What might be entertaining to one person could be distracting to another.

For street musicians, it is crucial to be aware of their surroundings and select a music repertoire that appeals to a wide range of audiences. The objective is to ensure that the activities of street musicians do not impede traffic flow, inconvenience road users, or obstruct pedestrian movement. This principle aligns with Article 275 para. (1) Jo. Article 28 para. (2) of Law No. 22 of 2009 on Traffic and Road Transport, which stipulates that actions leading to interference with the operation of traffic signals, road markings, traffic signaling devices, pedestrian facilities, and road user safety equipment may result in a maximum penalty of one month in jail or a fine of up to Rp. 250,000.00 (two hundred fifty thousand rupiahs).

The second aspect concerns the role of the government in addressing the street music phenomenon. The government should take into account the conditions and needs of street musicians and provide suitable solutions to address emerging issues. Collaboration and support among street musicians, the government, and the community are crucial in this regard. Governments should establish robust partnerships to not only acknowledge the presence of street musicians but also seamlessly integrate them into the urban context.

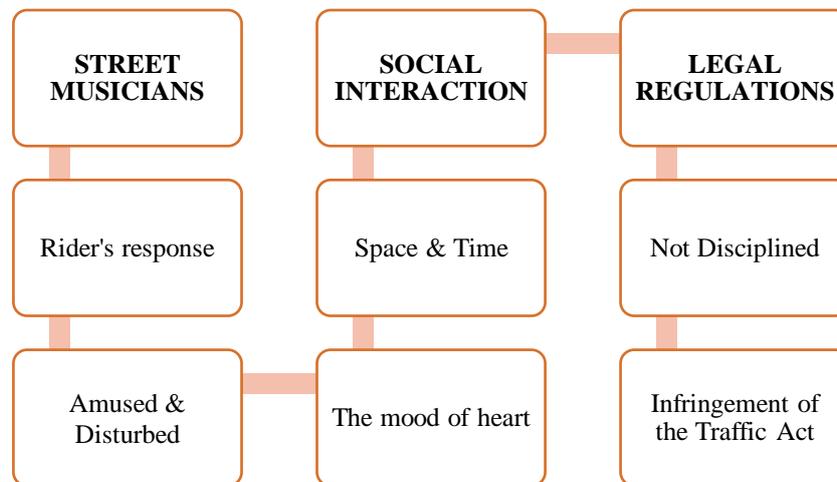


Figure 1. Paradigm

1. Street musicians

Street musicians have a long history in Europe, the Netherlands, and Indonesia. In Europe, street artists originated from the Roman tribe, earning a livelihood by playing music, particularly during the night. In Indonesia, particularly in Java, there exists a tradition in the Babad that recounts the story of Ki Ageng Mangir, a ruler in the southern region. He disguises himself as a tledek, a wandering man who sings and dances to approach the firstborn. He successfully infiltrates the area (Laksana, A. T., 2014).

However, street art is not solely tied to culture and tradition; it also arises as a response to social and economic changes. Social inequality and a lack of employment opportunities have motivated individuals, especially those from disadvantaged backgrounds, to explore alternative means of making a living (Andika, W., & Maestro, E., 2020). It has become one of the forms of street art that emerged as a result of this condition. Street musicians use music as a tool to express their feelings, communicate with others, and earn a livelihood.

Previous research indicates that street art in Surabaya encompasses various motives, including political, social, cultural, religious, environmental, humorous, and personal ones. Political motives involve expressing criticism or support for the government or political parties. Social motives address issues such as poverty, education, health, human rights, and so forth. Cultural motives portray identity and pride in local or national culture. Religious motives depict specific religious beliefs or teachings. Environmental motives emphasize the protection and preservation of nature and the living environment. Humorous motives aim to entertain or criticize through jokes or spells. Meanwhile, personal motives convey the personal expressions and feelings of the street artist (Alamanda, A. H., & Antropologi, D. 2016).

In these situations, moral imagination plays a significant role in identifying the various options of action possible in a particular situation, planning the forms of assistance that can be given, and avoiding the negative consequences of such situations (Idris, A., 2019). The guards must consider various actions and implications in their efforts to survive. They have designed creative approaches to attract the attention and sympathy of those who listen, combining emotion and rational thinking.

The researchers had the opportunity to interview two street musicians who regularly perform at Bandung traffic lights, specifically at 4 Cokro Pasteur. In this team, one member plays a violin instrument, while the other one uses a djembe instrument. During the interview, the two street musicians shared their views and experiences about why they decided to become street musicians and why they chose Bandung traffic lights as their venue. These two musicians explained that they had been street musicians for a long time. They decided to become street musicians due to the challenges they faced in finding employment, so they chose street art as an opportunity to make a living and meet their daily needs, including their children's school costs. Besides, street art provides them with a space to express themselves through their musical performances. They also revealed that, in addition to performing on the street, they sometimes accept offers to perform elsewhere with their fellow street musicians, which they refer to as street art. Regarding the selection of Bandung traffic lights as the main location for their shows, they mentioned that this place offers a crowded and diverse atmosphere, making it a suitable place for their street music performances.

Views of street art can vary depending on the social and cultural environment. In some social groups, being a street artist may be considered a legitimate and appreciated form of work, while in other places, it may be seen as the last resort for survival. It is important to appreciate and understand these different perspectives within diverse societies.

Street art has roots in various cultures around the world and has grown in response to social and economic changes. When job opportunities become limited, street art becomes an alternative means of expression and livelihood for individuals affected. However, behind the effort to make a living, there is a desire to be recognized and appreciated as an artist who contributes significantly to cultural diversity and human expression (Kartono, D. T., 2018).

The conclusion of this discussion emphasizes that street art is a cultural phenomenon with a diverse history, dynamics, and meaning in Indonesia. While the primary purpose of street art is to earn a living, it cannot be denied that as musicians, street artists use the street stage as a form of artistic expression and social participation within urban communities.

2. The interaction between riders and street musicians

Street music shows create an exciting dynamic between street musicians and the riders who pass by. The view of street users regarding the presence of street musicians at Bandung traffic lights is highly positive and intriguing. This perspective emerged during a live interview with one of the street users who explained that the street musicians' presence was very entertaining, and their musical performances were well-timed, receiving high ratings for musicality. Interacting with street musicians in this location consistently leaves a positive impression, offering an enjoyable live music experience amid the bustling city crowd.

During an interview with a street musician, I discussed their interactions with street users. They acknowledged that engaging with people of all ages and personalities always brings interesting experiences. Some people paused momentarily to savor the music, while others simply passed by with a smile. When asked about their assessment of street users' responses to their musical performances, the street musician expressed a realistic viewpoint. They didn't pay much attention to or concern themselves with how street users responded, as their focus was on playing a musical instrument. Any response was not a major concern, given that their primary goal was artistic expression through musical performances. They explained that they couldn't compel street users to enjoy their performances, especially considering the time and location constraints and the potential hindrance of hot weather.

According to data from a 2021 survey conducted by Andika and Maestro (page 475), it

was found that 67% of motorcyclists and 83% of car drivers did not respond to street musicians at Bandung traffic lights. This data illustrates that the majority of riders show little interest in or appreciation for street music performances. Social interaction between the musician and the rider often feels awkward or one-sided. This passivity is evident in the minimal body movement observed while waiting at traffic lights, in contrast to the enthusiasm of a concert audience. Although this comparison may not be entirely equitable due to differences in reasons and contexts, it underscores the importance of delving deeper into the patterns of rider responses to street musicians and the factors influencing these reactions.



Figure 2. Street musicians in Bandung traffic lights (Doc. Rizal, 2023)

The role of music in everyday life is significant, influencing social relationships, moods, personal experiences, and self-identity (Sinclair, G., & Tinson, J., 2021). Street music performances also offer an amazing experience as they occur in open and spacious public spaces. However, interactions between street musicians and riders are heavily influenced by variables such as the physical environment, time, mood, and weather conditions. This reminds us that while music holds great potential to impact various aspects of life, external factors can also affect our feelings and responses to music, particularly in situations like street music performances.

3. Traffic Law and Road Transportation Regulations Related to Street Musicians

The perspective of traffic law and road transportation raises the question of whether street artists on sidewalks or roads can be regarded as traffic violations. A more in-depth legal analysis is needed to determine the extent to which road artists can be considered to interfere with traffic functions and facilities and whether such activities are still within the limits of applicable law.

Interviews with traffic officials who were at the time implementing traffic arrangements in Bandung traffic lights explained the existence of street musicians from the aspects of traffic safety and public comfort. In terms of traffic safety, attention should be paid to ensure that musical performances do not disturb other road users or cause congestion. From the point of view of security and public order, street musicians can give positive nuances but

also need to ensure that the environment remains safe from unwanted disturbance or turmoil.



Figure 3. Road user waiting for red light (Doc. Rizal, 2023)

In Indonesia, although there is no regulation specifically prohibiting street musicians from performing on the road, it is important to keep in mind Article 275 para. (1) Jo. Article 28 para. (2) of the Law No. 22 of 2009 on Traffic and Road Transport. This article states that any person who commits acts that interfere with the functioning of traffic signals, street marks, traffic signaling devices, pedestrian facilities, or road user safety equipment can be punished by imprisonment up to one month or a maximum fine of Rs. 250,000.00 (two hundred fifty thousand rupees).

Street musicians are individuals who perform on sidewalks or even on the road to entertain riders with their musical performances. This activity is often considered to interfere with the comfort of pedestrians because the sidewalk is meant for walkers, not unauthorized activities, including performances by street guards or musicians. The disorderly behavior of street guards in crossing is a problem that has occurred frequently in Indonesia. The activities of street musicians potentially interfere with the functioning of traffic signs, road markings, traffic signals, pedestrian facilities, as well as road users' safety devices. In the legal framework, the behavior of street guards can be considered a violation of traffic rules as per Article 275 para. (1) Jo. Article 28 para. (2) of the Law No. 22 of 2009 on Traffic and Road Transport.

According to the view (Pratama & Iskandar, 2018: 7-8), the negative effects of the presence of street musicians include: damaging public facilities or private property; creating visual pollution or noise; creating conflict between street artists and authorities or the public; violating legal rules or social norms; and creating a negative perception of street art as an act of vandalism or crime. However, we can compare this situation with the example of the city of Barcelona. There, there have been changes in urban environmental planning over the last few decades. The city of Barcelona has formed a body to manage the city called the City Hall. This body has regulations that regulate the time and place where street artists can perform artistic activities. The aim is to prevent conflict or tension in the maintenance of street art performances.

The impact of this regulation is that street artists in Barcelona have become an important

element in creating a more dynamic city life. They add color and grace to the city's atmosphere, attracting tourists and locals to interact and enjoy street art. The right approach to regulation provides an opportunity for street artists to create and work without interfering with the city's order.

Law enforcement related to the activities of street guards is not always done with a rigorous action approach. In carrying out their duty to maintain public security and justice, Indonesian National Police has an approach that includes building security and participating in building public safety and order (Indarti, E., 2022). The concept of community police encourages the active participation of the public in maintaining security and order. Therefore, law enforcement against street guards not only focuses on harsh sanctions but also involves constructive efforts and public participation in addressing such security-related issues. This is relevant to the view of traffic officials who are not immediately able to carry out law enforcement due to considerations of various things, especially in maintaining security and public order. On the other side of the view, the street musician explains that he has a KPJ organization that has accepted socialization to carry out street art activities without interfering with public comfort and traffic order.

This fact shows that rules and practices relating to street guards are complex issues involving various factors, including public participation in maintaining order. Indonesia has a chance to take inspiration from Barcelona's experience in managing street artist activities. In an effort to build the city's vitality, effective regulation and careful arrangement can give room for street artists to express themselves without sacrificing traffic order and safety. In this process, it is important for the government to engage directly with street artists so that a mutually beneficial agreement can be reached for all parties. Thus, street artists can be creative and cultural assets for Indonesian urbanity while maintaining order in traffic.

Through positive collaboration between street musicians, the government, and the community, it is expected that street music phenomena can benefit all parties involved. Street musicians have an opportunity to express their talents and gain recognition for their work, while communities can enjoy music entertainment that varies in their surroundings. Moreover, the phenomenon of orderly and controlled street music can make a positive contribution to creating a vibrant and dynamic atmosphere on the highway, as well as enhancing the attractiveness of the city or area as a tourist destination.

From the above description, it can be concluded that the activities of street artists in Indonesia are still in an ambiguous zone in the legal context. Although there is no regulation specifically prohibiting street artists from performing in public spaces, such activities can be considered as potential traffic violations if they have a negative impact on traffic functions and facilities. Therefore, more detailed and fair rules are needed to regulate street art activities in Indonesia, so that their existence is not detrimental to either street artists or street users.

In addition, it is vital to promote public awareness and appreciation of street art as a form of cultural and social expression. By understanding the values contained in the work of street artists, communities can be more open to their existence and their contribution in enriching urban life. Through these measures, it is expected to create a more conducive environment for street artists to work, while ensuring safety and comfort for all involved.

CONCLUSIONS

Through positive collaboration among street musicians, the government, and the community, it is anticipated that the street music phenomenon can benefit all parties involved. Street musicians have an opportunity to showcase their talents and gain recognition for their work, while communities can enjoy diverse musical entertainment in their surroundings. Moreover, well-regulated and controlled street music can contribute positively to creating a lively and dynamic atmosphere on the highway, enhancing the overall appeal of the city or region as a tourist destination.

In light of the above description, it can be concluded that the status of street artists in Indonesia remains somewhat uncertain within the legal context. Although there is no specific regulation prohibiting street artists from performing in public spaces, such activities may be regarded as potential traffic violations if they negatively impact traffic functions and facilities. Therefore, the need for more detailed and equitable regulations to govern street art activities in Indonesia is evident, ensuring that neither street artists nor street users are disadvantaged. Furthermore, it is essential to promote public awareness and appreciation of street art as a form of cultural and social expression. By understanding the values embedded in the work of street artists, communities can become more receptive to their presence and their role in enriching urban life. Through these measures, it is expected that a more conducive environment for street artists to operate will be created, all while preserving safety and comfort for all parties involved.

For street musicians, it is important to pay attention to the surroundings and to choose a music repertoire that fits and is accepted by a wide range of audiences. The goal is that street musicians' activities do not interfere with traffic flows, the comfort of road users, and do not hinder the movement of pedestrians. The second aspect is the role of government in the street music phenomenon. The government is expected to take into account the conditions and needs of street musicians and provide appropriate solutions to address emerging problems. In this case, collaboration and support between street musicians, the government, and the community are key. Governments must create solid collaboration to ensure that the presence of street musicians is not only recognised, but also well integrated into the city context.

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