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To cite this article: S Simatupang *et al* 2021 *IOP Conf. Ser.: Earth Environ. Sci.* **878** 012015

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# Questioning the common of the street in relation to outdoor advertisements in it

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**Abstract.** Advertisements on the edge or around the street has become a common sight in the cities. Advertising by the private sector on the edge or around the street is permitted, but the advertisements and their structure erected on the certain locations in the street raises the question of how far the urban environment of these street is truly public. Focusing on this question, this paper examines it using framework based on model developed by scholar Lawrence Lessig that assess common across three layer: physical, code, and content. To do this, research needs to be done by using a descriptive qualitative approach. This study deploy the framework in a case of a road in the city of Bekasi. The result is that the framework proves a conceptual and operational means for analysing how advertisements reduce the right of street passers to safe, comfortable, meaningful public spaces.

## 1. Introduction

Urban transformation from public and private spaces to spaces with hybrid characters has long been occurring in world cities. The public space has the characteristics of the transfer of the rights of the central or regional government partially or fully to private or commercial actors as well as a reduction in public control. This is also known as privatization, or commercialization of public space. Privatization of public space occurs when public space is owned or operated by the private sector [1]. The privatization of these public spaces occurs in almost all types of physical public spaces such as roads, parks, plazas, train stations and bus terminals.

One of the forms of privatization of public space is advertising on the street space. The main reason for allowing advertisement in the public spaces on the streets is the income for the local government. This space is a strategic location for advertising because in it many people present in this space to carry out various activities every day, using various modes of transportation including walking.

Although still owned publicly and under the jurisdiction of public officials, public spaces that are operated privately are often criticized as serving commercial interests more than the broader public interest. Although the privatization of public spaces has a positive impact, researchers also state that privatization also has negative impacts such as limiting access, increasing consumerism, social gaps, decreasing democratic expression and social interaction [2]. In the case of advertising in public spaces on the roads the negative impacts are increased materialism [3], visual pollution [4], traffic accidents [5,6].

Although publicity in public space is difficult to measure, a number of experts have tried publicity measurement concepts from a certain perspective. Ben and Gauss [7] examines publicity according to three dimensions: access, agency, and interests. Kohn [8] defines publicity in terms of three core criteria:



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ownership, accessibility, and intersubjectivity. Németh and Schmidt [1] use a framework that assesses publicity with three-axis parameters: ownership, management, and use/user. Varna and Tiesdell [9] introduced the Star Model to measure publicity with five axes: ownership, physical configuration, control, civility, and animation. Lessig [10] has developed a model for looking at the impact of the Internet on society. He built his model based on two things, namely common and layers. The model emphasizes that the internet is common and as a virtual space communication system, the Internet is composed of three layers: physical layer, code layer, and content layer. These three layers are related to the common. Lessig [10] defines commons as “any collectively owned resource held in joint use or possession to which anyone has access without obtaining permission of anyone else”. According to Németh [11] that model can be applied in the material space, that things that can be associated with common can be tangible or intangible, they can be environmental, cultural, virtual and material. For its application in the material space, Németh has reconceptualised the three layers.

Using that model Nemeth [11] tested the publicness of a public park called the Independence National Historical Park (INHP), a complex that is operated and maintained by the National Park Service (NPS) which is planned to be given certain fences and restrictions for visitors for security purposes that because of it the level of the common park is disturbed. Simatupang [12] applied the Lessig’s model developed by Nemeth to analyse the publicness of the road in Bekasi City in relation to the control of the advertisements via its regulations.

This research used the Lessig’s model developed by Nemeth to analyse the common of a street in Bekasi City as a case in relation to the advertisements in it. Referring to that model there are 3 layers of the common that are examined including physical layer, code layer, and content layer.

## 2. Methods

Research method used in this study is descriptive qualitative approach by conducting non-participant observation. The purpose of this study is to reveal events or facts, circumstances that occurred during the study by presenting what actually happened. The analytical methods used to the Lessig’s layers are seen in table 1.

Research area located in Jenderal Achmad Yani street in Bekasi Municipality (figure 1). It is a segment of the street. Jend. Achmad Yani Street has its own speciality. Along both sides of the street there are three big malls, three big hotels. On the right side of the north end of the road lies the office of the Mayor of Bekasi, and across from it is a football stadium. On this street there are toll road gates in and out of the city of Bekasi from or to Jakarta or Bandung. So this street is very busy and crowded every day. That is why on both sides of the street there were built many large billboards, especially on the research area, the area that very strategic to erect advertisement billboards.

**Table 1.** Lessig’s layer as applied in physical space.

Components	Aspects	Analytical Methods
Physical	Design Criteria	Design audit
Code	Laws and regulations	Document analysis
Content	Meanings	Content analysis

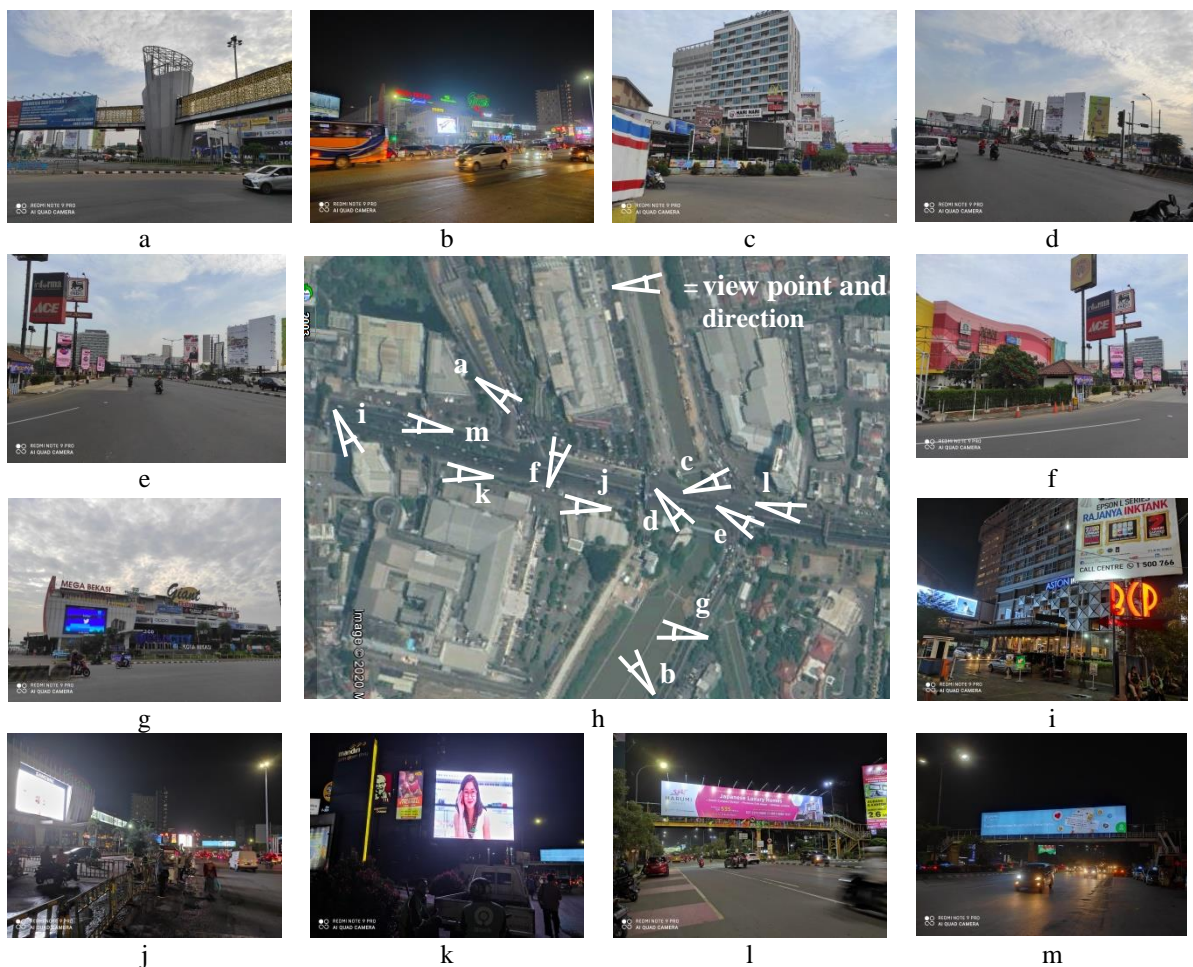
## 3. Results and discussion

### 3.1. Physical layer

The physical layer includes aesthetics/style [11], safety, and convenience. Bekasi City has no a book of street outdoor advertisement guidelines for the reference of this study. Because of its negative impacts of outdoor advertisement, there should be some criteria to assess an advertisement proposal. This study borrows the guidelines of NSW Department Planning and Environment [13] to get the design criteria to assess advertisement on the research area. There are many advertisement billboards have been erected on edge or around the street space as seen in figure 2 The brief analysis of advertisement billboards based on those criteria are seen in table 2.



**Figure 1.** Research area.



**Figure 2.** The existing outdoor advertisements in the surrounding of research area seen from some views. Figure 2h is research area enlarged and showing view point and direction.

**Table 2.** Design criteria and analysis.

Criteria	Descriptions	Analysis
Character of the area	<ul style="list-style-type: none"> <li>- compatible with the existing or desired future character of the area or locality</li> <li>- consistent with a particular theme for outdoor advertising in the area or locality</li> </ul>	<ul style="list-style-type: none"> <li>- There is not yet finished sculpture in the middle of the area, but it is not clear what meaning government local want to express (figure 2a).</li> <li>- there is no particular theme determined to this area, general theme is commercial (figure 2b)</li> </ul>
View and vista	<ul style="list-style-type: none"> <li>- not obscure or compromise important views</li> <li>- not dominate the skyline and reduce the quality of vistas</li> </ul>	<ul style="list-style-type: none"> <li>- the advertisement billboards on the edges of street obscure the views to buildings (figure 2c)</li> <li>- the advertisement billboards dominate the skyline and reduce the quality of vistas (figure 2d)</li> </ul>
Streetscape, setting or landscape	<ul style="list-style-type: none"> <li>- their scale, proportion and form are appropriate for the streetscape, setting or landscape</li> <li>- contribute to the visual interest of the streetscape, setting or landscape</li> </ul>	<ul style="list-style-type: none"> <li>- their scale, proportion and form are not appropriate for the streetscape, are too big, and too close the road (figure 2 e)</li> <li>- they do not contribute to the visual interest of the streetscape (figure 2f)</li> </ul>
Site and building	<ul style="list-style-type: none"> <li>- compatible with the scale, proportion and other characteristics of the site or building, or both, on which the signage is to be located</li> <li>- respect important features of the site or building, or both</li> </ul>	<ul style="list-style-type: none"> <li>- some are not compatible with the scale and proportion of the building (2g)</li> <li>- some do not respect important features of the building (figure 2i)</li> </ul>
Illumination	<ul style="list-style-type: none"> <li>- illumination would not result in unacceptable glare</li> <li>- illumination would not affect safety for pedestrians, vehicles or aircraft</li> </ul>	<ul style="list-style-type: none"> <li>- there are one big billboard on the edge of the street (figure 2j) and one big billboard on the wall of the building that result in unacceptable glare (2k).</li> <li>- they would affect safety for pedestrian and vehicles</li> </ul>
Road safety	<ul style="list-style-type: none"> <li>- not reduce the safety for any road users</li> <li>- must not create a physical obstruction or hazard</li> </ul>	<ul style="list-style-type: none"> <li>- the billboard structures that are on the edges of the road are not in clear zone, so that the safety of street depend on the strength of billboard structure</li> </ul>
Bridge signage	<ul style="list-style-type: none"> <li>- The architecture of the bridge must not be diminished</li> <li>- The advertisement must not extend horizontally and vertically outside the structural boundaries of the bridge.</li> </ul>	<ul style="list-style-type: none"> <li>- The architecture of the bridge is diminished. the bridge structure is covered by billboards (figure 2l)</li> <li>- All of the advertisement extend vertically upward (figure 2m)</li> </ul>

From the brief analysis it can be seen that the advertisements do not comply with the design criteria. The local government of Bekasi City seems to be allowing street public spaces to be sold regardless of the public interest which requires safety, comfort, and aesthetic. This is related to the pursuit of regional income.

### 3.2. Code layer

The code layer includes all laws, regulations, policing/enforcement, and cultural and behavioural norms governing a space [11]. There are no existing Laws of the Republic of Indonesia and Government Regulations of the Republic of Indonesia talking specially about advertising. There are no clauses in the Law of the Republic of Indonesia Number 38 of 2004 on Road and the Government Regulation of the Republic of Indonesia Number 34 of 2006 on Road regulating on advertising. Legislation related to advertisements is in the legislation that is issued by local governments. Local Government of Bekasi

City has issued some regulations namely Local Government Regulations of Bekasi City Number 14 of 2012 on Advertising Tax, Local Government Regulation of Bekasi City Number 15 of 2013 on Amendments to Local Government Regulation of Bekasi City Number 14 of 2012 on Advertising Tax, Mayor Regulation of Bekasi City Number 48 of 2012 on Guidelines for Implementation of Local Government Regulation of Bekasi City Number 14 of 2012 on Advertising Tax, and Mayor Regulation of Bekasi City Number 47A of 2016 on Arrangement of Advertising Stage.

Mayor Regulation of Bekasi City Number 47A of 2016 on Arrangement of Advertising Stage tries to regulate the installation of billboards from several aspects related to the physicality of billboards as seen in Article 2 namely locations (on or off city infrastructure and facility), types (board, billboard, videotron, megatron), dimension (area), construction (structure), region (permitted or prohibited). The regulation does not describe precisely or exactly the points of place for advertisements in the street corridors and it is not clear how the design of billboards should be designed in accordance with road standards. There is no description of the physical standards for advertisements related to aesthetic, security and safety aspects. This regulation allows the installation of billboards on road spaces and/or road intersection space as long as they do not interfere with the view of road users.

For example we can see in the state of NSW, Australia. The government through the Department of Planning and Environment issued billboard guidelines in the street corridors of the Transport Corridor Outdoor Advertising and Signage Guidelines [13]. In this guidebook, it can be seen clearly which areas of the city can be used as places for advertisement, places where advertisement points are permitted, and the design assessment criteria are clearly defined. From the existing regulations and no guidebook it can be presumed that the local government is pursuing the maximum possible revenue from the rental of billboards as a source of regional income that can be a large amount of money but with easy effort [12].

In Mayor Regulation of Bekasi City number 47A of 2006 there are Articles regarding certain areas that cannot be installed or may be installed with advertisements. For those that cannot be installed this is because these areas have a certain image or meaning such as buildings or yards of local government offices, police offices, armed force offices, educational facilities and religious facilities. For those that may be installed there are requirements regarding the location of installation or the type of advertisement. Areas with certain characteristics namely those that have good architectural building are allowed with a condition that the advertisements are attached to the front of the building. Areas that are allowed to be installed advertisements with the selected type of advertisement and the chosen location points are the square area and the park area. In Mayor Regulation of Bekasi City number 47A of 2006 it is stated that the contents do not contradict SARA (ethnicity, religion, race and community group), maintain the norms of decency (Article 4 Section 2), fulfil the requirements of national personality, culture and must not conflict with religious norms and morality [Article 5]. In fact, these Articles are important to protect the values of society.

### 3.3. Content layer

Central to this layer is the meanings represented by the outdoor advertisement content to city image, that is mental images exist in the minds of the people who experience that city. The contents of existing outdoor advertisements are almost all about promotion of all kinds of advertisers' products or services. Those is also but few about promotion or campaign for candidates for board members. The contents of the existing advertisements generally do not contradict SARA, religious norms, morality. It can be because there is government regulations that are kept tightly being complied by government and society. Advertisement regulations should be put in position in order to protect culture and values [3].

What is city image that the local government of Bekasi City want to express or indicate through the streets commonly is not stated clearly. Street space corridors is only categorised based on the types of land use. There are no special themes that are proposed to the street corridors. Jenderal Achmad Yani street is divided into several segments where the research area is included in business district or commercial segment. In accordance with it the commercial buildings such as mall, shopping centre, and hotel, car showroom have been built in the edges of the corridor. In that area the advertisement billboards

have been installed not only on the wall of the buildings concerning products that are sold in the building, but also on the edges along the street corridors all kinds of products. So the meaning of outdoor advertisement content in the street to the city image is nothing but product and service marketing in public areas.

### 3.4. Discussion

From the preceding analysis, the Lawrence Lessig's framework can examine the publicness of public space not only from personal freedom aspect, but also the quality of public space itself. The framework can help show the disturbances to the quality of public space, which society should perceive, across the physical, code and content layers. Armed with this knowledge, policy or regulation makers better predict public needs on a proposed action by other parties whose orientation is profit according to these layers. The framework provides scholars a holistic and robust methodology for analysing individual and group needs in public space, as it is also inclusive of design, legal, political, and sociological perspectives.

## 4. Conclusion

Lessig's framework has helped to address the common of the streets in Bekasi City in relation to advertisements that are erected on the edge or around them. The framework can expose the other issues beyond personal freedom of the publicness of public space across the physical, code and content layers.

In physical layer, the physical conditions has problems of aesthetic, safety, comfort qualities. In the code layer, the local regulations of Bekasi City do not regulate tightly physical design of the advertisement, but prioritize more on pursuing the maximum possible revenue from advertisements. In content layer, the outdoor advertisements give meanings to image city nothing but commercial.

The framework proves a conceptual and operational means for analysing how advertisements reduce the right of street passers to safe, comfortable, meaningful public spaces.

## References

- [1] Németh J and Schmidt S 2011 The privatization of public space: modeling and measuring publicness *Environment and Planning B: Planning and Design* **38** pp 5-23
- [2] Nasution A D and Zahrah W 2012. Public Open Space Privatization and Quality of Life, Case Study Merdeka Square Medan *Procedia. Social and Behavioral Sciences* **36** pp 466 – 475
- [3] Hayko G 2010 Effects of Advertising on Society: A Literary Review *HOHONU* **8** pp 79-82
- [4] Chmielewski S, Lee D J, Tompalski P, Chmielewski T J and Wężyk P 2015. Measuring visual pollution by outdoor advertisements in an urban street using intervisibility analysis and public surveys, *Int. J. Geographical Information Science*, DOI: 10.1080/13658816.2015.1104316
- [5] Wallace B 2003 Driver distraction by advertising: genuine risk or urban myth? *Proceedings of the Institution of Civil Engineers Municipal Engineer* 156 (Iss. ME3) pp. 185-190
- [6] Dukic T, Ahlstrom C, Patten C, Kettwich C and Kircher K 2013 Effects of Electronic Billboards on Driver Distraction *Traffic Injury Prevention* 14 pp 469–476.
- [7] Benn S and Gauss G 1983 The public and the private Public and private in social life ed S. Benn and G Gauss (New York: St. Martin's Press) pp 3-30
- [8] Kohn M 2004 *Brave new neighborhoods: The privatization of public space* (New York: Routledge)
- [9] Varna G and Tiesdell S 2010 Assessing the publicness of public space: The Star Model of publicness *J. Urban Design* **15** pp 575-98
- [10] Lessig L 2001 *The future of ideas: The fate of the commons in a connected world* (New York: Random House)
- [11] Németh J 2012 Controlling the Commons: How Public Is Public Space? *Urban Affairs Review* **48** pp 811-835
- [12] Simatupang S 2018 Pengendalian 'Common' Jalan Raya terkait Reklame Luar Ruang *Jurnal scale* **5** pp 132-144

- [13] NSW Department of Planning and Environment 2017 *Transport Corridor Outdoor Advertising and Signage Guidelines* (Sydney: NSW Department of Planning and Environment)