

Implementation of Islamic Sharia Policy in Langsa City

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ABSTRACT

Aceh's Islamic Shari'a policy is regulated based on the special law and privileges granted to Aceh through Law Number 44 of 1999. The Aceh Qanun that regulates sharia is Qanun Number 6 of 2014 concerning Jinayat Law. Article 2 of the Jinayat Qanun explains the principles and scope of the implementation of the Jinayat law based on (a) Islamic principles (b) legality principles (c) balance principles (d) benefit principles (e) human rights protection principles (f) learning to the community (tadabbur). Article 3 of this qanun mentions the scope that regulates the perpetrators of jarimah, jarimah and uqubat. Jarimah acts include khamr or liquor or gambling, seclusion, ikhtilath, committing adultery, sexual harassment, committing rape, qadzaf, liwath and musahaqah. As many as 23 regencies/cities in Aceh are operationally carrying out the mandate of Aceh's privileges in the field of Islamic law. One of them is the city of Langsa, as an area under the umbrella of Islamic law, people's understanding of Islamic law is still limited to matters of a substantial nature such as Islamic dress and orders to worship. Violations of Islamic Sharia in Langsa City in 2018 in young people, mothers, youth, students, and students, especially against violations of qanun number 11 of 2002 concerning Islamic law in the fields of aqidah, worship, and Islamic symbols and also violations of controlling qanun jinayat Number 6 years 2014. This study uses qualitative research methods, with the characteristic of this method emphasizing the process carried out in research by looking at facts, reality, and symptoms of events experienced by research subjects. Data collection techniques carried out in this study were direct observation or observation to Langsa City, interviews were by interviewing key informants in the Department of Islamic Shari'a and Dayah Langsa City and documentation was carried out by collecting supporting documents for completeness of research data. The data analysis technique used is an interactive model of analysis. The results showed that the support of policy resources from the financial side (budgeting) in the implementation of Islamic law in Langsa City was provided through budgetary support by the local government and the DPR. Support the organizational structure among related stakeholders. Violations of Islamic law in the field of seclusion are carried out by adolescents and adults even by housewives, the causes of violations of Islamic law include economic demands, the desire to fulfill a lifestyle, violations of seclusion are also not uncommon for immigrants from outside the city of Langsa. From research data, in 2021 the control of seclusion perpetrators was 37 people. The type of punishment given to violators of Islamic law in this field is given in various ways, including caning and coaching for minors.

Keywords: *implementation, policy, Islamic law, qanun.*

1. INTRODUCTION

The implementation of Islamic Shari'a is the guidance of Islamic teachings in all aspects of life as stated in Article 1 paragraph (7) of Law no. 44 of 1999. The Islamic Shari'a which was enforced in Aceh was not only in the aspect of Aqidah and Mahdhah worship but also the field of Muamalah in a broad and broad sense and not in the field of Jinayah.[1] The recognition and validity of the

implementation of Islamic Sharia from Aceh in the context of state law are contained in Article 125 of Law Number 11 of 2006 concerning the Government of Aceh (UUPA). In this law, Islamic law is ratified as a national law that applies specifically in Aceh, both in the process of preparing materials, institutions, and law enforcement officers, as well as increasing awareness of Shari'a law.

The Qanun that regulates the Shari'a is the Aceh Qanun Number 6 of 2014 concerning the Jinayat Law. Article 2 of the Jinayat Qanun regulates the implementation of the Jinayat law containing (a) Islamic principles (b) legitimacy and legality principles (c) justice and balance principles (d) adhering to the value of the common good (e) protection of human rights (f) tadabbur; provide learning values to the community. Article 3 of this qanun which regulates the perpetrators and acts of jarimah, Jarimah includes maisir (gambling or gambling practices), khalwat (drinking liquor), hidden activities between two or more people who are not mahrams are called khalwat, making out between two people of different sexes. who are not husband and wife or are called ikhtilat, adultery, sexual harassment, rape, accusing people of adultery without being able to propose at least four people who meet the requirements as witnesses or are called Qadzaf, homosexual (Liwath) and musahaqah (lesbian), [2]

Islamic Shari'a Factually, the enforcement of Shari'a requires three pillars, namely individual piety, community control, and state authority. To carry out this authority, the Islamic Shari'a Service was established in the provinces and districts of the city in Aceh. One of them is Langsa city. As an area under the umbrella of Islamic law, people's understanding of Islamic law is still limited to matters of a substantial nature, such as Islamic attire. One of the main tasks and functions of the Langsa city's Islamic Shari'a service is fostering and guiding for the smooth running of worship, coaching dayah, structuring facilities and da'wah, enlivening Islamic symbols, developing and fostering Islamic religious institutions. To minimize the occurrence of violations of Islamic law, the Islamic Shari'a service conducts socialization related to violations.

The types of sharia violations are contained in qanuns or regional regulations. [3] Qânûn jinâyat in Aceh Province is a criminal law reform in Indonesia, because good law must reflect the law that lives in the community itself, so that the law currently in force in Aceh can be used as a model for legal development in Indonesia which is pluralistic, but remain within the framework of the Indonesian legal state.

Violations of Islamic law enforcement in Langsa City in 2018 were carried out by teenagers, mothers, youth, students and students, especially

for violations of the Qanun jinayat. Qanun Number 11 of 2002 concerning the implementation of Islamic law in the fields of aqidah, worship, and Islamic symbol, reached 57 cases with details, 32 cases, 28 people were lashed, 4 people were given coaching, khalwat reached 10 couples, all of them were lashed in khamr cases, 5 of them were lashed, in 2018 includes; the obligation to dress Islamically 392 people. So it needs the support of all parties in the implementation of Islamic law in Langsa City [4] This paper tries to describe the implementation of Islamic law in the field of seclusion and ikhtilat and its obstacles in the city of Langsa.

2. THEORY

2.1. Public Policy Implementation

The implementation of public policies relates to various activities realized by the program. In this case, the administrator regulates the way to organize, interpreting means managing the way to organize means managing resources; Gordon in [5]

Implementation of public policy relates to various activities carried out to direct and implement the program, in this case, the role and function of the government (executive) to regulate, organize, manage and interpret the ways of implementing the selected policies. This organizing activity is needed in a policy to make it easier for policy implementers to regulate, utilize policy resources effectively and efficiently, use appropriate units and techniques in program implementation, interpret plans that have been made, and instructions that can be followed easily for students. realization of the implemented program. So the implementation stage is an event related to what happens after a law is enacted by giving authority and authority to a policy by forming clear and measurable outputs. Thus policy implementation is a link that allows policy objectives to achieve the desired results, Patton and Sawicki, 1993 in [6]

Some of the opinions above can be concluded that public policy is a set of good actions taken or not carried out by the government that is oriented towards achieving certain goals in solving public problems that exist during society. If the government takes a policy to do something,

it will usually be stated in a clear reference or legislation made legally formal.

2.2. Islamic law

In general, it can be said that Shari'a or Islamic law is a set of Allah's rules that must be carried out by Muslims. Islamic law can be notarized with legal regulations and laws that have been established by Allah SAW. Which aims to build human relations with God and humans with humans regularly, and because of that, Shari'a cannot be separated from ethics and moral [7]. Shari'a is all the rules that are determined by Allah for His servants, both about matters of aqidah as well as those relating to mu'amalah and the law. The rules that have been set by Allah to his people are firm and clear so that they are easy to understand and follow by humans. Oussama Arabi in [8] states that Islamic law determines the daily behavior of people in Muslim societies and is a living reality in contemporary society where it is applied as a positive law of the state

The application of Islamic sharia law implemented in Aceh consists of several fields, namely syar'iyah, namely regulating worship, morals and character. ahwal al-syakshiyah, namely the rule of law that regulates family, muamalah or what is called civil law, jinayah (criminal law applicable to the people in Aceh), qadha (judicial), while tarbiyah regulates education, da'wah, syiar, and the defense of Islam. This is under the provisions contained in Law.

Article 2 paragraph (1) of Qanun number 8 of 2006 states that: the scope of Islamic law in Aceh includes several aspects that regulate the life of the apparatus and society in the implementation of sharia, namely the fields of (a) faith, (b) sharia: and (3) morals. Article 2 Paragraph 2 of the implementation of Islamic law in the field of sharia is contained in Article (1) letter b which includes : jinayat (criminal law), qadha (judicial), performing worship, Muamalah (private law), ahwal al-syakhshiyah (family law), tarbiyah (education); and defense of Islam.

3. METHODOLOGY

This study uses a descriptive qualitative method of analysis methodology with one of the characteristics and emphasis on the research process trying to see the facts, reality, symptoms and events that occur and are experienced by the research subjects. According to [9], qualitative

research is descriptive, by trying to describe the symptoms or the relationship between the symptoms found in observations during the field. while the data collection techniques used by researchers are (1) observation techniques, namely data collection by making direct observations of research subjects based on facts and facts that occur at the research location. (2) interviews are data collection techniques by conducting face-to-face meetings between researchers and key informants to exchange information and ideas through question and answer. (3) Documentation is a method of collecting data or information from written documents such as qanuns, official reports obtained from the relevant agencies. The data analysis technique was carried out using an interactive analysis model as long as the research was carried out with stages that were passed from data collection, data reduction, data presentation, and concluding. [10]

4. RESULTS

1. Implementation and control of Islamic Shari'a policies in Langsa City

The application of Islamic Shari'a policies in the field of seclusion in Langsa City requires a good and comprehensive understanding of the community towards Islamic Shari'a to facilitate the application of Shari'a qanuns. in Aceh such as economy, education, health, social, politics, culture, and others. Therefore, proper implementation is one of the determinants of the success of Islamic law. Implementation does not happen immediately but one must pay attention to the process. The success of the implementation of Islamic law is largely determined by the implementation which is carried out by taking into account the available resources, the communication that is built, the political will of infrastructure, awareness, and support from the community and continuous socialization. The implementation of Islamic law in the city of Langsa requires systematic work steps because it is sharia and continuous. The reality that happened to the people of Aceh and the city of Langsa, in general, was related to several implementation issues.

4.1.1. Policy Resources

Resources in policy implementation play an important role, among others; staff, information, support from the environment, and the authority of the implementor. Policy resources contained in an organization can be in the form of financial resources owned or financial amounts supported by local governments and the number of human resources available to support the implementation of a program. In the implementation of Islamic law in Langsa City, sixty Wilatul Hisbah officers were assisted by the Civil Service Police, in general, they had a bachelor's degree in Satpol PP and WH were given training in the form of physical training. The Wilayatul hisbah officer has the authority to reprimand, warn, advise, notify the authorities if it is proven that people have violated sharia law. WH officers who have been appointed as Civil Servant Investigators (PPNS) have the additional authority to arrest, detain and examine people accused of certain sharia violations. Currently, PPNS in Langsa City only has one person, causing the WH's space to move a bit limited. The enforcement of Islamic law in Langsa City has the support of stakeholders such as the main stakeholders and supporting stakeholders. The main stakeholders are the Mayor, Head of Service, Police, Satpol PP, and WH Stakeholders supporting Langsa DPRK, NGOs, Muspika are accompanied by significant financial support, namely ten percent of Langsa City APBD.

4.1.2. Communication

The success of policy implementation is highly dependent on the communication that is built between individuals and groups. Communication is a process of delivering messages that are needed to establish relationships and take certain actions with other people. Communication on the implementation of Islamic law enforcement in Langsa City requires coordinated transmission and delivery of policy messages between related agencies. Communication that is built between stakeholders is carried out by carrying out coordination, communication is formed by turning on the coordinating role as explained by the following informants:

“Coordination with the police, the prosecutor's office, licensing (regarding cafe

permits), the sharia court (supervising judge) from the Islamic sharia service. This coordination is to support the implementation of Islamic law" (interview with informant)".

The informant's statement describes that communication and coordination carried out in Langsa City are not only with institutions that have the authority to implement Islamic law but are also carried out with other agencies, such as the one-stop licensing service, is done concerning the cafe operating license issued the service. The café permit granted does not exceed the time allotted. Intensive communication is always carried out with the police, the sharia court of the Satpol PP, and the WH, the intensity of communication is described by the presence of cases that are resolved by the police, also resolved in the sharia court.

Implementation of Islamic law in Langsa City was accompanied by placing Wilayatuh Hisbah to be directly under the Office of Islamic Law and Dayah of Langsa City. This policy is regulated in a decree. This is a breakthrough made in Langsa City to facilitate access to raids.

4.1.3. Socialization

The Langsa city government together with the Office of Islamic Shari'a and Dayah carried out a socialization program by trying to increase public understanding of the implementation of Islamic Shari'a in the field of seclusion and ikhtilat. The socialization program was carried out by visiting schools to provide understanding to students regarding controlling violations of Islamic law. The schools involved in the socialization program in stages starting from Elementary School (SD) Junior High School (SMP) in Langsa City and Senior High School (SMA) in Langsa City, this socialization was carried out to provide a basic understanding of youth at school about the prohibition and punishment of violations of Islamic law. This activity is carried out by conducting socialization to the community through gampong cooperation, making village meetings, outreach to villages, and tuha peut gampongs.

4.2. Implementation of Islamic Shari'a in Langsa City and the Obstacles it faces

4.2.1. Level of education.

The level of education and socio-economic conditions of the people of Langsa City are very influential on people's understanding in understanding Islamic law in the field of seclusion and ikhtilat. The existence of prohibitions and punishments given has not been able to be strictly complied with. Compliance with customary law and its sanctions tends to be a calculation for the community. Customary law that applies through reusam gampong (traditional rules) guides more than on sharia law in general. Violations of Islamic law are often carried out by people who have family problems (broken home). People with low education often look down on formal law and tend to perceive the law incorrectly.

4.2.2. People's Attitude

The description of the behavior shown by a person is reflected in his behavior, the attitude component consists of cognitive, affective, and connotative which are interconnected to form understanding, feelings, and ways of behaving towards an object or event. The cognitive component is how an individual evaluates and believes something he sees and learns. The affective component is described from the feelings shown by an individual, these feelings are described emotionally, rejection, and acceptance of something that is felt. This cognitive aspect is an aspect of the tendency to behave in a certain way following the attitude that a person has and is shown, [11]

This attitude is a view that applies to society towards the implementation of Islamic law. in Langsa City in the public's view is only limited to the use of Islamic clothing, even though the scope of Islamic law varies, violations of Islamic law in the field of seclusion and ikhtilat occur due to a lack of understanding and public attitudes towards the substance of this qanun. Violations of seclusion occurred due to the habit of people gathering at culinary locations and cafes. Their lack of understanding of the implementation of sharia qanun, even though the Langsa city government is

still conducting outreach (four to five times a year). Routine raids are still carried out in rotation once a week. Violations of Islamic law are often carried out by teenagers aged (16-18) years. There is a skepticism in society that considers Islamic law and law enforcement to be part of the government's responsibility.

4.2.3. Community Lifestyle and Social Media

Lifestyle is an expression shown by an individual both in terms of association, clothing, food, which is consumed daily. Lifestyle can also be perceived as a pattern and way of life of a person in his environment which can be seen from his way of thinking, way of interacting, daily activities, interests, and talents developed. Broadly speaking, lifestyle describes a person's overall attitude and relationship with the environment Hedonic lifestyle is a lifestyle whose activities are for the enjoyment of life, such as spending more time outside the home, playing a lot, enjoying the hustle and bustle of the city, happy to buy expensive things that he likes. , and want to always be the center of attention [12]

From the above understanding, it can be concluded that lifestyle is a set of cultures that develop in society which is illustrated by the appearance adopted from the internet, about hedonic lifestyles, both in terms of how to dress (fashion) socialize with the environment, vacation, travel, enjoy with the environment. the bustle of the culinary city and others.

The hedonic lifestyle is not infrequently practiced by the urban community in general, a lifestyle that is following the guidance of the Shari'a that is being applied in the city often experiences challenges in the enforcement of Islamic Shari'a. The youth community, the socialite mothers community and the associations of teenagers who are connoisseurs of coffee shops or cafes sometimes lead to negative judgments in the community, even violations of Islamic law are carried out by underage teenagers (informant statement). Violations of Islamic law are not only committed by residents of Langsa city, but also by immigrants from other areas including North Sumatra.

Islamic law in the city of Langsa has been heavily influenced by people who like to follow in adopting the lifestyle they watch on the internet,

consuming media by imitating the lifestyle of celebrities, influencers and celebrity misperceptions about of sharia law.

5. CONSLUSION

The journey of Islamic law in Langsa city experienced several obstacles including, limited human resources in terms of the number of investigators for Civil Servants (PPNS) which only amounted to one person, low levels of public education, community economic factors, lack of understanding of Islamic sharia law references and style. people's lifestyle.

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