

**THE IMPLEMENTATION OF ARTICLE 9 PARAGRAPH 1
QANUN ACEH NUMBER 11 OF 2002 CONCERNING
WORSHIP IN LANGSA CITY**

THESIS

**Submitted To Fulfill The Final Assignment For
Obtained a Law Degree (SH)**

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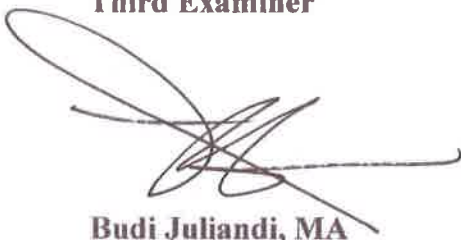
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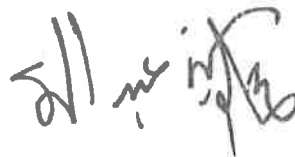
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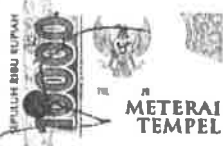
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Abstract

Langsa City has yet to enforce the precise requirements stipulated in Aceh Act No. 11 of 2002. Article 9 of the law explicitly pertains to the obligation of establishing places of worship in designated locations, such as mosques, musallas, and meunas, principally meant for educational activities. Furthermore, it is imperative for public transportation vehicles to make obligatory stops for passengers engaging in religious devotion, particularly those traveling from far locations. This screenplay aims to investigate the variables that impede and facilitate the government's implementation of Article 9, Paragraph 1 of Act No. 11 of 2002 in the city of Langsa. Moreover, its goal is to identify the specific situations that hinder the implementation of Article 9. This study constitutes a type of field research. Field research entails the collection of data and information through direct observation and study in a natural or real-world setting. Employing qualitative methodologies that seek to comprehensively grasp the essential essence of reality and identify interconnected patterns of linkages. Researchers employ several data collection approaches, including observations, unstructured interviews, and documentation. The study's findings indicate that the Act of Aceh No. 11 of 2002, namely Article 9 Paragraph 1, is not achieving optimal efficacy in government agencies, educational institutions, and corporate organizations. Nevertheless, integrating it into an educational institution yields more advantages. The government's inability to effectively implement the law can be attributed to their inadequate endeavors in promoting socialization, as well as the absence of appropriate supervision and enforcement protocols for individuals who violate the law within the concerned groups.

Keywords: Aceh Qanun no. 11 of 2002, Execution, Sharia law

THESIS OUTLINE AQIL RIDHA

IMPLEMENTATION OF ARTICLE 9 paragraph 1 of QANUN ACEH NUMBER 11 OF 2002 CONCERNING WORSHIP IN LANGSA CITY

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CHAPTER I

INTRODUCTION

A. Background of the problem

Islam is one of the largest religions spread throughout the world today. Islam is also the only religion proclaimed by the almighty god. We as Muslims should be grateful to live in Indonesia where the majority of the population is Muslim. Islam grows and develops for many people, thanks to the efforts of our prophets and scholars. It should be noted that Islam also differs from other religions in that it takes its sacred name from the name of its founder or the location where it was spread.¹

The Islamic name is a term that conveys the attitudes and qualities of Allah Glory to Him, the Exalted Glory to Him, the Exalted. Islam was born not because of a gift from one or a group of people but by the direct creator, Allah Glory to Him, the Exalted Glory to Him, the Exalted. Quoting mui.or.id, the word Islam comes from the words "*aslama* ", "*yuslimu* ", and "*islaaman* ", which mean submission, obedience, and safety. Islam means submission or total submission to Islamic teachings given by Allah Glory to Him, the Exalted Glory to Him, the Exalted.²

Humans are God's most perfect creatures because God gave humans a mind to think and a heart to feel. In terms of religion, Allah Glory to Him, the Exalted

¹ Andre Kurniawan, Memahami makna Islam yang sesungguhnya, muslim wajib tahu. Diakses dari <https://m.merdeka.com/jabar/memahami-makna-islam-yang-sesungguhnya-muslim-wajib-tahu-kln.html>.

² Muhammad Asvin Abdur Rohman Sungkono, "KONSEP ARTI ISLAM DALAM AL-QUR'AN," *Jurnal Studi Islam dan Humaniora* 2, no. 2 (2022): 50.

obliges worship to every human being, which contains various secrets and enormous benefits for all Muslims in this world and the hereafter. However, they will only be able to experience the secret beauty of worship and its extraordinary benefits if it is done according to the teachings of the Prophet Muhammad Peace Be Upon Him.

The completeness of Islamic values in governing human life means that there are no life phenomena that are not limited to Islamic teachings, one of which is the procedure for worship for Muslims and Muslim women. This is also explained by several holy verses of the Qur'an which discuss worship, one of which is prayer.

Prayer is one of the pillars of Islam, and every Muslim in the world is obliged to carry out or work with prayer because it is obligatory. *Fardhu* consists of five times, including Maghrib, Isya, Fajr, Zuhr, and Asr prayers. Prayer is secondary to Islamic reconciliation. Prayer means relationship, namely the relationship between a servant and his god, the relationship between a creature and its creator. Using prayer, a believer stands before God five times a day and night, hoping to repay him with kindness.

Langsa City is a coastal city located on the east coast of the island of Sumatra and has a 16 km (10 mi) coastline. Langsa is the Municipality of East Aceh and is one of the youngest autonomous cities in Aceh Province after Sabang and Subulussalam. In the Langsa City area, there are still several regulations that have not been implemented by the Aceh Qanun Number 11 of 2002 concerning the Implementation of Islamic Sharia in the Field of Aqidah, Worship, and Syi'ar Islam.

One of them is Article 9 which regulates congregational prayer facilities, mosques, and *meunasah* to be turned on for recitations, public vehicles must stop for passengers who pray for those who are far away.

Based on the problems above, the authors are interested in conducting research with the title " Implementation of Article 9 Paragraph (1) Qanun Aceh Number 11 of 2002 Concerning Worship in Langsa City", researchers will examine the causes of the lack of implementation of Qanun Aceh Number 11 of 2002 in Langsa City.

B. Formulation of the problem

1. How is the implementation of Article 9 paragraph 1 of Qanun Aceh Number 11 of 2002 concerning worship in the city of Langsa?
2. What are the inhibiting factors in implementing Article 9 paragraph 1 of Qanun Aceh Number 11 of 2002 concerning worship in Langsa City?

C. Research purposes

The purpose and usefulness of this study are as follows:

1. To find out the factors that hinder and support the government in implementing Article 9 paragraph (1) of Qanun Aceh Number 11 of 2002 concerning worship in the city of Langsa.
2. To find out the inhibiting factors for the application of Article 9 paragraph (1) Qanun Aceh Number 11 of 2002.

D. Benefits of research

The benefits of this research have two aspects, namely, Theoretical Aspects and Practical Aspects:

1. Theoretically useful, researchers hope to provide knowledge that can be practiced in everyday life. Especially for students who study worship, especially prayer, which should not be ignored
2. Practically, the researcher hopes that the results of this research can provide useful thoughts for me and the community to further explore religious knowledge about worship, especially prayer, which should be addressed and practiced in daily life.

E. Explanation of Terms

In order not to cause confusion and ambiguity from the intended discussion, several definitions of the research title will be explained as follows:

1. Worship is an act of expressing piety to Allah Glory to Him, the Exalted Glory to Him, the Exalted, which is based on obedience to carrying out His commands and avoiding His prohibitions.³
2. Salat (prayer) In Islam is a mandatory activity for Muslims. Repetition of how many body movements are performed in the Prayer is equivalent to the sports movements that the body needs to achieve excellent health. Actions performed in the implementation of Salat as exemplified by the Prophet

³KBBI Daring, "IBADAH," *Web*.

SAW seen from various disciplines such as medicine, biology, and physics, bring innumerable benefits⁴.

3. Qanuns are statutory regulations which are district/city regional regulations that regulate the implementation and life of the district/city community in Aceh.⁵

F. Previous research

Previous studies that the authors use as comparison material to align with the title of this study include:

1. M. Farid Wajdi Gumilang's thesis entitled " *Jilbab dalam Pasal 13 Ayat 1 Qanun Aceh Nomor 11 Tahun 2002 tentang Penerapan Hukum Islam di Bidang Aqidah, Ibadah dan Syi'ar Islam* ". The results of this study state that Islamic law obliges all women to cover their genitals by wearing the hijab based on the rules set out in the Al-Qur'an and Al-Hadith but are not required to wear the headscarf or wear the headscarf. The function and purpose of wearing the headscarf is to avoid evil deeds and lust from men. Because according to *Jumhur* Ulama, a woman's entire body is genitalia except for the palms of her hands and face. So the implementation of the

⁴Zakiyah Darajat Munthe, Elman Boy, and Al Furqon, "The Effect of Prayer Movement on Cardiorespiratory Fitness in the Elderly," *Magna Medica Periodic Scientific Medicine and Health* 8, no. 2 (August 2021): p. 84.

⁵Nur Hafni, "Factors of Qanun Implementation in Acehnese Education," *Journal of Indonesian Islamic Education* 6, no. 1 (October 2021): p. 48.

Qanun in Aceh follows Islamic law which is determined based on the Al-Qur'an and Al-Hadith.⁶

The difference between this thesis and what the researcher discusses is that this thesis discusses the implementation of the hijab, while the researcher discusses the implementation of congregational prayers regulated in the Aceh Qanun.

The similarity between this thesis and what the researcher discusses is using the same research location in Langsa City.

2. Agus Rahman's thesis entitled " *Peran Wilayatul Hisbah untuk Sosialisasi Qanun No. 11 Tahun 2002 di Kabupaten Simeulue, Provinsi Aceh* ". The results of this study state that Islamic clothing covering the entire genitals is an obligation for every Muslim. Muslim women are encouraged to cover *their genitals* with a headscarf or veil. In Aceh Province, wearing Muslim women's clothing is an obligation regulated in Qanun (Regional Regulation) No. 11 of 2002 concerning Islamic Clothing. In Simeulue District, Aceh Province, socializing the Qanun by implementing religious rhythms in mosques, recitations, recitations, and youth organizations. Wilayatul Grant (WH) also teaches Socialization to provide guidance, understanding, and awareness to the community to carry out Islamic law sincerely. Wilayatul Hisbah (WH) also distributed brochures in the form of an appeal to the

⁶M. Farid Wajdi Gumilang, " *Jilbab dalam Pasal 13 Ayat 1 Qanun Aceh Nomor 11 Tahun 2002 tentang Penerapan Hukum Islam di Bidang Aqidah, Ibadah dan Syi'ar Islam Symbolism* " (Sharif Hidayatullah State Islamic University Jakarta, 2018).

public to comply with the Qanun set by the government. WH also carried out sympathetic actions by collaborating with related agencies or agencies from both the community and other mass organizations.⁷

The difference between this thesis and what the researcher discusses is that this thesis discusses the role of the Wilayatul Hisbah in the socialization of qanuns, while the researcher discusses the implementation of qanuns.

The similarity between this thesis and what the researcher discusses is the use of the same Aceh Qanun.

3. Journal from Mariadi, M. H.I entitled " *Pelaksanaan Syariat Islam Pada Qanun Nomor 11 Tahun 2002 Bidang Aqidah, Ibadah, dan Syiar Islam* ". The results of this study state how the Wilayatul Hisbah in Aceh goes hand in hand with the implementation of Islamic law which requires a supervisory body.⁸

The difference between this journal and the one the researcher discusses is that this journal discusses the implementation of Qanun Aceh Qanun Number 11 of 2002 in the Field of Aqidah, Worship, and Symbols of Islam in general, while the researcher discusses specifically Article 9 Paragraph (1) of Qanun Aceh Number 11 of 2002.

⁷Agus Rahman, " *Peran Wilayatul Hisbah untuk Sosialisasi Qanun No. 11 Tahun 2002 di Kabupaten Simeulue , Provinsi Aceh* " (State Islamic University of North Sumatra, 2017).

⁸MHI Mariadi, " *Pelaksanaan Syariat Islam Pada Qanun Nomor 11 Tahun 2002 Bidang Aqidah, Ibadah, dan Syiar Islam*"," *Journal of Islamic Law and Criminal Law III* (2018).

The similarity between this thesis and what the researcher discusses is the use of the same Aceh Qanun.

G. Theoretical Framework

A theoretical framework is a series of abstract periodic statements about a particular subject. The subjects can be thoughts, opinions, values of social institutions, events, human behavior, and general theories that arise from research variables.

In this study, researchers used the theory of legal effectiveness as a theoretical framework. The theory of the efficacy of social control or law and law in society is analyzed and divided into two, namely: (1) modern society, and (2) primitive society, modern society is a society whose economy is based on a comprehensive market, specialization in industry and the use of advanced technology, in modern society laws are made and enforced by authorized officials.⁹

H. Research methods

The research method is the way or steps that researchers use in conducting research. This is to facilitate research in obtaining knowledge about the social phenomena to be studied so that they can formulate research problems properly. As scientific research, it is necessary to carry out methodical steps to demonstrate methodologically the methodology to be carried out. The steps used are:

1. Research Approach

⁹H.S dan Erlis Septiana Nurban Salim, *Penerapan Teori Hukum Pada Tesis Dan Disertas* (Jakarta: Rajawali Pres, 2013).

The type of research used is a qualitative approach method that aims to obtain a complete picture of reality and find patterns of interactive relationships. This research was conducted by describing and analyzing data in sentences or words (qualitative). In this study, researchers used the theory of legal effectiveness by explaining or explaining the reasons for the cancellation of Article 9 Paragraph (1) of Qanun Aceh Number 11 of 2002.¹⁰

2. Research sites

The researcher chose the research location in Langsa City because he had made observations beforehand and asked why Article 9 Paragraph 1 Aceh Qanun Number 11 of 2002 needed to be fully implemented.

3. Data Collection Instruments

This research uses qualitative research, the data needed is the type of observational research and the problems studied. Data was obtained from several sources, including:

- a. Primary data is data obtained from primary sources. Primary data were obtained from respondents and informants as well as sources. Sources of data in empirical legal research come from field data. Field data is data that comes from respondents and informants including experts as resource persons.¹¹

¹⁰ M.Hum Dr. Muhaimin, SH., *Legal Research Methods* (Mataram University Press, 2020), p.106.

¹¹ M.Hum Dr. Muhaimin, SH., *Legal Research Methods* , p. 89.

- b. Secondary data can be obtained indirectly from the source. Secondary data sources in this study are books, journals, and the results of previous studies related to this research.¹²

4. Data collection technique

- a. Observation is an initial observation activity carried out at the research location by recording, photographing, and recording the situation and conditions as well as legal events that occur in several government agencies, educational institutions, and business entities in the city and asking directly the people concerned. obligated to worship.¹³
- b. Interview, is a technique of conducting direct questions and answers between researchers and respondents or sources or informants to obtain information from government agencies, educational institutions, business entities, and people who are required to carry out worship.¹⁴
- c. Documentation is a method used to obtain data and information from books, archives, documents, written numbers, and pictures in the form of reports and information that can support research. The documentation used to collect the data is then reviewed.¹⁵

I. Systematic research

For the results of this study to be presented systematically, a systematic discussion of this research was arranged as follows:

¹² M.Hum Dr. Muhaimin, SH., *Legal Research Methods* , p. 111.

¹³ M.Hum Dr. Muhaimin, SH., *Legal Research Methods* , p. 90.

¹⁴ M.Hum Dr. Muhaimin, SH., *Legal Research Methods* , p. 95.

¹⁵ Sukandarrumidi, *Metodologi Penelitian: Petunjuk Praktis Untuk Peneliti Pemula*, Keempat. (Gajah Mada University Press, 2012).

Chapter I: consists of several elements which include the Introduction, in this section the author explains the background of the problem, the formulation of the problem, the research objectives, the usefulness of the research, the literature review, the theoretical framework, the research method, and the systematics of the discussion.

Chapter II: In this chapter, the author will discuss the main material contained in the discussion. The author also lists several agencies that support the implementation of the Aceh Qanun article no. 11 of 2002 concerning Islamic Clothing in Langsa City.

Chapter III: This chapter contains research methods consisting of several points that will be discussed including types of research, research approaches, research methods, time and location of research data sources, and data collection techniques.

Chapter IV: In this chapter, the writer will discuss informant information literature to get answers or information about the title to be researched.

Chapter V: consists of several points, namely Closing, Concluding conclusions, and suggestions from the research results.

CHAPTER II

THEORETICAL STEP

A. Worship

a. Definition of Worship

Worship in language means submission or humility. Whereas in terms of syara', worship is an obedience that is carried out according to His commands, humble oneself to Allah Glory to Him, the Exalted Glory to Him, the Exalted. with a very high love and includes everything that is blessed by Allah Glory to Him, the Exalted in the form of words, words, or deeds that are both outwardly and inwardly.

The definition of worship in terms (terminology) is human servitude to God to draw closer to Him as the realization of carrying out life's duties as God's creatures. Meanwhile, the etymological meaning of worship comes from Arabic with the origin of the words 'abada, ya'budu, 'abdan, fahuwa' aabidun. 'Abid, means servant or slave, that is someone who does not own anything, but himself belongs to his master, so all the activities of a servant's life are only to get the pleasure of his master and avoid the wrath of his master.

Listening to the above understanding, this understanding includes what is required of a person, whether related to oneself, family, or society as a whole (social groups or communities); also included in the meaning of this Worship as said by the Prophet SAW:

(قال النبي ﷺ نَظَرُ الرَّجُلِ إِلَى وَالِدَيْهِ حُبَّالَهُمَا عِبَادَةٌ (رواه السيوطي)

Meaning: " *Seeing our parents out of love for them is Worship (worship)* ."

Hadith of the Prophet saw. Accessed by As-Suyuthi:

(قال النبي ﷺ الْعِبَادَةُ عَشْرَةٌ أَجْزَاءُ نِسْعَةٌ مِنْهَا فِي طَلَبِ الْخَالِلِ (رواه ال سيوطي)

Meaning: *Worship has ten parts, nine of which are seeking lawful treasures.*

Sufism scholars define this worship by dividing it into three forms as follows:

1. Worship God out of great hope for his reward or fear of his torment.
2. Worship God because you see that worship is a noble deed, and is carried out by humans with noble souls;
3. Worshipping God seeing that God deserves to be worshiped, regardless of what one will receive or gain.

According to Fiqh experts, worship is:

مَا أَذْنَيْتُ إِبْتِغَاءَ لَوْجِهِ اللَّهِ وَطَلَبًا لِنَوَائِهِ فِي الْآخِرَةِ

Meaning: *All forms of obedience are carried out to gain the pleasure of Allah Glory to Him, the Exalted, and hope for His reward in the hereafter.*

Departing from the several definitions put forward by several experts above, a general formula can be drawn regarding the meaning of worship as follows:

الْعِبَادَةُ هِيَ اسْمٌ جَامِعٌ لِمَا يُحِبُّهُ اللَّهُ وَيَرْضَاهُ قَوْلًا كَانَ أَوْ فِعْلًا جَلِيًّا كَانَ أَوْ خَفِيًّا تَغْطِيهِمَا لَهُ وَطَلَبًا لِنَوَائِهِ

Meaning: *Worship is a name that includes all actions loved and liked by Allah Glory to Him, the Exalted, both words and deeds, both visible and hidden, to glorify Him and expect a reward from Him.*

The formulation of the meaning of worship in general includes all forms of law, both those whose meaning can be understood and those whose meaning cannot be understood such as taharah, prayer, both those related to the body such as bowing, as well as those related to the tongue such as dhikr, even those related to the heart such as intention.

b. Scope and Systematics of Worship

Discussing the scope of worship, of course, must understand the definition of the scope itself. Therefore, according to Ibn Tamiya (661-728.H/1262-1327.M) put forward by Ritonga ,¹⁶ the scope of worship includes all forms of love and willingness to Allah Glory to Him, the Exalted, both in words and deeds, physically and mentally; Included in this definition are prayer, zakat, pilgrimage, speaking the truth, carrying out the mandate, doing good to parents, establishing friendship, keeping promises, *amar. ma'rufnahimunkar*, *jihad* against infidels, doing good to neighbors, orphans, the poor, and ibn sabil, praying, dhikr, reading the Qur'an, willing to accept God's provisions, and so on.

The scope of worship stated by Ibn Taimiyyah above, is very broad in scope, even according to Taymiyyah all religious teachings are included in worship; It's just that if you look closely it can be grouped into:

1. Obligations or pillars of Shari'a include prayer, fasting, zakat, and pilgrimage.
2. Those related to the above obligations are in the form of sunnah worship, such as dhikr, reading the Qur'an, prayer, and *istighfar*.
3. All forms of good social relations and fulfillment of human rights, such as: doing good to parents, establishing hospitality, giving to orphans, the poor, and ibn sabil.
4. *Insaniyah's* morals (human nature), such as speaking correctly, carrying out mandates, and keeping promises.

¹⁶Ritonga Rahman, *Fiqh of Worship* (Jakarta, 1997), p. 6.

5. *Rabbaniyah* (divine), like loving Allah Glory to Him, the Exalted and His Messenger, fearing Allah Glory to Him, the Exalted, sincere and patient towards His laws

The five groups can be classified more specifically, namely general worship and special worship; Public worship has a wide scope, covering all good deeds that are done with sincere intentions, and the systematics are difficult to disclose; However, special worship is determined by *syara'* (*naş*) form and method.

The systematics of this worship as stated by Wahbah Zuhayli is as follows

¹⁷.

1. *Şaharah*
2. *Şalat*
3. Administration of the Janaza
4. Zakat
5. Fast
6. Hajj and Umrah
7. *I'tikaf*
8. Oath and Kaffrah
9. Nazar
10. Sacrifice and Aqiqah.

c. Function and Purpose of Worship

¹⁷Wahbah Zuhayli, *Al-Fiqhu Al-Islamy Waadillatuhu* (Daar Al-Fikr, 1989), 11.

When viewed from the side of the urgency in interpreting verses about worship, it is found that functional worship is to instill monotheistic values and strengthen them in the soul. Or in some commentary books it is said that a servant who with his body and soul worships is like a garden, and the more he is showered with worship, the more fertile the person concerned will grow and develop better. On the other hand, the less often people perform worship, the more it provides opportunities for them to be further away from the values of monotheism.¹⁸

The problem of monotheism in Islam is the first pillar of faith, namely the Oneness of Allah Glory to Him, the Exalted both in terms of substance and His nature, therefore worship as a form of obedience to Allah Glory to Him, the Exalted is very important. Once the urgency of this worship, it will automatically be known that worship for every human being has a function and purpose.

The function of worship is related to the function and position of humans as *'abdullāh* (servant of Allah Glory to Him, the Exalted). There are four kinds of servants of God, as follows;

- a. slaves according to law, that is, slaves;
- b. the servants of creation, that is, man and all of God's creation;
- c. servants out of devotion to Allah Glory to Him, the Exalted, namely believers who fulfill Allah Glory to Him, the Exalted's law voluntarily; And
- d. servant to hunt the world and its pleasures.¹⁹

¹⁸ Ahmad Mustafa al-Maragi, *Tafsir al-Maragi*, chapter I (Egypt: Mustafa al-Babi al-Halab wa Awladuh, 1973), p. 5-6.

¹⁹ Abd. Muin Salim, *Fiqh Siyasah; The Conception of Political Power in the Qur'an*, p. 152

Of these four types of God's servants, it is known that some of them do not worship God. From the explanation above it can be concluded that the unique function possessed by humans complements the nature of its occurrence. Because this function includes religious obligations, it can be called the *ubudiyah function*. The uniqueness of this function means that human existence on this earth is only to carry out worship to Allah Glory to Him, the Exalted SWT. Therefore, humans who do not worship Him are outside their function.²⁰ The Qur'an expressly states that humans are also jinn who were created solely for them to worship Allah Glory to Him, the Exalted SWT.²¹

Commands to worship in the Qur'an are also associated with God's *rubūbiyah* (destiny) nature as in Al-Baqarah (2): 21 which has been cited in the previous discussion. Apart from that, the command to worship is also associated with the order to surrender after trying your best (*tawakkal*), as in QS. Hud (11): 123. Also in the Qur'an, many verses emphasize that majesty and power belong to Allah Glory to Him, the Exalted alone.²² These verses include QS. Al-Baqarah (2): 165, and that the gods that humans worship, and should be helped, are none other than servants of Allah Glory to Him, the Exalted too, as their worshipers are explained in QS. al-A'raf (7): 194.

After explaining the verses related to the function of worship, then the purpose of worship itself will be known, namely *taqwa*. At the end of QS. Al-

²⁰ Abd. Muin Salim, *Fiqh Siyasah; The Conception of Political Power in the Qur'an* p. 153

²¹ QS. al- Zāriyat (51): 56.

²² That's the comment of M. Quraish Shihab, p. xxv-xxvi

Baqarah (2): 21 which has been quoted, it is clear that there is the word "taqwa". Thus, the ultimate goal of worship itself is for humans to fear Him.

The term *tattaqūn* is grammatically derived from the word "وقى". Afiif 'Abd. Al-Fattah Tabbārah explains that the original meaning of *taqwa* is "fear" and "self-preservation".²³ *Taqwa* is abstaining (preserving) oneself from Allah Glory to Him, the Exalted's punishment by following His commands and avoiding His prohibitions because there is fear of His punishment.

By carrying out worship properly and diligently, a servant will reach a degree of piety. As it has also been stated that Allah Glory to Him, the Exalted SWT is the only God who is the Most Preserver and creates humans, it is only natural for humans to worship and obey its rules. The term *la'allakum tattyttaqūn* and other verses that command piety, for example (QS. Al-Nisa / 4:1) are related to the command to worship Him in a broad sense.

In QS. Al-Baqarah (2): 2-4, found four criteria for pious people, namely: belief in the unseen; establishing prayer; supporting some of the sustenance he gives; belief in the holy book Al-Qur'an and other holy books sent down by Allah Glory to Him, the Exalted; and faith in the afterlife. By referring to this verse, it appears that piety in the Qur'an is often associated with faith. That is why, a series of verses of the Qur'an mentions; O Ayyuhalazina āmanū which at the end of the verse closes with the word *taqwa*.²⁴

²³ For more information, see Afif Abd. al-fattah Tabbārah, *Rūh al-dīn al-Islamiy* (Bairut: Dar al-Ilm al-Malāyīn, 1969), p. 205

²⁴ See for example; QS. al-Baqarah (2); 183; QS. Ali Imran (3): 102, 103, 200, QS. al-Maidah (5): 8, 11, and so on

After carrying out worship and the position of taqwa has been achieved, Allah Glory to Him, the Exalted SWT in various His verses gives the title concerned as muttaqi (plural muttaqīn), and for him, he is entitled to Allah Glory to Him, the Exalted's love, and in the hereafter, he will be given the best. place, namely heaven as revealed in several verses for example; QS. Ali Imrān (3): 76, al- Zāriyat (51): 15 and al- Dukhān (44): 51-52.

The characteristics of a person who is taqwa show a complete and integral personality, as stated in QS. Al-Hujurat (49): 13, that is, the most noble of you in the sight of Allah Glory to Him, the Exalted is the most pious among you). The use of the word in this verse also shows that piety has levels, and the differences in levels are largely determined by the quality of a servant's worship. This shows that the higher the quality of a servant's worship, the higher the degree of the servant in His sight.

B. Aceh Qanun

a. Definition of Aceh Qanun

The term qanun in Arabic is the verb form of qanna. This is as explained by Ridwan, in Arabic the verb qanun is qanna which means making laws. In its development, the word qanun means law, rules, regulations, and laws.²⁵

²⁵ Ridwan Ridwan, "Positivization of Islamic Criminal Law (Analysis of Qanun No: 14 of 2003 Concerning Khalwat / Mesum Province of Nangroe Aceh Darussalam)," *Al-Manahij: Journal of Islamic Law* 8, no. 2 (January 1, 1970).

Another source, Efendi refers to Mohd. Din, explained that canon comes from an ancient Greek word which means reed. Because the use of " reed " in everyday life at that time was to measure, the canon also means stick or wood to measure or ruler.²⁶

Ridwan further referred to A. Qodri Azizy explains the term qanun as legal terminology had been used by Al-Mawardi in his book Al-Ahkam Al-Sultaniyah. In practice, the use of the word qanun is used to denote laws relating to society rather than worship.

In addition, the term qanun is also used for legal documents, such as land tax registers and registers. Mahmassani in his writings mentions three kinds of qanun meanings:²⁷

1. Codification of laws such as the Lebanese penal code (Ottoman Turkish Penal Code, Lebanese Civil Code, etc.).
2. As an equivalent to the term qanun in jurisprudence, Islamic qanun means Islamic law. Qanun NAD means the Regional Regulation of Nanggroe Aceh Darussalam.
3. Law. What's the difference between the first and the third? The first is more general in nature while the third is more specific, for example, the law on marriage.

In terminology, as mentioned above, qanuns are legal provisions that apply in society and are used for the benefit of society. Qanun in terms of terms, as

²⁶ Efendi, "Position of Qanun in the Natural Resources Sector in the National Legal System," *Journal of Legal Dynamics* 14, no. 1 (2014): p. 30.

²⁷ M. Solly Lubis, "Aceh Seeking a Special Format" *Law Journal* 1, no. 1 (2005): p. 6.

explained above, does not only regulate worship but also includes aspects of *mu'amalah* among human beings that are stipulated by the government.

The following is the qanun terminology in several explanations based on the references found:

1. According to Dr. Al-Yasa' Abu Bakar, Qanun is a regional regulation that is at the same level as a government regulation to implement special autonomy in Aceh.
2. Qanun is a product of *ijtihad* which becomes the applicable law in an area. One source explained that qanun is a collection of rules that regulate the basis and cooperative relations between members of society in a country, both written and unwritten. In this sense, qanun is understood in a broad sense, which includes all regulations.
3. Jabbar Sabil's source refers to *Al-Najjar* and Abdul Allah Glory to Him, the Exalted Mubruk's explanation. In terms of terminology, the word qanun means a collection of rules governing public relations where if necessary someone will be forced by the government to follow these rules.²⁸
4. The term qanun or al-qanun refers to laws made by humans also called conventional laws. Abdul Kareem mentioned conventional law/al-qanun *al-wadh'y* is a law produced by (the will) of humans, as opposed to a law that comes from God/*al-qawaaniin/al-ishara'I ilahiyah*. But in its development,

²⁸ Jabbar Sabil, The Role of Ulama in Taqin in Aceh, Journal of Administrative Transformation, Vol. 02. No. 01. Year 2012, p. 201.

it refers to the law that applies in a country at a certain time, or points to positive law.²⁹

Referring to this explanation, qanuns are legal provisions based on fiqh obtained through the *ijtihad* of scholars or *fuqaha'* which function as rules or laws for a certain area. This is in line with Rusdji Ali Muhammad's explanation that qanuns were produced through a process of legal selection methods from the treasures of thought and *ijtihad* of the *fuqaha'*. In addition, opportunities must also be opened for new legal discoveries or *ijtihad* in matters needed at this time.³⁰

b. Position of Qanun in Legislation

In Acehnese society, the term qanun has long been used to refer to a law or to refer to a custom and has become part of the culture of the Acehnese people. Many laws and customs issued by the Kingdom of Aceh are called qanuns. Qanuns usually contain Islamic Sharia rules that have been adapted to Acehnese customs.

Provisions regarding qanuns are contained in Law Number 11 of 2006 concerning the Governance of Aceh, namely:

1. The Aceh Qanun is a type of regional regulation that regulates the governance and life of the Acehnese people. (Article 1 Number 21)
2. Regency/city qanuns are statutory regulations similar to district/city regional regulations that regulate governance and community life in districts/cities in Aceh.

²⁹ Efendi, Position of Qanun in the Natural Resources Sector in the National Legal System, *Journal of legal dynamics*, Vol. 14. No. 1 January 2014, p. 30.

³⁰ Rusji Ali Muhammad, *Revitalization of Islamic Law in Aceh*, p.8.

From the provisions of the two articles above, it appears that the meaning of qanun can be equated with regional regulations in other provinces in Indonesia, but the meaning of qanun which is equated with regional regulations is not quite right. Qanuns are laws and regulations promulgated in NAD whose contents must be based on Islamic law, which is the specialty of NAD, this is different from other regions whose regulations do not have to be based on Islamic teachings. In addition, unlike other regional regulations in Indonesia, qanun regulations can contain legal rules regarding material and formal law in the Sharia Court.

So the meaning of a qanun is not the same as a regional regulation, because the content of a qanun must be based on Islamic principles or must not conflict with Islamic law. However, according to the legal hierarchy in Indonesia, according to the provisions of Law Number 12 of 2011 concerning the Formation of Legislation, the position of qanun is equated with regional regulations in other regions. According to Law Number 12 of 2011, the types and hierarchy of laws and regulations are as follows: (Article 7 paragraph (1) of Law Number 12 of 2011)

1. The 1945 Constitution of the Republic of Indonesia.
2. Decision of the People's Consultative Assembly.
3. Laws/Government Regulations are not laws.
4. Government regulations.
5. Presidential decree.
6. Local regulation.
7. District/City Regional Regulations.

In the elucidation of Article 7, it is stated that the types of Regional Regulations are qanuns in force in Nanggroe Aceh Darussalam Province, as well as *Perdasus* and *Perdasi* in force in Papua Province.

Based on the provisions above, the position of qanun is recognized in the hierarchy of Indonesian laws and regulations and is equal to regional regulations. This understanding in Law Number 12 of 2011 is acceptable from the point of view of the position of the Qanun. This understanding will make it easier for the Central Government to supervise and guide the regions, especially those related to the formation of regional policies. However, attention still has to be given to the specifics given by the Center to NAD. For example, based on the specificity granted by the Center to NAD, the Aceh DPR can approve qanun *jinayat* or Islamic criminal justice as procedural law at the Sharia Court. It's just that this qanun product must meet the requirements that must be met by the Government of Aceh such as not contradicting *aqidah*, sharia, and morals which in its elaboration include:

1. adore.
2. *Ahwal al-syakhshiyah* (family law).
3. *Muamalah* (civil law).
4. *Jinayah* (criminal law).
5. *Qadha* (justice).
6. *Tarbiyah* (education).
7. Da'wah
8. syiar.
9. Islamic defense.

Based on the results of research on the position of qanuns, it can be concluded that the meaning of qanuns can be said to be "similar" (or according to the Big Indonesian Dictionary it is interpreted as a type of regional regulation, but in the sense that the contents are different because qanuns have privileges that are not owned by other regions in Indonesia. The position of qanuns is contained in statutory regulations as follows:

1. Law Number 18 of 2001 concerning Special Autonomy for the Province of the Special Region of Aceh as the Province of Nanggroe Aceh Darussalam. The position of qanun is contained in Article 1 point 8 which states that "NAD Province qanuns are regional regulations as the implementation of laws in the territory of the NAD Province in the context of implementing special autonomy".
2. Law Number 11 of 2006 concerning Aceh Governance. Articles 21 and 22 state that a qanun is a statutory regulation similar to a regional regulation that regulates the governance and life of the people of Aceh.
3. Law Number 12 of 2011 concerning Formation of Legislation. Explanation of Article 7 letter f which states that "Included in Regional Regulations are qanuns that apply in Aceh Province and Special Regional Regulations (Perdasus) and Regional Regulations (Perdasi) that apply in Papua Province and West Papua Province."

C. Legal Effectiveness

1. Definition of Legal Effectiveness

According to Hans Kelsen, when we talk about the effectiveness of the law, we also talk about legal validity. Legal validity means that legal norms are binding and that people must act according to what is required by legal norms. Legal effectiveness means that people act according to legal norms as they should and those norms are applied and obeyed.³¹

Effectiveness also means that an indicator of effectiveness in the sense of achieving predetermined goals or objectives is a measure of where a target has been achieved by what was planned.³²

2. Legal Effectiveness Theory

Theory of Effectiveness (Soerjono Soekanto) Law as a rule is a benchmark regarding appropriate actions or behavior. The thinking method used is the deductive-rational method which gives rise to a dogmatic way of thinking. On the other hand, some view law as an attitude of action or behavior that is regular (fixed). The way of thinking used is inductive-empirical so that law is seen as an act that is repeated in the same form, which has a specific purpose.³³

The effectiveness of law in action or legal reality can be known if someone states that a rule of law succeeds or fails to achieve its goals, then it is usually known whether its influence succeeds in regulating certain attitudes or behavior so that it is by its goals or not). One of the usual efforts to make people comply with the rule of law is to include sanctions. These sanctions can be in the form of negative

³¹ Sabian Usman, *Fundamentals of Sociology* (Yogyakarta: Learning Library, 2009), p. 12.

³² Sabian Usman, *Fundamentals of Sociology* (Yogyakarta: Learning Library, 2009), p. 13.

³³ Soerdjono. *Some Problems*, p. 45.

sanctions or positive sanctions that cause stimulation so that humans do not commit disgraceful acts or commendable acts.³⁴

Certain conditions must be met so that the law can influence human attitudes or behavior. The conditions that must exist include that the law must be communicated. Legal communication focuses more on attitude because attitude is a mental readiness so a person tends to give good or bad views, which are then manifested in real behavior. If what is communicated cannot reach the problems directly faced by the target of legal communication, then there will be difficulties. As a result, the law has no effect at all or even has a negative influence. This is because their needs cannot be met and understood, resulting in frustration, pressure, or even conflict.³⁵

3. Factors Affecting Legal Effectiveness

Several factors affect the effectiveness of the law

a. Legal Factors

The law functions for justice, certainty, and expediency. In the practice of implementing law in the field, there are times when there is a conflict between legal certainty and justice. Legal certainty is concrete and real, while justice is abstract so when a judge decides a case by simply applying the law, there are times when the value of justice is not achieved. So when looking at a problem regarding the law, at least justice is a top priority. Because the law is not solely seen from the

³⁴ Soerdjono. Some Problems, p. 48.

³⁵ Soerdjono. Some Problems, p. 50.

point of view of written law, there are still many rules that live in a society that can regulate people's lives.

b. Law Enforcement Factors

Law enforcement factors include those who form and implement law or *law enforcement*. Law enforcement officials include the notion of law enforcement agencies and law enforcement officials (community), while law enforcement officers in a narrow sense start from the police, prosecutors, prosecutors, legal advisers, and correctional officers. Each officer has the authority to carry out their respective duties, which include receiving reports, investigations, investigations, prosecutions, proofs, sentencing, and imposition of sanctions, as well as efforts to reinstate the convicted person.³⁶

Sociologically, every law enforcement officer has a position (status) and role (*role*). Position (social) is a certain position in the structure of society. The position is a role or role, therefore someone who has a certain position, usually has a role.

Law enforcers in carrying out their role cannot do as they please and must pay attention to the ethics that apply within the scope of their profession, ethics pay attention to or consider human behavior in making moral decisions. The law enforcement profession itself has a code of ethics that is regulated separately, but in practice, the code of ethics that has been determined and agreed upon is still widely violated by law enforcers. As a result of the actions of law enforcers who do not have integrity, it can even be said that they are unethical in carrying out their

³⁶ Soerdjono. Some Problems, p. 57.

profession, resulting in a slow development of the law expected by this nation, even causing negative thoughts and reducing public confidence in law enforcement performance.³⁷

According to Jimmly Asshidique, three important elements affect the working mechanism of law enforcement officials and officials, these elements include:

1. law enforcement institutions along with various supporting facilities and infrastructure as well as institutional work mechanisms;
2. work culture related to its personnel, including the welfare of its personnel.
3. regulations that support both institutional performance and those that regulate legal material used as work standards, both material law and procedural law.

Systematic law enforcement efforts must pay attention to these three aspects simultaneously so that the internal process of law enforcement and justice can be realized. In the implementation of law enforcement by law enforcers encountered several obstacles caused by law enforcement itself, these obstacles include:

1. Limited ability to put himself in the role of others with whom he interacts.
2. The aspiration level is relatively not high.
3. Very limited enthusiasm for thinking about the future, making it very difficult to make projections.
4. There is no ability to delay the fulfillment of certain needs, especially material needs.

³⁷ Soerdjono. Some Problems, p. 60.

5. Lack of innovative power is the opposite of conservatism.

the following attitudes, namely being open, always ready to accept change, sensitive to problems that occur, always having complete information, sticking to plans, believing in scientific and technological abilities, being aware of and respecting rights and obligations, sticking to decisions taken based on solid reasoning and calculation.³⁸

c. Facilities That Support Law Enforcement

Supporting facilities can simply be formulated as a means to an end. Its scope is mainly physical facilities that function as supporting factors. Supporting facilities include educated and skilled human resources, good organization, adequate equipment, adequate finances, and so on.

If the supporting facilities are not fulfilled, law enforcement cannot achieve its goals. The certainty and speed of settlement of cases depend on the supporting facilities available in the field of crime prevention and eradication.

Increasing crime detection technology has a very important role in ensuring and handling cases regarding legal delays without the existence of facilities or facilities it will not be possible for law enforcers to align their proper roles with their actual roles, so these facilities or facilities must be carried out in the following manner:

1. What is missing, new is created;
2. If something is broken or wrong, it is repaired or repaired;
3. What is lacking must be added;

³⁸ Soerdjono. Some Problems, p. 69.

4. jammed must be smoothed out;
5. retarded or declining must be advanced or corrected.

The third factor is facilities or facilities that assist law enforcement, according to Soerjono Soekanto himself, stating that law enforcement will not run smoothly without adequate facilities or means. Adequate facilities or facilities include among others, educated and skilled human resources, good organization, adequate equipment, adequate finances, and so on. If this is not fulfilled, law enforcement cannot achieve its goals. You can imagine how enforcement of regulations will work while the enforcement officers have inadequate education, bad organizational governance, in addition to minimal finances.³⁹

But not all of them if the officers themselves are still bad, because no matter how good the facilities or facilities that assist law enforcement without good law enforcement officers will only feel useless.

d. Community Factors

Law enforcement comes from society and aims to achieve peace in society. Society has a certain opinion about the law. ⁴⁰Indonesian people have very diverse opinions about the law, including:

1. Law is defined as science.
2. law is defined as a discipline, a system of teaching about reality;
3. Law is defined as a norm or rule, which is a benchmark for expected behavior;

³⁹ Soerdjono. Some Problems, p. 77.

⁴⁰ Satjipto Rahardjo, Law and Society (Bandung: Angkasa, 1980), p. 87.

4. Law is defined as a legal system;
5. Law is defined as officers or officials;
6. Law is defined as a decision of an official or ruler;
7. Law is defined as the process of government;
8. Law is defined as regular and unique behavior;
9. Law is defined as a fabric of values;
10. Law is defined as art.

These various understandings arise because humans live in different contexts, so what must be prioritized is harmony, this aims to have the same starting point. Communities also have a strong tendency to interpret the law and even identify with officials (in this case law enforcers as individuals).

One of the consequences is that the good and bad of the law are always associated with the pattern of behavior of the law enforcers themselves, whose opinions reflect the law as a structure and process. This situation can also have a good influence, namely law enforcers will feel that their behavior always gets the public's attention.

Another problem that arises as a result of people's perceptions is regarding the application of existing/applicable laws. If law enforcers realize that they are considered law by society, then the interpretation of the definition of statutory regulations may become too broad or even too narrow. Societal assumptions have to change to some extent. These changes can be made through counseling or legal counseling on an ongoing basis and always evaluating the results, then further

developing them. This activity will be able to place the law in its proper position and role.⁴¹

e. Cultural Factors

Cultural factors are put together with societal factors deliberately distinguished because the discussion highlights the problem of the value system which is the core of spiritual or non-material culture.⁴² This is distinguished because according to Lawrence M. Friedman quoted by Soerdjono Soekamto, as a system (or subsystem of a social system), the law includes, structure, substance, and culture.

The structure includes the container or form of the system which for example includes the order of formal legal institutions, inter-institutional law, rights and obligations, and so on. Legal culture (system) essentially includes the values that underlie applicable law, values which are abstract conceptions of what is considered good (to be followed) and what is considered bad (to be avoided). These values are usually pairs of values that represent two extremes that must be reconciled.

The pair of values that play a role in law according to Soerdjono Soekamto are as follows:

1. The value of order and the value of peace.

⁴¹ Satjipto Rahardjo, *Law and Society* (Bandung: Angkasa, 1980), h. 90.

⁴² AAA Peter and Koesriani Siswosebroto, *Law and Legal Development, In a Sociological Approach to Law*, Adam Podgorecci and Christopher J. Whelan, eds (Jakarta: Sinar Harapan, 1988), p. 78.

2. Physical/material values and spiritual/sacred values
3. The value of timelessness/conservatism and the value of novelty/innovation.

With the alignment of values with the culture of the local community, it is hoped that there will be a reciprocal relationship between customary law and positive law in Indonesia so that the provisions in the articles of written law can reflect the values on which they are based. customary law so that statutory law can be applied effectively. Harmony between the two values is also expected to place the law in its place.⁴³

4. Application of the Law

a. Philosophically

The application of the law philosophically means that the law is according to the ideals of law, the highest positive value.

b. Juridically

The juridical application of the law is found in the following assumptions:

According to Hans Kelsen who stated that legal rules are juridical, if their stipulation is based on rules of a higher level. This relates to Kelsen's "stufenbau" theory. According to W. Zevenbergen, states that a rule of law has juridical behavior if the rule " *op de verischte ize*" is a total sand genome.

c. Sociologically

The rule of law applies sociologically, if the rule is effective, that is, the rule can be enforced by the authorities even though it is not accepted by citizens (*power*

⁴³ AAA Peter and Koesriani Siswosebroto, Law and Legal Development, In a Sociological Approach to Law, Adam Podgorecci and Christopher J. Whelan, eds (Jakarta: Sinar Harapan, 1988), p.87.

theory), or the rule applies because it is accepted and recognized by society. (confession theory). Sociological validity of the rule of law according to the theory of recognition, is when the rule of law is accepted and recognized by society. Meanwhile, according to coercion theory, the rule of law applies if the rule of law is enforced by the authorities.

CHAPTER IV

RESEARCH RESULTS AND DISCUSSION

A. Description of Research Locations

1. History of the Birth of Langsa City

Langsa is one of the areas that was formed to increase its status, from an administrative city to Langsa City. The juridical basis for the formation of Langsa City is Law Number 3 of 2001 concerning the President of the Republic of Indonesia.

The area of Langsa City is 262,241 Ha (Twenty Six Thousand Point Two Hundred Forty Saru Hectare) which previously consisted of 3 sub-districts, then split into 5 sub-districts, namely:

1. Langsa City
2. West Langsa District
3. East Langsa District
4. Langsa District of Baro
5. Langsa Lama

In charge of 66 kampongs. The administrative boundaries of Langsa City are:

1. To the north it is bordered by East Aceh District and the Malacca Strait;
2. To the south it is bordered by East Aceh Regency and Aceh Tamiang Regency;
3. To the west it is bordered by East Aceh District;
4. To the east it is bordered by Aceh Tamiang Regency ;

The population of Langsa City consists of 5 sub-districts and is based on 3 consecutive years 2015, 2016, and 2017. Whereas in 2018, the population in Langsa City is uncertain. ⁵²The data is as follows:

- a. In 2015 there were 165,890 people (one hundred sixty-five thousand eight hundred and ninety)
- b. In 2016 there were 197,796 people (one hundred ninety-seven thousand seven hundred ninety-six people)
- c. In 2017 there were 189,073 people (one hundred eighty-nine thousand and seventy-three people)

As for the previous population data, in 2014 it reached 195,403 (one hundred ninety-five thousand four hundred three people). The leading sectors of Langsa City include:

1. Trade, Hospitality, and Restaurant
2. The industrial sector, the agricultural sector of food crops
3. And the plantation sector

Topographically Langsa City is located on the Coastal Alluvial Plain, with a height of around 8 meters above sea level in the Southwest and South. It is bounded by mountains of moderately undulating folds, about 75 meters high. Until now the government of Langsa City is led by 7 Mayors and 2 Deputy Mayors of Langsa, namely:

⁵² Aji Asmanuddin, Table of Population Recapitulation of Langsa City, 30 December 2015, 29 December 2016 and 31 December 2017.

- a. The period from 2001 to March 2005 was led by Azhari Aziz, SH, MM whose deputy at that time was Drs. Zulkifli Zainon, MM
- b. The period from March 2005 to December 2005 under the leadership of Drs. Muhammad Yusuf Yahya was the caretaker until a new leader was elected that year
- c. The period December 2005 to March 2007 led by Drs. Muchtar Ahmady, MBA, as interim head to end the previous leadership period
- d. From March 2007 to March 2012 Langsa City was led by Drs. Zulkifli Zainon, MM is the Mayor, and the Deputy Mayor is Drs. Saifuddin Razali, MM, M.Pd
- e. From March to August 2012, Langsa City was led by Drs. H. Bustami Usman, SH. M.Sc, as interim leader until the inauguration of the next elected leader
- f. From August 2012 to September 2016 Langsa City was led by an elected Mayor namely: Teungku Usman Abdullah, SE, while the Deputy Mayor at that time was Drs. Marzuki Hamid, MM.
- g. The period from February 2017 to February 2021 which had taken place was also re-elected to lead Langsa City, namely the leader who had been elected in the previous period for the next five years, Teungku Usman Abdullah, SE, while the Deputy Mayor also remained the previous deputy, Drs. Marzuki Hamid, MM.⁵³

⁵³A Brief History of Langsa City, [http://www. Lintasatjeh.com](http://www.Lintasatjeh.com), 20 October 2018.

B. Application of Article 9 paragraph (1) of Qanun Aceh Number 11 of 2002 in Langsa City

Initially, all legal regulations were established by the government to act as a governing body for the interactions between humans and God, humans and nature, humans and other members of society, and even humans and themselves. The form and nature of legal restrictions, such as laws, conventions, regional regulations (Qanun), customs, etc., are unquestionable. Law enforcement not only maintains social order but also restricts individuals' freedom to engage in humiliating behaviors that violate societal norms.

In Indonesia's legal system, there are three recognized sources of law: legal sources from the West, Islamic law, and customary law. The application of Islamic law in Indonesia is not limited to formal legal procedures, such as amending existing laws based on legislation. It also encompasses normative aspects, which include regulations governing the relationship between individuals and God. These two sets of norms have become integral parts of the legal framework in society.

The reason for this is that Islamic law is a religious institution that continues to be followed by the majority of the population. However, in certain regions, it has merged with societal customs, which are sometimes regarded as sacred. For instance, in West Sumatra, this amalgamation is referred to as *Adat* with *syara*, *Syara*, with *Kitabullah*.

The Aceh Qanun Number 11 of 2002 focuses on the implementation of Islamic Shari'a in the areas of faith, worship, and Islamic symbols, particularly in

Chapter IV which addresses the practice of worship. Article 9 specifically emphasizes the importance of adhering to Islamic teachings when it comes to congregational prayers. Acquiring the virtue of congregational prayer, fostering hospitality, enhancing life satisfaction, and refining the practice of Islam and the faith of Muslims.

Comprehending legal rules demonstrates a greater level of legal consciousness compared to simply possessing knowledge of the law. Greater comprehension of legal rules leads to increased legal consciousness. Researchers observe a lack of understanding in the application of Qanun Number 11 of 2002 about worship across numerous government organizations, educational institutions, and corporate enterprises.

Qanun, which is already 17 (seventeen) years old, turns out that some people still don't know about it. This raises questions about the indifference of government agencies, educational institutions, and business entities to the implementation of Islamic law or due to the lack of socialization from the Langsa City Islamic Sharia Office. The implementation of raids on Muslims by the Islamic Sharia Office of Langsa City needs to be examined to find out about this.

a. Government agency

Government agencies are organizations that are a collection of people specially selected to carry out state, government, and development tasks. Civil Servants are elements who have a position to provide services to the community in a professional, honest, and fair manner. Civil servants must be neutral from the influence of all groups and political parties and not be discriminatory in providing

services to the community based on loyalty and obedience to Pancasila and the 1945 Constitution.

In an organization, the potential of Human Resources can be said to be the main resource because it can process, analyze, and drive agency goals effectively and efficiently. The role of humans in agencies as employees is an important factor in every agency because employees are the movers and drivers of the organization.⁵⁴

The researchers examined the Transportation Agency (Department of Transportation), Satpol PP/WH, and the DPRK government agencies in Langsa City. According to the findings of researchers' observations and interviews, the implementation of Qanun Aceh Number 11 of 2002, specifically Article 9 paragraph (1) which governs worship, is not functioning at its best due to various factors. In addition to prayer being a mandatory practice for Muslims, there is also a lack of awareness and promotion regarding the implementation of the Aceh qanun.

Based on the interviews conducted by the researchers, it is confirmed that each of these government agencies offered facilities for prayers. However, when it came to recommending congregational prayers, this was not effectively implemented. Many individuals believed that the provided facilities were inadequate to accommodate all employees simultaneously. This information was gathered from interviews with Satpol PP and WH. The absence of a request to

⁵⁴Ria Ristyana, "ANALISIS AKUNTABILITAS KINERJA INSTANSI PEMERINTAH PADA PEMERINTAH KABUPATEN PONOROGO," *Universitas Brawijaya* (n.d.): 3–4.

government agencies to promote congregational prayers was justified by the argument that there was a deficiency in both socialization and guidance from the Islamic Sharia Service. Consequently, individuals were hesitant to advocate for regulations addressing this topic.

According to Mr. Indra Maulida SE (Head of Investigation and Investigation Section), Satpol PP/WH of ⁵⁵Langsa City explained that:

" Here for congregational prayers, it's noon and it's time to rest, the prayer time is returned to each person for the Zuhur prayer, there are facilities for worship but the place is small for Asar prayers so it can't fit everyone. Congregational prayers at the same time so that the qanun runs must have full support from the government and related institutions such as the government which requires every office and official agency to carry out congregational prayers in their respective offices. at wh qanun it doesn't work".

According to Mr. Reno as PPNPN Terminal Type A of the Ministry of Transportation, ⁵⁶Langsa City explained that:

"I don't know the existence of a qanun, but at the terminal, there is a prayer room, but there is no implementation to encourage congregational prayers, I don't know about this qanun because there was no socialization from the relevant government and not only a reprimand from the qanun supervisor, the qanun did not disrupt terminal operations. Training for qanuns is needed for socialization so that

⁵⁵Indra Maulida SE, Head of Investigation and Investigation Section, personal interview, Satpol PP/WH Langsa City, 13 June 2023

⁵⁶Reno, PPNPN, Terminal Type A, Ministry of Transportation, Langsa City, 28 May 2023

qanuns run well. This Qanun does not interfere with operational activities at all because it is an Islamic religious order.”

Based on the results of interviews conducted by researchers with informants, it was concluded that the reason for not implementing the qanun was that Islamic Sharia services did not broadcast the qanun and did not give written or digital warnings to each agency. Even the qanun supervisory body, namely Satpol PP/WH, does not enforce qanuns and does not supervise qanuns properly.

b. Institution

Educational institutions are institutions or places where the educational process takes place to improve individual behavior through social interaction with the surrounding environment. According to Law Number 20 of 2003 concerning the National Education System, education is a conscious and planned effort to create a learning atmosphere and learning process. So that students actively develop their potential to have religious spiritual strength, self-control, personality, intelligence, noble character, and skills.

In English *education* is *education* from the Latin *educare* which means to train or form. Education is the process of guiding people from darkness to intelligence and knowledge, or from not knowing to knowing. Also read: Functions of Social Institutions Educational institutions are institutions or places where the educational process takes place that aim to change individual behavior for the better through interaction with the surrounding environment.

Educational institutions are institutions that organize formal education from preschool to tertiary institutions, general or special. Educational institutions are also social institutions that become agents of further socialization after family institutions. In educational institutions, a child will be introduced to the life of the wider community. There are three types of educational institutions, namely formal educational institutions (schools), non-formal educational institutions (eg skills courses, language courses, and computer courses), and informal education (education that takes place in the family). Education provides direction for the growth and development of humans and their environment.

Growth and development will change over time. So that it must be organized and directed to the final goals of education that have been set. Educational institutions as educational distributors continue to develop according to the needs of society's changing demands.⁵⁷ One of them in Langsa City is Muhammadiyah Middle School, Bimble Azkia School, and Miftahul Ulum Study Center.

Based on the results of observations and interviews conducted by researchers the application of Article 9 paragraph (1) Qanun Aceh Number 11 of 2002 in regulating worship is going well, most educational institutions have implemented qanuns even though many do not know about the existence of qanuns due to lack of socialization of qanuns, for tutoring they do not implement qanuns by encouraging employees to pray, there is not even a special time for prayer.

⁵⁷ Marlina Gazali, "Optimizing the Role of Educational Institutions to Educate the Nation," *Journal of Al-Ta'dib* 6, no. 1 (2013): 128.

Apart from that praying is an obligation for Muslims, they are also not aware of the existence of a qanun which obliges every government agency to recommend prayers. According to the results of interviews with researchers, the factors did not work because there was no socialization and supervision from the wilayatul hisbah and there was no awareness to carry out worship by the managers of these educational institutions.

According to Mr. Muslim. , S.Pd. Deputy Head of Curriculum at the Muhammdiyah High School in Langsa City explained that:

I don't know the qanun, but it works for students and teachers who are required to pray in congregation at the Muhammadiyah mosque in the school environment. Congregational prayers are held at the Muhammadiyah mosque at Duha time after the tahfidz of the students, then noon and Asar are also held at the school because Muhammadiyah High School is a full day, and at 04.30 they go home. When prayer time arrives, we have finished learning activities in class, usually 10 minutes before the Zuhur prayer, and then the teacher guides us to the prayer room to go to the prayer room. The obstacle that I experienced, of course, was that the children were fierce but in the end, they all prayed. Socialization about the Aceh qanun needs to be done to increase knowledge about the qanun. My way of implementing this qanun for students is that they are guided by a tahfidz teacher to pray in the congregation and to be absent. If teachers are also required to pray in congregation, there are exceptions for picket teachers for women, but male teachers, still carry out congregational prayers at the mosque.

c. Company

Business entities are legal (legal) and economic entities that use capital and labor to gain profit. There are several things needed to set up a business entity, including products and services that will be sold or traded, and how to market the products or services that will be traded.⁵⁸

Some of the Business Entities in Langsa City are Abu Coffee, Medium Black, and Bromo Coffee. Based on the results of observations and interviews conducted by researchers on the application of Article 9 paragraph (1) Qanun Aceh Number 11 of 2002 in regulating worship, no one knows the qanun, so the qanun does not work well.

According to Mr. Dodi, the owner of Erlangga Medium Black, Langsa City explained:

"I don't know about the existence of the qanun, in my cafe there are no facilities for congregational prayers because next to the cafe there is a grand mosque, especially at Maghrib time we turn off the lights and close the dining area, because this medium is close to a public hospital for drinking. Qanun should be socialized more. The qanun does not interfere with the cafe's operations because it is a religious order, but there are obstacles in implementing the qanun when a customer sits in the cafe comments "It's okay to close when I'm just sitting" and I as a businessman also have to follow the wishes of the customer, but if I get a warning or punishment I will live it well. "

⁵⁸ Rosyda, "Business Entities: Definition, Types and Forms of Business Entities in Indonesia," *Gramedia Blog*, last modified 2021.

Based on the results of interviews conducted by researchers with informants, it was concluded that the reason for not implementing the qanun was that the Islamic Shari'a service did not broadcast the qanun and did not give a warning in the form of letters or letters. digital forms to each agency. Even the qanun supervisory body itself does not enforce qanuns and does not supervise qanuns properly.

C. Factors Inhibiting the Application of Article 9 paragraph (1) of Qanun Aceh Number 11 of 2002 in Langsa City

Since the existence of special autonomy rights, Aceh has begun to improve itself in carrying out religious regulations under the auspices of the state constitution. This is based on the fact that several laws relating to the implementation of Islamic law have been initiated and implemented in Aceh. At the same time, the law is still stuck at the regulatory level which is still far from being comprehensively implemented. This assumption is strengthened by the fact that the existing Islamic law in Aceh has not yet touched substance, but all of these are still merely symbols of Islam.

Some of the laws that have been implemented have not touched all elements of Acehnese society and have not covered all aspects of life. When it is associated with the slogan of Kaffah's Islamic law, the reality that appears to the surface today is still very far from the concept of Kaffah which is truly understood.

The enforcement of Qanun Number 11 of 2002 in Langsa is not an easy thing to implement. Many factors become obstacles to its implementation. Law enforcement is always influenced by several factors, one of which is the factor of

how the law itself. The substance also means the product produced by people who are in the legal system which includes the decisions they issue and the new rules they draft. The substance also includes living law, not just the rules in the law books.⁵⁹

Based on the results of interviews with several informants and the implementation of Article 9 paragraph (1) of Qanun Number 11 of 2002 in Langsa City, several obstacles caused the maximum realization of Article 9 paragraph (1) of Qanun Number 11 of 2002 in Langsa City, these obstacles are as follows:

1. Lack of Socialization of Article 9 Paragraph (1) of Qanun Number 11 of 2002 in Langsa City

In the process of implementing public policy, socialization is needed so that the regulations that have been made are known to the public, one of the obstacles to the implementation of Article 9 Paragraph (1) of Qanun Number 11 of 2002 in Langsa City, is the lack of socialization from law enforcement officials and the makers of the Qanun, this is also based on the results of interviews with several informants who said that they were not aware of any rules regarding Every government agency, educational institution and business entity is obliged to promote and provide facilities for congregational prayers.

2. Lack of Available Facilities

The program will be implemented well if it is supported by adequate resources. In this case, the program can be in the form of funding, technical equipment, tools, and infrastructure. The difficulty of implementing a program is

⁵⁹ Soerjono Soekanto, *Factors influencing Law Enforcement* , (Jakarta: Rajawali, 1983), h. 8

closely related to income. If your existing resources cannot support it, the program will be difficult to implement.

3. Absence of Firm Law Enforcement

Another factor that determines the difficulty of implementing public policy is the implementer. Commitment to act by policy objectives is important for those responsible for implementation. In addition, the community must also play an active role in implementing the 5 (five) daily prayers in the congregation. Law enforcement mechanisms are also very influential in monitoring and most importantly efforts to guide the implementation. Apart from that, the quality of the implementation mechanism is also a common obstacle, especially for the application of incentives to implement Article 9 Paragraph (1) of Qanun Number 11 of 2002 in Langsa City.

CHAPTER V

CLOSING

A. Conclusion

Based on the description in the previous chapter which explains how to implement and prohibit Article 9 paragraph (1) of Qanun Aceh Number 11 of 2002 then:

1. The implementation of Article 9 paragraph (1) of Qanun Aceh Number 11 of 2002 did not go well with government agencies, educational institutions, and business entities. However, it is better to apply it in an educational institution.
2. The reason is the lack of socialization from the government and the absence of supervision and warnings for those who violate the qanun by related parties.

B. Suggestion

Efforts by the Langsa City Government Agencies to pay more attention to all qanuns that apply in Langsa City to implement qanuns and Islamic law in Langsa City because what can make this qanun work is the Langsa City Government with the power it has and from everyone to pray in congregation in the facilities provided.