



WILAYATUL HISBAH AND THE ENFORCEMENT OF SHARIA LAW IN ACEH: ANALYSIS OF ROLES AND CHALLENGES IN THE MODERN ERA

WILAYATUL HISBAH DAN PENEGAKAN HUKUM SYARIAH DI ACEH: ANALISIS PERAN DAN TANTANGAN DI ERA MODERN

Amrin

State Polytechnic of Medan, Indonesia
Jl. Almamater No.1, Padang Bulan, Medan Baru, Medan, North Sumatra-Indonesia
amrin@polmed.ac.id

Mas'udatul Fitriyah

Prof. Dr. Hamka Muhammadiyah University, Indonesia
Jl. Limau II No.2, RT.3/RW.3, Kramat Pela, Kebayoran Baru, Jakarta-Indonesia
fitribimaa00@gmail.com

Arsad Hidayat

Sunan Gunung Djati State Islamic University Bandung, Indonesia
Jl. A.H. Nasution No. 105A, Cibiru, Bandung, West Java, Indonesia
arsyadhidayat123@gmail.com

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Abstract

This study examines the role of Wilayatul Hisbah in enforcing sharia law in Aceh and the challenges it faces in the modern era. Wilayatul Hisbah is an institution responsible for enforcing sharia law and ensuring community compliance with Islamic rules. Amidst rapid technological advances and social change, this institution faces new challenges in maintaining

its relevance and effectiveness. This study uses a qualitative approach with field study methods that include observation, interviews, and documentation. Data analysis techniques used include data reduction, data presentation, and drawing conclusions. The results of the study indicate that Wilayatul Hisbah carries out various activities such as socialization, raids, patrols, and advocacy to address violations of sharia law. However, this institution faces challenges in the form of the influence of modernization, limited resources, and community resistance. Supporting factors include cooperation with other institutions and support from community leaders while inhibiting factors include lack of human resources, facilities and infrastructure, and inconsistent community support. This study recommends increasing institutional capacity and more effective socialization so that Wilayatul Hisbah can adapt to social dynamics and remain relevant in enforcing sharia law in the modern era.

Keywords: Role, Authority, Islamic Law

Abstrak

Penelitian ini mengkaji peran *Wilayatul Hisbah* dalam penegakan hukum syariah di Aceh serta tantangan yang dihadapinya di era modern. *Wilayatul Hisbah* merupakan lembaga yang bertanggung jawab untuk menegakkan hukum syariah dan memastikan kepatuhan masyarakat terhadap aturan Islam. Di tengah kemajuan teknologi dan perubahan sosial yang pesat, lembaga ini menghadapi tantangan baru dalam menjaga relevansi dan efektivitasnya. Penelitian ini menggunakan pendekatan kualitatif dengan metode studi lapangan yang meliputi observasi, wawancara, dan dokumentasi. Teknik analisis data yang digunakan mencakup reduksi data, penyajian data, dan penarikan kesimpulan. Hasil penelitian menunjukkan bahwa *Wilayatul Hisbah* menjalankan berbagai kegiatan seperti sosialisasi, razia, patroli, dan advokasi untuk mengatasi pelanggaran hukum syariah. Namun, lembaga ini menghadapi tantangan berupa pengaruh modernisasi, keterbatasan sumber daya, dan resistensi masyarakat. Faktor pendukung termasuk kerjasama dengan lembaga lain dan dukungan tokoh masyarakat, sementara faktor penghambat meliputi kurangnya sumber daya manusia, sarana dan prasarana, serta dukungan masyarakat yang tidak konsisten. Studi ini merekomendasikan peningkatan kapasitas kelembagaan dan sosialisasi yang lebih efektif agar *Wilayatul Hisbah* dapat beradaptasi dengan dinamika sosial dan tetap relevan dalam penegakan hukum syariah di era modern.

Kata kunci: Peran, *Wilayatul Hisbah*, Hukum Islam

INTRODUCTION

Aceh is the only province in Indonesia that implements Islamic law. The implementation of Islamic law in Aceh is regulated legally and formally in Law No. 44 of 1999 concerning the implementation of the special status of the Aceh Special Region Province and Law No. 11 of 2006 concerning the Government of Aceh. These two laws are a strong basis for Aceh to implement Islamic law comprehensively. This means that comprehensively, all dimensions of community life are regulated by Islamic law.(Budiono et al., 2022). The regulation follows the dimensions of politics, government, law, economy, education, health, society, culture and others. Therefore, the law enforced in

Aceh is a law based on religious teachings, namely Islamic law (Rani et al., 2020).

These dimensions of the Shari'a require some state power in their implementation and some do not require state power. In the field of faith and the practice of worship, of course, state power is not required, whereas in the criminal field (*jinayat*), state power is very much needed for its enforcement. (Prasetyo & Amaral, 2024). Aceh Qanun No. 6 2014 concerning criminal law regulates 3 things, namely the perpetrator of the crime, the criminal act (*jarimah*), and the threat of punishment (*'uqubat*). The perpetrator of the crime is the *mukallaf*. *Mukallaf* is a person who is burdened with the law or the *makhkum 'alaihi*, namely the person to whom the law applies. *Jarimah* is an act prohibited by Islamic law that is threatened with *hudud* and/or *ta'zir* punishment. Criminal acts or *jarimah* regulated in the Aceh qanun *jinayat* include; adultery, *qadzaf*, rape, sexual harassment, *khamar*, *maisir*, *khalwat*, *ikhtilath*, *liwath* and *musahaqah*. *Uqubat* is the punishment imposed by the judge for the behavior of *hudud* and *ta'zir jarimah*. The number and types of criminal acts formulated in this Aceh Qanun are improvements and additions to the number and types of criminal acts previously regulated in Qanun No. 12, 13, 14 of 2003 concerning alcohol and similar substances, gambling, *khalwat* (Rani et al., 2020).

As the only province that officially implements sharia law as part of its legal system. The enforcement of Sharia law in Aceh cannot be separated from the important role of the *Wilayatul Hisbah* institution, which is responsible for ensuring community compliance with the established Sharia rules. *Wilayatul Hisbah* is an institution that has the main task of supervising and enforcing sharia law in Aceh, especially in matters relating to public morality and social behavior. This institution functions as a supervisor and enforcer, which aims to ensure that the people of Aceh live their lives according to Sharia principles.

The Authority of *Hisbah* is an institution tasked with supervising the implementation of Islamic Sharia which has a strong foundation in the Aceh government. Implicitly, the legal basis for the establishment of *Wilayatul Hisbah* is all the legal basis for the implementation of Islamic Sharia in Aceh Province. However, the first regulation that explicitly states the establishment of this institution is Local Government Regulation (PERDA) No. 5 of 2000 concerning the implementation of Islamic Sharia in Article 20 paragraph (1). This provision was later strengthened by the birth of Law No. 16 of 2006 concerning the Aceh government which not only stipulates *Wilayatul Hisbah* as

the supervisor of Islamic Sharia but also carries out law enforcement on Islamic qanuns (Budiono et al., 2022).

The Authority of Hisbah This is an institution that is tasked with enforcing amar ma'ruf and preventing evil. The authority of this institution includes matters relating to public order, and as minor crimes that require immediate eradication. The purpose of this institution is to maintain public order and maintain the moral virtues of adab in society (Murdani, 2022).

The Authority of Hisbah very an important role in preventing evil, one of which is preventing gambling, seen from the duties, functions and authorities of the *Wilayatul Hisbah* itself. However, the facts on the ground today are still found phenomena or incidents that violate the Sharia that occur in Aceh. Where these actions can lead someone to gambling, gambling is truly a heinous act. In addition, this area still commits many violations of Islamic law or Sharia such as online gambling, theft, adultery, and drinking alcohol. Therefore, there are steps for the role of the *Wilayatul Hisbah* in overcoming and preventing violations of Islamic law (Chysara & Trisnawati, 2024).

However, in the modern era marked by social, technological, and global changes, the role of *Wilayatul Hisbah* faces various new challenges. Modernization brings significant changes in society, including changes in values and norms that may conflict with sharia principles. The influence of modernization is visible in Aceh, especially with the presence of information technology that expands people's access to various cultures and global views. Social media, for example, has changed the pattern of social interaction and behavior in society, including in Aceh. These changes often cause tension with traditional values that are protected by sharia law (Maula, 2023). In this context, *Wilayatul Hisbah*, as a sharia law enforcement institution, faces a major challenge in maintaining a balance between enforcing sharia rules and adapting to social change.

The advancement of information technology has not only influenced patterns of social interaction but also impacted public morality. In the era of social media, the boundaries between public and private spaces have become increasingly blurred. This creates new challenges for the *Wilayatul Hisbah* in monitoring people's behavior that could previously be controlled in traditional public spaces. Widespread online activities are difficult to monitor and regulate, while exposure to content from outside Aceh can influence people's views and behavior that are not in line with Sharia values (Maula, 2023). As a result, the effectiveness of the enforcement of Sharia law by *Wilayatul Hisbah*

is questionable in this modern context is facilities being supported by local government, human resources, less able in accessing technology.

This research is very relevant considering that Aceh is the only province in Indonesia that formally implements Sharia law through the role of Wilayatul Hisbah. Amidst social, economic, and technological changes in the modern era, how Wilayatul Hisbah can effectively enforce sharia law is a crucial question. This research is important to understand how this institution adapts and responds to new challenges from modernization and globalization. Therefore, although many studies have been conducted on implementing Sharia law in Aceh, there is still a gap in studies that specifically analyze how Wilayatul Hisbah faces challenges in the modern era. This research seeks to fill this gap by providing a comprehensive analysis of the adaptation and innovation carried out by Wilayatul Hisbah in a contemporary context.

Modernization brings significant changes in society, including changes in values and norms that may conflict with sharia principles (Murdani, 2022). The influence of modernization is visible in Aceh, especially with the presence of information technology that expands people's access to various cultures and global views. Social media, for example, has changed the pattern of social interaction and behavior in society, including in Aceh. These changes often create tensions with traditional values maintained by sharia law. In this context, the Wilayatul Hisbah, as a sharia law enforcement agency, faces a major challenge in maintaining a balance between enforcing sharia rules and adapting to social change.

Advances in information technology not only affect patterns of social interaction but also have an impact on public morality. In the era of social media, the boundaries between public and private spaces are becoming increasingly blurred. This creates new challenges for the Wilayatul Hisbah in monitoring people's behavior that could previously be controlled in traditional public spaces. Widespread online activities become difficult to monitor and regulate, while exposure to content from outside Aceh can influence people's views and behavior that are not in line with Sharia values. As a result, the effectiveness of sharia law enforcement by the Wilayatul Hisbah is questionable in this modern context.

On the other hand, modernization also brings challenges in terms of public acceptance of sharia law enforcement. Some people may begin to question the relevance of sharia law which is considered to limit individual freedom and human rights, especially in an era that increasingly emphasizes freedom of

opinion and behavior. The tension between the desire to comply with sharia and the aspiration for individual freedom poses a dilemma for the Wilayatul Hisbah in carrying out its functions. Rejection or resistance to the enforcement of sharia law may arise, especially from the younger generation who are more exposed to different global values. Therefore, the urgency of this research lies in the need to understand how the Wilayatul Hisbah can adapt to social changes and remain effective in carrying out its duties in the modern era. This research is important to ensure that sharia law enforcement not only remains relevant but also accepted by the wider community. A more flexible and innovative approach may be needed to address these challenges while maintaining the integrity of Sharia. With a better understanding of these dynamics, this research is expected to provide useful insights for policymakers and implementers of sharia law in Aceh in managing the ever-evolving changes.

METHOD

This type of research uses qualitative with field studies in West Aceh Regency (Sugiyono, 2018). The approach in this study uses a phenomenological approach by looking at and studying certain phenomena, namely the activities of the wilayatul hisbah from individual understanding and experience. The data collection technique uses interviews with informants, namely wilayatul hisbah officers. As for observations by observing the social context of the Wilayatul Hisbah operating, while documentation relates to reports or official records related to the activities of the Wilayatul Hisbah. While data analysis uses reduction, data presentation and drawing conclusions (Arikunto, 2013).

DISCUSSION

The Role of *Wilayatul Hisbah* in Enforcing Islamic Law in Aceh

Aceh is a region that has special autonomy in implementing Islamic law. One of the manifestations in the implementation of the formation of Islamic law in Aceh is the Wilayatul Hisbah. *Wilayatul Hisbah* functions as a law enforcement agency formed to supervise the implementation of Islamic law in Aceh, namely to uphold *amar ma'ruf* if it is clear that it is left behind (*zhahara tarkuhu*) and prevents evil if it is clear to do so (*zhahara zhilufu*)(Mudrika, 2023). Of course, *Wilayatul Hisbah* is tasked with supervising, fostering and advocating for the implementation of laws and regulations in the field of Islamic law to implement al-'amru bil-ma'ruf wannahyu 'anilmunkar (Novendra et al., 2024).

As one of the institutions that plays an active role in preventing various violations of Islamic law. Based on the Decree of the Governor of Nanggroe Aceh Darussalam Province Number 01 of 2004 concerning the establishment of the organization and work procedures of the Wilayatul Hisbah, in the position, duties, functions and authorities that have been regulated, the *Wilayatul Hisbah* plays a role in supervising the implementation and violations of laws and regulations in the field of Islamic law (Siddiq et al., 2016).

The role of *Wilayatul Hisbah* in Aceh reflects the comprehensive implementation of sharia law in the region, which is the only province in Indonesia with a legal system based on Islamic Sharia. This institution is part of a law enforcement system designed to maintain public morality through religious teachings (Saiman & Hadi, 2017).

However, the role and actions of WH also gave rise to various responses, both positive and negative. Some circles view that *Wilayatul Hisbah* is important to maintain and preserve the identity of Islam in Aceh. They support the existence of WH as an effort to create a devout society and minimize religious violations (Abdullah & Safriadi, 2022).

The role of *Wilayatul Hisbah* in carrying out supervision to prevent violations of Islamic law is to maintain public security and order as one of the requirements for the implementation or achievement of Islamic law in Aceh, especially Aceh (Interview with Safriadi, on January 29, 2024).

The Authority of Hisbah play a role in enforcing Sharia or Islamic law, so that society does not fall into sin, it has indeed become part of the *Wilayatul Hisbah* to supervise the implementation of violations of laws and regulations in the field of Islamic Sharia. so that the role of *Wilayatul Hisbah* is needed in the enforcement of Islamic law in Aceh. Several roles are owned and carried out by the *Wilayatul Hisbah* institution in enforcing Islamic law, namely as follows:

Socialization

Socialization is an effort made to prevent people from planting, related to the dangers and impacts of violating Islamic law (Ramlan, 2020). The socialization carried out is in the form of dangers arising from violations of Sharia law and its consequences both in Islamic law and positive law, along with the punishments received both according to Islamic law and positive law. (Manan & Salasiyah, 2022).

In addition, the *Wilayahatul Hisbah* parties also provide recommendations for the community to provide education to relatives and generations around them so that they avoid online gambling. Socialization is carried out from the lowest to the highest levels starting from the villages that have indeed begun to commit many violations of Islamic law.

Rudi explained that the strategy of *Wilayahatul Hisbah* in preventing violations of Islamic law is socialization using lectures, targeted socialization at schools, especially junior high and high school students, socialization to stalls and cafes where violations of Islamic law are prone to occur, sending letters containing qanuns on the prohibition of committing violations of Islamic law. And also the next target of socialization is to the general public so that the public knows the importance of upholding and implementing Islamic law. If the public finds any violations of the provisions of Islamic law, then the public must report to *Wilayahatul Hisbah* so that they can be given guidance, advice, etc (Interview with Mr. Rudi Subrita, on April 04, 2024).

Patrol or raid

The Authority of Hisbah conduct routine patrols around the area for security throughout the place. Things like Rudi Subrita, S. Ag, said that the strategy that *Wilayahatul Hisbah* must carry out is to conduct routine patrols, both during the day and at night, at least three times a week, from the western hajj harbor to East Trumon, not directly to the villages but in places that are considered prone to violations of Islamic law, namely on the coastlines where there are huts and dimly lit cafes, in hotels that are considered prone to violations of Islamic law, areas that *Wilayahatul Hisbah* often patrols in Aceh Regency which are considered prone to violations of Islamic law, especially Lagang Village.

Lernawati thinks that the strategy implemented by *Wilayahatul Hisbah* is through routine patrols in places that are considered prone to violations, such as in Samadua where there are cafes, coffee shops and huts on the beach (Interview Results with Lernawati, on January 28, 2024). Based on the results of the researcher's observations, the *Wilayahatul Hisbah* strategy in preventing violations of Islamic law is by patrolling, members of the *Wilayahatul Hisbah* conduct patrols in the morning at around 10.30 WIB with a patrol car located at the Aceh Civil Service Police Unit office led by the Danton *Wilayahatul Hisbah* Aceh.

Supervision

Supervision is the process of observing the implementation of all organizational activities to ensure that all work being carried out is running according to the predetermined plan. (Lisliana et al., 2020). So the *Wilayatul Hisbah* Officer has the authority to supervise the implementation of regulations and legislation in the field of Islamic law in Aceh, more specifically in Aceh. *The Authority of Hisbah* conducting surveillance during the day and at night to prevent violations of Islamic law. This is based on an interview with Mrs. Sakim Efenddi that one of the strategic roles of *Wilayatul Hisbah* in preventing is conducting surveillance during the day and at night to prevent violations.

Conducting cooperation

Cooperation is a form of social interaction. According to Castaner, cooperation is a form of social process, in which certain activities are shown to achieve common goals by helping each other and understanding each other's activities. (Castañer & Oliveira, 2020). This cooperation is carried out between *Wilayatul Hisbah* and village officials in preventing online gambling and chip buying and selling transactions between gamblers and chip sellers by always monitoring and providing direction or socialization to the village community regarding the prevention of violations of Islamic Sharia.

Apart from that, cooperation with the community form of cooperation between *Wilayatul Hisbah* (WH) is through cooperation with the Police Aceh in conducting a sting operation for the first time a criminal act has occurred Usually there are reports from residents to the Islamic Sharia Service Furthermore, the Islamic Sharia Service coordinates the *Wilayatul Hisbah* and is also part of with the police conducting raids on places that have been reported Previously by residents, from there WH and the Police will confiscate the evidence needed for further processing, the evidence varies according to type what violations have been committed at that location. The Authority of *Hisbah* also asked for help from the community to monitor and supervise places that are prone to violations of Islamic law.

Coaching and Spiritual Advocacy

Guidance is carried out by the *Wilayatul Hisbah* in Aceh on certain days. They are to give lectures related to gambling material in general. Thus the role of the *Wilayatul Hisbah* Officer is to reprimand, advise, prevent and prohibit

anyone only those who are suspected of having, are, or will violate the laws and regulations in the field of Islamic law. This is as stated in Article 8 paragraph 1 regarding the authority of wilayatul hisbah.

Efforts made by *Wilayatul Hisbah* against immoral acts by guiding teenagers. The *Wilayatul Hisbah* party or officer provides lessons to today's teenagers so that they understand about religion. The main target is youth efforts perfect Islamic law by informing about the sins that arise from violation of Islamic law. The aim of increasing Sharia awareness This is so that society is aware of the afterlife. The purpose of *Wilayatul Hisbah* is to change the behavior of young people for be better. Teenagers are afraid of Allah's punishment SWT. This goal is done to prevent immoral acts. The goal is to improve human morals. This goal is achieved so that teenagers are afraid of doing negative things like online gambling, free sex and drinking alcohol. The goal is to remind Acehnese youth not to follow Western culture in promiscuity until they fall into negative actions.

As stated by Syed Naquib Al-Attas in Mujiburrahman, et al.: "The educational process in Islam aims to... to create good human beings" Islamic education efforts are projected on the following things: a) Development of piety and morals, of which there are six in competency development temporary aspects, the five aspects of Islam and multi aspects of Ihsan, b) Increasing the intelligence and abilities of students, c) Advancing science and technology along with their benefits and applications, d) Improving the quality of life, e) Maintaining, developing, and improving culture and the environment, f) Expanding the outlook on life as a communicative human being towards his family, his community, his nation, fellow humans, and creatures other(Al-Attas, 1980).

The punishment of caning can deter violators of Islamic law, some perpetrators are afraid whipped so they violate Islamic law. With the punishment of whipping, the perpetrator regrets violating Islamic law, and some perpetrators Have repented and have not violated the Shari'a again.

Alyasa in Zainuddin said that there are several goals for criminalization in the Quran (Islamic teachings), each of which has its objectives that can stand alone from a combination of several of these objectives, namely as follows: (1) Responding to crimes or criminal acts committed (2) Provide a deterrent effect so that criminal acts are not repeated. (3) Educate and correct perpetrators of criminal acts. (4) some state to protecting the people is also the goal of the previous goal.

Other sanctions, other sanctions are not given to violators of sharia. Punishment additional will not be given but if *Wilayatul Hisbah* is arrested again then severe punishment will be applied to him. Sanctions are given to violators of the Shari'a based on what they do, if made without additions but us as a reference is the Qanun.

On the other hand, there is criticism of the methods used by *Wilayatul Hisbah*, especially related to law enforcement which is considered repressive. Some parties stated that the approach used by WH tends to emphasize punishment rather than an educational approach, which has the potential to cause fear and resistance in the community.

In addition, there is also debate about the scope of the WH's authority, especially about individual rights and personal freedoms. This criticism often arises from a human rights perspective that is concerned that strict implementation of sharia law can ignore individual rights and justice. First, the WH is considered successful in enforcing discipline and minimizing violations of Islamic law in Aceh. The existence of this institution is often considered an important pillar in maintaining community morality and as a reminder to continue to practice religious teachings. But on the one hand, Criticism of the WH also includes questions about how effective a more punitive approach is in the long run. Repressive measures may reduce open violations, but they may lead to fear or dissatisfaction in the hearts of the community, which can turn into a quiet social rebellion. Second, the enforcement of Islamic law through the WH can create a more conducive environment for a peaceful and harmonious life, and encourage behavior that is by religious norms. This can have an impact on social and economic stability in Aceh. But on the negative side, there is also concern that overly strict law enforcement can stifle individual freedom and creativity, which in turn can affect economic and social dynamics, including the tourism sector. Aceh is known as a tourist area, and some tourists may feel pressured by the strict rules, which ultimately affects tourism visits to the area.

In terms of the balance of law and education, WH has attempted to combine law enforcement with an educational approach, although the proportion is heavier on law enforcement. Several socialization programs carried out by WH are expected to increase public understanding of the importance of following Islamic law. Despite educational efforts, criticism of this approach is still less than optimal. Most WH activities are more focused on patrols and law enforcement, rather than on prevention and education. If the focus on education

is increased, there will likely be more sustainable behavioral changes in society (Hasbullah et al., 2023).

To improve the effectiveness of the role of *Wilayatul Hisbah* in maintaining Islamic Sharia in Aceh, several recommendations can be considered, namely: first, a more comprehensive educational approach in the form of increasing education and prevention programs, such as providing more intensive counseling in various communities, so that the community understands not only the legal consequences but also the values behind Islamic Sharia. Second, strengthening the internal oversight mechanism, namely the WH needs to have a strong internal oversight mechanism to ensure that their actions are by fair legal standards and do not violate individual rights. Third, cooperation with various parties by involving clerics, academics, and social institutions to work together in creating a more holistic approach to enforcing Islamic Sharia, including consideration of social, psychological, and human rights aspects. And fourth, periodic evaluation in the form of conducting periodic evaluations of the methods and impacts of law enforcement carried out by the WH, to adjust a more effective and balanced strategy in carrying out their duties.

Implementation Enforcement of Islamic Law by *Wilayatul Hisbah* in Aceh

As one of the institutions that supervise Islamic Sharia in Aceh, of course, *Wilayatul Hisbah* has a very large role in preventing various violations of Islamic law or Sharia. For the Aceh region, as per the Regent's decision in 2005 regarding the placement of the *Wilayatul Hisbah* unit. The determination aims to facilitate the implementation of tasks, functions and supervision of Sharia in West Aceh.

Among the data we obtained about the role of *Wilayatul Hisbah* in preventing *khalwat* are as follows: Rudi Subrita said that the role of *Wilayatul Hisbah* in preventing *khalwat* has indeed become the main task of *Wilayatul Hisbah* itself, such as supervising the implementation and violations of laws and regulations in the field of Islamic Sharia, especially in the field of *khalwat* in the Aceh region. *Wilayatul Hisbah* supervises during the day and at night to prevent violations of Islamic law. In addition, *Wilayatul Hisbah* must also inform the public about the existence of laws and regulations in the field of Islamic Sharia (Interview with Mr. Rudi Subrita, on April 04, 2024).

Wiwit Alfianis said that the role of *Wilayatul Hisbah* in preventing khalwat has been carried out well using coaching such as reprimanding, warning, and advising someone who is suspected of having committed a violation, namely khalwat. *Wilayatul Hisbah* tries to stop activities/actions that are suspected of violating laws and regulations in the field of khalwat and resolve the khalwat case through the Village Customary Meeting. In addition, *Wilayatul Hisbah* must also notify related parties about the alleged misuse of a permit to use a place or facility. *Wilayatul Hisbah* immediately goes to the field which is considered prone to khalwat, if there is behavior that is caught, it is immediately brought to the office to be given coaching and then invites the guardian of the caught party to give testimony so that the act will not be repeated if it is repeated, legal sanctions will be given according to the applicable qanun to raise awareness to improve oneself and return to the straight path that is approved by Allah SWT (Interview with Wiwit Alfianis on April 5, 2024).

The Authority of Hisbah have a task to prevent *khalwat* as a concept of enforcing *amar ma'ruf nahi munkar*, especially preventing *khalwat* (Maifizar, 2022). If the *Wilayatul Hisbah* sees directly the person who is doing khalwat then they will be arrested, and processed, if they can be supervised then they will be supervised, made a report and handed over to the investigator. The *Wilayatul Hisbah* will give testimony that the person was caught in a couple, the investigator will investigate again after being investigated then the investigator will hand it over to the prosecutor so the prosecutor will investigate again to complete the evidence after the evidence is complete can it be submitted to the court if the witnesses and evidence are complete by the prosecutor's office submitted to the Sharia Court so the Sharia Court will decide whether to whip or not or let go or how, how many lashes, how much the fine is if imprisoned how long so that is the business of the judge who decides the case, it must not deviate from the qanun khalwat, and there are provisions for punishment (Maifizar, 2022).

Yulmainar believes that *Wilayatul Hisbah* has played a sufficient role in preventing khalwat and has also carried out its duties properly such as conducting socialization, supervision, and conducting patrols every week in suspicious places and places of concern such as huts that are considered prone to violations such as in Gampong Gunung Kerambil which is in Lagang village. If anyone is caught, *Wilayatul Hisbah* will advise them and if they have crossed the line, they will be processed and taken to the *Wilayatul Hisbah* office (Interview with Yulmainar, on April 6, 2024). while Khairuman said that the *Wilayatul*

Hisbah institution is very important, the *Wilayatul Hisbah* in carrying out its role and duties is still limited by the budget, according to him the *Wilayatul Hisbah* has not been optimal in carrying out its role, such as the immorality on Mount Kerambil has not been able to be overcome by the *Wilayatul Hisbah* and he hopes that it will be more assertive in carrying out its duties and authority (Interview with Wiwit Alfianis, on April 5, 2024).

Based on the description of the data above, the researcher can conclude that the role of *Wilayatul Hisbah* in preventing *khalwat* in Aceh includes conducting supervision during the day and at night, providing guidance such as reprimands, warnings, and advice, trying to stop activities/deeds that are suspected of violating laws and regulations, and resolving the case through the Village Customary Meeting.

In addition, *Wilayatul Hisbah* must also inform the public about the existence of laws and regulations in the field of Islamic Sharia, so that the public knows the importance of upholding and implementing Islamic Sharia. Notify related parties about alleged misuse of permits to use a place or facility and then enforce *amar ma'ruf nahi mungkar*.

The results of the work of *Wilayatul Hisbah* in Aceh are as follows:

- a. The results of the work of *Wilayatul Hisbah* in the field of socialization are first, providing information to a person or group of people about aspects of the implementation of Islamic law; Second, informing a person or group of people about the existence of *qanun* and laws and regulations in the field of Islamic law; Third, making active efforts to increase the knowledge, understanding, awareness, and experience of the community regarding the provisions in *qanun* and laws and regulations in the field of Islamic law.
- b. The results of the work of *Wilayatul Hisbah* in the Field of Supervision are: First, Monitoring activities carried out in public places to ensure the effectiveness of the implementation of *qanun* or laws and regulations in the field of Islamic law; Second, Preventing all elements that have the potential to cause violations of *qanun* or laws and regulations in the field of Islamic law; Third, Mapping places, facilities, and activities that lead to violations of *qanun* or laws and regulations in the field of Islamic law; Fourth, Notifying related agencies that the permits they provide can or have been misused by the recipient so that there is a violation of the provisions in the *qanun* or laws and regulations in the field of Islamic

law; Fifth, Notifying, reprimanding, and/or warning a person or agency that activities that will, are being or have been carried out can lead to violations of qanun or laws and regulations in the field of Islamic law.

- c. The results of the work of *Wilayatul Hisbah* in the Field of Guidance are; First, Identifying actions that are included in activities that violate the provisions of Qanun or laws and regulations in the field of Islamic law; Second, Conducting investigations on the orders of investigators; Third, Carrying out arrests, searches, and/or confiscations in cases where violators are caught red-handed; Fourth, Handing over the perpetrators of violations to the Gampong or apparatus where the incident occurred in cases where the violators are residents of the Gampong or where the incident occurred, by applicable provisions; Fifth, Handing over the perpetrators of violations to investigators in cases where the person concerned is not a resident of the Gampong where the incident occurred; Sixth, Providing testimony in the examination process; Seventh, Carrying out other tasks on the orders of investigators.

Supporting and Inhibiting Factors of *Wilayatul Hisbah* in Enforcing Islamic Law in Aceh

The supporting factors of *Wilayatul Hisbah* in preventing violations of Islamic law so far are the assistance and cooperation of the Police, TNI, Prosecutor's Office and Provos Kodim Aceh in conducting joint raids. Hendri Safri also said that the supporting factors of *Wilayatul Hisbah* in preventing violations of Islamic law are cooperating with community leaders in terms of monitoring violations of Islamic Sharia, and community leaders also notify the *Wilayatul Hisbah* institution if there is a violation in a place and also receive full support from community leaders, by cooperating in terms of monitoring Islamic Sharia.

Inhibiting factors

- a) Lack of Human Resources (HR)

In implementing and enforcing Islamic Sharia, *Wilayatul Hisbah* Aceh requires human resources as a driver and planner in achieving goals. Along with the development of game technology that continues to develop, members who have the ability in the field of technology are needed to block

sites that contain immorality, such as online gambling sites, pornographic sites and so on.

However, currently, *Wilayahatul Hisbah* Aceh does not have members who have skills in the field of Technology. This is based on the results of an interview with Mr. Muhammad Ilham (Head of the Development and Supervision of Islam Aceh) who said: "As is known, we are experiencing a shortage of human resources or members who have expertise or abilities in the IT field".

Thus, the *Wilayahatul Hisbah* hopes that the Acehnese people will also play a role in preventing places that are used as places for sin, with the role of the community, at least it can be overcome and most likely activities like this will make those who commit violations think twice about committing violations and so that problems like this will not happen again.

b) Lack of Legal Awareness

The lack of legal awareness of perpetrators of criminal acts is one of the obstacles for *Wilayahatul Hisbah* in enforcing Islamic Sharia in Aceh. Many of the perpetrators do not care or consider that the actions they do are not sinful acts.

Many people assume that gambling is only for entertainment. The lack of support and legal awareness of the community is an obstacle for *Wilayahatul Hisbah* in supervising and prosecuting perpetrators of violators of Islamic law in Aceh. The community does not yet have a good legal awareness that such actions are unlawful (Interview Mr. Rudi Subrita, on April 04, 2024).

Thus, there are still many places that violate Qanun Jinayah Number 06 of 2014, such as providing or selling gambling game chips and providing a place to gamble, where these actions are actions that are not allowed to be carried out and are considered a violation of Islamic Sharia provisions. Thus, there is still a low level of understanding and awareness of this in Acehnese society, especially Aceh.

c) Lack of Socialization

Socialization According to Hasbullah, socialization is a learning process, namely an accommodation process by which individuals restrain and change impulses within themselves and adopt the way of life or culture of their society (Hasbullah et al., 2023). Lack of factors socialization to the whole community Aceh against the Islamic law Qanun and its impact. Even the government Aceh not optimal and even tends to feel no responsibility

towards this problem. So that there is no knowledge and literacy in society to understand Islamic law as well as Qanun and the law for those who violate it (Saiman & Hadi, 2017).

d) Limited facilities and infrastructure

The inhibiting factors of *Wilayahatul Hisbah* in preventing violations of Islamic law are the lack of facilities and infrastructure such as vehicles for patrols are still lacking, such as the *Wilayahatul Hisbah* patrol car, there was only one unit and previously there was a motorbike for patrols but now there is no more. These facilities and infrastructure are the most important things and the most important things for *Wilayahatul Hisbah*, to ensure the smooth running of its duties such as routine patrols in terms of preventing violations of Islamic law (Interview with Mr. Busyra as , on 04 April 2024).

e) Limited Budget

The inhibiting factor of *Wilayahatul Hisbah* in preventing violations of Islamic law is the lack of funds. Funds are the main requirement to help the smooth running of *Wilayahatul Hisbah* in carrying out its duties such as patrols/raids, the need for funds for food and drink when *Wilayahatul Hisbah* is patrolling and socializing, if the funds are lacking then *Wilayahatul Hisbah* will be hampered in carrying out its duties. And the funds are used to pay the honorary salaries of *Wilayahatul Hisbah* in carrying out raids/patrols.

f) Lack of Support From the Community

The inhibiting factor for *Wilayahatul Hisbah* in preventing violations of Islamic law is the lack of attention from the community in general, such as regarding the enforcement of Islamic law. Some people are reluctant to report to *Wilayahatul Hisbah* that there is a violation of Islamic law in a place because of fear such as lack of evidence. This is as stated by Rudi Subrita, who also said that the inhibiting factor for *Wilayahatul Hisbah* in preventing violations of Islamic law is that not all people realize how important it is to protect themselves and their families from actions that are prohibited in Islam. The community assumes that the task of enforcing Islamic law is the task of *Wilayahatul Hisbah* alone, but in reality, the task of preventing *amar ma>ruf nahi mungkar* is the task of all Muslims (Interview Mr. Rudi Subrita, on April 04, 2024).

Thus, there is a lack of support from the community, such as regarding the enforcement of Islamic law. Some people are reluctant to report to

Wilayatul Hisbah that there have been violations of Islamic law in a certain place because of fears such as lack of evidence.

RECOMMENDATIONS

Based on the problems identified in the study on the role of *Wilayatul Hisbah* in preventing violations of Islamic Sharia in Aceh, here are some recommendations as solutions:

1. Improving Human Resources (HR)

The government and related institutions need to improve the capacity and quality of HR in *Wilayatul Hisbah* through training, education, and recruitment of competent new members. The training provided should include legal knowledge, communication skills, and mediation skills so that *Wilayatul Hisbah* officers can act more effectively and professionally.

2. Increasing Public Legal Awareness

The government and *Wilayatul Hisbah* need to intensify socialization and education to the public regarding the importance of enforcing Islamic Sharia. This campaign can be carried out through various media, including social media, radio, and television, as well as by involving religious and community leaders.

3. Strengthening Facilities and Infrastructure

The government must provide adequate facilities and infrastructure to support the performance of *Wilayatul Hisbah*, such as operational vehicles, communication tools, and adequate office facilities. Investment in technology, such as CCTV-based monitoring systems in areas prone to violations, can also help in prevention and enforcement.

With the implementation of these recommendations, it is hoped that the performance of *Wilayatul Hisbah* in preventing violations of Islamic Law in Aceh can be more optimal and effective. In addition to these steps, it is also important to encourage active community involvement in efforts to enforce Islamic law. Building collective awareness through religious education from an early age and involving educational institutions, both formal and non-formal, in conveying the values of Islamic law can strengthen community understanding and compliance. In this case, the synergy between *Wilayatul Hisbah*, schools, Islamic boarding schools, and religious study groups needs to be continuously strengthened. This approach emphasizes law enforcement and prevention by

strengthening the community's morals and ethics. In addition, transparency and accountability of *Wilayatul Hisbah* in carrying out its duties are also key to increasing public trust. Open performance reports, routine evaluations, and community participation in the supervision process can be concrete steps to ensure that *Wilayatul Hisbah* continues to carry out its duties with integrity and professionalism. In this way, support from the community will increase, so that violations of Islamic law can be significantly reduced in Aceh.

CLOSING

Based on research that has been conducted, it can be concluded that the role of *Wilayatul Hisbah* in preventing violations that lead to violations of Islamic law in Aceh includes conducting socialization, routine raids and patrols, supervision during the day and at night, conducting cooperation, spiritual guidance and advocacy methods such as reprimanding, warning, and advising efforts to stop activities/deeds that are suspected of violating laws and regulations and resolving the case. In addition, *Wilayatul Hisbah* must also inform the public about the existence of laws and regulations in the field of Islamic Sharia. Supporting and Inhibiting Factors for *Wilayatul Hisbah* in preventing violations of Islamic law in Aceh Regency include a. Supporting Factors: cooperation from the Police, TNI, Prosecutor's Office and Provos Kodim Aceh in conducting joint raids. And also getting full support from community leaders, by working together in supervising Islamic Sharia. b. Inhibiting Factors: Lack of Human Resources (HR), Lack of legal awareness, Lack of socialization, Limited facilities and infrastructure, limited budget and minimal support from the community such as related to the enforcement of Islamic law, some people are reluctant to report to the *Wilayatul Hisbah* that there is a violation in a place because of fear such as lack of evidence. Thus, it is hoped that the government will empower and provide full support to the *Wilayatul Hisbah* institution in preventing acts that violate Islamic law such as providing facilities/means and infrastructure needed by the *Wilayatul Hisbah* institution in Aceh so that the performance of the *Wilayatul Hisbah* can run as optimally as possible to prevent violations of Islamic law.

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