

Implementation Of Qanun Number 9 Of 2008 Concerning Development Of Customs And Customs In Posong Lhokseumawe

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Abstract

This research aims to describe effort Gampong Pusong government in implementing Qanun Number 9 of 2008 concerning coaching Traditional Life and Customs as well as the obstacles faced by the Gampong government in implementing the Qanun. Study This use approach qualitative Where technique collection the data covers observation, doing interviews and documentation. The data analysis used data reduction, data presentation and withdrawal conclusion or verification. The research results show that Gampong Pusong government in implement the Qanun has do effort; Communication with Gampong community, Strengthening source Power human and financial, and Disposition. However Thus, the implementation of Qanun Number 9 of 2008 concerning coaching life customs and customs customs in Gampong Pusong Banda Sakti District, Lhokseumawe City, has not either walk with ok. Temporary obstacles faced by the Government of Gampong Dalam Implementation The policies of Qanun Number 9 of 2008, namely; how difficult obtain enough information about conflicts that occur; hard evidence concluded from society; exists various type different interests in settlement conflict; as well as impact policy difficult recognized in settlement matter, some obstacle that's what causes it implementation of Qanun Adat and Customs not optimally executed in the gampong Pusong Lama, Banda Sakti District, Lhokseumawe City. Expected results study This can made as material input for government gampong in implementation implementation of Aceh Qanun Number 9 of 2008 concerning coaching Traditional Life and Customs.

Keywords: *Implementation, Qanun, Guidance, Customs, Customs*

INTRODUCTION

Customary law never prioritizes or emphasizes mistakes in punishment, but rather strives for harmony and peace for people who are experiencing conflict, every dispute and all forms of disputes, always strives to make peace with variations. This too became task main God Peut Village and Mukim. However can understood that No custom customs that can made tool unifying people, also not language and culture, however is Islamic shari'ah and law adat (Masyitah, 2020).

Based on information found from one of the people in Gampong Pusong Lama, Banda Sakti District, Lhokseumawe City, stated that "Disputes within the Pusong Lama village, Banda Sakti District, Lhokseumawe City often occur, disputes that have occurred such as quarrels between residents, disputes within the household, theft and so on" (Interview, 20 February 2023). Village officials of Pusong Lama, Banda Sakti District, Lhokseumawe City have tried to resolve conflicts according to customs and traditions to the community, it's just that not all conflicts can be resolved by deliberation, some of the community prefers to resolve their cases to the police because there is no bright spot in conflict resolution that happened.

Information from Geuchik Gampong Pusong Lama, Banda Sakti District, Lhokseumawe City stated that "more cases or conflicts that occurred in Gampong Pusong Lama were resolved at the Banda Sakti police office rather than at the village. (Interview, February 20, 2023). Of the 10 cases, 6 were resolved at the police and 4 were resolved at the Village Office. The details can be seen in table 4.1 (p.89) and table 4.2 (p.90).

Qanun Adat and Adat Istiadat are a shared responsibility for people who have customs, namely between the leader and the people, therefore any decision must go through deliberation for consensus, to protect the community from shame/shame, as the Aceh proverb says: "Saboh keubeue meukeubang, ban saboh *weue meuleuhob* (a muddy buffalo, so a buffalo cage is also muddy)".

Another problem that can be seen from Gampong Pusong Lama, Banda Sakti District, Lhokseumawe City in resolving conflicts, namely in finish dispute / dispute not in Gampong Recognize the format/ order hearing Justice standard custom like arrangement trial at the District Court. It's just usually Geuchik sits in the middle, flanked by Teungku / Imeum Meunasah next to right and Secretary Village next to left, and Tuha Peut next to left they, then di front they sat the parties those who carry out the conflict and the citizens society sits behind the parties.

At a minimum procedure administration owned by Gampong Pusong apparatus Long Banda Sakti District also became constraint alone in finish problem in a manner customs and traditions customs. Administration Indigenous Court up to moment This Not yet known with the standard format, even in practice the trial No complemented by adequate administration, and even something is not use administration The same once. But in this increasingly modern era,

administration Gampong / Mukim customary courts are increasing needed . Bookkeeping every events and data must done, that happened during This administration provided like exists letter peace No included with stamp duty (as seen in Appendix 4), only limited sign hand device villages involved in settlement conflict , perpetrators and victims. This should be needed in addition to documentation as well as to prove that what was done actually happened, and also as anticipation data against parties who dispute it in the future. So from it is necessary implementation more carry on in implementation of Qanun Number 9 of 2008 concerning Fostering Customs and Customs to give birth peace in the neighborhood society.

The changes seen in Gampong Pusong Lama , Banda Sakti District are also visible from the more fading law customs and traditions customs carried out by officials gampong and community , which is visible until moment This Gampong Pusong Lama community still undergo law custom laot , like No go to sea in the day Friday or No go to sea in days big , however fading custom law sea that occurred in Gampong Pusong Lama namely fading feast sea because nowadays knowledge high society, feast sea is considered Muslim for a reason That feast sea forbidden.

LITERATUR REVIEW

The Definition Implementation

Implementation originate from Language English that is *to implement* which means implement. Implementation in nature dictionary big Webster , *to implement* (implement) means to provide the means for *carrying out* (carry out something); and *to give practical effect to* (for raises impact / effect to something) ”(Wahab, 2010:64).

According to Usman (2012:70) explains understanding from implementation “ Implementation is something action or acts committed by individuals or group in government to achieve something planned For reach objective problems that occur in a country. According to Setiawan (2014:39) explains understanding from implementation is “ Implementation is extent something customized activity with a process action to achieve it implementation bureaucracy efficient ”.

According to Wibawa (2013:67) understanding from implementation too said as “ a action or deed in a country through activity incoming politics into the part administration for the sake of creating a perfect program ”. According to Mulyadi (2015:12), implementation refers to action For reach goals that have been set in something decision . this action try For change decisions the become patterns operational as well as try reach changes big or small as has been decided before , most important problem in policy public is implementation policy . Implementation often considered just something actions decided by the government , as if the decision This No influential The same very to society , though in fact implementation policy is something past actions _ planned with good to achieve something purpose , meaning implementation This created for the government capable finish problems that occur and can create something wise aim for that country themselves (Setiawan, 2014:40)

Implementation is one stage in the policy process public . Usually implementation held after A policy formulated with clear goals. Implementation is something the act of giving objective to public so that policy the can bring desired result . Activity the part from rule advanced from policy the . For example from A Constitution appear a number Regulation Government (PP), Presidential Decree (KP), and Regional Regulation (PD), prepare source Power To use move implementation included in it facilities and infrastructure , resources Power finances , and of course just who's in charge answer carry out policy it , and how deliver policy in a manner concrete to society (Gaffar, 2009:295).

Implementation policy in principle is way so that a policy can reach purpose , no more and less . For implement policy public , then there are two options existing steps, ie direct implement in the form of programs or through formulation policy *derivatives* or derivative from policy the . Policy public in form Constitution or Regional Regulations are type policies that require public policy explanatory or often termed as regulation implementation. Policy the public can direct operationalized including Presidential Decrees , Instructions President , Ministerial Decree, Regional Head Decree , Decree Head of Service, etc. (Dwijowijoto , 2009:158-160).

Opinion based such, then can taken something conclusion understanding that implementation is an involved process a number sources included people , funds and capabilities organization by the government nor private . the process done For realize goals that have been set previously by the manufacturer policy . meanwhile in implementation policy is a process for realize policy “which is still abstract ” to in reality (Wahab, 2010:54).

Notice description above, can understood that implementation own meaning importantly , implementation very interactive with activities policies that preceded it. Through the implementation process can is known to what extent policy can adopt aspirations at a time touch public For in a manner volunteer do it as embodiment of responsibility he replied to nation and state. In other words, through implementation will be is known is something policy has answer something problem or precisely otherwise .

Definition of Customary Law

customary law terms is translation from the Dutch term "*Adat-Recht*", which was first put forward by; Snouck Hurgronje (Sudiyat , 2018:34). Customary law is the rules do n't writing that grows and develops and is maintained with awareness law the people . Because of the rules This No written as well as grow and develop , then law custom own ability adapt self and elastic . Besides that also known to the public law custom , that is a group of people bound by order law the custom as inhabitant together something fellowship law Because similarity place stay or on base descent .

RESEARCH METHODOLOGY

Here Study This will be carried out in the area of Gampong Pusong Lama, Banda Sakti District, Lhokseumawe City . Researcher reasons do study because public Pusong Village Lama of Banda Sakti District , Lhokseumawe City is one _ area that has Lots conflict in the environment community , of the 18 cases that have been mentioned in Article 13 Paragraph 1 Aceh Qanun Number 9 of 2008, almost 60% of the community resolved conflicts with the Banda Sakti Police in Lhokseumawe City, during 2020-2022 as many as 10 cases that occurred in Gampong Pusong Lama, Banda Sakti District were resolved by the Banda Sakti Police, out of these 10 cases, only 1 case was not included in the 18 pillars of the Qanun

Customs and Customs.

However, there are still people who want to resolve their cases according to custom, this shows that there are actually efforts by the apparatus to help the community resolve conflicts according to custom and customs. Weak administration in Gampong Pusong Lama, Banda Sakti District, Lhokseumawe City, has resulted in the implementation of the Customary and Customary Qanun not working effectively. So from That needed analysis more carry on in settlement case in implementation Q anun number 9 of 2008 in Gampong Pusong Banda Sakti District , Lhokseumawe City.

Research This done with use approach qualitative character descriptive . According to Sugiyono (2016:32), “states that study qualitative is a research process scientific meaning For understand problems man in context social with create description overarching and conflex presented , report view detailed from the source par information , as well done in a natural setting without exists intervention whatever from researcher ”. Study qualitative characteristic descriptive aim For get deep understanding about problems human and social with interpret subject obtain meaning from environment around .

Research qualitative subject study known with informant . According to Moleong (2015: 132) informant are “people who are taken advantage of For give information about situations and conditions background behind research ”. As for technique taking sample is use technique *Purposive Sampling* . According to (Sugiyono, 20 16:39) *Purposive sampling* is a *sampling technique* that is used by researchers if researchers have certain considerations in sampling or sampling is based on certain objectives . So that interviewed informants in accordance with required information . As for informants who will do in study This is Geuchik, Secretary, Tuha Peuet, Mukim, Community Figures (Ustad/Tengku), Aceh Traditional Council, Village Trustees (Babinsa), Bhayangkara Supervisors for Security and Order Community (Bhabinkamtibnas) and Society.

RESULT AND DISCUSSION

Implementation of Qanun Number 9 of 2008 concerning coaching Traditional Life and Customs in Gampong Pusong Banda Sakti District , Lhokseumawe City

Implementation of Customary and Customary Qanuns This aims to apparatus gampong own understanding and can role as should in make an effort settlement conflicts that occur within its jurisdiction alone . Implementation that has done in study This that is problem conflict related with Qanun Adat and Customs in the Gampong Pusong area Banda Sakti District , Lhokseumawe City . The research approach used in this study is the theory according to Edward III in Agustino (2008: 149) where the factors that influence implementation consist of Communication, Resources, Disposition and Bureaucratic Structure. As for the stages implementation carried out by Gampong Pusong Lama Apparatuses , Banda Sakti District , Lhokseumawe City are :

Do Communication with the Gampong Pusong Lama Community , Banda Sakti District , Lhokseumawe City

Communication is something important activity done by humans as condition intertwined connection social To use endure life in life . goal _ communication No only informative or as method delivery message But also be one _ form in intertwine relationship , both individual, deep group or organization . The same is true of the apparatus gampong Pusong Banda Sakti District , Lhokseumawe City , the people of Aceh in particular obliged operate regulation area that has issued by the government , accordingly with mandate , one regulation area issued by the government is the issuance of Qanun Number 9 of 2008 concerning Customs and Customs. Based on interviews conducted with Mr. HM Jalil Hasan as Chairman of the Aceh Traditional Council stated that:

“So far there is no structured data on the 18 pillar cases that occurred in Gampong Pusong, Banda Sakti District, Lhokseumawe City, which were resolved according to custom and customs. So far, Gampong Pusong people have preferred to settle their cases at the Police office, making it difficult to provide guidance to the Pusong community according to custom. and Customs in the event of a conflict in the region” (Interview, 23 January 2023).

Statement the strengthened with document data from describing village _ that public more choose settlement the matter is in the police like shown in table 4.1 (p.85). Reality This No means Apparatus village that has rights and obligations For operate regulation area the negligent in the environment the people , no except community in the gampong. They has make an effort do communication in saian solver conflict in Gampong Pusong . Based on conducted interviews _ with Kaharuddin as Geuchik Gampong Pusong Banda Sakti District , Lhokseumawe City state that :

“Pusong village Banda Sakti District , Lhokseumawe City more known with frequent society _ face conflict in the environment society , every happening problem or conflict in the environment society , apparatus gampong has make an effort do settlement conflict with the approach of Qanun Number 9 of 2008 namely with communicate _ or deliberation , communication is road alternatives made by the apparatus gampong For stem case flow to police until to court ” (Interview , January 23, 2023).

above statement explain that apparatus gampong has make an effort do communication in accordance with mandate in Qanun Number 9 of 2008 concerning Customs and Customs , communication need carried out by officials gampong at the time public create conflict in the environment society , in order to create function from apparatus village in the neighborhood society . Based on conducted interviews with Zulhamsyah A. Gani as Secretary of Gampong Pusong Lama , Banda Sakti District , Lhokseumawe City state that :

“Form communication or deliberations take place with operate mandate in Article 16 Paragraph (1) of Qanun Number 9 of 2008 concerning Customs and Customs , and forms penalty custom given in Gampong Pusong Banda Sakti District , Lhokseumawe City in accordance with wrongdoing by the

offender conflict " (Interview , January 23, 2023).

Above statement explain that apparatus gampong give penalty custom to perpetrator conflict in accordance with content Article 16 Qanun Number 9 of 2008 concerning Customs and Customs namely : (1) Types possible sanctions _ dropped in settlement dispute custom as following :

- a. advice ;
- b. reprimand ;
- c. statement sorry ;
- d. wings ;
- e. diyat ;
- f. fine ;
- g. change loss ;
- h. ostracized by society gampong or another name ;
- i. issued from public gampong or another name ;
- j. repeal title custom ; And
- k. form penalty other in accordance with custom local .

(2) Family violator custom follow responsible answer on implementation penalty dropped customs _ to member his family .

That is , what is a gampong tour Pusong Banda Sakti District, Lhokseumawe City has implementing Qanun Number 9 of 2008 with Good to the people. If apparatus gampong intertwine good communication _ with society , then it will produce matter positive for environment the people .

Communication is step first noticed in analyze about implementation of Customs and Customs carried out by the apparatus gampong Pusong Banda Sakti District , Lhokseumawe City . Research results found in study that is apparatus gampong has make an effort do communication with public as step must first they do if happen something things done by the people . stage communication carried out by officials gampong as efforts to prevent problems from occurring in the gampong No direct involved with organization other like office police force .

As for approach in stage communication done with a number of step , that is transmission , clarity and consistency . Strengthening Deep Resources _ Implementation of Qanun Number 9 of 2008 in Gampong Pusong Banda Sakti District , Lhokseumawe City

Source noteworthy power _ in study This is formation source Power people and resources Power financial in implementation of customary qanuns and customs customs in the gampong Pusong Banda Sakti District , Lhokseumawe City .

1) Human Resources

Human Resources _ is moving group _ in operate organization and resources Power the intended human in study This is implementing group _ implementation of Qanun Adat and Customs in Gampong Pusong Banda Sakti District , Lhokseumawe City . Based on interview conducted by Zulhamsyah A. Gani as Secretary of Gampong Pusong Banda Sakti District , Lhokseumawe City state that :

Pusong Gampong Community Banda Sakti District , Lhokseumawe City own member device village in accordance with Article 14 Qanun Adat and Customs , so that in finish conflict in the gampong , device the villages involved in Article 14 also presented in deliberation " (Interview , January 26, 2023).

above statement _ explain that Gampong Pusong Banda Sakti District , Lhokseumawe City own Sufficient Human Resources in organization gampong . Human Resources involved _ _ in organization gampong can seen in Table 4.3 below this :

Table 4.3
Member Human Resources _ in Organization
Pusong Village Banda Sakti district
Lhokseumawe City Years 2022-2023

No	Gampong Device Name	Position
1	Kaharuddin	Geuchik
2	Mr. _ Ilyas	Imuem Meunasah
3	M. Bulqaini, ST	Tuha Peuet
4	Zulhamsyah A. Gani	Secretary
5	Mr. Baka	Scholars (Community Figures)

Source : Gampong Pusong Geuchik Office Banda Sakti District, Lhokseumawe City , 2023

Table above show that Gampong Pusong Banda Sakti District has Human Resources _ in organization gampong in accordance with Article 14 Number (2) Qanun Adat and Customs means if public experience problem or conflicts in the environment _ society , society own obligation to report case the to device his village .

Based on conducted interviews _ with Kaharuddin as Geuchik Gampong Pusong Lama , Banda Sakti District , Lhokseumawe City state that :

"Gampong Pusong Lama , Banda Sakti District , Lhokseumawe City also has one characters custom alone in finish inner conflict _ gampong . as listed in Article 14 Number (3) that the characters involved consists from imuem mukim, imuem chik and secretary mukim, only just living in Gampong Pusong

Lama , Banda Sakti District , not yet function with well , because of mukim inside gampong new sworn in last October 2022 " (Interview , January 26, 2023).

Above statement _ explain that gampong Pusong Lama , Banda Sakti District , Lhokseumawe City moment This have a separate mukim For involved in settlement conflict , but stay inside gampong Pusong Lama, New Banda Sakti District form in October 2022 , and the function of mukim in Gampong Pusong Lama , Banda Sakti District , has not yet been walk with ok . As for Human Resources in the village house can seen in table 4.4 below this :

Table 4.4
Human Resources _ in Mukim Gampong Pusong
Banda Sakti District , Lhokseumawe City

No	Gampong Device Name	Position
1	Mr. _ Mukhtaruddin	Imuem Mukim
2	Mr. _ H. Muslim	Imuem Chik
3	Rahmad Sani	Mukim Secretary

Source : Gampong Pusong Mukim Office Banda Sakti District, Lhokseumawe City , 2023

Above statement _ explain that Gampong Pusong Banda Sakti District , Lhokseumawe City moment This has have mukim, mukim figures owned custom _ gampong in finish conflicts in the environment _ community , mukim owned by Gampong Pusong Banda Sakti District , Lhokseumawe City new sworn in last October 2022 , so mukim function of Gampong Pusong Lama, Banda Sakti District , Lhokseumawe City Not yet show effectiveness it works in finish conflict in the gampong .

Source Power man as supporters main in operate something implementation , and gampong Pusong Banda Sakti District , Lhokseumawe City own source Power human enough , as it has been mentioned in Article 14 Qanun Adat and Customs . As for the contents from qanun adat and adat customs in see (Appendix). If apparatus gampong finish something case in the village , everyone the apparatus mentioned in the Qanun Adat and Customs participate presented as effort participate give solution in finish something case . Research results show that during This source Power human resources available in Gampong Pusong _ Banda Sakti District , Lhokseumawe City in finish something case participate cooperate in finish something conflict or things done by society .

CONCLUSION

Based on results study about Implementation Policy The government of Gampong Dalam Implementation of Qanun Number 9 of 2008 concerning Development of Customs and Customs in the City of Lhokseumawe. Government of Gampong Pusong in implement the Qanun has do various effort ; communication with the Gampong community regarding the Qanun through stages transmission , clarity , and consistency . Then also done strengthening source Power human and financial , and disposition . However Thus , the implementation of Qanun Number 9 of 2008 concerning coaching life customs and customs customs in Gampong Pusong Banda Sakti District, Lhokseumawe City, has not either walk in accordance Qanun expectations . Among them caused by a lack support from society .

Obstacles faced by Gampong Government in implementation Implementation Qanun Policy Number 9 of 2008 concerning coaching Traditional Life and Customs in Gampong Pusong Banda Sakti District , Lhokseumawe City that is how difficult obtain enough information about cause and effect from conflicts that occur ; hard evidence _ concluded from society ; exists various type different interests _ in settlement conflict ; as well as impact policy difficult recognized in settlement case . A number of matter that's what causes it implementation of Qanun Adat and Customs Not yet effective run in Gampong Pusong Lama , Banda Sakti District , Lhokseumawe City.

BIBLIOGRAPHY

- Augustine, Leo. (2008). *Fundamentals of Public Policy* . CV. Alfabeta . Bandung.
- Augustine, Leo. (2014). *Fundamentals of Public Policy* . CV. Alfabeta . Bandung.
- Dwijowijoto, Riant Nugroho. (20 09). *Public Policy Formulation, Implementation and Evaluation*. PT Elex Media Komputindo Gramedia Group. Jakarta.
- Islamy , M. Irfan. (2013). *Principles Formulation State Policy* . Ray Graphics . Jakarta.
- Moleong , L. (2015). *Methodology Study Qualitative (Eds review)* . Youth PT Rosdakarya . Bandung.
- Nugroho, Riant. (2009). *Public Policy Formulation, Implementation and Evaluation* . PT. Elek Media Komputindo . Jakarta.
- Nugroho, Sigit Sapto . (2016). *Indonesian Customary Inheritance Law*. Iltizam Library . Solo.
- Oemar Moechthar . (2019). *Development of Inheritance Law, practice Completion Dispute Inheritance in Indonesia* . Prenadamedia Group. Jakarta.
- Sugiyono . (2016). *Research Methods Quantitative , Qualitative and R&D*. PT Alfabeta . Bandung.
- Utomo, Laksanto . (2016). *Customary law*. PT RajaGrafindo Persada . Jakarta.
- Hamid, Mukhlis A. (2010). *Customs and Laws in Wisdom Ureueng Aceh*. [http://www.jkma-aceh.org/adat-dan-Hukum - dalam-kearifan-ureueng- aceh/](http://www.jkma-aceh.org/adat-dan-Hukum-dalam-kearifan-ureueng-aceh/) . Retrieved October 5 , 2022.
- Amalia et al (2018). *Settlement Model Indigenous Disputes and Courts in Aceh*. Journal Research . Volume Number 1 January 25, 2018. Pg . 159-179.
- Darussman (2021). *Implementation of Aceh Qanun Number 9 of 2008 concerning coaching Traditional Life and Customs in Gampong Lamie, Darul Makmur District , Nagan Raya Regency* . Journal Research . Vol 3, No 2 (2021) July-December .
- Masyita , Nur. (2020). *The Role of Indigenous Courts in Resolving Case Syiqaq (Case Study of Gampong Pulo Iboih Kuta Makmur District , North Aceh Regency)* . Script . IAIN Malikussaleh University . Lhokseumawe .

Ngang, Parel. (2022). *Principle Justice in Completion Dispute Based on Customary Law in Kayan Hilir District* . Thesis. Ministry of Education, Culture , Research and Technology, University of Borneo Tarakan.

Ramadhani (2020). *Existence of Qanun Number 9 of 2008 in Completion follow Criminal persecution Light in Langsa City*. Journal Research . P-ISSN: 2527-9424 E-ISSN: 2614-7971. ol . 5 Issue 1 2020, p . 30-52.

Ramdhani and Safitri (2019). *Implications Empowerment of Indigenous Institutions as Alternative in Completion Dispute Land in Aceh*. Journal Research . P-ISSN: 2615-3416. E-ISSN: 2615-7845. Volume 14, Number 2, July- December 2019.

Regulation Government Number 76 of 2001 concerning _ Settings General Guidelines Regarding Village

Lhokseumawe Mayor Regulation Number 11 of 2016 concerning Gampong

NAD Province Qanun Number 5 Year 2002 __ Firm State That As Embodiment Democracy d i Gampong Established God Peut .

NAD Province Qanun Number 5 of 2003 That Village Government

Qanun Number 8 of 9 of 2008 concerning Customs and Customs

1945 Constitution of the Republic of Indonesia

Constitution Number 11 of 2006 concerning Acehnese government

Constitution Number 22 of 1999 concerning Regional Government