



THE EFFORTS TO PREVENT CHILD *KHALWAT* VIOLATION BY *WILAYATUL HISBAH* IN LANGSA CITY

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ABSTRACT

The children are the nation's next generation who must be protected by the state and society so that children grow and develop. Normative juridical and empirical juridical research methods using in-depth interviews with WH, Islamic Sharia services, Sharia courts, the community and children. Research shows that Qanuns regarding the role of WH in preventing khalwat violations by children in Langsa include Qanun No. 6 of 2014 concerning Jinayat Law, Qanun No. 7 of 2013 concerning Jinayat Procedural Law, Qanun No. 11 of 2002 concerning Implementation of Islamic Sharia in the Sector of Aqidah, Worship and Sharia of Islam, Qanun 14 of 2003 concerning Khalwat, Law No. 11 of 2006 concerning Aceh Government Law, Law No. 5 of 2007 concerning Organizational Structure and Work Procedures of Services, Technical Institutions. Aceh Governor's Decree No. 1 of 2004 concerning the Organization and Work Procedures of Wilayahul Hisbah. The role of Wilayahul Hisbah in preventing khalwat violations is by providing guidance, supervision, implementation of Islamic law as well as raids and arrests through collaboration with the police, which are then submitted to the customary law. Obstacles faced by Wilayahul Hisbah in implementing the prevention of khalwat violations against children in Langsa include limited time to carry out supervision, lack of professionalism in carrying out tasks, limited budget, lack of public understanding about khalwat and lack of public legal awareness about the importance of Wilayahul Hisbah.

A. INTRODUCTION

Children are the nation's next generation who must be given protection by the state and society so that children grow and develop. Aceh has implemented Islamic Sharia in all aspects of community life since the issuance of Law No. 44 of 1999 concerning the Implementation of the Special Provinces of the Special Region of Aceh. Based on this law, the Aceh government issued *Qanun* no. 11 of 2002 concerning the implementation of Islamic law in the fields of aqidah, worship and Islamic teachings.

Wilayahul Hisbah is one of the institutions formed to implement jinayah prevention in Aceh. Jinayah violations in society require a maximum approach and community role, so that *khalwat* violations by children can be minimized as much as possible. This Aceh policy is in line with Law No. 35 of

2014 concerning the Second Amendment to Law No. 23 of 2002 concerning Child Protection and Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. Law No. 11 of 2012 concerning SPPA community involvement with the concept of diversion and restorative justice. Diversion is the transfer of the resolution of a criminal act from a formal to an informal process.¹ The restorative justice approach is an approach that involves perpetrators, victims, families of perpetrators and victims, the community, child observers, community counselors, taking the best action for children.² The concept of restorative justice provides the community with the opportunity to participate in efforts to protect children in conflict with the law.³

Aceh is one of the regions in Indonesia that has the privilege of having the authority to regulate household life with *Qanun*. *Qanun* 9 of 2008 concerning the Development of Traditional Life and Customs to revive the Traditional Justice System in gampongs in the developing Aceh region.⁴ Is *Wilayahul Hisbah* involved in the Traditional Life and Customs of the community in the process of protecting and preventing children who commit violations against *khlawat* in Langsa? Research in 2017 on diversion agreements still lacked participation by the parties.⁵ 2018 shows that restorative justice requires community participation.⁶ In 2019, to increase the role of fathers in creating restorative justice in the Litmas process, community wisdom values are needed, such as the Dalihan Natolu Kinship System,⁷ Gampong approach.⁸

Research conducted by Ratna Gustina⁹ with the title *Da'wah Wilayahul Hisbah Strategy in Implementing Supervision of Islamic Sharia in Langsa City* shows that the *Wilayahul Hisbah* of Langsa employed two types of da'wah strategies: da'wah bi al-lisan (oral da'wah) and da'wah bi al-Hal (practical da'wah). Da'wah bi al-lisan included speech, Jum'ah sermon, appeal, discussion, and advice/guidance. Da'wah bi al-hal involved patrol and raid. Further, in the view of the da'wah manhaj, the da'wah strategies used structural and cultural approaches. The structural approaches included (a) the supervision of the Islamic sharia was conducted by an official

1 Marlina, *Pengantar Konsep diversi dan Restorative Justice*, (Medan: USU Press, Edisi 1, 2010)

2 Gultom, Maidin, *Perlindungan Hukum Terhadap Anak dalam Sistem Peradilan Pidana Anak di Indonesia*, (Bandung: Refika Aditama, 2013).

3 Afthonul Afif, *Pemaafan, Rekonsiliasi dan Restorative Justice, Diskursus Perihal Pelanggaran di Masa Lalu dan Upaya-Upaya Melampauinya*, (Yogyakarta: Pustaka Pelajar, 2015).

4 Qanun 9 Tahun 2008 Tentang Pembinaan Kehidupan Adat dan Adat Istiadat

5 Nurmalawaty dkk, *Pelaksanaan Diversi dalam Sitem Peradilan Pidana Anak di Sumatera Utara*, (Medan, 2017).

6 Marlina dkk, *Peran Bapas dalam Menciptakan Keadilan Restorative Dalam Sistem Peradilan Pidana Anak Di Suamtera Utara*, (Medan, 2018)

7 Marlina, Madiasa, *Penyelesaian Tindak Pidana Anak Sebagai Pelaku Tindak Pidana menurut Dalihan Natolu (Penelitian, Marlina, Penyelesaian Anak yang Berkonflik dengan Hukum Menurut Peradilan Adat di Langsa)*, (Medan, 2019).

8 Departemen Pendidikan dan Kebudayaan, *Kamus Besar Bahasa Indonesia*, (Jakarta :Balai Pustaka, 1991).

9 Ratna Gustina, "Da'wah Wilayahul Hisbah Strategy in Implementing Supervision of Islamic Sharia in Langsa City," *Tadabbur: Jurnal Peradaban Islam* 1, No. 1 (2019): 63-85

institution formed by the government, which was the *Wilayahul Hisbah*, (b) the *Wilayahul Hisbah* and the Islamic Sharia Office was merged institutionally, (c) the establishment of Islamic sharia supervisors at the village level by the *Wilayahul Hisbah* and the sharia supervisors by the village officers, and (d) the development of cooperation between the government agencies (e.g. Islamic Sharia Office, Ulama Consultative Assembly, Civil Service Police Unit, Police, Indonesian National Army, Sharia Court, and non-governmental Islamic organizations). The cultural approaches involved implementing the strategic da'wah methods and strategies.

Research conducted by Ikmal Jamilan Latif¹⁰ with the title the effectiveness of Islamic Sharia Service policies in reducing violations of *Qanun* Jinayat in Langsa City shows that the preventive and curative policies of the Islamic Sharia Service in the form of Jinayat law enforcement have had very broad implications for the creation of a safe and social environment. This condition can be seen from the decline in the number of violations from year to year. However, in its implementation it is still faced with various inhibiting factors, such as the lack of government budget allocated for WH operational activities and the implementation of Jinayat law which still conflicts with customary law and criminal law regulations so that the policies issued are still not effective. It is hoped that the regional government will increase the amount of the operational budget for Islamic Sharia Service and WH so that the implementation of Jinayat law can be implemented more effectively.

The aim of this research is to analyze *Qanun* provisions regarding the role of *Wilayahul Hisbah* in preventing seclusion by children in Langsa and Implementation of the role of *Wilayahul Hisbah* in preventing the committing of seclusion by children in Langsa.

B. RESEARCH METHODS

The research types are normative legal research and empirical legal research. Normative legal research is a scientific procedure for finding the truth based on the logic of legal science from a normative perspective.¹¹ Normative legal research or library research is research that examines document studies using various secondary data. Normative legal research refers to legal norms contained in statutory regulations. Meanwhile, normative legal research carries out a legal inventory and discovers legal principles related to the role of *Wilayahul Hisbah*.

C. RESULTS AND DISCUSSION

1. *Qanun* Provisions Regarding the Role of *Wilayahul Hisbah* in Preventing Seclusion by Children in Langsa.

10 Ikmal Jamilan Latif, "The Effectiveness of Islamic Sharia Service Policies in Reducing Violations of *Qanun* Jinayat in Langsa City," *Jurnal Ilmiah Mahasiswa JIM* 7, No. 1 (2022): 1-20

11 Ibrahim Johny, *Teori dan Metodologi Penelitian Hukum Normative*, (Jakarta: Bayu Media Publisining, 2006)

Qanun 11 of 2002 concerning the Implementation of Islamic Sharia in the Field of Aqidah, Worship and Islamic Sharia.¹² The WH has the authority to supervise *Qanun*, Aceh Governor Decree Number 1 of 2004 concerning *the* Organization and Technical Procedures of the WH. *Wilayatul Hisbah* coordinates with the Islamic Sharia Service. Governor's Decree No.01 of 2004 concerning the Organization and Work Procedures of *Wilayatul Hisbah* which is subject to the auspices of the Islamic Sharia Service

Wilayatul Hisbah in Aceh was established along with the existence of a Keuchik as a leader in a gampong/kampong which functions as a tool of social *control* in the fields of security, peace, harmony and public order, both preventive and repressive, which includes, among other things, resolving social problems and mediating in reconciling disputes that arise in society. WH as supervisor of the implementation of Islamic Sharia.

Qanun Number 12 of 2003 has the authority of *Wilayatul Hisbah* as a driving force for the success of Islamic Sharia in Aceh. Law No. 11 of 2006, the existence of WH was finally merged with Satpol PP with *Qanun* No. 5 of 2007 concerning Organizational Structure and Work Procedures of Services, Technical Institutions.¹³ *Wilayatul Hisbah* has strong legality because it cannot be separated from the special regional government program which wants Islamic Sharia to be implemented in a kaffah manner. *Wilayatul Hisbah*, then this body, became increasingly active in curbing violators of Islamic Sharia. This institution continues to reveal cases of violations that occur and continues to provide guidance and advice to the community that leads to violations. This body is increasingly authoritative in the public's view, moreover, it is under the Department which was formed specifically to overcome problems with Islamic Sharia and focuses on the substance of implementing Islamic Sharia in Aceh as regulated in Law Number 44 of 1999, Aceh was given privileges in the fields of education, customs and religion, as well as the role of ulama in determining regional policy.

Governor's Decree no. 1 of 2004 concerning the Organization and Work Procedures of *Wilayatul Hisbah*. According to the provisions of the definition of *Wilayatul Hisbah*, it is an institution tasked with supervising, developing and advocating for the implementation of laws and regulations in the field of Islamic Sharia in order to implement amar ma'ruf nahi mungkar. In accordance with Article 4, the WH has the task of carrying out supervision, guidance, and handing over cases of violations of laws and regulations in the field of Islamic Sharia to investigators.

Implementation of the coaching duties of Article 4 paragraph (1) letter b includes: Reprimanding, warning and advising someone who is

12 Maryam, Ade Muana Husniati, "Implementation of Islamic Sharia Policy in Langsa City," *Proceedings of the 2nd International Conference on Social Science, Political Science, and Humanities* (ICoSPOLHUM 2021)

13 Syaukani, Ahmad dan A. Ahsin Thohari, *Dasar-dasar Politik Hukum*, Jakarta: PT. Raja Grafindo Persada, 2004.

reasonably suspected of having committed a violation of the provisions of Islamic Sharia; Attempt to stop activities/actions that are reasonably suspected of violating laws and regulations in the area of Gampong Customs; Notify related parties about allegations that there has been misuse of permission to use a place or facility.

Regarding the procedures for coaching by *Wilayah Hisbah*, you can be done in two ways, namely directly and indirectly. By directly, namely by reprimanding or warning directly to the individual perpetrators or groups involved company/institution/agency. Reprimand can also be done with provide letters to institutions/agencies and company owners fostering and bringing order back in a direction that is in accordance with the *aqidah sharia*.

Indirect coaching can be done through lectures in public places, distributing booklets, leaflets and books other reading related to Islamic social procedures, and can Coaching is also carried out electronically via social media and letters news.

Wilayah Hisbah has the following authorities: Carry out non-judicial disciplinary action against members of the public, apparatus or legal entities who violate regional laws and regulations and laws and regulations in the field of Islamic Sharia. Take action against members of the public, apparatus or legal entities who disrupt public communication and public peace and violate Islamic Sharia; Facilitate capacity development of facilities and infrastructure, human resource development, training of members of the Civil Service Police Unit and *Wilayah Hisbah* as well as organizing community protection. Carry out investigative actions and inquiries against members of the public, officials or legal entities who are suspected of having committed violations of laws and regulations in the field of Islamic Sharia. Take administrative action against members of the public, apparatus or legal entities who violate regional laws and regulations in the field of Islamic Sharia. Inspect and submit letters. Taking fingerprints and photographing a person. Summoning someone to be heard and examined as a suspect or witness. Bring in witnesses and experts needed for the technical examination of the case. Stop the investigation after receiving instructions that there is not enough evidence or the incident does not constitute a violation of peace, coordinating general and Islamic law and informing the general diagnostician, police investigators, the suspect himself or his family; And Carry out other actions in accordance with legal provisions responsibly.

Furthermore, Governor Regulation Number 10 of 2005 concerning the Implementation of Caning Sentences, which was stipulated on July 10 2005, *Wilayah Hisbah* was given another task,

namely to be an officer carrying out caning sentences if requested by the Public Prosecutor.¹⁴

Law No. 11 of 2006 concerning the Government of Aceh has brought new developments to the Province of Nanggroe Aceh Darussalam because with this Law the Aceh Government is able to make regulations that can better regulate its people in achieving Allah's approval¹⁵ applying Islamic Sharia in every part of his life.¹⁶

Many *Qanuns* have been established in the Aceh Government, including: *Qanun* No. 6 of 2014 concerning Jinayat Law, *Qanun* No. 7 of 2013 concerning Jinayat Procedural Law, *Qanun* No. 11 of 2002 concerning Implementation of Islamic Sharia in the Field of Aqidah, Worship and Islamic Sharia.

The punishments in the *Qanun* jinayat are in the form of Uqubat hudud, qisas and ta'zir punishments. Uqubat is a sentence that can be imposed by a judge on the perpetrator of a criminal act (jarimah). Hudud is a type of Uqubat whose shape and size have been explicitly determined in the *Qanun*, and Ta'zir is a type of Uqubat that has been determined in the *Qanun* whose form is optional and the size is within the highest and/or lowest limits.¹⁷

In essence, the people of Aceh agree with the implementation of caning, this aims to provide a deterrent effect to violators of Islamic Sharia, and also to give fear to other people so that they do not commit the same crime.¹⁸

Aceh *Qanun* Number 6 of 2014 concerning jinayat law, this *Qanun* is a *Qanun* that regulates criminal acts. *Qanun Jinayat* contains 10 criminal acts, namely: *khamar* (intoxicating drinks), *maisir* (gambling), *khalwat* (being together in a closed place), *ikhtilath* (acts of affection), *zina* (sexual intercourse between a man and a woman), sexual harassment, rape, *liwath* (gay), *musahaqah* (lesby), and *qadzaf* (accusation of adultery).

Article 3 of this *Qanun* states that the aim of prohibiting *khalwat*/obscenities are: Upholding Islamic Sharia and customs applies in society in the Province of Nanggroe Aceh Darussalam; Protecting the community from various forms of activities and/or actions which damages honor; alert community members as early as possible perhaps from committing acts that lead to adultery; Increasing community participation in preventing and eradicating the occurrence of *khalwat*/perverted acts; Closing the opportunity for it to occur moral damage. Explanation of Article 3 Letter b What is meant by an act that

14 Ibrahim Johny, *Teori dan Metodologi Penelitian Hukum Normative*, (Jakarta: Bayu Media Publisining, 2006)

15 Khairani, *Peran Wilayahul Hisbah Dalam Penegakan Syariat Islam (Relfeksi 10 tahun Berlakunya Syari'at Islam di Aceh)* (Banda Aceh: Ar-Raniry Press, 2014)

16 Zulkarnain Lubis dan Bakti Ritonga, *Dasar-Dasar Hukum Acara Jinayah*, (Jakarta: Prenadamedia Grop, 2016).

17 Mariadi, Lembaga Wilayahul Hisbah dalam Tinjauan UU Pemerintahan Aceh, *Jurnal Perundang Undangan dan Hukum Pidana Islam* 3, No. 01 (January – June 2018)

18 Khairani, *Peran Wilayahul Hisbah Op Cit*

damages honor is any act that can cause disgrace to the perpetrator and his family.

Seclusion/lewdness is haram and everyone is prohibited do that. In the *Qanun Khalwat* regulations are explained also regarding prohibitions and prevention. Any person or group the public, or government officials and business entities are prohibited provide convenience facilities or protect people doing seclusion/perverted. Article 7 has also stated that everyone is good Individuals or groups have an obligation to prevent acts from occurring seclusion/perverted

2. Implementation of the Role of *Wilayatul Hisbah* in Preventing the Committing of Seclusion by children in Langsa

Fines for violators of the law are the rights of the region and are directly transferred to the Baitul Mal treasury. Any party who repeats the mistakes stipulated in article 22 of their 'uqubat or punishment can be increased by 1/3 (one third) of the maximum 'uqubat. Article 25 explains that; Violation of the provisions as intended in articles 5 and 6 as follows:

If carried out by a legal entity or business entity, then the 'uqubat is imposed on the person responsible. If there is a connection with business activities, then apart from the 'uqubat sanctions as intended in article 22 paragraphs 1 and 2, administrative 'uqubat can also be imposed by revoking or canceling the business permit that has been granted.

Procedures for implementing 'uqubat against Provincial *Qanun* 14 of 2003 concerning *Khalwat* articles 26 to article 30 with similar editorial and content. 'Flogging is carried out by an officer appointed by the Public Prosecutor. In carrying out these duties, the Public Prosecutor must be guided by the provisions regulated in this *Qanun* and the provisions that will be regulated in the *Qanun* regarding formal law. The implementation of 'uqubat is carried out immediately after the judge's decision has permanent legal force. The postponement of the implementation of 'uqubat can only be carried out based on a determination from the Head of the Prosecutor's Office if there are things that endanger the convicted person after obtaining an authorized doctor's statement.¹⁹ 'Flogging is carried out in a place that can be seen by the public in the presence of the Public Prosecutor and an appointed doctor. Caning is carried out with rattan that is between 0.7 cm and 1.00 cm in diameter, 1 (one) meter long and does not have double ends or is not split. Caning is carried out on all parts of the body except the head, face, neck, chest and genitals.²⁰ The level of beating or whipping does not cause injury. Male convicts are caned in a standing position without support, without being tied, and wearing thin clothes that cover their private parts. While the woman is in a sitting position and her top

19 Marlina, *Peradilan Pidana Anak di Indonesia (Pengembangan Konsep diversi dan Restorative Justice)*, (Bandung: Refika aditama, 2009)

20 *Ibid*

is covered, the whipping of a pregnant woman is carried out after 60 (sixty days) when she gives birth. If something arises during the caning that endangers the condemned person based on the opinion of the appointed doctor, then the remainder of the caning is postponed until the time permits. Implementation of 'uqubat confinement is carried out in accordance with applicable laws and regulations. As stated in Article 18 B paragraph (2) of the 1945 Constitution which states that "The State recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development and principles of the Unitary State of the Republic of Indonesia as regulated in Constitution". Furthermore, Article 28 I paragraph (3) of the 1945 Constitution states that cultural identity and the rights of traditional communities are respected in line with developments over time and civilization. Implementation in Langsa is in accordance with Aceh *Qanun* Number 9 of 2008 concerning the Development of Traditional Life and Customs in an effort to resolve disputes/disputes in the gampong by paying attention to the noble values that apply in the community life system.²¹

In dealing with violations and crimes in Langsa City, of course the Islamic Sharia Service has various efforts made to overcome them. The efforts made by the Islamic Sharia Service and *Wilayatul Hisbah*, namely:²²

Increasing children's insight and awareness through coaching in the school environment; Efforts are made to increase children's insight and awareness by conducting approaches and coaching in schools such as being a ceremony supervisor in schools and outreach in schools with the aim of opening children's minds to the implementation of Islamic Sharia in Aceh, especially in the city of Langsa and the sanctions given. If these violations are committed, the child will think twice about committing a crime. In accordance with the schedule that has been set, every week we visit various schools alternately to educate children about their awareness of not committing *khalwat* violations. Counseling is carried out on an ongoing basis starting from attending Monday ceremonies or certain times to hold counseling. The aim of training, apart from developing character and personality, is to achieve quality education by producing quality human resources.

Increase public awareness and participation. The efforts made are to socialize and increase public awareness and participation in the implementation of Islamic Sharia in Langsa City. This is done by increasing sympathetic da'wah, namely da'wah in areas that are prone to violations of Islamic Sharia. Such as da'wah which is carried out in (dimly lit) cafes towards the younger generation, office da'wah which is carried out in office areas in the Langsa City area. Conveying public

21 Muklin dan M. Akmal, 2004, *Demokrasi Pemerintahan Gampong Dalam Mendukung Otonomi Khusus Propinsi Nanggroe Aceh Darussalam*, FISIP, Universitas Malikussaleh Lhokseumawe

22 Qanun Aceh Nomor 11 tahun 2004 Tentang Tugas Fungsional kepolisian Daerah nanggroe Aceh Darus Salam

awareness is carried out continuously by attending religious events in Langsa to convey material related to *khalwat*. The aim is for the public to be aware and avoid committing criminal acts. Community participation in development is defined as the participation of the community in development, taking part in development activities and taking part in utilizing and enjoying the results of development.

Increase supervision in vulnerable areas. Efforts made by the Islamic Sharia Service along with Satpol and WH to overcome and reduce violations include increasing supervision over the implementation of Islamic Sharia by way of patrols and field raids in areas prone to violations. WH is like a street policeman who always comes to places that are considered prone to crime. WH in this case pays attention and prevents and even advises and arrests if someone commits a violation of *khalwat*. The aim is for the public to be aware and aware that *khalwat* will occur if preventive measures are not taken.

Coordinate with the Communications and Information Service. In this modern era, there are still many teenagers and parents who use social media negatively. Many teenagers and parents are trapped by the cruel influence of the Internet, and the many violations of Islamic Sharia that occur in Langsa City, one of which is Ikhtilath violations committed by teenagers in general. Therefore, the Islamic Sharia Service coordinates with the Communication, Information and Statistics Service (Diskominfo) for Langsa and Aceh levels to be able to block sites that present negative things such as pornography, online gambling and other things that can damage and have a bad influence on the next generation.

The efforts made are in an effort to prevent *khalwat* violations committed by children in Langsa. In accordance with Article 13 of Aceh *Qanun* Number 9 of 2008 concerning the Development of Traditional Life and Customs which explains that there are 18 types of disputes/disputes that can be resolved according to custom. Violations of *khalwat* (obscenity) are included in cases that are resolved through custom.

3. The Obstacles and Efforts by *Wilayahul Hisbah* in Carrying Out its Role in Preventing *Khalwat* Violations in Langsa

According to *Wilayahul Hisbah* officials, with the joining of *Wilayahul Hisbah* with Satpol, many problems occurred regarding the main tasks and functions, authority and role of *Wilayahul Hisbah*.²³ WH as part of Satpol PP has a big role for WH in implementing Islamic Sharia as explained above. *Wilayahul Hisbah* is the enforcer or organization that supervises and carries out the process of implementing Islamic Sharia in Aceh, but the WH is not given the right to make arrests

23 Rully Akbar, Said Musnadi, Teuku Roli Ilhamsyah Putra, "The Effect of Organizational Commitment, Emotional Intelligence and Compensation on Performance of Satpol PP and WH Aceh Employee Through Job Satisfaction," *International Journal of Scientific and Management Research* 3, No. 3 (May-June 2020): 8-22a

if things happen that are not carried out in accordance with existing regulations. As one of the institutions that oversees Islamic Sharia in Aceh, *Wilayahul Hisbah* certainly has a very big role in preventing various violations of Sharia, one of which is violations of Sharia regarding *khalwat*.

The obstacles faced in preventing *khalwat* violations against children in Langsa include: Limited time for monitoring. Supervision of the implementation and violations of laws and regulations in the field of Islamic Sharia, especially in the field of *khalwat* in the Langsa area, is carried out by *Wilayahul Hisbah*, which is limited to carrying out supervision during the day and at night to prevent *khalwat* violations from occurring. Apart from that, *Wilayahul Hisbah* must also inform the public about the existence of laws and regulations in the field of Islamic Sharia. The time that WH has is not commensurate with the number of people who will carry out the monitoring.

Less professional. *Wilayahul Hisbah* officers should have professional skills in preventing *khalwat*. This professionalism should be carried out properly and correctly when providing guidance, such as reprimanding, warning and advising someone who is suspected of having committed a violation, namely *khalwat*. *Wilayahul Hisbah* tries to stop *khalwat*, but sometimes the action to do so is stopped because it is known or has spread, so that when carrying out raids, the place where the raid is being carried out is quiet and there is no activity.

Lack of public understanding about *khalwat*. When the WH carried out raids related to activities/actions that were suspected of violating laws and regulations in the field of *khalwat*, the community did not want to accept or even fight back. The WH does not have the legal power to forcibly arrest parties who commit *khalwat* violations because the WH is not a civil servant like an investigator. This weakness is what causes WH to sometimes be unable to carry out its duties maximally and resolve the *khalwat* case through the Gampong customary meeting. Apart from that, *Wilayahul Hisbah* must also notify related parties about allegations of misuse of permission to use a place or facility or committing acts of *khalwat*. When *Wilayahul Hisbah* immediately jumps into a field that is considered prone to *khalwat*, if someone is caught in a behavior they are immediately taken to the office to be given guidance and then invite the guardian of the party caught to give testimony so that the act will not happen again, if it does, it will given legal sanctions in accordance with the applicable *Qanun* with the aim of raising awareness to improve oneself and return to the straight path that is approved by Allah SWT.

The role of *Wilayahul Hisbah* in preventing *khalwat* is to enforce the amar ma'ruf nahi munkar, especially preventing *khalwat*. If *Wilayahul Hisbah* directly sees the person committing *khalwat*, they will be arrested, processed, if they can be identified, they will be supervised, make a report and hand it over to investigators. *Wilayahul Hisbah* will give testimony that the person was caught alone, investigators will

investigate Again, after being investigated, the investigator delegates it to the prosecutor, so the prosecutor investigates again, completes the evidence after the evidence is complete, can it be submitted to the court, if the prosecution completes the witnesses and evidence, it is submitted to the Sharia Court, so the Sharia Court is the one who decides whether to be caned or not or let go or what, how many canes, how much is the fine, how long will it be in prison, so that's up to the judge who decides the case, he can't deviate from the *khalwat Qanun*, and there are provisions for punishment.

Wilayahul Hisbah has played a significant role in preventing *khalwat* and has also carried out its duties properly, such as carrying out outreach, supervision, and also carrying out weekly patrols in suspicious places and places of concern, such as huts that are considered vulnerable a violation will occur. If someone is caught, *Wilayahul Hisbah* will advise them and if they have crossed the limit they will be processed and taken to the *Wilayahul Hisbah* office.

Budget limitations. The *Wilayahul Hisbah* institution is very important, but *Wilayahul Hisbah* in carrying out its role and duties is still limited to the budget. According to him, *Wilayahul Hisbah* has not been optimal in carrying out its role, such as visiting very distant places where seclusion is thought to exist. When carrying out their duties, WH parties are only given travel money, if they want to make an arrest they have to work side by side with the police, sometimes the budget is very limited.

D. CONCLUSION

Qanun provisions related to the role of *Wilayahul Hisbah* in preventing seclusion by children in Langsa include *Qanun* No. 6 of 2014 concerning Jinayat Law, *Qanun* No. 7 of 2013 concerning Jinayat Procedural Law, *Qanun* No. 11 of 2002 concerning Implementation of Islamic Sharia in the Sector of Aqidah, Worship and Sharia of Islam, *Qanun* 14 of 2003 concerning *Khalwat*, Law No. 11 of 2006 concerning Aceh Government Law, Law No. 5 of 2007 concerning Organizational Structure and Work Procedures of Services, Technical Institutions. Aceh Governor's Decree No. 1 of 2004 concerning the Organization and Work Procedures of *Wilayahul Hisbah*. The role of *Wilayahul Hisbah* in preventing *khalwat* violations is by increasing the role of guidance, supervision, implementation of Islamic law by increasing the community's insight into *khalwat*, increasing the role of the duties and authority of *Wilayahul Hisbah* in implementing prevention guidance and understanding the provisions of *khalwat* to the community. Upaya yang dilakukan adalah sebagai upaya untuk mencegah pelanggaran *khalwat* yang dilakukan oleh anak-anak di Langsa. The efforts made are an effort to prevent *khalwat* violations committed by children in Langsa. In accordance with Article 13 of Aceh *Qanun* Number 9 of 2008 concerning the Development of Traditional Life and Customs which explains that there are 18 types of disputes/disputes that can be resolved according to custom. Obstacles faced by *Wilayahul Hisbah* in implementing the prevention of *khalwat* violations against children in Langsa include limited time to carry

out supervision, lack of professionalism in carrying out tasks, limited budget, lack of public understanding about *khalwat* and lack of public legal awareness about the importance of *Wilayatul Hisbah*.

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