

## **Role and Interaction of Commission VII In Policy Making Based On Islamic Sharia In The Aceh Parliament**

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**Abstract:** This study aims to determine the role and interaction of House Commission VII Aceh policy decisions based on Qanun No. 8 of 2014 On the Principles of Islamic Shari'a and to determine the factors that pose challenges and drivers of the roles and interaction of the Commission VII of the House of Aceh in the implementation of Qanun No. 8 2014 On the Principles of Islamic Shari'a. This study used a qualitative approach. In doing any studies required the participation of all parties committed in Islamic Law by the government of Aceh, as known DPRA very influential in all the policies carried out and implemented by the government of Aceh through the policy of Governor. In all policies that do certainly necessary roles of all parties, so that what is done can be accepted by the people of Aceh and the Qanun even passed no rejection of the people of Aceh. Where in the operations to be carried and all components must have a role in making the necessary policy role of all parties so that all derivative Qanun No. 8 of 2014 on the Principles of Islamic Shari'a can run well. Where in all processes carried out the necessary role of all parties in the review so that Qanun even passed be accepted by the Society Plenty. Where in each execution carried out must be executed in accordance with the policy which will be conducted in each of the Qanun-Qanun there and in Qanun by DPR Aceh alone.

**Keywords:** Roles, Interaction, Policy Making

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### **I. INTRODUCTION**

Aceh People's Representative Council (DPRA) is equal to the term of Parliament mentioned earlier. More specifically this institution serves as stipulated in Article 4 of the Rules of Procedure of the House of Representatives Aceh No. 1 Year 2009 on Parliament Aceh include: Legislation, Budget and Oversight. These three functions referred to in paragraph (1) is executed within the framework of the Acehnese people representation, so that in running an arbitrary targeted "Establishing Aceh Qanun discussed with the head of the Aceh Government (governor) for approval together. Discuss and given a written consent of the APBA Qanun draft submitted by the Government of Aceh and undertaking reviews of the implementation of Qanun Aceh and other laws and regulations.

Equality policies referred to in this Act given to the Parliament, especially the House of Aceh to ensure equality of tasks kedewanan with local government, then the numbers (I: 21) General alinia both explanations of Government Regulation No. 24 of 2004 stipulates that: Position equivalent meaning that between parliament and the local government have the same position and parallel to each other in the sense that oversees, while the relationship is a partnership means that Parliament is a partner of the local government in regional policy making to implement regional autonomy in accordance with the duties and functions of each. Based on that between these two institutions are required to maintain and build a harmonious working relationship with each other and should support each other in regional task and not an opponent or competitor.

Correspondingly, the Members of the Board of Representatives (DPR) in Aceh not only as legislation, budgeting and evaluation, but also as a legislative (representative) to represent and promote the interests of the people all of the various aspects, especially to represent the people in each electoral district respectively. Therefore, a member of the House is expected to have the capability: Collect and formulate the interests of the people; Aggregation of the various interests that will be distributed; Distribute and promote the interests of the and; Evaluation and accountability to the people.

While the technical authority and the specific functions of Parliament can also be seen in the provisions of Article 46 of Law Number 32 Year 2004 on Regional Government jo. Article 43 of Government Regulation No. 25 Year 2004 on Guidelines for Preparation of Standing Orders of Parliament, Parliament of fittings

comprising leaders, commission, committee deliberations, the budget committee, the body of honor and other necessary fittings.

DPRA fittings consist of a Chairman, Consultative Council, the Commission, the Regional Legislation Board, the Budget Committee, the Ethics Council, Household Affairs Agency. If based on the conditions needed other fittings will be formed by the Plenary Meeting. Based DPRA Regulation No. 1 of 2014 on Standing Orders and councilors, the Commission is formed as follows:

- a) Commission I(Law, Politics and Government);
- b) Commission II(Economic Affairs, Natural Resources and Environment);
- c) Commission III(Finance and Investment);
- d) Commission IV(Field Development and Spatial Planning);
- e) Commission V(Education, Science, and Technology);
- f) Commission VI(Health and Welfare);
- g) Commission VII(For Religion and Culture);

Based on the above it is understood that the Commission VII of the House of Aceh is one of the commission has a role and responsibilities in full towards the discussion of a number of rules, including rules relating to the implementation of the Shari'ah. The provisions of the General Qanun No. 8 of 2014 Article 1, paragraph 3 explains that the Government of Aceh is the provincial government in the system of the Unitary Republic of Indonesia based on the Constitution of the Republic of Indonesia Year 1945 who held government affairs conducted by the Aceh Provincial Government and the House of Representatives Aceh in line with the functions and authority of each (Qanun Aceh No. 8 of 2014). Later in the chapter II on Governance Implementation of Islamic Shariah Qanun No. 8 of 2014 Article 4 point 1 describes the Islamic Sharia implemented in an integrated and coordinated at all levels of government in Aceh under the direction of Wali Nanggroe; point 2 explains that the integration and coordination as referred to in paragraph (1) shall be based *siyasah shar'iyah* by promoting welfare and harmony and avoid *kemudharatan*. At point 3 explains that *Siyasah syar'iyah* referred to in paragraph (2) based on the principles of: a. Interest *pensyariatan* (*al-maqashid al-syar'iyah*); b. Policy and laws (*al-tasyri wisdom*"); and c. Rule jurisprudence *kulliah*, *ushuliyah* rules and principles of the Shari'ah.

This research aims as follows: to determine the role and interaction of House Commission VII Aceh policy decisions based on Qanun No. 8 of 2014 On the Principles of Islamic Shari'a and to determine the factors that pose challenges and drivers of the roles and interaction of House Commission VII Aceh implementation of Qanun No. 8 of 2014 On the Principles of Islamic Shari'a.

## II. LITERATURE REVIEW

### 2.1. Role theory

According Soekanto (2002: 243) that the role is a dynamic aspect of the position (status), if the person carrying out the rights and obligations in accordance with his position, he runs a role. Therefore, the role is a concept that can be implemented by the behavior of individuals in the community as an organization, or that the role is an attitude or behavior which is expected by many people or group of people to someone who has a certain status or position. Theory to analyze the role of the tasks carried out by people or institutions that have accrued to both formal and informal. Indonesian dictionary there are two terms that appear are the roles and role. The role is a set of behaviors expected of the resident community. The role is a portion of the main tasks that must be implemented. Selly in Salim (2014: 141) defines the role or the role is "The function or position that subject or expected to have an organization, in society or in relationship".

### 2.2. Theory of Regional Autonomy

Suparmoko (2002: 61) defines that regional autonomy is the autonomous regional authority to regulate and manage the interests of local communities own initiative based on the aspirations of society. While the meaning of autonomy under the Act No. 32 2004 article 1, paragraph 5, of Regional autonomy is the right understanding, the authority and the obligation autonomous regions to set up and manage the affairs of government and public interests in accordance with the legislation. Thus a policy of regional autonomy and the authority granted by the central government to local governments to regulate and manage their own local needs in accordance with the needs of existing and developing in the area. Syafrudin (2009: 23) says that autonomy has the meaning of "freedom and autonomy but not independence. Limited freedom or independence is a form of an opportunity that must be accounted for".

### 2.3. Theory of Government

Government is an organization composed and composed of a group of people who have power or are given the power to manage and master. Strong CF Legal Experts in government argues Dahlan Talib comes from

the government to get the suffix "an". So the government is an organization authorized to exercise the powers of sovereignty. In a broader sense, the government is something that is greater than the weight of ministers, a notion which is often used in the present when referring to the cabinet in the UK as an example of the present government (Dahlan Thalib, 2004: 7-14).

#### **2.4. Theory Shari'a**

Yusuf Qardawi (2003: 13) says that the word is derived from the Shari'a al-syai`aSyara`a means describing or explaining something. Or is derived from the word syir`ah and Shari'ah which means a place to take water directly so that people who take does not require the aid of Lain. According to Al-Mawardi in the book *The Legitimacy of the Islamic State* that Shari'ah is a tool to bring people into the shade where the rulers and the people have equal standing before God Almighty. Suryana (1997: 107) says that Shari'a derived from the word meaning syirath road, the road to the springs or the way that must be passed by the Muslims. Meanwhile, according to the term Shari'ah are laws and regulations that legislated Allah to His servant, whether it Syari'at in the Qur'an (through revelation) or through the sunna of the Prophet Muhammad. In other words, Shari'a is a system of norms that govern human relationships with God, man to man and man's relationship with nature".

#### **2.5. Interaction theory**

MenYoung sequence in Gunawan (2000: 31) interaction is "mutual contact between two or more people". Meanwhile, according to Max Weber in Hernawan (2010: 14) explains that social interaction is "the act of an individual who can affect other individuals in a social environment". Social act or behave in an individual should take into account the presence of other individuals present in the environment. It is important to note because of the actions of social interaction is the embodiment of the relationship or social interaction. According to Susanto (2012: 32) interaction occurred "as a result of the communication process, namely the interplay between one individual with another individual in a society that resulted in a change in society or social process".

### **III. RESEARCH METHOD**

#### **3.1. Research approach**

The approach used in this study is using qualitative descriptive approach, meaning procedure troubleshooting using data that is expressed verbally and classification is theoretical, not processed through mathematical calculations with various statistical formulas. In qualitative research, because of the problems brought on by researchers is still tentative, the theory used in the preparation of qualitative research proposal is also still provisional, and the theory will develop in accordance with field or Local research.

#### **3.2. Research focus**

The formulation of the problem in qualitative research focus is tentative, it means perfecting the formulation of focus or issue is still not done when the research was in the field. The focus in this study are:

1. Role and interaction of Commission VII of policy making based on the Islamic Shari'a in local legislatures.
  - a. Task - the task of the Commission VII
  - b. Function - the function of the commission VII
  - c. Interactions in the policy making in local legislatures
2. Constraint Indicator - difficulties in implementing policy decisions
  - a. The pressures of fractions
  - b. Interaction with Parent Party
3. Drivers Indicators in implementing policy decisions
  - a. Implementation of the Qanun
  - b. Member commitment

#### **3.3. Data analysis technique**

In this study, data analysis done since before entering the field, during the field, and after completion of the field. According Moleong (2014: 247) the data analysis process starts with examining all available data from various sources, from interviews, observations that have been written in the field notes, personal documents, official documents, images, photographs, and so on.

#### **IV. DISCUSSION**

##### **4.1. And Interaction Commission VII role in policy-making is based on Islamic Law in Aceh Parliament**

Commission VII varying success in carrying out its role in accordance with Auth and reality include:

- 1) Umrah pilgrims dispatched success through service Iskandarmuda Sultan of Aceh Besar, using Airlines Garuda Indonesia and Lion Air since 2015. Each year the number of Umrah via Sultan Iskandarmuda Aceh Besar reached 24 thousand and the number of Teros increased.
- 2) Increase the number of border da'i
- 3) Improve the performance of the Civil Service Police (municipal police) and the WH (WH).
- 4) Successfully creating halal tourism in accordance with Islamic Shari'a
- 5) Successfully managing Baiturrahman Grand Mosque as a symbol of the people of Aceh

Functions that are very fundamental and important is how the provincial parliament conduct an administrative supervision, Supervise and control is an important responsibility in every legislature in the provincial parliament which in all activities undertaken certainly takes the role of all parties so that it can run properly, which in many policies to be taken, it is a concept that is done in each Qanun should be a good consideration.

as the executor of activities to be performed required the participation of all stakeholders. where in doing functions in the Commission VII in which the policies to be implemented must be made do government policies in Aceh Especially the direct proximity with the Commission VII society as implementers must perform appropriate functions in the Commission VII. In all policies that would do the exact role of all components in the implementation of which do the exact policies that regulated in Aceh Qanun No. 8 of 2014 On the Principles of Islamic Law, which in all policies to be taken in every decision must have no influence positive and negative,

Stages and policies that must be taken by the provincial parliament in particular Commission VII, in doing any studies on the operations to be carried must be implemented properly and in accordance with what will be done in each program and policies to be taken by policy makers, which in the execution made and policies implemented must correspond with what is written in the Qanun No. 8 of 2014 on the Principles of Islamic Shari'a. where in doing all government policies in Aceh, and the operations to be carried must be in accordance with the Qanun No. 8 of 2014 on points of Islamic Law to be adopted by the parliament speaker,

As executor done in implementing Interaction conducted in policy making in local legislatures, so therefore in all behaviors policy be executed certainly needed the appropriate role in the implementation conducted by the commission VII, as in Aceh Qanun On the Principles of Shari'a Islam, which will be carried out in the decisions and policies to be taken by the policies in local legislatures, where the changes were made in each of making policy in which the implementation is done must be in accordance with the policies carried out, and this is a very important part in the operations to be carried and a very important part in all operations to be carried in a development that will be carried out in the Commission VII, as policy makers and Social Reality based policy Qanun No. 8 a tender in 2014 On the Principles of Islamic Law are enforced in this province of Aceh is one province that is based on Islamic Law in the Republic of Indonesia, as the commission VII then on, they have an obligation in doing all the process in the application of Islamic Sharia in Aceh, as the head of department of Islamic Sharia in Aceh, in this very expects the Commission VII in which the execution of tasks in the field of religion and culture have to do every program run by the Government of Aceh based on Shari'a, the role of the Commission VII is so important that the implementation of Qanun No. 8 of 2017 on the Principles of Islamic Law can run well. In the implementation is done in the implementation of the necessary policy decisions are made so that it can be done well, as the Qanun other policies discussed in the meeting of the House of Aceh, Qanun No. 8 of 2014 On the Principles of Islamic Law committed in the conduct policy pursued in the implementation of policies within each policy to be carried out, where in all the policies carried out and the necessary support from the community. Then Qanun No. 8 of 2014 On the Principles of Islamic Law committed in the conduct of policy taken in the implementation of policies within each policy to be carried out, where in all the policies carried out and the necessary support from the community. Then Qanun No. 8 of 2014 On the Principles of Islamic Law committed in the conduct of policy taken in the implementation of policies within each policy to be carried out, where in all the policies carried out and the necessary support from the community.

##### **4.2. Indicators constraints in implementing policy decisions**

This needs to be done in the development and implementation conducted must be conformed instructions and certainly Qanun produced must correspond to what we do as the executor run pasting Responsibility Commission VII also very great because the field they are doing is a problem related to the field of religion and culture this then in coordination with the relevant stakeholders is also very important so that all can run well. as the executor of policies made sure required all parties to make a change in the implementation of Islamic law in Aceh. In implementation each Qanun in Aceh will not be able to run well,

as in an execution carried out and executed in an execution. it is therefore in a made in the implementation of Islamic Law required a interaction good by all the party stakeholders in Aceh, on the other hand it is well known interaction of Members with the party Parent is also very important, as is known in the implementation of politics is also very close to a policymaking, where Parent Party's position as a provider of Mandate into an own judgment of board members in making a decision that will be taken by the council members in local legislatures.

An application Qanun will not run well, if public participation is not involved, where the Community Participation actively will increase both the effectiveness of the implementation of the regulation, therefore the provincial parliament should open the opportunity for the public and the parties khususnya stakeholders and other parties, to take part Partisipasayi in all the stages of the formation of legislation or Qanun. Therefore, in order that every man knows, Qanun which has been approved to be promulgated by placing it in the sheet area in a sheet promulgation of the Regional Peraturan region itself.

#### **4.3. Pusher indicators in the implementation of the Policy Making**

Therefore, in the implementation of the Qanun conducted by the government, should see the effectiveness and efficiency that any legislation be made because it is really needed and useful in regulating the life of society, nation and state. As known in the commission's role is crucial VII.

As one local government has a role in conducting an assessment in a process carried out in an implementation of Islamic Shari'a, in each of which do certainly needed a base that must be done to improve an assessment of the processes carried out in the regulations in Aceh government in particular Act - Act No. 11 of 2006 and Qanun Aceh number 8 of 2014 on the Principles of Islamic Shari'a. in doing some form of relationship must have the necessary form good relationships should happen when the executive and Parliament have the same vision in running the government and aims to benefit the region itself (Good Governance), with the characteristic transparent, democratic, good, fair, accountable and Objectify, so that each Qanun even though be accepted by society. therefore in the process of a development in Aceh, Base on the advance of referring to the Islamic Sharia. In addition please note the product produced by the Aceh provincial parliament.

In implementation conducted required a commitment of Members is very important in conducting a study to be carried out in an implementation of Islamic Law in Aceh, then by a policy carried out must be implemented properly so that the policies implemented will go well, in all policies run , the role of all components is essential. Which in practice other than Commitments Members in each draft Qanun also requires commitment local governments and parliaments in producing a Qanun is also very important that the commitment of local government to provide local governments to provide power designers of legislation that controls both the technical aspects as well as aspects of the substance of each Qanun will be conducted in Community life,

## **V. CONCLUSION**

### **1) Policies in the implementation of Aceh Qanun No. 8 of 2014 on the Principles of Islamic Shari'a.**

As well known to Aceh or the government of Aceh is a province which is a unit of community is privileged by a special authority to regulate and manage the affairs of the government of Aceh and the interests of local communities in accordance with the legislation in the system and the principle of a unitary state of the Republic of Indonesia in 1945, led by a governor, which in the implementation of the guidelines should be in accordance with the Quran and al-Hadith as the main element in the religion of the people of Aceh in particular and Indonesia in general. Where in a policy carried out in a program undertaken in conducting all the policies in the application of Islamic Sharia,

### **2) Implementation of Aceh Qanun No. 8 of 2014 on the Principles of Islamic Law**

Implementation of Aceh Qanun No. 8 of 2014 on points of Islamic law committed by the provincial parliament and the Government of Aceh where in an implementation that do certainly need a policy that is carried out, as the provincial parliament in particular in the Commission VII overseeing part of religion and culture, where members are elected by representatives community Aceh, in the conduct of each implementation will not work well if there is no support from organizations and councilors, the Government of Aceh and the Aceh people themselves, which in the implementation of Aceh Qanun No. 8 of 2014 on the subject of Islamic law in article 3 paragraph 1 and 2 explained as follows:

- a. Implementation of Islamic Law regulated in Qanun is aimed at applying Islamic law as a whole.
- b. Shari'a law referred to in paragraph 1, intended to protect religion, life, property, intellect, honor, dignity, nasab, society and the environment.

### **3) The Role of Stakeholders in the implementation of the measures taken in Aceh Qanun No. 8 of 2014 on the Principles of Islamic Shari'a.**

The role of stakeholders is a very important part in any execution carried out in running Qanun well where the involvement of all components of the Stakeholders, will we see the success or failure in an

exercise of the Qanun dijalankan in each Qanun done certainly required sauatu consideration as executor done in Shari'a law. Within each what certainly necessary role in every execution carried out where in the implementation of Qanun No. 8 of 2014 on the Principles of Islamic Shari'a, as the Qanun No. 8 of 2014 on the Principles of Islamic Law which in Article 4, paragraph 1, 2, 3 and 4 as follows:

- a. Islamic Sharia implemented in an integrated and coordinated at all levels of government in Aceh under the direction of WaliNanggroe.
- b. The integration and coordination as referred to in paragraph 1, carried out by Islamic Sharia by promoting welfare and harmony and avoid harm
- c. Siyashshariyyah as intended in paragraph 2 by Principle:
  - (1) Interest reservations (al-al-sharmadashidiyyah)
  - (2) Policies legislation (Hikmah al tasyri) and
  - (3) Methods Fiqh lecture, Ushuliyyah Methods and principles of the Shari'a.
- d. Siyashshariyyah referred to what paragraph 2 implemented by the government of Aceh, the district / city, Assembly of Ulama, Privileges Institute Aceh and the Court sharVertikanIyah and other agencies in accordance with their respective authorities.

Where in any implementation of Islamic Law must have the necessary role of all parties in carrying out a policy which is based on the policy conducted, where in each execution carried out certainly takes the role of all party, as executor in any policy that do the exact roles of all parties is crucial in implementation of Islamic Sharia in Aceh Qanun. so that in each implementation is done can work well, as the executor in each what the exact roles of all parties is required in order to run properly. Where in each of the programs undertaken and implemented to run well especially in Shari'a law in Qanun No. 8 214 on points of Islamic law in Aceh,

#### 4) Aceh's provincial parliament and government role in the implementation of Islamic Law in Aceh

As an executive in every policy pursued in Shari'a law, the role of the provincial parliament and government of Aceh in carrying out or success of any policy pursued in the lives of the people of Aceh, as part of an exercise that is done certainly required the participation of each component in the conduct and carry out what done and is certainly a very important role in implementing all the policies carried out and appropriate Qanun legalized by the provincial parliament and the Governor of Aceh, which is expected in the application of Islamic law in Aceh, any errors that occur must be processed by not making a choice between the public regular and officials who carry out policies that are not in accordance with Islamic Shari'a in Aceh, in doing any studies required the participation of all parties committed in Islamic Law by the government of Aceh, as known DPRA very influential in all the policies carried out and implemented by the government of Aceh through the policy of Governor.

In all policies that do certainly necessary roles of all parties, so that what is done can be accepted by the people of Aceh and Qanuneven passed no rejection of the people of Aceh. Where in the operations to be carried and all components must have a role in making the necessary policy role of all parties so that all derivative Qanun No. 8 of 2014 on the Principles of Islamic Shari'a can run well. Whwere in all processes carried out the necessary role of all parties in the review so Qanuneven though be accepted by the Society Plenty. Where in each execution carried out must be executed in accordance with the policy which will be conducted in each of the Qanun-Qanun there and in Qanun by DPR Aceh alone.

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