BIoHS-Journal

Britain International of
Humanities
and Social Sciences
Journal

Volume 1

Number 1

June 2019

BIoHS-Journal
Britain International of
HUMANTIES and SOCIAL Science

Vol. 1, No. 1, June 2019

Message from the Editor

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Britain International of Humanities and Social Sciences (BioHS) Journal, June
Vol 1, No 1 (2019)

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A Comparative Study of the Psychoanalytical Portrayal of the Women Characters by Virginia Woolf and Zoya Pirzad

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Abstract :
Looking backwards at a century of capricious discourses, now after another turn of the century, one easily comes to the common point in all Feministic discourses; which all are as efforts to prove women's presence and their equality to men in various aspects of life. The passage of the decades did not mutate the nature of all these feminine studies; just have posed the topic in diverse areas; for the whole body of the Feminist dialogisms and ideas were appointed by patriarchal discourses. This indicates that the current feminist dialogisms are not totally feminine discourses, rather, feminine-masculine ones formed out of men's mischievousness saving their patriarchal authority which changes the discourses to a masculine/feminine relation. However, what nowadays Feminism, as a school of thought, needs is a feminine intuition, that is a moment of feminine epiphany, by which not only women will be able to reach a new understanding of femininity but men also will recognize the essence/existence of females. Discussing Virginia Woolf's dialogism in 'A Room of One's Own' and two novels by Zoya Pirzad (Persian narratives of a highly male dominated society) the study concludes that Feminism needs an intuitive feminine epiphany; an epiphany that both sexes should come to in a society, to enable the school of feminism to come to a purely feminine dialogics and be released from all the mischievous feminine-masculine discourses.
Keywords :
Feminism; Feminine-masculine discourse; Feminine Epiphany; Feministic Dialogism.

I. Introduction

Feminist literary criticism through its various lineaments has invested hyperfastidiously in harnessing sign systems so as "to find out how woman comes to be positioned in preordained social roles—daughter, wife, mother—within the restrictions of an inherited patriarchal circuit" (Wright, 14). The entire social mores for feminists had been built on virility of signs in their world; so that the pompous macho would have called any attempt pursuing muliebrity as the 'witch in the attic'. Charlotte Perkins Gilman (1860-1935) cryptically asserts the feminist penchant for having a room of their own in "The Yellow Wallpaper", though the socioeconomics of nineteenth century would not facilitate women for even a clear-cut proclamation, let alone for having such a room. Despite all the efforts of female—uncanonized—writers of the age such as Kate Chopin (1850-1904), feminist had to wait till Virginia Woolf (1882-1941) create a first draft of a conceivably feminist manifesto in *'A Room of One's Own'* (1919).

For Gilman's narrator the only possible loophole of her masculinized 'asylum-room-home' is 'insanity'. She has the room as one for herself, though yellow wallpaper surrounds her perpetually so that she becomes more cognizant of her status qua as the 'lady of the home', and of the social expectations of her to be the 'angel in the house', the true woman. Put it otherwise, although she has a room, the more she ponders on the chaotic patterns of its wallpaper, the more lucidly she beholds the woman behind the bars. She is entangled in opaque chaotic ivy patterns of the wall. In this regard, even having a room of one's own would not sooth the challenged feminity. However, Woolf's abstruse notion of a room goes beyond opacity of a wallpapered room. She

pursues socioeconomic datums to come to a room of her own. Woolf asserted that men treated women as low-level, nether creatures till the time and would continue their way. In her view, what 'being a woman' means is sketched by men; so, women need to do something about the masculine outlook of femininity.

While the two World Wars and the subsequent economic crisis marginalized the newly blossoming feminist ideas, till 1949 when *'The Second Sex'* was published by Simone de Beauvoir. The French author once again, approximately two decades later, attracted criticisms to feminism. In her book, gradually regarded as the basic manifesto of feminists in twentieth century, de Beauvoir insisted the previously posed ideas that all societies are patriarchal, as identical to Woolf, she believed that this is masculinity that defines what 'being a human' is.

II. An Overview of Feminism: Feminine Epiphany

In de Beauvoir's view if women really want a status, they should deconstruct the structures of the masculine society and present their own definition of feminity. This definition would be the proof of woman's presence and existence counter-intuitive to masculine canon of knowledge in power. It can be asserted following Hesse-Biber that:

> Feminist perspectives also carry messages of empowerment that challenge the encircling of knowledge claims by those who occupy privileged positions. Feminist thinking and practice require taking steps from the "margins to the center" while eliminating boundaries that privilege dominant forms of knowledge building, boundaries that mark who can be a knower and what can be known. For Virginia Woolf, it is the demarcation between the "turf" and the "path"; for Simone de Beauvoir, it is the line between the "inessential" and the "essential"; and for Dorothy Smith, it is the path that encircles dominant knowledge, where women's lived experiences lie outside its circumference or huddled at the margins. (3)

Yet, living in the present era, having passed the century posing all these discourses, it should be no longer a necessity for women, according to de Beauvoir, to prove their existence; rather they have to recognize the feminine aspects of their existence, and to define the feminine aspects of humanity. Caroline Ramazanoglu and Janet Holland confer that feminists "have made a range of claims about the position of women in relation to men, and about male domination of social theory. As a result, recent feminism and its claims to knowledge have confronted with three different sources of criticism" (3).

They gauge the challenges to 'feminist knowledge' claims that are rooted in the "dominant approaches to science, reason, progress and truth" in relation to women's experience. Besides, the 'colonial and imperial history', and the 'uneven development of global capitalism' for them is rudimentary to such knowledge. They indicate the current criticism on feminists failing to 'produce rational, scientific, or unbiased' knowledge. The result is that feminist thought "has been treated in many academic institutions as marginal, or as intellectually inferior to existing modes of thought" (They quoted from Arpad 1986; Stanley 1997). Then, if feminists claim the dominant social dialogisms as masculine, they should be able to pose an unbiased or a feminine dialogism in this knowledge. However, the current feminine dialogisms are still hefted by the masculine dialogism.

Still another challenge to feminist dialogism is the sundered discourses that waiver the possibility of generalizing any feminist idea. In the previous turn of the century (19th to 20th) when Chopin and Gillman were dominant, 'feminism' was generally an advocacy of women's rights; such as education, motherhood, sexuality, working, or political representations. Some of these campaigns led to ideas challenging male peremptory control on women's minds; which, in its

following century became the threshold for oppugning male dominance and power relations. Though, no distinctive feminist theories and practices were developed, and feminists drawn on assorted ways of thinking.

To come to some epitome of feminist discourse, feminists harnessed literary world, in which they faced cases representing the platitude role of women in literature: women were always men's beloved ones, beauty goddesses, or thoughtless creatures; no woman could have ever reach the literary canon as Wordsworth and Dickens; in all cases women were mostly of secondary and valueless roles; and men never let any female name into the literary canon. Therefore, it was crucial to find and introduce literary works by women and create a feminine literary canon. They took advantage of Kate Chopin's *'The Awakening'* (1899), Doris Lessing's *'The Golden Notebook'* (1962), and Monique Witting's *'Les Guerillers'* (1969). In the 1980's the feminist theorist, Elaine Showalter, introduced "gynocriticism", through which she tried to unify the feminist theories and codifies the feminine criticism strategies (Bressler, 2007). Gynocriticism has been disserted on four criteria models: 1) Biological model, focusing on how the biological features of female body can influence her writings and how the images, metaphors, etc. indicates the feminine biological features in the text. 2) Linguistic model, concentrating on the different linguistic exploitations of men and women. 3) Psychological model, based on psycho analysis and feminine nature, that how feminine spirit can affect the text. 4) Cultural model, studying the influences of the society in which a female author lives on her goals, needs and viewpoints. Still, these view point were subject to criticisms:

> French feminists like Hélène Cixous and Catherine Clément (1986), Luce Irigaray (1991), and Julia Kristeva (1986) were accused by social constructionists of biological essentialism, of establishing the female body and maternity as foundational and symbolic sources of woman's psychic and sexual difference…post-structuralist critics, like Judith Butler, expose even the materiality of the body as "already gendered, already constructed." Extending her argument that gender and sex are the result of the "ritualized repetition" of certain behaviors designed to render the body either "intelligible" (normative, heterosexual) or abject (unthinkable, homosexual), Judith Butler asserts that the body itself is "forcibly produced" by power and discourse. (Hesse-Biber, 7-8)

During all these years and debates, women's effort was focusing on changing the views of the patriarchal society on women's nature and female essence. They were trying to indicate the mistakes in men's views, yet, they were not to present the true essence of women. In the opening of "*A Room of One's Own*" Virginia Woolf asserts:

> But, you may say, we asked you to speak about women and fiction — what, has that got to do with a room of one's own? I will try to explain…They might mean simply a few remarks about Fanny Burney; a few more about Jane Austen; a tribute to the Brontës and a sketch of Haworth Parsonage under snow; some witticisms if possible about Miss Mitford; a respectful allusion to George Eliot; a reference to Mrs. Gaskell and one would have done. But at second sight the words seemed not so simple. The title women and fiction might mean, and you may have meant it to mean, women and what they are like, or it might mean women and the fiction that they write; or it might mean women and the fiction that is written about them, or it might mean that somehow all three are inextricably mixed together and you want me to consider them in that light. (1)

She continues her discussion, not on the woman and story, but on the problem of "being a woman" and woman's status in the society, and refers to 'man' as an obstacle or barrier for 'woman'. She

puts 'Lord Alfred Tennyson' along together with a Christina Rossetti[1], and focuses on the role of the later in English literature and regards her as tantamount to the former. Woolf endeavors blaming men as the only guilty party, and exonerating all women. She concludes that man is furious:

> They had been written in the red light of emotion and not in the white light of truth. All that I had retrieved from that morning's work had been the one fact of anger…The professors—I lumped them together thus—were angry. But why? …standing under the colonnade among the pigeons and the prehistoric canoes, why are they angry? …What is the real nature of what I call for the moment their anger?   (30)

Woolf refers to one of the unjust viewpoints of patriarchal society on women under the appellation of 'men's sense of pride and superiority over women' (31). Implied in her discussion is that this anger stems from another element often present but opaque to perceive. She confers that "to judge from its odd effects, it was anger disguised and complex, not anger simple and open" (30). Yet, she does not refer to men's intrinsic fear in defiance of women. She just, the same as other feminists of her era, tries to fight the inferiority of women in her own society, (which it is anti-feminine per se, for I think there is an implied acquiescence to feminine inferiority in such a presupposition). In my opinion, in order to obtain their goal, women have to fight this false and vacuity of the enlargement (a term Woolf uses) of men.

Woolf refers to the great literary characters, yet, since she regards them all as opposed to her viewpoint, states that they are all fiction and not real ones. If it was so, what was the necessity to tell stories about women? 'Women of Troy', 'Medea', 'Electra', 'Climestra'…., why should be all these women attract Seneca, the greatest Roman philosopher and orator. Woolf answers no more and insists on her states, and finally finishes her discussion as such:

> Even so, the very first sentence that I would write here, I said, crossing over to the writing-table and taking up the page headed Women and Fiction, is that it is fatal for anyone who writes to think of their sex. It is fatal to be a man or woman pure and simple; one must be woman-manly or man-womanly. It is fatal for a woman to lay the least stress on any grievance; to plead even with justice any cause; in any way to speak consciously as a woman. And fatal is no figure of speech; for anything written with that conscious bias is doomed to death. (98-99)

In this case we will see again that Mrs. Woolf does not assert anything new; since Samuel Coleridge had referred to such a case a few centuries ago. Coleridge notes that 'human mind has to contain the both sexes while perfection will be achieved through the accumulation of contradictions' (Selden). Yet, it will be credulity to have the same opinion in the beginning of the new era.

III. Discussion

Pirzad's "*We'll Get Used To*" challenges the patriarchal world. The narrative moves around Arezu's feelings, emotions, and thoughts. In the beginning of the novel, she is introduced as an independent woman, working and having all the duties just as a man. She is depicted so:

> Arezu looked at the white Citroen parking in front of the dairy market. She murmured: I bet you'll goof up boy; and waited putting her elbow on the car's

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[1] - Tennyson's contemporary female poetess.

window pane. The goatee faced driver went to and fro, to, and came back, again to, and gave up the parking. Arezu putting her hand on the back of the side seat and looked back, the goatee boy was watching, the wheels screamed and the Renault parked. (1)

The whole story, in the same trend as the very first paragraph, goes around Arezu's challenges facing the society especially the masculinity in the society. The novel begins with the idea of proving woman presence and existence; yet, no reference is made to humanist aspects of woman existence and the female essence. Arezu's condition is not suitable and she is stuck in her family's and friends' expectations. On the one hand, she is under pressure by her ex-husband, Hamid, who insist on sending their daughter, Ayeh, to France; on the other, her mother, Mah-Monir, asks Arezu marry to the guy she wants; this is what Shirin, Arezu's intimate friend, also constantly reminds her. It seems that all her immediate people try to wield their authority over her, as if Arezu is indecisive. Thus, for proving her own existence and the ability to choose and decide, she enters masculine contests, and detaches from her own feminine essence and womanly life.

Arezu's mother believes in some unwritten rules and manner of communications; rules that all have to acquiesce to. They are some feminine aristocratic rituals, in which Arezu has no role because her part is not womanly, as if Arezu's surrounding people expect her to be a man. Before her birth, her father named his shop as "Sarem and the Son Real State"; that is she had to be a boy, not a girl. Her feminity is basically dubious. Even they did not change the name of the Real State after her birth. The father once said: "what's the difference?" and so many years later Arezu answered: "wish he were alive to see there is no difference". This shows Arezu's awareness of her condition and the others' expectations. They wanted her as a son and it seems that Arezu is only an improper patch to the family; or even she is the son of the family. [Even her name, Arezu, (in Persian meaning Hope) shows the unfulfilled hope of the family, which she has to fulfill.] Her feminine existence and nature in family is dubious.

In her marriage it seems she was forced to choose one of her twin cousins, either Hamid or Hesam. They even had ignored her feminine nature, in this regard. She chose Hamid thanks to her loneliness and being guideless. Besides the choice was due to the fact that Hamid would have taken her to France and in this case she would have been released from her family in Iran. Or that in France, where freedom and enlightenment were prevalent, she could be able to activate her potentialities as a woman and no longer experience the feeling of failure. Here, there is a question: why France? Isn't it the reason that some critics believe France as the pioneer origin of Feminism?! However, Arezu does not feel comfortable there. The masculine look that ignores her feminine nature still dominates her life. Even in the current condition, her ex-husband, Hamid, constantly tempts their daughter to immigrate to France. Yet, the daughter, Ayeh does not follow her mother; rather she does what her grandmother wants. She does not credit Arezu as a mother. In the first place it is because Arezu herself wanted to divorce her husband, and so caused Ayeh to be detached from her father. The second reason is that Arezu does not play a mother role for her daughter, let alone to be both her father and mother simultaneously. Thus, Arezu neither is father nor mother, rather a supplier. While Ayeh dreams a day Arezu plays her own role: mother. Ayeh is not able to request her wish because of social situation of her mother. So, nothing would change in the mother-daughter relation.

Throughout the novel Arezu tries to prove her femininity to other and sometimes even to herself. Since she is affected by others and sometimes finds a sort of conflict between what she knows as Arezu and what other believe. This is much more seen in her relationship with her mother. She sees Arezu as if she is someone else, not an independent woman. In this regard Arezu does not have a parental feeling towards her mother, and this feeling was absent since her childhood; rather she searches such feelings to Nosrat (the housemaid). Arezu's mother regards

her as not her own daughter, rather a woman at her own age. Arezu cares Nosrat's comments as if she is her mother. The mother senses such views. While she is sick and Arezu visits her and recites some of Nosrat's quotations, she loses her temper and says: "You like the housemaid better than me; it seems she is your mother." Such relation was made as soon as Nosrat entered the house as a housemaid, when Arezu studied in primary school. Since then Arezu found the expected look and respects as a female just in Nosrat's looking, and Nosrat also believed in Arezu as a woman, so Arezu called her: "My dear darling Nosrat".

Arezu needs someone to protect and support her. She has been in limbo since her father died. She is stuck in a world full of people not knowing her feminine needs, desires, and emotions. The two close ones, her mother and daughter, are among her rejecters. Arezu has just one friend to rely on: Shirin. Their friendship relation is a haven for Arezu. But, as soon as Sohrab, a man entering the real state as a customer and gradually became her friend, enters to Arezu's life, the friendship with Shirin loses its color. Since, now this is Sohrab who is Arezu's haven, the one who first Arezu remembers as soon as she meets a problem. For instance, once she stealthy reads Ayeh's private writings on her weblog and her eyes fill with tears, she says to herself: "I should call Sohrab." Arezu and Shirin's friendship is also a refuge for Shirin. After Esfandiar's departure (Shirin's ex-husband), for his mother's accident and death, finding Arezu was as celestial gift to Shirin. Shirin never gets marry and is still waiting for Esfandiar and at the same time she hates all men, a sort of mendacious hatred to mollify herself. She says all men are the same. Replying Arezu's question "is there any exception?" Shirin says: "none."

Every day and each time after drinking her coffee, Shirin looks at the bottom of the cup to soothsay her fortune just for the sake of finding some rays of hope in Esfandiar's return. She is anxious, waiting for the man to come back and decide for her life. But Arezu is not waiting a man to come decide for her life since she is an independent woman and lives like a man, a kind of living so many women wish to have; rather than trying to find feminine originality.

Once answering Ayeh's query about Sohrab and Arezu answers: "since, just once in my whole life I decided to keep something for my own." It might be a reason that Arezu does not introduce Sohrab to her mother. Arezu feels her mother and daughter detached from herself, and knows they do not credit such a right for her. She imagines herself in solitude. She finds a man, Sohrab, and tries to keep him for herself and postpones introducing him to her family. She desperately needs a refuge accrediting her femininity. She is a woman, the fact that nobody around heeds it, for she was supposed to be a man. She is searching for a look to see her just as a woman. All the characters in the novel regard Arezu as a man owning a real state. The very first one who sees Arezu's femininity is Sohrab. Sohrab is the only one who sees Arezu's elegance, bangs, hands, and generally her whole feminine existence.

The first time Claris meets Emile, the new neighbor, is a sample of such moments of epiphany. At moment of Claris and her husband's (Artush) entrance, Emile greets them both then bows putting his lips on Claris' hand; this short kiss on the hand is a long-time kiss during which all memories of her life and Artush's behaviors pass through her thoughts, but the masculine discourse of her thought stops her from following the stream of consciousness leading to epiphany. Claris says: "Artush coughs and the twins gaze at my hand and the head of Emile Simonie ….I wish my sleeve wouldn't be wet by sweat….no time to think about…" (****).

The masculine discourse dominated Claris' mind, highlighted by her husband presence, dose not let her to think of the moment of epiphany until they are at Emile's home. When Emile wants to go to Claris' house, the feminine discourse of Claris urges her to wear some lipstick as cosmetics. Claris asserts that: "two sides of my mind conflicting with each other, finally one said the other: 'being well-ordered and neat is not a sin.' So, I went to the bedroom, combed my hair

and wore some lipstick" (*******). Here this is the feminine discourse that confirms Claris, yet, as soon as Emile is about to enter, the masculine discourse overshadows her unconsciousness feminity: "the bell rang; I jumped to it in the middle of the way I cleaned up my lipstick by tissue." (*******)

The mental challenge of Claris here is what Arezu faces with when she tries to order Sohrab's collar. Arezu finally overcomes the masculine discourse, yet Claris is in the bounds of it. All characters that Zoya Pirzad depicted in her novels are ever challenging with masculine discourse. In *"We'll Get Used To"* Shirin tries not to heed the masculine discourse yet in her mental background she is the captive of such discourse. Even Artush's (Claris' husband) secretary Ms. Noorollahi, despite being the lecturer and secretary of Women's Right Association, is bounded in the framework of masculine discourse dominant in the society. The reason is hidden in Ms. Noorollahi and Claris' private talk in milk-bar, when Ms. Noorollahi unconsciously reveals it in her speeches. But this canny masculine discourse by expressing the idea that one should think womanly-manly does not let them any opportunity to think womanly, and take them as the captives of the dominant discourse in the society. Such dominant discourse does not let them to have feminine thoughts.

Zoya Pirzad can imagine her characters experiencing epiphany only when she had come to a recognition and wisdom of feminine essence herself, and no more write womanly-manly. Due to such manly-womanly discourse Claris, Ms. Noorolahi, and Shirin do not experience the epiphanic moment, yet Arezu despite all challenges does experience the epiphany; since no longer does she think womanly-manly, and Pirzad also does not write womanly-manly. They both think just womanly, and had come to feminity.

IV. Conclusion

In post-human, postmodern era it is no longer true to expect women to think manly-womanly. In the posthuman feminism thought there is no emphasis on proving a woman's existence and feminine essence for men (for there is no need to 'prove' so long as it is accepted as the for granted basis of humanism), rather the emphasis is on the intuitive recognition of human nature of women for all men and women. This school is not limited to women, rather all have to be familiar with. The goal of this school is achieving mental manifestation and recognition, such recognition that Woolf experiences it through Clarissa Dalloway and Lily Briscoe, and Pirzad through Arezu. That kind of recognition Forough Farrokhzad achieved through her poems.

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Bergsonian Study: Time Experience According to Adolescence in Mansfield's Stories

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Abstract :

With the advent of modernism and new philosophical and scientific ideas, the concept of time was treated in a new way. Bergson's philosophy about time had a great influence on modernist writers and artist. One of the writers who were influenced by him is Katherine Mansfield. Therefore we could see Bergson's theory of time used by her in her stories to convert her own messages. Katherine Mansfield was one of these writers that made use of different techniques in her stories in order to show time. She was much influenced by the French philosopher Henri Bergson and made use of his thoughts in her stories. This paper is going to present how Mansfield shows the concept of time in her stories and what strategies she uses to show the inner time and outer time of her characters. The study also wants to show effects of time on her characters and how being in a certain age of life, status and class in society affects the perceiving of time in people. The major concern of these stories is to show the significance of time according to Bergson's linear and subjective theory of time. These stories show how characters experience duration in their mind and how the linear passage of time mainly affects them. The main purpose of this paper is to study the notion of time according to Bergson's linear and subjective time in Mansfield's stories. According to this theory there are two kinds of time, the spatial time and duration (inner time). Reality is only in the duration of individuals and the only way to achieve freedom is through duration.

Keywords :

Time; Bergson; short story; duration; linear.

I. Introduction

One of the first characteristics that strikes us when we turn our attention to conscious existence is its mutability, its fluidity. It is constantly changing. State follows state with amazing rapidity; indeed, the various states themselves are nothing but processes which flow on with a never-ceasing rhythm. In consciousness, I find nothing static. I discover 'that I pass from state to state. I am warm or cold, I am merry or sad, I work or I do nothing, I look at what is around me or I think of something else. Sensations, feelings, volitions, ideas, - such are the changes into which my existence is divided and which color it in turns. I change, then, without ceasing.' Now change presupposes time. It is, in fact, nothing but a temporal process. However change may be defined, it certainly cannot be defined unless time is taken into account (...) So to be conscious, at least in the sense in which the finite individual is conscious, is just to be in time (...). Duration is the stuff out of which conscious existence is made; for a conscious being to exist is to change, and to change is to endure. (527)

The concept of duration is in its most simple presentation qualitative multiplicity or the fusion of this experience of newness with those that follow. What is commonly called "time" isn't duration but a quantified measure of duration that isn't itself derivative of duration but

specialization (which also gets referred to as "simultaneity"): i.e. what is counted with clock-time. The importance of the concept for Bergson was to not just be able to reference discrete, quantified or quantifiable multiplicity, but continuity, subjective experience and that which escapes extensive forms of measure. The two sides are never truly separate in actuality, but what we reference tends to either privilege one or the other, which for him presents endless problems in how humans explain and reference reality. You don't have ever one without the other. Simultaneity presupposes (requires) duration, but a measure of simultaneity doesn't account for duration. Extensively presupposes (requires) intensively, but measures of extensive multiplicities don't account for qualitative dynamics. Hope this helps.

II. Methodology

The concept of time has become a very important matter, especially in the modern times. The dimension of time seems to be attracting great notice, especially more in the modern times. Time is increasingly a key manifestation of the estrangement and humiliation that characterize the modern existence. An interest in time is not new to literature: in the early twentieth century, such an interest was represented in modernist novels and short stories by for instance Virginia Woolf (1882-1942) and William Faulkner (1897-1962).

Writers of these novels reflected in their representation of time a general shift in thinking about literary conventions in general, and therefore also about the concept of time: apart from seeing it only as the abstract, measurable passage of seconds, minutes, hours et cetera, they found new ways of representation and experimented with new techniques. Their actions of breaking up the coherence of their texts and even the sentences, for instance in stream of consciousness writing, in order to represent a more interior, mental experience influenced the representation of time. This was also reflected in the critical discussion of these works: new theories were needed because writers defied the idea of time as standardized and sequentially arranged, and introduced a multiplicity of private, often nonlinear experiences as the new perception of time.

Philosophical theories such as Henri Bergson's idea of durée, time as personal, inner experience which can speed up or slow down, offered new views on the subject which entered the realm of literature, and indirectly also influenced literary criticism. The approaches in literary criticism dealing with time and narrative that have been developed in recent decades can be roughly divided into four groups: the stream-of-consciousness approach, the point of view approach, the narratological approach and the approach which focuses on the temporal in combination with the spatial.

The first and earliest approach to the new representations of time found in twentieth-century novels is stream-of-consciousness criticism which focuses on the inner world of the character, and is restricted to the phenomenon of stream-of-consciousness writing only. The point of view approach provides an insight into the different voices and their separate contexts (temporal and spatial) in a text, but it is limited by the formal basis of determining the point of view, type of speech and vantage point.

The narratological approach is thorough, but it is also very formal, tracing all the parts of a narrative and placing them back on a linear timeline. Most of the critics agree that focusing on the representation of time and space in narratives, finally, is a potentially fruitful approach. The three other approaches may have yielded valuable insights, but they are not sufficient enough because they are too formal and/or too much based on the idea of linear time; approaches that focus on the representation of space and time, however, unfortunately also still tend to be based on the idea

of time as linear. In addition, an explanation of how the concept of time is understood is often not given when such approaches are used. A more open view of time can provide a new starting point for analysis, and lead to new insights; Bergson's theory of the inner time provides such an open view.

Plato and Aristotle have their own definitions of time as philosophers. Aristotle defines time as "the permanent condition for converting becoming into being, potentiality into actuality, and imperfection into perfection" (Meyerhoff 27). Having such a view and believing in such a view, helps man to find an excuse in clinging to time as a source of personal happiness and salvation.

III. Discussion

Mansfield describes adolescence as a relatively changeable, fairly innocent period, in her characters life. She shows the quality of indetermination and openness that is special to this age in her stories. It is an age in life that, people still have many options open to them. It is a time for trying out new things and new modes of being. Good examples of her teen-age characters in Mansfield's stories are those of "The Garden Party" (1922) and "The Wind blows" (1920) that I will look upon in this part. The first story is "The Garden Party."

This story covers the time-span of one day of the life of the Sheridan family who are rich people. The story begins from morning and ends in the night and the protagonist is *Laura* the daughter of the family. The Sheridan family is going to have a garden party in that day and they have hired some men to prepare the garden for them.

The mother of the family has decided not to interfere and let her daughters arrange everything. Her sisters ask Laura to go and order the men to put up the marquee. That's because they believe she's artistic. Laura goes while holding a piece of bread and butter in her hand, but when she reaches the men she becomes ashamed for holding it and tries to behave like her mother but she can't. The workmen behave so friendly that Laura recovers soon and feels easy with them. Laura offers a few suggestions but the workers don't agree and in the end they decide to put it against the karakas trees. At first Laura feels disappointed because she wants the trees to be in view, but soon she forgets about everything as she sees one of the workmen smelling a flower. She becomes surprised when she sees this gesture and wishes she could be friends with these men instead of the rich spoiled boys that she is friends with.

In this part it is the first time that Laura thinks about class distinctions and believes they are absurd, and she doesn't feel them. She feels very happy and friendly with the workmen and in order to prove this, she takes a bite of her bread and butter. After this incident Laura's friend Kitty calls and she goes to answer the phone. Laura invites Kitty to lunch and tells her that Mrs. Sheridan (Laura's mother) wants her to wear the hat she wore on last Sunday. After the phone call the florist comes with pots of pink lilies. Laura feels sad because she believes no one ordered so much, but her mother says she ordered them, although she said she would not interfere in anything. This makes Laura irritated. While getting prepared for the party one of the servants brings bad news. A low class young man, who lived in a lane at the other side of the Sheridan's house has got killed in an accident, and left his wife and five children. This shocks Laura so much, that for a moment she believes they should stop the party immediately and thinks everyone will agree with her.

She says her opinion about stopping the party to her sister Jose, but Jose only thinks that it's absurd and silly. Angered, Laura goes to confront her mother and tell her everything. Her

mother first thinks that one of their own workers has been killed and becomes extremely worried but after Laura tells her the complete story she is relieved and even feels amused about Laura's worry. In order to make Laura forget everything she gives her a new hat and makes her wear it. When Laura brings up the subject again, this time her mother gets angry and says that those people don't expect sacrifice from us and you should not ruin every ones joy. Laura goes to her own room and hopes her mother is right and decides not to think about it until after the party. After lunch everyone is ready for the party to begin. When her brother Laurie arrives Laura rushes to tell him everything. She somehow feels that if he agrees with the others then it is certainly right, but when her brother compliments her on her appearance she forgets everything and doesn't tell him.

After the party the family sits in the marquee having coffee. Her father has also heard about the incident and brings up the subject calling it a horrible affair. Mrs. Sheridan suggests that they should send the dead man's wife a basket full of the things left from the party. Laura thinks it is not a good idea because maybe the woman would feel very bad to take scraps from their party. Anyway they fill the basket and Mrs. Sheridan orders Laura to take the basket herself. Laura starts walking down towards the cottages and feels she can't realize the man's death. She feels that she is full of the party, the laughter and the happiness from there and she has no room for anything else. She crosses the road and enters the lane towards the cottages. Everything seems so dark, there seems to be no light in there and Laura wishes she had put on a coat because her frock shines so much, she also feels ashamed about her hat and wishes she hadn't put it on. She knows that she made a mistake for coming, but it is too late to go back.

She knocks on the door of the house and decides she would give them the basket and immediately leave, because she wants to get away from the place very soon. A small woman opens the door and guides her to the kitchen where the dead man's wife is sitting. The dead man's wife does not seem to understand why Laura is there and just stares at Laura. Laura just wants to go so she leaves the basket and gets out of the kitchen; the woman's sister guides her towards a room where the dead man is. Laura feels that the man is sleeping very peacefully and he is very content. She can't say anything except apologizing for wearing her hat. She gets out of the house and meets her brother at the corner of the lane. She holds her brother and tries to tell him something about life, however she tries nothing comes out but her brother seems to completely understand her and the story ends.

The story is told in the third person point of view, but it mostly takes place in Laura's consciousness, and duration. The position of the narrator is both inside and outside the character. Laura, the central figure of the story, is in the age of adolescence, which is a time for changing and evolution. The insistent desire to experience new things during adolescence could be seen in the following expression from the story, "But still one must go everywhere, one must see everything" (Mansfield 204). This displays the curiosity of adolescence Laura and her brother Laurie, and their need to explore and investigate everything and new things.

In the story Laura is confronted with death for the first time in her life. While this is something quite normal for the rest of the family, she considers them as "heartless." They accuse Laura of being extravagant and they believe that since the death happened in the lower classes it can be dealt with by sending a gift. For Laura it is a new, crushing experience casting a shadow on her day, making her question everything in her life. Laura is thrown from the linear daily routine of her life where there is no change and she is happily living in, into a new life were she has to accept death and the absurdity of life. Patrick D. Morrow (1993) says about this, "This encounter with death, after an afternoon abounding with life and all its pleasures provide Laura with her first lesson about the discrepancy between life's apparent rationality and its actual absurdities" (74).

Throughout the story we see that she has mixed feelings about social differences. Her internal struggle is about identity, whether to imitate environmental influences or react in a way that is unique to her personality and deep in her mind she knows is right. She is in a kind of duality with herself regarding this issue and she does not know whether she should accept these differences like her family or stay against them. Although she does not accept these differences she has accepted her role in society as a rich person and acts as one. During the story we see that she changes according to circumstances. But at the end of the story when she goes to the dead man's house it has a very serious impact on her, it can be said that crossing the physical space between the partying family in the garden and the desolation of death and poverty across the lane is a minimal but significant journey for Laura.

In fact throughout the story Laura goes on experiencing new things. It is true that while experiencing new things she goes on changing or maturing, but the past Laura remains within her as an unseparating part. This shows the continuity of Laura's duration as Bergson believes that the "evolution" of a living being, implies a "continual" recording of duration, a "persistence" of the past in the present (*Creative Evolution* 20).

When Laura goes to see the dead man she walks through a "gloomy passage," which symbolizes her journey from childhood to adulthood. When she meets the dead man's wife, she realizes the class distinctions; the dead man's wife is pictured as a not very beautiful person. But the dead man is pictured as someone beautiful and sleeping peacefully. In other words "Laura learns that while poverty is hindrance to beauty death makes boundaries disappear" (Alonso 86). The end of the story shows that a shift has taken place in her consciousness. On the way home she is unable to find the words to tell her brother what she feels, because she has ventured to a wild zone of her own that she cannot explain.

The fact that Laura is in the age of adolescence gives her the time and chance to change her views and mature, and be someone completely different from her family. Just as Bergson believes that "for a consciousness being, to exist is to change, to change is to mature, to mature is to go on creating oneself endlessly" (*Creative Evolution* 8). At the end of the story although Laura's view changes about life and a new stage begins in her life, and she completely comes out of childhood, it is not mentioned what path she would choose, whether rebel against the social conditions of her society or accept them. So Laura may change or she may not change, however in Bergsonian terms it is impossible to predict how she will change in the future.

The other story that shows adolescence is "The Wind Blows." It is about a young girl called Matilda who is going to enter the world of the adults. According to William New there is no shift in the time of the story and the place alters in the imagination. But the entire action takes place within a single day. The story is divided into two sections, the first part starts with Matilda's waking up to a stormy day. She feels that something bad has happens but then she understands it is only the wind that is blowing and shaking the house. She starts tying her hair while she hears her mother and grandmother talking down the stairs. She has a music lesson at ten o'clock and she is looking forward to it. She gets out of the house from the back door so that her mother won't see her but she does and although she calls her many times Matilda does not pay her any attention. On the way to Mr. Bullen's house, her music master she has much trouble coping with the storm. But when she reaches his house she sees that everything is calm in there. She feels relieved when she sees she is not late and there is already a girl who has not finished yet.

It seems that Matilda feels very comfortable with her music master and there is no sign of the storm in his house and music room. After the girl leaves it is Matilda's turn. While Mt. Bullen

is waiting for her to open the music satchel, she feels very worried and seems to hear and feel the wind again. While he tells her what she should practice Matilda thinks that he is very kind and without any reason she starts crying. He starts soothing her and in the middle of it Marie Swainson one of the other students comes into the room.

In the second section Matilda is at home again in her own room. The wind is blowing again and she is frightened that she is here all alone in her room and she seems to be afraid of everything in it, specially the bed. Her brother Bogey calls her and suggests they should go for a walk on the esplanade to watch the storm. They have to fight the wind until they reach the esplanade. Matilda sees a ship in the harbor and in her imagination she sees herself and brother on it, leaving behind the world-that- is for a world-that-might-be (114).

At the end Matilda and her brother are on the ship, and they are looking at the town. Years have passed and Matilda tells her brother do you remember we walked on the esplanade that windy day and I cried at my music lesson. They say goodbye to their town, and to two people who are on the esplanade. It seems that those two are Matilda and her brother at the age of puberty and they are saying goodbye to that age because a new stage is begining in their life. On the edge of puberty, Matilda the main character desires change and fears change at the same time. The opening paradox "Something dreadful has happened. No_nothing has happened. It is only the wind," suggests the tension between *change* and *changelessness* that characterizes Matilda's age (Ibid).

Disturbance is the key note of the story and all the conflicting forces of adolescence meet in her. The desire for life, for the future romantic longings and desire combined with fear of sexuality. Her inability to control these feelings is suggested through her inability to confront herself in the mirror. When she wakes at the beginning of the story she is afraid to look at herself in the mirror and later is frightened of being alone in a room where the mirror gleams at her.

It can be said that Matilda's awakening to adulthood is symbolized by the mysterious ship she and her brother, Bogey, see that is being put out to sea while walking on the esplanade:

> A big black steamer with a long loop of smoke streaming, with the portholes lighted, with lights everywhere, is putting out to sea. The wind does not stop her; she cuts through the waves, making for the open gate between the pointed rocks that leads to . . . It's the light that makes her look so awfully beautiful and mysterious. . . . (Mansfield 84)

The passage of the ship marks in the story that moment of suspension when time can either be erased or be disposed of with more freedom, which is considering it in Bergson's terms as interior time. Matilda and her brother are there on the esplanade, and at the same time they are on the ship, as adults leaving there childhood memories. This moment of suspension would free them from the burden of their time-logic fragmented structure in order to make them undertake a journey of exploration together, which is an exploration of adulthood.

IV. Conclusion

In "Marriage a La Mode" William, regardless of the age that he is in, the condition that he is in affects his experience of time a lot. For example on his way home from London although the distance is far and he has always felt it before, this time because he is thinking of his marriage problem, he does not feel this distance anymore and is surprised that the time passed so quickly. This shows that his problems affected his time experience. These factors could also be seen in the two other stories that were analyzed. To make it short being rich or poor, happy or sad, old or

young and finally being at ease or in disturb influences the perceiving of time in people

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Implementation of Marriage in the Period of Armed Conflict in Aceh

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Abstract :
This study deals with implementation of marriage in the period of armed conflict in Aceh. The marriage process during the armed conflict did not receive pre-marital guidance services nor was the registration of marriage carried out because the situation was uncertain. However, this situation is not an obstacle to the sustainability of marriage in the Acehnese society in an orderly and orderly manner. The sample of the study is North Aceh District which is the area that has the greatest influence of armed conflict between 1999 and 2005 and it also the region with the highest escalation of violence during the armed conflict, many areas in North Aceh controlled by GAM. The result shows that the implementation of the marriage which took place in the period between 1999 and 2005 was generally not administered in accordance with the prevailing laws and regulations because the Registrar of Marriage Officer did not dare to carry out their duties and functions as a public servant in checking the administration of marriage and recording it in accordance with the mandate, moreover the community is also afraid to deal with government offices.
Keywords :
Marriage; armed conflict; Aceh

I. Introduction

Marriage is a necessity for humans, because only through marriage someone will get a balance of life both biologically and psychologically. Likewise divorce is the last effort in resolving conflicts that occur in the household, where the husband and wife are no longer able to exercise their respective rights and obligations, so divorce is an emergency door that must be used to get out of trouble (masyaqqah) to live in a house stairs. Therefore, this underhand marriage creates legal uncertainty based on the laws and regulations in force in the Republic of Indonesia.

Even though during the armed conflict people in Aceh needed legal institutions to carry out marriages and divorces normally as stated in the marriage law. However, the KUA and the Religious Courts (Mahkamah Syar'iah) at that time could be said to be unable to carry out activities as appropriate as judicial institutions in other regions in Indonesia. Given the need or need for legal institutions at that time in the very urgent category. But the state of armed conflict has undermined the desire of the Acehnese to organize marriages in the KUA as mandated by the applicable law. Even though through marriage each individual can obtain peace (sakinah), love (mawaddah) and affection (rahmah).

The implementation of marriage in one country, region or community is regulated by legislation, therefore marriage is recorded by state institutions so that the marriage is considered valid. However, it is seen according to Islamic jurisprudence that marriage is considered valid if it fulfills the conditions set by the Shari'a. According to the laws of the Republic of Indonesia concerning marriage, it has been mentioned in Article 1 of Law Number 1 of 1974, namely; marriage is an inner and outer bond between a man and a woman

as husband and wife with the aim of forming a happy and eternal family or household based on the One Godhead. Article 2 paragraph (1); marriage is legal if carried out according to the laws of each religion and its beliefs and (2); each marriage is recorded according to the applicable laws and regulations.

Based on the fact that the needs of the Acehnese people towards the KUA and the Religious Courts / Mahkamah Syar'iyah are assumed that the need for marriage is a biological, psychological and social demand. When viewed from language, marriage implies intercourse, where marriage is a road that justifies intercourse (sex) between men and women. Indeed, through marriage humans can channel their biological needs. The regulation of marriage as stipulated in the laws of the Republic of Indonesia is to guarantee the establishment of a social system in the life of the state and nation.

II. Review of Literatures

2.1 The Marriage Paradigms of Sociological Perspective

The marriage paradigm of sociological perspectives is described to reinforce the basics of culture and norms about marriage in general. The sociological theory that discusses marriage has developed rapidly in the 19th century. This theory was developed by several Western sociologists such as MacIntyre, Komarovsky and Waller. Based on the family sociology theory, the element of marriage has also been discussed extensively which recommends that marriage be a family formation consisting of a number of family members while having their respective duties. Family institutions besides functioning as social institutions formed through marriage are stated to be closely related to the fulfillment of sexual needs between men and women. If one partner then does not succeed in carrying out his biological function, it is possible for a family disorder to occur which usually leads to divorce and polygamy. Marriage is also seen as an institution that can socialize the values and personal formation of generations. Socialization means doing a learning process for members in family institutions.

Besides that, through the marriage process of a family institution formed as well as a family institution it functions to channel love and love. Love needs are a very important requirement for someone who is expected to be played by the family. Sociologists have formulated that family institutions function to educate generations. In that case it can be seen from the growth of a child starting from a baby, learning to walk until he is able to walk. Religious function in the family is one of the main indicators of the establishment of religion in the social environment. Even the family is a social institution that is very important for the continuity of human civilization. From the sociological perspective, the family institution consists of a nuclear family. Inner family is a group consisting of father, mother, and children who have not separated themselves and formed their own family. Although other families cannot be separated from the emphasis on the relationship between the families of the household where he lives. On the other hand, the extended family or extended family consists of all people of the same grandfather and grandmother, including the descendants of each wife and husband. The term broad family is often used to refer to the family of families and other families who have good relations with him and still maintain and maintain the relationship. Family is the first social group in social life.

2.2 Marriage Legislation in Indonesia

Indonesia is a legal state that strongly promotes legal philosophy to unite people in one frame of the nation, one unit, one language, and family principles, even though the

follow-up of laws created is often a hybrid (mix), especially from Islamic law, customary law, and western law (civil law / especially the Dutch state) Islamic law is often used as the basis of legal philosophy as a reference given that the majority of Indonesia's population are Muslims. Renewal in family law in the Muslim world is characterized not only by the substitution of Islamic family law with Western laws, but also by changes in Islamic law itself based on reinterpretation (reinterpretation) of Islamic law in accordance with the development of reasoning and practice. It is through this way that family law in the Muslim world changes. The main purpose of family law reform is to improve the status or position of women and strengthen the rights of family members. Discussion of gender issues and their impact on the development of Islamic law which focuses on the issue that family law reform in the Muslim world aims to protect and improve the status of women.

Likewise, the history of family law in Indonesia is also inseparable from the origins of the Religious Courts in Indonesia, which can be traced from the head or head of regional mosque administration, which deals with family affairs and inheritance from the Colonial Government since the 16th century. At that time the Religious Courts were carried out in the porch of the mosque and its decision was based on the Shafi'i school. In 1882 a decree was issued which established the court in its present form.

2.3 Marriage in the Aceh Community Cultural Perspective

In the context of Acehnese culture, marriage is discussed to explain the stages and processes that are practiced in Acehnese society downwardly. Traditional practice of marriage from generation to generation by the people of Aceh is relevant to Islamic law. Indeed, this marriage tradition is believed to be related to Islam which is known to have been traced in Aceh since the 8th / M century. As in general in the Indonesian society the marriage process through preparations must be made. To find a mate for a boy who is considered an adult, the family will send a person who is thought to be wise in speaking known as a term. If you have got the girl in question, then she will first review the girl's status. If no one has yet, then he will convey the intention to propose to the girl.

This procession is usually carried out directly by parents or special envoys from men. In addition to getting to know family and prospective brides, this procession is also carried out to interact with each other and introduce themselves to the bride's family. For the second stage, it is usually continued with jak ba ranub[1]. In this procession, the male family sent his envoy to visit the family of the woman by bringing souvenirs such as betel, cake and others. During the visit the envoy revealed the purpose and purpose of their arrival to the female family. If accepted, it will be followed by deliberations with the two families and will be continued with jak ba tanda[2]. The items which carried by the messenger are placed in the talam or dalong which have been decorated and handed over to the women. On the day that had been agreed upon, a group of people from the male side came to the girl's parents' house by carrying betel as a reinforcement of the bond and its contents. After that, it will then be followed by a discussion about dowry, day and date, and invitations or guests who will come at the wedding ceremony. After the application is over, the man will beg for leave to go home and the woman's family asks for time to consult with her daughter about whether or not the application is accepted.

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[1] *Jak ba ranub* is a procession to propose brides

[2] *Jak ba tanda is* a procession of strengthening the sign. Men will bring betel, food, a set of clothes, signs and jewelry.

III. Research Methods

With regard to the title of this study "Implementation Marriage in the Period of Armed Conflict in Aceh", the location of the study was the place where research was carried out to identify the implementation of marriage during the armed conflict in Aceh. The selection of the Aceh Province as the location of this study has several academic reasons: the existence of armed conflict in the period of 1998 until the MoU was signed in Helsinki on 15 August 2005 relating to the object of research on the implementation of marriage during the armed conflict in Aceh, besides that there was a declaration from the GAM commander from several regions not to relate well in the form of administrative relations or in other matters with government offices. This situation has caused civil service offices to be paralyzed because employees did not dare to carry out activities to provide services to the community for fear of getting into trouble with the conflicting parties. Considering the vastness of the Aceh Province and the number of regencies / cities, to facilitate research there are 2 out of 23 regencies / cities as research sample locations that are considered to represent Aceh as a whole.

North Aceh District, with consideration: North Aceh is a vast and most populated area compared to other regencies / cities in Aceh, also the region which has the greatest influence of armed conflict between 1999 and 2005, besides that the district of North Aceh is one of the Regencies the strongest GAM base, and also the region with the highest escalation of violence during the armed conflict, many areas in North Aceh were controlled by GAM so that it could be suspected that the activities of civil government offices were almost nonexistent at that time. Therefore, North Aceh Regency is made as a sample for research on marital management which is expected to be able to represent other Districts / Cities in the matters mentioned above.

IV. Discussion

Marriage is the beginning of the meeting of two people to bind between men and women in the long term which includes sharing and gaining normal life. Bachtiar said that marriage is the door to the meeting of two hearts in the shade of life to get a decent, happy, harmonious life and get offspring. Marriage can be understood as a binding agreement between men and women as well as binding or establishing harmony between two family institutions. According to Article 1 of the Marriage Law of 1974, the purpose of marriage is to form a happy and eternal family based on the One Godhead.

From the aspect of the sociology of marriage, it provides several important benefits for the survival of human beings, even though marriage, it can guard the offspring and maintain the dignity and dignity of the human race, including forming social institutions and functioning as the heirs of culture. As is commonly known, marriage is an activity of male and female individuals which aims to bind relationships inwardly and inwardly. Through the bond of marriage, the basic human needs, be it psychological needs or biological needs can be channeled. Therefore, marriage is a basic human need that cannot be stopped due to natural disasters or conflicts and so forth.

The process and procedure for organizing a marriage that will enter marriage according to Islam is before someone (prospective bridegroom) decides to marry someone (prospective bride) to become his wife, Islam recommends asking for consideration from a close relative of the woman who is good in religion and know very well about the matter of the woman who will be proposed by the prospective bridegroom. This is important so that

he can give honest and fair consideration. Likewise for the prospective bride who is applied by a man, then he also needs to ask for consideration from a close relative who is good in religion.

Although the two prospective brides have asked for consideration from relatives who have a good understanding of their religion, Islam also recommends that both (prospective bridegrooms / brides) to perform istikharah prayer to obtain guidance or determination. This istikharah prayer is done to get the determination of the heart while avoiding the possibility of falling into the suffering of life. If the prospective man has got the steadiness in making his choice, then let him immediately ask for his hand by facing the parents / guardians of the woman of his choice to convey his will, which is asking to be blessed to marry his child. If the above process has been carried out and the proposal has been approved by the parents / guardians and prospective brides (the liking of the two bride and groom), then the marriage contract is carried out with the obligation to pay dowry in addition to witnesses, with too many stages the above stage then ends with Walimatul Ursy. Thus it is clear that the administration of marriage has been arranged in Islamic syrai'at in detail and in detail.

Aside from the Shari'ah provisions as a guideline in fostering a household there are also provisions that are al-Wadh'i also defined by tawtsiqy is an additional rule with the aim that marriage in the Islamic ummah is not wild, but recorded in the marriage certificate register made by which is authorized for that which is regulated in state administrative regulations. Its use so that a marriage institution which is a very important and strategic place in Islamic society can be protected from negative efforts from irresponsible parties. For example, as an anticipation effort from the denial of a marriage contract by a husband in the future, although basically it can be protected by witnesses, but of course it will be more protected by the official registration in the authorized institution for that. According to the Marriage Act of the Arab Republic of Egypt Number 78 of 1931 stated that there would be no complaints about marriages or matters based on marriage, except based on the official declaration of marriage. However, according to the fatwa of Jad al-Haq Ali Jaad al-Haq, as cited by Satria Effendi, without fulfilling the laws and regulations, the marriage was considered legitimate if it had completed all the conditions and harmoniously as stipulated in Shari'at Islam.

The Fatwa of Sheikh Al-Azhar, does not mean that someone may arbitrarily violate the laws in a country, because in his fatwa he still reminded the importance of marriage enumeration, he reminded that marriage is recorded according to the applicable laws and regulations, also confirmed that the rules and regulations governing marriage are things that must be done by every Muslim who holds a marriage, in anticipation of the need to deal with a judicial institution. For example, if in the future one of the husband and wife denies the marriage or denial comes when dividing the inheritance among the heirs.

Wahbah Al-Zulaily in his work Al-Fiqh Al-Islami wa Adillatuhu, expressly divides the marriage requirements into the sharia requirements and tautsiqy requirements. The condition of syar'i is a condition regarding the validity of a legal event depending on it, which in this case is the pillars of marriage with the conditions specified. While the tawtsiqiy condition is a formulated to be used as evidence of the truth of an action as an effort to anticipate future obscurity. Tawtsiqiy's requirements do not relate to the legal requirements of an act, but as evidence of an act. For example, the presence of two witnesses in each form of transaction is a tawtsiqiy condition, except the presence of two witnesses in the marriage engagement is a

sharia condition, because it is the forming element of the marriage procession and which determines the legal or invalid marriage event, besides as a tawtsiqiy condition.[3]

In the implementation of marriage also applies customary provisions, where in the implementation of marriage there are stages that must be passed either before the marriage contract or afterwards. Customary marriage processions are believed to differ from one country to another and between one region and another. Custom in Acehnese people who want to get married, first do cah röt (pioneering the road). This activity is carried out in secret by someone who is trusted (seulangké). By approaching / talking to both families (male and female family members) until they get an agreement or not.

After cah röt, the activity is continued with meulakee. This is done when managing the cah rot is successful. Meulakee can be articulated with wooing. Meulakee was carried out openly through seulangke accompanied by several parents, geuchik parents, and teungku meunasah / imuem meunasah. This was carried out through a small ceremony called ba ranup kong haba. Seulangke is official talks about engagement by completing various applicable and promised procedures and conditions. The task is sometimes at the same time as a rotator, or sometimes separated, sometimes even at the same time carrying out the implementation. Sometimes there are separate tasks with initial assignments that are separate, and even many tasks are always at the same time with private companies.

At the ba runup ceremony, both parties decided in consultation about jeunamee (dowry), a good time for meugatip (marriage), a good time for the peuduek sandeng (inauguration), and other matters relating to the wedding event. After completing meulakee and seulangke, and all decisions in the previous activity have been carried out, meugatip (marriage) is carried out. This is a very sacred / sacred program in line with the provisions of the Sunnah of Rasul which is worth worship. The meugatip activity was then followed by the inauguration of the marriage / walimatul ursyi. Marriage inauguration is held on the day agreed upon by both parties. Usually a good day and month are chosen according to local custom. For the general public, the time is usually chosen after the rice harvest. There are also some people who choose the day and month of marriage after the month of Hajj so that none in that area is found married in the month of Hajj. This is because there is a public belief that getting married in that month can make the marriage age not last long. That is why, in determining the wedding month, the month of Hajj is called the hot moon.

The procession stage in the inauguration of the wedding includes the preparation, implementation, and completion of the day. In connection with the preparation, the dara barô side did various household preparations, festivities, boh gaca, manoe pucok bagi dara baro. The linto baro side prepares peuneuwoe linto, acara intat linto, and festivities at the same time with the program of tueng dara baro. Marriage festivity, both for linto and dara baro parties took place on the same day. In certain areas intant linto is carried out at night. However, this is usually done if the linto place is located not too far from the domicile of the dara barô. The tueng dara baro program is done a few days later and is usually women's business. The implementation of marriage and divorce during the armed conflict in Aceh can be illustrated in the following percentage forms:

Chart 4.1. Percentage of Marriage Recorded in Aceh in 1999-2005

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[3] Wahbah Al Zuhaily, *Al-Fiqh al-Islamy wa Adillatuhu*, (Beirut: Dar ar-Fikr, 2003), p. vii, 71.
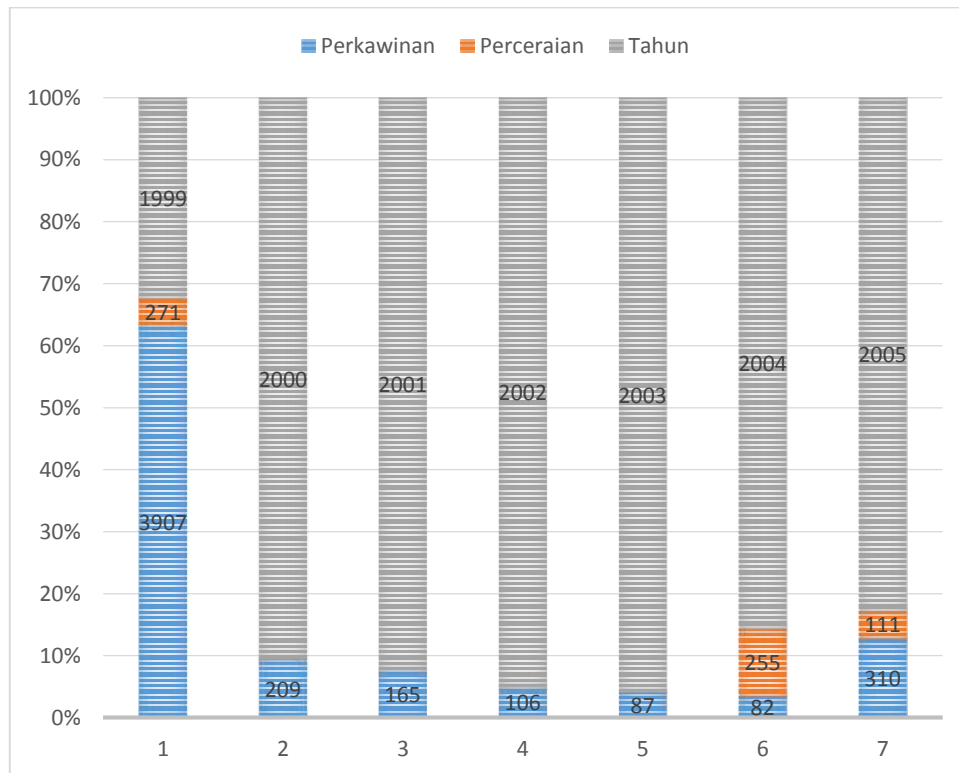
Source: Aceh Central Statistics Agency (BPS)

The graph above illustrates the implementation of marriage during the armed conflict in Aceh. Data has been taken from the Aceh Central Bureau of Statistics. The data in the graph above shows the number and percentage of marriages carried out by the community. The data includes recorded marriages and marriages that are not formally deemed by the KUA in each Regency / City in Aceh. As is known that 1999 was the beginning of the revocation of status as a Regional Military Operation (DOM) in Aceh.

In terms of the procession of customs in the process of marriage, it cannot be carried out based on the stages that have been initiated, namely beginning with the arrival of delegates from the men to get to know their families and brides, this procession is also held to interact with families and introduce themselves to the bride's family. For the second stage, it is usually continued with jak ba ranub.[4] In this procession, the male family sent his envoy to visit the family of the woman by bringing souvenirs such as betel, cake and others. During the visit the envoy revealed the purpose and purpose of their arrival to the female family. If accepted, then it will be continued with deliberations with the two families and will be continued with Jak Ba Tanda. The items carried by the messenger are placed in a talam or dalong which has been decorated and handed over to the woman. On the day that had been agreed upon, a group of people from the male side came to the girl's parents' house by carrying betel as a reinforcement of the bond and its contents. After that, it will then be followed by a discussion about dowry, day and date, and invitations or guests who will come at the wedding ceremony. After the application is over, the man will beg for leave to go home and the woman's family asks for time to consult with her daughter about whether or not the application is accepted. This is as explained by the chairman of the North Aceh MPU.[5]

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[4] *Jak ba ranub* is a procession to propose brides

[5] Interview with Teungku H. Mustafa H. Ahmad. Chairman of the North Aceh Ulama Consultative Assembly.
   Date: February 6, 2018

Besides the Customary order that cannot be implemented in this period, the lawsuit of the Marriage Law was neglected, namely marriage during the conflict period generally did not take place in the KUA sub-district and did not get Pre-marital guidance services. This is as stated by the Chairperson of the MPU Aceh that the marriage process during the armed conflict did not receive pre-marital guidance services nor was the registration of marriages carried out because the situation was uncertain.

However, this situation does not become an obstacle to the continuity of marriage in the Acehnese society in an orderly and orderly manner, where the marriage at this time was supervised by Imam Chik, Imam Gampong and other religious figures guided by fiqh legal provisions, as explained by the Imam Shik[6] and traditional leaders.[7] where the community believes that marriage based on the provisions of fiqh is valid even if it is not in accordance with the prevailing laws and customs, this belief is in accordance with the Fatwa of the Aceh Consultative Assembly "That the Siri Marriage is valid if it fulfills the terms and conditions", on the other the community also believes that the situation is already included in the emergency category so that marriage can be recorded without being noted, in the fiqhiyah rule it is stated "the law permits the prohibited", and the rule "avoid damage prior to reaching benefits and rules" If it is contradictory to one another then the smallest and the lightest is taken. "In the book" Mulakhas Mandhumah fiqhiyah "which is summarized by Abu Humaid Abdullah al Falasi from the book" As Sheikh Sheikh Sholeh Al Usaimin, "explained:" If there are two hazards facing each other, then take the lightest one. "

On the basis of these rules it can be understood that the people who organize marriages during the conflict have chosen smaller and lighter conditions to prevent greater danger and mafsadah and the mafsadah is to delay marriage because it cannot be recorded due to armed conflict, so it can be understood that marriage carried out during the armed conflict which only refers to the provisions of fiqh law is not defiance of national marital provisions and customary provisions but consideration of mudharat and mafsadat.

Therefore it can be argued that the organization of marriage during armed conflict generally refers only to fiqh law where in its provisions it is seen as not difficult and does not involve many other parties other than prospective husbands, prospective husbands, guardians and two witnesses who fulfill the requirements and the very basic ones are do not make the parties involved in the process of marriage unhappy in an atmosphere of armed conflict such as the national marriage law provisions that require each marriage to be recorded by the marriage registrar and customary provisions involving many parties and requiring the stages to be passed both before the marriage contract and afterwards it cannot be implemented properly considering the security situation that is not conducive and can threaten the safety of the marriage registrar official, the spouse and the community involved, so that the marriage takes place with priority to salvation even if it is not in accordance with applicable national and customary marriage law provisions.

V. Conclusion

Marriage during the armed conflict in Aceh was usually handled by Imum Gampong, Imam Chik and Qadi who received legitimacy from the Free Aceh Movement with a simple administration, besides that it was also handled by Assistant Registrar of Marriage (P3N)

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[6] Interview with Ustadz Suhaimi. High Priest of the Mosque. Samudra Aceh Utara District Date: March 27, 2018

[7] Interview with Teungku Sulaiman Daud, S.H.I ..... Date: 11 February 2018.

recruited from Imam Mesjid, Imam Gampong and leaders religion by the Head of the Office of Religious Affairs with the administration and the stages are not in accordance with the applicable legal provisions. Thus the implementation of the marriage which took place in the period between 1999 and 2005 was generally not administered in accordance with the prevailing laws and regulations because the Registrar of Marriage Officer did not dare to carry out their duties and functions as a public servant in checking the administration of marriage and recording it in accordance with the mandate, moreover the community is also afraid to deal with government offices.

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Eradication Efforts of Drug Abuse in Indonesia

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Abstract :
The danger of drug abuse has now become a serious double threat that is the destruction of the future and life plus prolonged suffering without hope of recovery due to the destruction of the immune system. This study deals with the eradication efforts of drug abuse in Indonesia. The subject of this study is drug abuse in the perspective of Islamic Law based on revelation and in the perspective of Indonesian positive law. The approach used in this study is comparative through juridical normative-telogic. The result shows that the concept of prevention and tackling of drugs in Islamic law in the form of preventive, refresive and educative. Whereas in Indonesian positive law through law No. 35 of 2009 in the form of preventive, refresive, curative and educative efforts and has made compulsory provisions for the rehabilitation of addicts and victims of drug abuse.
Keywords :
Eradication; drug abuse; Indonesia

I. Introduction

The problem of drug abuse has very broad and complex dimensions; both from a medical, psychiatric, mental health, as well as psychosocial (economic, political, socio-cultural, criminal, etc.) perspective. Of the many problems that arise as a result of drug abuse are: interfering and can even damage the mind or the human brain, especially those related to the power of analysis, the power of synthesis, the power of analogy, logic, reasoning power, hallucinations of hearing and sight, the anticipatory power and memory power, damaging kinship relations, increasing crime rates, increasing the number of traffic accidents, other acts of violence, reducing the productivity and nationalism of the younger generation, harming the state and even colonizing the country even though its form is not in physical occupation. Drug abuse is an endemic disease in modern society, a chronic disease that recurs, which until now has not been found to be universally satisfying, both from the point of prevention, therapy and rehabilitation.

The verdict of legal decisions against many drug criminals is not comparable to the impact of the disaster caused by the drug criminals. As a result, the majority of drug dealers and dealers after leaving the correctional institution returned to their business and returned to being drug dealers or dealers. That means the punishment imposed on them does not have a deterrent effect. More ironically, prisons are used as places for abuse and illicit drug trafficking and even production sites with the help of guests and wardens. While the majority of drug addicts and drug abusers are still convicted with prison sentences even though in the narcotics law number 35 of 2009 the judges have been advised to order narcotics addicts to undergo medical and social rehabilitation as a substitute for serving a prison sentence. These are all due to the lack of good intentions of all law enforcement officials to impose severe penalties on drug dealers and dealers as well as the intention to rehabilitate addicts and drug abusers in accordance with what the law mandates. If this is done slowly, it will reduce the demand for drugs and consequently the supply numbers will decrease in a balanced manner.

Sanctions in positive law that are felt by the community are not worth the crime of drugs, so that they are not likely to deter drug offenders. It is also possible to encourage other members

of the community to join in to do negative acts against the law. Besides that, the implementation of punishments against abusers and illicit drug dealers does not give a direct impression to the public, so that the prevention of the community from committing the same crime is not felt by the general public.

Theoretically, there are two things in law enforcement. First, how are the legal rules. Second, how enforcement law is carried out properly and correctly. In the case of drugs, there are actually laws and regulations in law. There is law number 5 of 1997 concerning psychotropic and law number 35 of 2009 concerning narcotics. Not to mention the UN convention on narcotics and drugs ratified in 1971 and 1988 by the government of the Republic of Indonesia. So, there should be extreme extortion and illicit drug trafficking, at least it must be reduced. But in reality, the abuse and illicit trafficking of drugs is even more "insane". Not only is the dark circulation increasing, but the victims are increasing.

Based on the above, there is a need for stricter sanctions than Islamic law as a responsive and anticipatory solution to drug abuse and circulation. Because, Islamic law is an integral part of national law directed at renewing national law that cannot be ignored in fostering national law that is rooted and developed in the community, because it needs in-depth study so that Islamic law can have a role in overcoming the problem of drug abuse or on the contrary, Islamic law needs to adopt the positive law that exists today in Indonesia or it requires a combination of the two laws so that the law can be applied properly and have a very significant effect.

Ethically, Muslims must be guided by Islamic values, not to the teachings of positive human law which is solely the result of human thought itself without any connection with the essential dimensions of divinity. Secular legal legality will only result in the emergence of the problem of materialistic dehumanization. However, what has always been a problem in the process of socializing *fiqh* (Islamic law) is not about the existence of the law, but which is often a place of debate among scholars in terms of the relevance and actualization of the law itself, especially when it is related to the situation (local) or age (temporal).

II. Review of Literatures

2.1 Islamic law

In Alqur'an there is no terminology for drugs. Likewise in the traditions of the Prophet there is no term drug because drugs are a new term that appeared around the twentieth century. The term "drugs" only appeared around 1998 because there were many incidents of use or use of goods including narcotics and addictive ingredients or drug additives that were prohibited.

Although Nash does not explicitly mention drugs, but it regulates clearly and explicitly the basic principles that can be used as reference in finding supporting arguments related to drug problems. In the study of *ushul fiqh*, if something has not been determined its legal status, it can be resolved through the qiyas method or other methods. On that basis, before the author explained the definition of narcotics the author first described the definition of *khamar*.

In etymology, *khamr* (خمر) comes from the word *khamara* (خمر) which means cover and cover. The final purpose is that *khamr* can cover one's mind and logic for those who drink it or consume it. Whereas in terminology. *Al-Isfihani* explained that *khamr* means a drink that can cover intellect or intoxication, whether the person who drinks it is drunk or not. So the intoxicating drink is called *khamr* because it can cover human reason. This is one of the strong reasons that *Khamr* is forbidden in Islam besides several other reasons.

The bad impact caused is that the common sense is contaminated and obstructed by *khamr* so that it is not uncommon for the drinker to drink normality to be disturbed and cause unconsciousness. The second opinion states; called *khamr*, because it can cover or hinder reason, like *lafaz* "خمار,المراة .

In terminology as explained by Muhammad Syaltut *Khamar* are:

ان الخمر في لسان الشرع و اللغة اسم لكل ما يخمر العقل ويغطيه بخصوص المادة التي يتخذ منها فقد يكون من العنب وقد يكون من غير

Meaning: *khamar* according to *syara'* and Arabic is the term for any that close the mind and eliminate it,, especially substances that are made as ingredients of liquor, both made of wine and those made from other.

Syaltut equates the *khamar* in Alquran with the term used by the Arabs. Thus it can be concluded that everything that can interfere with the functioning of reason, whether he is made of plants or other materials is called *khamar*.

The basic concept of drugs in the viewpoint of Islamic law refers to the provisions of *khamr*. According to 'Abdullah Ibn Ahmad Ibn Mahmud al-Nasafi, there are 4 (four) verses of Alqur'an in several different letters relating to *khamr*. First is the letter al-Nahl verse 67. The second letter al-Baqurah verse 219. The third letter al-Nisa 'verse 43, The four are listed in surat al-Maidah verses 90-91. Whereas according to the attorney 'Abdullah Ibn' Umar al Syabi. Mujahid, Qatadah, Rabbi Ibn Anas, and Abdurruhman Ibn Aslam, as quoted by Muhammad Jamaluddln al-Qasirni; that surat al-Baqarah verse 219 is the first verse relating to *khamr*, then followed by Surat al Nisa 'verse 43, only then after it came down the letter al-Maidah verses 90-91 which became klirnaks / pamungkas related with *khamr*.

2.2 Positive Indonesian Law

Narcotics is an abbreviation of Narcotics, Psychotropic and addictive ingredients. The terminology of familiar drugs is used by law enforcement officials such as the police (including the National Narcotics Agency), prosecutors, judges and correctional officers. In addition to drugs, other names that refer to these three substances are drugs, namely narcotics, psychotropic substances and addictive substances. The term drug is usually used more by health and rehabilitation practitioners. But in essence the meaning of the two terms still refers to the same three types of substances.

Etymologically, English-language narcotic which means narcotics, which means the same as narcosis in Greek, which means to put to sleep or make it smooth. Whereas in the dictionary of English-Indonesia drug means sedative ingredients, drugs or sedatives.

Terminologically drugs are drugs that can calm nerves, causing pain, causing sleepiness or stimulation. William Benton as quoted by Mardani explains in his book drugs is a general term for all types of substances that weaken or anesthetize or reduce pain. Soedjono in social pathology formulated narcotics definitions as ingredients which mainly had the effect of anesthetic work or could reduce consciousness. While Smith Kline and French Clinical gave narcotics definitions as substances that can cause unconsciousness or anesthesia because these substances work to affect the arrangement of nerve centers. In the definition of narcotics it includes types of opium such as morphine, cocaine, and heroin or substances made from opium such as (*meripidine* and *methodan*). While Korp Reserce Narcotics says that narcotics are substances that can cause changes in feelings, composition of observations or visions because they affect the nervous system.

Furthermore, in Law No. 35 of 2009 concerning narcotics article 1 paragraph 1 states that narcotics are substances or drugs originating from plants or not plants that are either synthetic or semi-synthetic which can cause a decrease or change in consciousness, reduced sensation, reduce pain relief and can cause dependence that is distinguished in groups.

Indirectly, the misuse and illicit circulation of drugs also have a high and long-term loss in the form of low quality (health, education, intellectuality and productivity) of human resources. Abuse and illicit drug trafficking is linked to widespread social problems, crime, arms smuggling, separatist movements and illicit money laundering resulting from drug crimes, corruption, and disruption of political instability and loss of investor confidence.

In addition, in recent years it turned out that, in turn, drug abuse with needles is related to transmission of HIV / AIDS, deadly diseases that have not been found for drugs or vaccines, hepatitis B and C and infectious diseases through other body fluids. The danger of drug abuse has now become a serious double threat, namely the destruction of the future and life plus prolonged suffering without hope of recovery due to the destruction of the immune system.

Complications and epidemics of the problem of drug abuse and illicit trafficking, as well as the severe impacts and threats to various aspects of life and the future of the nation, the response is nothing but mobilizing all efforts and the potential of society and the nation to prevent and combat it.

Problems and abuse and illicit circulation of drugs are complex problems both the cause and impact, and have plagued all levels of society. Therefore a comprehensive multidisciplinary solution is needed, cross sectoral coordination and integration as well as community participation. As long as the community views the task of combating the dangers of abuse and illicit drug trafficking as a duty of the government alone, so long as it will not succeed.

Meanwhile, social reality in Indonesian society both in rural and urban areas, community leaders are still quite influential and play a role in directing and driving community participation in the fields of health, education, and prevention of drug abuse in particular.

Not all addicts want to recover or stop using. As with other social diseases, such as prostitution, drug abuse is impossible to eradicate. There are some of them who maintain their lives as addicts.

For addicts with syringes, the result is an increase in HIV / AIDS and hepatitis B / C, which is transmitted to sexual partners or other addicts who use syringes together.

The supply reduction program and the reduction in the need for drug use (demand reduction) such as education and prevention, therapy, and rehabilitation, as well as improving the economy and social life, can only be successful in the long-term phase.

However, for groups of active addicts who still want to maintain their lifestyle, the above efforts do not mean much. Reduction of harm is a program to reduce the adverse effects of drug use, especially injection needle users. The short-term goal is to prevent the spread of HIV transmission among drug addicts with needles. If not, efforts to stop using drugs (abstinence) and recovery will be in vain.

III. Research Methods

The subject of this study is drug abuse in the perspective of Islamic Law based on revelation and in the perspective of Indonesian positive law. The approach used in this study is comparative through juridical normative-telogic. The telogical side of normativity lies in the Islamic legal norms (*fiqh jinayah*) dictated by revelations from both the Alqur'an and the Prophet's Hadith. Because the approach in this study can be classified into revelation research. While the nomination-juridical side lies in the legal norms that apply in the Republic of Indonesia.

IV. Discussion

Indirectly, the misuse and illicit circulation of drugs also have a high and long-term loss in the form of low quality (health, education, intellectuality and productivity) of human resources. Abuse and illicit drug trafficking is linked to widespread social problems, crime, arms smuggling, separatist movements and illicit money laundering resulting from drug crimes, corruption, and disruption of political instability and loss of investor confidence.

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This method is also called a treatment program. Curative programs are aimed at drug users. The goal is to treat dependence and cure diseases as a result of drug use, while stopping drug use. Not just anyone can treat drug users. Drug use is often followed by the entry of dangerous diseases and mental and moral disorders. The treatment must be done by a doctor who studies drugs specifically.

Treatment of drug users is very complicated and requires extraordinary patience from doctors, families, and sufferers. This is why the treatment of drug users requires large fees but the results are many that fail. The key to successful treatment is good cooperation between doctors, families and sufferers.

Forms of patient or user treatment activities include:
a. Termination of drug use
b. Treatment of health problems due to cessation and drug use (detoxification)
c. Treatment of body organ damage due to drugs
d. Treatment of other diseases that can enter with drugs (diseases that are not directly caused by drugs), such as HIV / AIDS, hepatitis B / C, syphilis, pneumonia and others.

Repressive programs are legal action programs against producers, dealers, dealers and users. The program is a government agency that is obliged to monitor and control the production and distribution of all substances classified as drugs. In addition to controlling production and distribution, repressive programs in the form of repression were also carried out against users as violators of the Law on Drugs. Agencies responsible for the distribution, production, storage and abuse of drugs are:
a. Drug and Food Agency (POM).
b. Department of Health.
c. Directorate of customs and excise.

d. Directorate General of Immigration.
e. Indonesian republic police
f. Attorney General's Office / High Prosecutor's Office / State Attorney's Office
g. Supreme Court (High Court / District Court).

Many drugs are made from chemicals that are everyday useful for the benefit of other industries and agriculture. Materials called precursors can be mixed into drugs and circulated in illegal trade. Due to the extent and complexity of the problem, all people, including NGOs and other social institutions, must participate in assisting the relevant officials.

Rehabilitation is an effort to restore mental and physical health aimed at drug users who have undergone curative programs. The goal is that he does not use again and is free of follow-up diseases caused by former drug use. Drug users can experience physical damage (nerves, brain, blood, heart, lungs, kidneys, liver and others), mental damage, changes in character to the negative social direction and follow-up diseases (HIV / AIDS, hepatitis, syphilis etc.)

That is why drug treatment without recovery efforts (rehabilitation) is not useful. After recovering, there are still many other problems that will arise. All these negative impacts are very difficult to overcome. Therefore, many drug users who when "are aware" actually experience despair; then kill yourself. The most common method of suicide by drug users is by injecting themselves with excessive doses of drugs so that they experience an overdose (OD). The cause of the most suicide attempt is despair because he knows he has HIV / AIDS, or is annoyed that he cannot escape from drugs.

Rehabilitation is a restoration (repair, recovery) of normality, or recovery towards the most satisfying status for individuals who have suffered mental illness. Rehabilitation is also understood as an effort to restore Narcotics addicts to live physically and mentally healthy so they can adjust and improve their skills, knowledge and intelligence in the environment. Handling Narcotics cases with rehabilitation practices is carried out so that legal justice can be carried out properly.

Given that in this criminal act the perpetrator is also a victim, the practice of recovery is given to drug addicts not only as a form of punishment. The principles of victim protection are also one of several things that encourage the birth of punishment in the form of rehabilitation.

Law number 35 of 2009 concerning narcotics mentions two concepts of rehabilitation of narcotics addicts, namely medical rehabilitation and social rehabilitation. Medical rehabilitation is a process of integrated medical activities to free addicts from Narcotics dependence. Whereas social rehabilitation is a process of integrated medical activities, both physical, mental and social, so that former narcotics addicts can return to carrying out social functions in community life.

Article 54 states that addicts and victims of drug abuse must undergo medical rehabilitation and social rehabilitation. In the original explanation 54, it is stated that what is meant by victims of drug abuse is people who accidentally use drugs because they are persuaded, deceived, deceived, forced, and threatened to use Narcotics. Is it true that protection for Narcotics addicts has been achieved with the enactment of Article 54 of Law No. 35 of 2009? The question is, what about the provisions that apply in article 127? Article 127 of Law No. 35 of 2009 stipulates that: (1) every abuser uses: a. Group I Narcotics for oneself is punished with imprisonment for a maximum of 4 (four) years; b. Narcotics class II for yourself is punished by imprisonment for a maximum of 2 (two) years; and c. Group III Narcotics for oneself is subject to a maximum of 1 (one) year imprisonment. (2) In deciding the case as referred to in paragraph (1), the judge must pay attention

*Britain International of **Humanties** and **Social Sciences** (BIoHS) Journal*
ISSN: 2685-3868 (online), 2685-1989 (print)
Vol. 1 , No. 1, June 2019, Page: 26-34

to the provisions referred to in article 54, article 55, and article 103; (3) In the case of misuse as referred to in paragraph (1) can be proven or proven as victims of Narcotics abuse, these abusers must undergo medical rehabilitation and social rehabilitation.

Judging from the definition, what is meant by Narcotics addicts is people who use or abuse Narcotics and are in a state of dependence on Narcotics, both physically and psychologically. While what is meant by misuse is people who use Narcotics without rights or against the law.

While on the other hand, namely Article 103 of Law No. 35 of 2009 stipulates that: (1) Judges who examine cases of Narcotics addicts can: a. decide to order the concerned person to undergo treatment and / or treatment through rehabilitation if the Narcotics addict is found guilty of Narcotics crime; or b. stipulates to order the concerned person to undergo treatment and / or treatment through rehabilitation if the Narcotics addict is not proven guilty of Narcotics crime.

The three articles, namely Article 127, Article 54 and Article 103 of Law No. 35 of 2007, it can be seen how difficult it is to determine how the actual form of punishment must be imposed on Narcotics addicts, especially in the case the author mentioned above as an example.

Article 128 reads: 1) Parents or guardians of addicts who are not old enough, as referred to in Article 55 paragraph (1) who deliberately do not report, are punished with imprisonment for a maximum of 6 (six) months or a maximum fine of Rp1,000,000 , 00 (one million rupiah). 2) Narcotics addicts who are not of sufficient age and have been reported by their parents or guardians as referred to in Article 55 paragraph (1) are not prosecuted. 3) Narcotics addicts who are of sufficient age as referred to in Article 55 paragraph (2) who are undergoing medical rehabilitation 2 (two) times the period of treatment of doctors in hospitals and / or medical rehabilitation institutions appointed by the government are not prosecuted. 4) Hospitals and / or medical rehabilitation institutions as referred to in paragraph (3) must meet health standards set by the minister. Elements of Article 128 paragraph (1) are: First element, parents or guardians of addicts who are not old enough as referred to in article 55 paragraph (1). There are two things that must be considered in this element first, whether people who are not old enough are addicts who are then referred to as addicts who are not of the second age whether the parents or guardians have legal ties as parents of children, both as parents and under the guardianship with addicts who are not old enough.

The second element, deliberately did not report. Deliberately is the inner attitude that underlies the action. Because it is intentionally in the inner field, then from a real attitude in the world of birth will be known that inner attitude. Not reporting means not carrying out the obligation of the member to know things that are known. Therefore, intentionally not reporting means an awareness manifested in an action not to tell things that are known even though the notification is obligatory either secretly or ignoring what is known or even hiding information.

Article 55 paragraph (1) stipulates that parents or guardians of Narcotics addicts who are not old enough must report to community health centers, hospitals and or medical rehabilitation and social rehabilitation institutions appointed by the government to obtain treatment and / or care through medical rehabilitation and social rehabilitation. Parents or guardians must know their child is an addict and still not old enough and apparently does not carry out their obligations to report to the community health center, hospital, and / or care through medical rehabilitation and social rehabilitation.

The criminal threat for parents / guardians who intentionally do not report as stipulated in Article 55 paragraph (1) is a maximum of 6 (six) months imprisonment or a maximum fine of Rp1,000,000.00 (one million rupiahs). This means that the judge has an alternative criminal choice in the form of confinement or penalty in making a decision. In contrast to the provisions in article 128 paragraph (2) determining Narcotics addicts who are not of sufficient age and have been reported by their parents or guardians as referred to in Article 55 paragraph (1) are not prosecuted.

In Article 128 paragraph 3, Narcotics addicts who are of sufficient age are required to report themselves or be reported by their families to public health centers, hospitals and or medical rehabilitation and social rehabilitation institutions appointed by the government. To get treatment and / or care through medical rehabilitation and social rehabilitation (Article 55 paragraph (2)).

V. Conclusion

The concept of prevention and tackling of drugs in Islamic law in the form of preventive, refresive and educative. Whereas in Indonesian positive law through law No. 35 of 2009 in the form of preventive, refresive, curative and educative efforts and has made compulsory provisions for the rehabilitation of addicts and victims of drug abuse.

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Commitment of Political Communication in the Mayor of Banda Aceh, Indonesia

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Abstract :
The development of political communication relies on multidisciplinary based on concepts in communication, political science, journalism, sociology, psychology, history, rhetoric, and others. This study deals with commitment of political communication in the mayor of Banda Aceh, Indonesia. Constructivism paradigm is used in this study to discuss the perceptions on truth, explanation, beliefs and views about the world. The result shows that the mayor paradigm in building the Banda Aceh city area referred to the concept of the Prophet's development in Medina, and the Aceh Sultanates in building the area. Success in building the country and region are basically fully committed to carrying out and enforcing Islamic law in order to be strong and reside in the souls of the people. Therefore the mayor believes and is committed to continuing to build the city of Banda Aceh as a civil city model that is inseparable from building Islamic law in a consistent manner.
Keywords :
Commitment; political communication; Mayor; Banda Aceh.

I. Introduction

The Mayor is the city government chosen through a democratic system that is carried out on the basis of direct, general, free, confidential, honest and fair principles to regulate and manage government affairs and the interests of the local community in accordance with their respective functions and authorities as stated in Indonesian government law and Aceh government law and other laws that are tied to development authority. Thus in the Law of the Government of Aceh related to Mayor's affairs including planning, utilization and supervision of spatial planning, development control planning, implementation of public order and public tranquility, provision of public facilities and infrastructure, health sector subscribers, education and potential allocation of human resources, tackling social problems, services in the fields of employment and employment, facilitating the development of cooperatives, small and medium enterprises, providing services for administrative population and investment.[1]

But the mayor's special authority in the implementation of development in the privileged area of Aceh, the Mayor has the authority to hold religious life in the form of Islamic Shari'a for his followers in Aceh while maintaining harmony among religious people, the Mayor has the authority to carry out Islamic life, then the authority to organize education quality and add local content material in accordance with Islamic law without ignoring the role of ulama in the Mayor's policy setting. In addition, the Mayor has the authority to administer Madrasah Islamic and Madrasah Tsanawiyah education, and the Mayor has the authority to regulate public ports and airports that have been regulated in the Law on Aceh government.

Likewise, formal authority based on Article 25 and 27 of the Republic of Indonesia Law No. 32 of 2004, the regional head has the duty, authority, and obligation to lead the implementation of regional government based on policies stipulated with the DPRD; submit a regional regulation plan; stipulate regional regulations that have been approved by the DPRD; compile and propose regional regulations on APBD to DPRD to be discussed and stipulated together; strive to carry

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[1] Law of the Republic of Indonesia Number 11 of 2006 concerning Aceh Governmen

out regional obligations; represent areas inside and outside of service and can appoint legal counsel to report in accordance with the laws and regulations and carry out other authority duties in accordance with the laws and regulations.

II. Review of Literatures

2.1 Political Communication

In the past few decades, the study of political communication has experienced rapid development, and that growth has taken place throughout the world. When viewed from a historical standpoint, political communication has been known in early studies of democratic discourses from Aristotle and Plato. In its development, modern political communication relies on multidisciplinary based on concepts in communication, political science, journalism, sociology, psychology, history, rhetoric, and others. These developments, made various contributions to the definition of political communication. To bring understanding to the definition of communication consisting of two words, namely the word communication and politics, the two words will be explained separately without reducing the philosophical meaning and purpose.

The terminology of communication comes from Latin, namely *Communico*, which means to divide, and *Communis*, which means building togetherness between two or more people. The word "Communication" can also be interpreted as 'notification' or 'exchange of thoughts'. Broadly speaking, in the communication process, there must be elements of similarity in meaning that an exchange of thoughts and understanding occurs between communicators and communicants. Then the communication process has the meaning of transferring information or messages from the sender of the message as a communicator to the recipient of the communicant. The process of communication aims to achieve mutual understanding between the two parties involved in the process itself. The large Indonesian dictionary defines communication as the sender and recipient of messages or news between two or more people so that the message in question can be understood.

Communication is one of the most important forms of human activity without days of communication. Every living thing needs communication because communication is a symbol of the existence of life in society. Viewed from this perspective, communication shows the existence of a relationship and interactions that occur between two or more people. These interactions occur because someone conveys messages in a certain form that is received by other parties who are the target so that more or less will influence the attitudes and behavior of the party in intent. Anyone as a member of the community does this continuously sometimes even unconsciously, including those who do not understand the meaning and concept of communication. Therefore, it is understandable that communication is an activity carried out by all members of the community, anytime and anywhere.

2.2 Civil Society.

Civil Society is formed from a combination of the words "Society" and Civil. The two words, together are breakfast words from Arabic that have been standardized into Indonesian vocabulary. Therefore, in order to easily understand this concept, it will be explained the second meaning of the word. In the large dictionary Indonesian language defines the word "Society" with the meaning "a number of people in the broadest sense and bound by the culture that they consider the same". However, the word community basically comes from Arabic, namely the root word consists of letters *sha* (ش), *ra* (ر), and *kaf* (ك). From the root word is formed words like, *shirk*, *sharikat*, and *shirkah-sharikah*. The first word, according to the dictionary *Al-Munawir* means an ally, the second word has the meaning of union, association, association, group or group. While the third word according to the *Al-Maurid* dictionary, means Company, Corporation, Firm, Business, Partnership, and Association. In the *Al-Munjid* dictionary it is said that *al-shari'at* means mixed.

In terms of terminology, according to M. Quraish Shihab's search for the verses of the Qur'an, it is concluded that society is a collection of many small or large individuals bound by units, customs, laws, and shared life. In the Koran there are several words that are used to show people or groups of people. Among other things: *qawm, ummah, sha'b,* and *qabilah. Ali Nurdin* added eight terms of society besides that, such as *firqah, taifah, hibz, fauj,* expressions beginning with *ahl,* expressions beginning with *alu, al-nas, and asbat.* These terms, by the Qur'an, are characterized by certain characteristics, such as *al-Mala'al-mustakbirun, al-mustadh'alfun, al-muslimum, al-mu'minun, al-mushrikun, ahl al kitab,* and others- other. Quraysh Shihab and Dewam Rahardjo concluded that from the many terms of society used in the Qur'an, the word *ummah* which had been Indonesian became a people, closer to the understanding of the community.

The word civil, rooted in the word *masdar* (noun) of a series of letters *dal* (د), *ya* (ي), and *nun* (ن) of *fi'il madi* (verb) *dana* (د ا ن) the word derives in the form word *dain* (take profit) and *din* (religion, submission, and submission). According to Harun Nasution and Nurcholis Madjid, they agreed to be in line with religion, law or law. In Arabic, the word also means mastering, subduing, obedient, debt, repayment and habit. *Din* is a bond that humans must hold and obey. Thus between the two meanings of this pattern (debt and religion) there is a close relationship. Then religion is essentially a responsibility that must be fulfilled by humanity in the form of its dedication to the Almighty creator. Apart from that, the derivation of the word also becomes the word Medina as an edible meal which is a change from the word *madyan* in the Qur'an called the city where the prophet *Syu'aib* lives. From the words of Madam and *Madinah* through the adjustment of the phoneme, the word civil is formed as the ratio of the word Medina, which is the ideal city built by the Prophet Muhammad. Thus, it can be said essentially that civil life is characterized by the supremacy of the law in the life and order of society

III. Research Methods

The paradigm of this study is the paradigm of constructivism, where the paradigm of constructivism begins with the fundamental question of how people in a place or location construct reality. This paradigm discusses their perceptions. Truth, explanation, beliefs and views about the world. Besides the consequences of the construction for their behavior and other people who interact with them are also examined.[2]

Guba and Lincoln explain, constructivism begins with the idea that humans have natural, physical differences and thus must be studied differently. This is because every human being has developed the capacity to interpret and construct reality. Constructivism is often referred to as a social process. Guba and Lincoln also explained that paradigms can be defined as a set of basic beliefs related to the main principles. A paradigm for adherents will represent a world view, which defines the nature of the world the place or position of the individual in it and the possible distance between the world and its parts.

Paradigm as a way of looking, can be contrary to one another or difficult to meet, because it has assumptions and explanations about its own social reality that is difficult to compare and assess one by one. Denzim and Lincoln, judging that the paradigm has 3 elements or assumptions, namely epistemology, anthology and methodology that can make a fundamental difference between these paradigms.

IV. Discussion

Commitment of political communication in the mayor of Banda Aceh wants to build the community of the city of Banda Aceh as a model of the city. This political communication

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[2] Patton 2002, P. 96

commitment arises from the determination of geopolitical analysis, the natural conditions of the region, the regional development policies of the Aceh province and the vision of national development. The strong desire of the mayor in building the community of the city of Banda Aceh as a civil model refers to the concept of the development of the Prophet in Medina, and the Aceh sultans in building the region. Success and success in building the country and region are basically fully committed to carrying out and enforcing Islamic law in order to be strong and reside in the souls of the people.[3] Therefore the mayor is confident and committed to continuing to build the city of Banda Aceh as a model of a civil city that cannot be separated from building Islamic law. Then the political communication commitment was reformulated with the regional stakeholders of the city of Banda Aceh in a deliberate medium-term development plan deliberation to be able to become a shared vision and mission in building the community of Banda Aceh in the future.

Vision and mission are political messages that are conveyed and offered by the mayor to the stakeholders of the city of Banda Aceh to be understood in conference so that stakeholders in the city of Banda Aceh understand and provide support to the mayor in carrying out their duties, obligations and authorities in building the area in accordance with the commitment political communication of the mayor of Banda Aceh, so that the development vision and mission that has been determined can run in accordance with the common goals and expectations that can reflect the factual conditions of the region. The goal is none other so that the regional vision which is a picture of idealism about the future situation that contains the ideals and images that want to be realized is able to look far ahead about where and how the government brings and works to continue to exist, be consistent, anticipatory, innovative and productive. Thus, the defined development vision can bring enlightenment and motivation to all existing officials to constantly improve performance in order to realize this vision.

The established development vision needs to be embedded in each government organizational structure so that it becomes a shared vision, which in turn is able to direct and mobilize all available resources. Vision is a description of how the organization will appear when the organization successfully implements its strategy and reaches its full potential. A good vision according to Bryson that was elaborated from the opinions of Kouzes and Posner, presented inspirational features. Focusing on a better future, encouraging hopes and dreams, being attracted to common values, expressing positive results, suppressing the strength of a united group, using words, imagination and word metaphor, and communicating enthusiasm and joy that lights up - this While in the same context, Efendi formulated that a vision should reflect what an institution wants to achieve, be able to provide clear direction and strategic focus, be able to become an adhesive and unite various strategic ideas contained in an institution and have an orientation towards the future, so all ranks must play a role in defining and shaping the future of their organization and being able to grow the commitment of all levels in the institutional environment, finally being able to guarantee the continuity of organizational leadership.[4]

Vision is also an ideal situation or condition to be achieved for the future, its nature gives input and direction and conditions in the future. Vision is also a dream or hope for the future that you want to manifest in reality. Determination of the vision for the future is the aspirations of the people combined with the results of the development consultations from the elements of government and the community, the representatives of the people of the city of Banda Aceh and other stakeholders.

In establishing the vision of the development of the city of Banda Aceh in accordance with the commitment of the political communication of the mayor delivered during the political

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[3] Tun Dr. Mahathir Mohammad in the International Seminar held by the Harian Umum Waspada, Monday (07/182016) in Medan, North Sumatra. Jw Mariott Hotel

[4] Mawardy Nurdin. *Strategi Membangun Kota Banda Aceh Berbasis Kompetensi,* (Jakarta: Indomedia 2011), P. 158

campaign there needs to be accommodation in line with the national medium-term development plan, the provincial development plan, and the long-term plan of the city of Banda Aceh. and intimacy in achieving the development goals of the city of Banda Aceh.

Judging from the 2015-2019 national development vision during the presidential period, Joko Widodo and Muhammad Jusuf Kala's vision of development is the realization of "Sovereign, Independent Indonesia, and a Basic Personality of Mutual Cooperation." To realize this vision it is pursued with 7 development missions namely : (1). Realizing national security that is able to maintain regional sovereignty, manage economic independence by practicing maritime resources, and reflect the personality of Indonesia as an archipelagic country. (2). Realizing an advanced, balanced and democratic society based on the rule of law. (3) Realizing free and active foreign policy and strengthening identity as a maritime. (4). Realizing the quality of life of Indonesian people who are high, advanced and prosperous. (5). Realizing a competitive nation. (6). Realizing Indonesia to be a maritime country that is independent, advanced, strong and based on national interests. (7). Creating a community that has a personality in culture.

Meanwhile, the Aceh provincial government in the regional mid-term development plan for 2012-2017 establishes a vision of development, namely "Aceh with dignity, prosperity, justice, and independence based on the Law on Aceh Governance as Mou Helsingki's Form". The stated vision means: Being dignified: is the creation of conditions of the people of Aceh who have high civilization, noble character, intelligent, broad-minded, law-abiding, healthy according to living standards and the realization of the Aceh government that is capable of carrying out its special and special authority. Prosperous, is the fulfillment of the life needs of people who are both material and spiritual who are balanced between the life of the world and the hereafter. Fairly, is the realization of a just, equitable, participatory and proportional development in accordance with the potential and superiority of the region based on the principle of benefit for the life of the community. Mandiri, is the realization of society and government that are able to fulfill their own basic needs by utilizing the potential of natural resources, human resources and other resources effectively, efficiently and sustainably.

In realizing the vision of Aceh, it was pursued through the five Aceh development missions, namely: (1). Improving the trustworthy governance of Aceh through the implementation and completion of implementing regulations for the UUPA in order to realize a dignified Aceh. (2). Strengthening the relationship between Aceh Government and all stakeholders in order to consolidate peace. (3). Applying the Dinul Islam and Acehnese civilization in all aspects of people's lives. (4). Improve the quality of human resources (HR). (5). Realizing proportional, integrated and sustainable Aceh development. (6). Building a strong, just and advanced Aceh economy by increasing product value added and optimizing the use of natural resources. In the RPJPD, the Banda Aceh City Development Vision was established "The Realization of Banda Aceh as a City of *Tamaddun*, Modern and Islamic" In the next 20 years the city of Banda Aceh is expected to become a city with high civilization, mastering and utilizing science and technology for the benefit and community welfare based on local wisdom and Islamic values.[5]

Based on this description, the mayor of Banda Aceh set a vision in building the mid-term city of Banda Aceh or the five-year future of the city of Banda Aceh carefully and strategically, based on an analysis of the geopolitical conditions of the Banda Aceh city, natural conditions and conditions of natural resources, as well as current issues, where the vision of the city has been outlined in the strategic plan of the city of Banda Aceh through Aceh Qanun No. 12 of 2013 concerning the 2012-2017 Aceh medium-term development plan. "Banda Aceh is the city model of civil."

Banda Aceh civil model is the political message of the mayor which has been formulated into a common vision and mission that has been agreed upon with the community and

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[5] Documentation, Mid-Term Development Plan for Banda Aceh City for 2012-2017.

stakeholders of the Banda Aceh city community in the implementation of medium-term development. The civil city in question is a city that has a faithful and noble population, maintains unity and unity, is tolerant of differences, obeys the law, and has a wide public space. Besides that the community participates in the implementation of development, is inclusive, is able to work together to achieve the common goals that are aspired. This situation is expected to give birth to the citizens of Banda Aceh who have a friendly, obedient, peaceful and prosperous identity, high self-esteem, cultured, and civilized.

Efforts to realize the vision of building the city of Banda Aceh as a model city, the city of Banda Aceh launched it into a desire, determination and strong shared commitment to the 7 missions, in the context of implementing governance and development, namely:

First : Improving the Quality of Islamic *Shari'a* Practice in *Kaffah*
Second : Strengthening Good Governance
Third : Strengthening the Democratic Economy
Fourth : Growing a Society that is Specific, Healthy and Prosperous, Mastering Various Sciences, Technology, Art and Culture
Fifth : Continuing Islamic Tourism Infrastructure Development
Sixth : Increasing Women's Participation in the Public Sphere and Child Protection.
Seventh : Increasing the Role of Young Generation as a Power of City Development.

To achieve the vision and mission of Banda Aceh City Principles and values need to be developed. Principally that needs to be developed. (1). The principle of democracy is to uphold freedom of expression in people's lives. (2). The principle of participation gives space for every citizen to have the same voice in making decisions, both directly and through the intermediation of legitimate institutions that represent their interests. (3). The principle of transparency creates a flow of information that is open to the public so that the public can understand the programs and activities carried out by the government. (4). Transparency is built on the basis of freedom of information. Processes, institutions and information that can be directly received by those who need information must be understood and can be monitored. (5). The principle of accountability, decision makers in government, the private sector and society (civil society) is responsible to institutions and stakeholders (stakeholders) and the community. (6). The principle of decentralization, the surrender of part of the authority of the city government to the government under it.

While the values that develop in the community of the city of Banda Aceh are very valuable capital in facing future challenges. These main values are the operational foundation that can stimulate stakeholders to achieve their vision and mission. The main values in question are:

a. Devotion: the values of the faith of mankind / servants of God to the Creator. In more complete manner, devotion is to carry out all obligations, stay away from all prohibitions and *syubhat* (vague cases), then carry out *sunnah (mandub)* cases, and stay away from *makruh* (hated) cases;

b. Justice: the attitude and actions of someone who treats other people according to their functions, roles, and responsibilities and by paying attention to the rights and obligations of the community;

c. Professionalism: skilled, reliable and responsible and full of dedication in carrying out his profession;

d. Honesty: a value where attitude and speech are in accordance with the actual situation and actions, preaching the truth without being replaced, changed, reduced or added. This has implications for policy making so that implementation is in accordance with the initial ideals when the policy was determined, socialized and explained as it is;

e. Integrity: a personality based on the elements of honesty, courage, wisdom, and accountability that give rise to trust and respect;

f. Responsibility: willingness to bear something, that is if it is wrong to correct it or dare to be prosecuted or prosecuted;

g. Collaboration: commitment between members of the organization to support each other, avoiding sectorial egos that prioritize the part of their own organization; and

h. Sustainable: the development carried out does not only meet current needs but also does not sacrifice the fulfillment of the needs of future generations.[6]

With full commitment to maintain continuity in the process of implementing the regional development of the city of Banda Aceh, the mayor approached political communication between government agencies, non-ministries and regions in technical development coordination, coordinated by the administration of government affairs in the field of development planning. Done in the planning, implementation, control and evaluation stages of regional development. Regional development planning is outlined in regional long-term development plans, regional mid-term plans, and, regional work plans, in accordance with the conditions and needs for regional development that are synergized based on national long-term development plans and regional long-term development plans and medium development plans. To maintain the continuity of the implementation of regional development and also become a guideline for regional work units in developing strategic plans and government work plans in building the community of Banda Aceh as a civil model.

V. Conclusion

Commitment of political communication in the mayor of Banda Aceh wants to build the community of the city of Banda Aceh as a model of the city. This political commitment arises from the results of the geopolitical analysis, the natural conditions of the region, the Aceh provincial regional development policy and the national development vision, and the strong desire of the mayor himself. The mayor paradigm in building the Banda Aceh city area referred to the concept of the Prophet's development in Medina, and the Aceh Sultanates in building the area. Success in building the country and region are basically fully committed to carrying out and enforcing Islamic law in order to be strong and reside in the souls of the people. Therefore the mayor believes and is committed to continuing to build the city of Banda Aceh as a civil city model that is inseparable from building Islamic law in a consistent manner.

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Society Response to Mobile Services on Mobile on The Road Investment Services and Integrated One-Stop Licensing Services in Tebing Tinggi City

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Abstract :
The aim of this study is to find out the society response Mobile Services on Mobile on The Road Investment Services and Integrated One-Stop Licensing Services in Tebing Tinggi City. This research was conducted at the Investment Office and the One-Door Licensing Service of Tebing Tinggi City. The result of this study The response given by every community that has taken care of business permits is also quite good, they feel satisfied that they have been well served by Mobile On The Road officers who are well served to arrive at the stage of delivering ready-made letters to them.
Keywords :
government; society response; investment services; licensing service

I. Introduction

The paradigm of organizing government has now shifted from government to governance. Good government (good governance) is necessary for the new paradigm to work well to achieve its goals, namely well-being and justice. The urgency of the "Good Governance" paradigm in responding to the above is to keep the "serving" function of public service through accountability, although under the conditions some such sectors of service have been given to the private/business sector. People are specified to be a society entitled to receive public services need to be granted access to monitor and evaluate the performance of public services.

Soeprapto (2005) argues that the government is not built to serve its own needs, but aims to serve the needs and interests of the community and create conditions that allow each member of the community to develop their abilities and creativity to achieve common goals. Public service by the public bureaucracy is one manifestation of the functions of the state apparatus as public servants as well as state servants.

The government's efforts to improve the quality of public service as a policy determinant by utilizing the momentum of implementing local autonomy have been made. At least some service innovations of one are the Around Services (Mobile On The Road) policy on the Capital Planting Service and the One-door Licensing Service in the Tebing Tinggi City. The goal of making changes in a better direction in different sectors, one of which was to change the function of local government that had originally been as a promoter of development turned into a community servant.

A wide variety of wild levies became complaints of investors in the area when it took care of the licensing of its investments. Coupled with the uncertainty of the completion time of licensing services became a classic problem in licensing services in the era of regional autonomy. Pull withdrawing the authority of licensing fields is still happening. Some sectors are still under the control of technical services or directly under the control of regional heads. In addition the obscurity of the form of the institution where there is still a separation between licensing services

with the field of capital planting. The separation is certainly incriminating for investors having to deal with two different agencies. The central government has therefore encouraged and facilitated improvements to this licensing service by issuing a One-door Integrated Service (PTSP) policy through No. 24 Traders of 2006.

Tebing Tinggi City is one of the areas that applies the policy of the Ministry of Home Affairs. This can be seen from the results of the related Regional House of Representatives (DPRD) decisions stipulated in the Government Regulation No.18 Year 2016, regarding typology and national nomenclature, Integrated Licensing Service Office (KP2T) being a Type B Service. namely the Mo'dal Planting Service and the One-Stop Integrated Service, Tebing Tinggi City made changes by combining KP2T with the Investment Board (www.kp2t.tebingtinggi.com).\

The One Stop Integrated Service policy aims to create an integrated service system where the management process of several types of services is carried out in an integrated manner in one place. Even in Government Regulation No. 96 of 2012 specifically Article 15 paragraph (2) it is affirmed that a one-door integrated service system must be implemented for the types of licensing services and non-licensing in the field of investment.

II. Review of Literature
2.1 Theories of Public Policy
Basically, there are many limitations or definitions of what is meant by public policy in the literature. Each of these definitions places different emphasis. This difference arises because each expert has a different background. While on the other hand, the approaches and models used by experts will ultimately determine how public policies are to be defined (Winarno, 2007: 16).

Public policy is a policy-making process by the government or holders of power that has an impact on the wider community. The new policy process starts when policy actors begin to realize that there are problem situations, namely situations that are perceived as having difficulties or disappointments in formulating needs, values and opportunities. Public policy is also a process of governance and government administration that results in government decisions, where relevant agencies have authority or power in directing society and responsibility to serve the public interest (Naihasy, 2006: 18).

Public policy provides a direction for action for future behavior while at the same time being a unified direction for a number of programs and projects that require large and small decisions. The direction of this action is generated through the selection process by policy makers from a number of alternative choices available so that this action is deliberate action. The choice does not mean to solve all problems, but provides a solution to a limited situation.

2.2 Public Services
Definition of Public Services According to the Rasyid public service is the provision of services (serving) the needs of people or communities who have an interest in the organization in accordance with the basic rules and procedures that have been set. Government in essence is service to the community. He is not held to serve himself, but to serve the community and create conditions that allow each member of the community to develop their abilities and creativity to achieve common goals (Hardiansyah 2011**:** 14).

Soeprapto (2005) argues that the government is not built to serve its own needs, but aims to serve the needs and interests of the community and create conditions that allow each member of the community to develop their abilities and creativity to achieve common goals. Public service

by the public bureaucracy is one manifestation of the functions of the state apparatus as public servants as well as state servants.

In the Decree of the Minister of Administrative Reform No.63 of 2003 states that the definition of public services is all service activities carried out by providers of public services as an effort to fulfill the needs of recipients of services and the implementation of the provisions of 18 laws and regulations. Then according to MENPAN No.63 of 2004 states that the nature of public service is the provision of excellent service to the community which is the realization of the obligations of government officials as public servants. (Ratminto & Winarsih 2010: 18), According to Law No. 25 of 2009 concerning Public Services article 1 paragraph (1), public service is an activity or series of activities in order to fulfill service needs in accordance with legislation for every citizen and occupation of goods, services or administrative services provided by public service providers.

According to Moenir in his book Public Service Management in Indonesia (2006: 26), the notion of public service is an activity carried out by a person or group of people on the basis of material factors through certain systems, procedures and methods in order to fulfill the interests of others according to their rights . According to Hardiansyah (2011: 11) public service is the provision of services by the government or the private sector to the community, with or without payment to meet the needs and or interests of the community.

Based on the description above, the public service in this study can be interpreted as providing services for the needs of people or communities who have an interest in the organization in accordance with the basic rules and procedures set by the government. Then, public service providers, namely each state-run institution, corporation, independent institution formed based on the law for public service activities, and other legal entities formed solely for public service activities.

The existence of bureaucracy as an instrument of government is expected to provide quality public services. Apparatus as public servants must be able and willing to respond to the development of community needs. In Law No. 23 of 2014 shows the extent of the role of the Regional Government in the field of public services, as a form of realization of the application of the principle of broad regional autonomy.

Based on Law No. 23 of 2014, the attention of the public bureaucracy during the regional autonomy is real, extensive and responsible for satisfying services for the community. One public service that focuses on research is concerning bureaucratic innovation in licensing services in Tebing Tinggi City, namely Mobile On The Road in the Investment Service and One-Stop Integrated Licensing Service (DPMPPTSP). This service is one of the pillars and supporters in the implementation of Regional Autonomy, in this case there is regional financial income (PAD) from the licensing sector.

The public policy paradigm in the era of customer satisfaction-oriented regional autonomy provides direction for changes in the mindset of local government apparatus, in addressing changes and/or shifts in the paradigm of organizing service-oriented local governments. The policy of organizing local government that was originally based on the goverment rule paradigm that is, which puts forward procedures, shifts into a good governance paradigm that puts forward togetherness, transparency, accountability, justice, equality and legal certainty.

III. Method

This research was conducted at the Investment Office and the One-Door Licensing Service of Tebing Tinggi City. This is because at this office made a new policy in providing public services for the people of Tebing Tinggi City. So that researchers are interested in knowing more about this policy.

IV. Discussion

The performance measurement of Mobile On The Road in facilitating small entrepreneurs to have business permits can also be seen from the quality of services provided by officers or employees of the Mobile On The Road in Tebing Tinggi City to the people who own businesses. Quality of service itself describes the quality of services provided and the suitability of service users for services provided, therefore measuring the quality of mobile services is determined by the assessment of service users. Service users can assess the services provided, whether they are as expected or not.

Service users, in this case the society who have businesses or business license applicants, will be satisfied if the services provided are in accordance with what is expected, and vice versa, if the services provided are not as expected, service users are not satisfied. To assess the quality of mobile services around Mobile On The Road, indicators for research are needed, namely the reliability of employees in providing services as well as guarantees given to entrepreneurs who manage business permits, as well as empathy, namely hospitality of officers in providing services.

4.1. Reliability

Reliability is the ability to provide services immediately and satisfactorily. In this case, it can be seen from the readiness or speed of employees in serving the community who will drain the business permit and mastery of the material in providing information to the community. Users of Mobile On The Road service hope that every time they come to the lurah office or when they go directly to their place of business to apply for permission and find out information about what they want to know regarding permit management, they get what they are looking for and get fast and appropriate service , especially in the issuance of business licenses.
Ms. Hairani Siregar 46 Years:

> "if this Mobile On The Road Around Service its employees always give full info on the terms of making the filing of his permit bang, if we go to the office directly inaugurated, long, keep the employees friendly. Anyway the service provided by this traveling service the forest of its employees is not disappointing".

The same thing was said by Mr. Suwarno 48 years:

> "Employees here are also very careful about the completeness of the terms of the permit application, one condition is that the customer is told to immediately complete so that the permit can come out on time and they do not force us, so they are like a service that keeps us informed they check our files, then they will be handed over to us if we want to take care of them or go directly to the service. So it's really good performance"

The same thing was also expressed by Mr. Mulkan 42 Years:
"Here the staff is friendly, Bang, it works too fast, not long-winded. When I took care of my permission because I happened to have completed my file tomorrow, my business

permit was delivered. But if our files are not complete, we are usually told to complete first and then they come again. Usually for a maximum of three days it's finished bang. So far, if I judge, the presence of mobile services is very helpful. "

The statement expressed by Ms. Ratna Kesuma Panjaitan, SE as Head of Complaints, Policy and Reporting:

"Employees or officers who run the Mobile On The Road mobile service program have received special training on personality, namely how to greet customers, serve quickly, precisely and of course friendly, after that they are selected to become officers for this mobile service. Because our main goal in this program is to improve the mindset of the people who have businesses to manage their business permits so that the business is legal according to the provisions. Then we have to change their statutes about the old, complicated management, fussy officers and so on "

Based on the statements from the informants above, it shows that reliability, in this case the speed of employees in serving customers and the accuracy of the information provided by officers to customers, is in accordance with the expectations of its customers or can be said to be very good because so far customers feel satisfied with the work of Mobile On The Road Mobile Services officers in Tebing Tinggi City.

4. 2. Assurance of Reassurance

Positive views will come to public service organizations if someone or customer feels a guarantee or certainty in the service provided in the service process. Assurance / assurance is the ability of the organization to provide trust to customers, in this study certainty is measured by clarity and certainty regarding service procedures, details of service costs, timetable for completion of services, rights and obligations of both the provider and recipient of the service. As expressed by Mr. Suriadi, S.Pd, M.Pd as the acting officer of the Tebing Tinggi City Investment and Integrated Licensing Service Office:

"This Mobile On The Road program is one of the public service facilities in the licensing sector, so it has a working time per month visiting one sub-district, where each week it will take turns to go to the urban villages even to the community unit location directly, for service time always disciplined and on time in accordance with predetermined procedures, so indeed the services carried out are full of assurance, so that the community can change the set that the permit is fast, sure and not expensive "

As expressed by Mr. Sutan 53 years as follow :

"Information about the terms of the business permit to the extent of the cost and the length of time the permit was granted, it has been detailed and very clear, so I can know about the cost to make the permit what is the total and so far it is very suitable. There are no changes or additional costs made by the officer. Because the provision was shown to us in the form of a letter that had been signed by the head of the department and the mayor. So I don't think it's possible that the information was falsified by the officers. "

The same thing was expressed by Mr. Suwarno 48 years:

"This permit was made 3 days ago, faster than the time specified. Because the provisions are scheduled to be completed within 7 days. I knew that my permit had become faster, so from the official's side I was sent directly to my place of business. So we don't bother to take it to the dinas office. In my opinion, the services provided by the officers are quite good. We also have security if for example they want to cheat we can report directly to the department. We were told the official identity "

Based on the statements above, it can be concluded that assurance, starting from certainty about service procedures, details of service costs, schedule for completion of services, rights and obligations of both the giver and recipient of the service, can be said to be guaranteed. The problem of delay that arises from the officers themselves, there have been consequences from the service later. This is done to continue to gain the trust of the customers so that customers, especially the new people, build businesses to manage their business permits.

4.3. Empathy

The concept of empathy is directed to give full care to customers, which includes ease of relationship, good communication, personal attention and understanding the needs of customers. In this study the indicators used to assess empathy are the ability of Mobile On The Road officers to be easily contacted and communicate and hospitality to customers. Sometimes the applicant's permission to be treated more by officers and special services such as providing information directly via telephone. Following are the statements of the Head of the Integrated One-Stop Investment and Licensing Service Office of Tebing Tinggi City, Mr. Suriadi, S.Pd, M.Pd:

> "In order to establish communication with the community / consumers, we do it in addition to friendly service and socialization and are ready to provide the necessary information. For example, if the next day there will be a field check, the officers call to let them know. Or if there is an incoming call from the people who send the permission, we will immediately lift it and give the information needed. In addition, we also open opportunities for customers to give input on what services they want. "

The same thing was also expressed by Ms. Ratna Kesuma Panjaitan, SE as Head of the Complaints, Policy and Reporting Division:

> "To establish communication with the permit applicant, we do socialization and are ready to provide the necessary information face to face. Furthermore, we press the officials to explain the interests of the people who have the business to manage their needs first, such as files that must be completed by them. In other words the officers must be prepared if contacted repeatedly by the party who wants to take care of the permit."

Regarding the convenience of being contacted and communicating, some people who manage business licenses give their opinions. The following are the results of interviewing researchers with them:

Ms. Heriani Siregar comments:

> "Yes sir, they are easy to contact, before I went before this traveling officer once permitted a business permit, but waiting for the officer to check the field did not come, so I lazily returned to the service office to take care of him. It's only now that I take care of it again because it's already been around like this. It's easier to contact, we are also easy to ask about the terms and fees "

> In addition to the ease of making communication links for customers with Mobile On The Road officers they also get service quickly and with great hospitality. As expressed by Mr. Suwarno as follows:

> "The officers of the mobile on the road are attentive and compact, they have fulfilled my expectations as users, unlike other civil servants we often see chatting and reading newspapers, and are usually indifferent to customers, my mobile service feels more time efficient and more friendly"

Based on the above statements, the customers feel that they have been taken care of by the Investment and Integrated One-Stop Licensing Service and are satisfied with what has been provided from this mobile service policy. When confirmed about a number of statements from the people who took care of business licenses that considered this mobile service had given good empathy to customers. Mr. Suriadi, S.Pd, M.Pd as the acting head of the Tebing Tinggi City Investment and Integrated One-Stop Licensing Service said:

> "The service here is trying to find out what the people want as applicants for permission. Before the existence of this mobile service, there was a growing issue regarding the licensing of this business, the procedure was difficult, the deadline for settlement was uncertain, there were many charges, the officers were not friendly. From this issue we were able to find out what the applicant's wishes meant they wanted certainty of time, friendliness, easy procedures, transparent costs. We know that desire and then we try to fulfill that desire by making this mobile service policy. "

In addition to the above opinion, Suriadi, S.Pd, M.Pd, as the acting head of the Tebing Tinggi City Investment and Integrated One-Stop Licensing Service also added:

> "In addition, the officers were also given direct training in service ethics, namely personality training, before being hired in Mobile On The Road, so that in dealing with permit applicants who have different characteristics, officers can be responsive about the steps that must be taken. For example, if there is an impotent permit, it means that we must pay more attention and the employee must be more patient. Besides that, every time there are applicants who need help, they are immediately assisted so that they always feel cared for. "

The implementation of the service process does not always go as expected. There are factors that influence the service process that exists in a service organization. These factors exist that are inhibiting and supporting the performance of an organization. In this study, aside from discussing the implementation of mobile services, the response from the community, researchers also examined the obstacles that hampered the mobile service process that had been going on for three years in Tebing Tinggi City in issuing business licenses. The obstacles in this mobile service include:

1. The total and condition of official cars that are inadequate for the implementation of this tour, so far each month it still takes turns using the official car.

2. The lack of validity of the data provided by the applicant's permission, some of the obstacles that occur in mobile services actually come from the people who make the permit application themselves. Permits that are late issued are generally due to files provided by the customer in the data fulfilling the licensing requirements, some of which are invalid or even fake. The lack of validity of data provided by the applicant is mostly because the identity data has expired.

V. Conclusion

The response given by every community that has taken care of business permits is also quite good, they feel satisfied that they have been well served by Mobile On The Road officers who are well served to arrive at the stage of delivering ready-made letters to them.

Obstacles faced by the Tebing Tinggi City Investment and Integrated One-Stop Licensing Service in implementing mobile service policies as a manifestation of community service

innovation engaged in licensing, specifically the issuance of trade business licenses include the following: Amount and condition of official cars inadequate and less valid data provided by the applicant's permission.

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Corruption Prevention Efforts with Non Penal Policy

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Abstract :
This study discuss about the efforts of corruption prevention with non penal policy. Criminal politics as a rational effort of the community in tackling crime, can be carried out operationally either through reasoning facilities or nonpenal facilities. Penal and nonpenal means are a pair that cannot be separated from each other, it can even be said that they complement each other in an effort to deal with corruption. Some social problems and conditions which can be conducive factors for the emergence of crime are clearly problems that cannot be overcome alone eyes with reason.
Keywords :
corruption prevention; effort; non penal policy

I. Introduction

The number of corruption cases until mid-2018 until now continues to increase. This increase is not only in the number of perpetrators of corruption who were convicted of law, but also in the amount of money that is corrupted.

Corruption practices such as abuse of authority, bribery, giving facilitation payments, illegal fees, giving rewards on the basis of collusion and nepotism and the use of state money for personal interests, are interpreted as acts of corruption and are considered common in this country. "The results of ICW monitoring in 2018 there were 1,053 cases with 1,162 defendants decided at all three levels of the court," ICW researcher Lalola Easter said at the ICW office, Jakarta, Sunday afternoon. "ICW data collection conducted from January 1, 2018-31 December 2018. ICW noted, the distribution of corruption decisions in 2018 was 926 defendants at the district court level, 208 at the high court level, and 28 defendants at the MA level

Corruption perpetrators who occupy the highest rank are private sector with a background of commissioners and company directors. They have 61 people. The other four highest ranking perpetrators were head of departments in government agencies (56 people), DPRD members (52 people), employees or staff in the district / city government (35 people), and agency heads (33 people)

Ironically, even though the efforts to eradicate it have been carried out for more than four decades, these corrupt practices continue, and there is even a tendency for the modus operandi to be more sophisticated and organized, making it even more difficult to overcome. Corruption must be eradicated, because of the negative impact it causes. Corruption burdens the Indonesian people, especially the poor, because actually corruption money can help reduce poverty if used properly.

Corruption also creates high macro-economic risks, endangers financial stability, compromises security and law and public order, and above all, corruption undermines the legitimacy and credibility of the state in the eyes of the people. Government spending from year to year is increasing so that Government duties are not carried out efficiently and economically, so the amount leaked or corrupted is increasing in number as well. The number 1 Law of the Republic of Indonesia Number 17 of 2003 concerning State Finance states that State Finance is

all state rights and obligations that can be assessed by money, as well as everything in the form of money or goods that can be used as state property due to the implementation of these rights and obligations. The existence of these rights and obligations has resulted in the State having to prepare a plan for the inclusion and expenditure of money as outlined in the State budget which consists of the State Revenue and Expenditure Budget (APBN) and separated state assets, for example in State enterprises.

Republic of Indonesia Law Number 31 Year 1999 concerning Eradication of Corruption Crime as updated with Republic of Indonesia Law Number 20 Year 2001 concerning Eradication of Corruption (hereinafter referred to as Corruption Eradication Law), states that the elements of corruption are as follows:

a. Performed by people or bodies.
b. There is an illegal act.
c. Favor yourself or other people or bodies.
d. Can be detrimental to the State's finance or the country's economy.

Sitting the issue of corruption related to State losses is:

a. Leakage
b. Waste
c. Deviation
d. Fraud.

The people can live in prosperity if efforts are made to tackle corruption as a whole, so that corruption can be the beginning of resolving various crises in Indonesia. In the context of the discussion of crime prevention issues, including corruption prevention, known as criminal politics.

Criminal politics as a rational effort of the community in tackling crime, can be carried out operationally either through reasoning facilities or nonpenal facilities. Penal and nonpenal means are a pair that cannot be separated from each other, it can even be said that they complement each other in an effort to deal with corruption. Some social problems and conditions which can be conducive factors for the emergence of crime are clearly problems that cannot be overcome alone eyes with reason. Based on this, the author will discuss it in this paper with the title, "Efforts to Overcome Corruption with Non Penal Policy".

II. Literature review

2.1 Corruption

Corruption comes from the Latin word "Corruptio" or "Corruptus", in French and English called "Corruption", in Dutch called "Corruptie". In Indonesian Encyclopedia called "Korupsi", from Latin Corruptio (Bribery), Corruptore (Damaging) where officials, state agencies misuse authority with the occurrence of bribery, forgery and other irregularities. Definition of corruption in Article 2 paragraph (1) The Corruption Eradication Law is not explicitly stated, as for the sound of the article, namely:

Anyone who violently violates an act enriches himself or another person or a corporation that can harm state finances or the economy of the country, is punished with imprisonment for life or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) year and a fine of at least Rp. 200,000,000 (two hundred million rupiah) and a maximum of 1,000,000,000 (one billion rupiah).

The nominal limit referred to as corruption can be seen in Article 11 letter c of the Republic of Indonesia Law Number 30 of 2002 concerning the Corruption Eradication Commission which states that "it involves a loss of at least Rp1,000,000,000.00 (one billion rupiah)"

According to the Corruption Eradication Act which is included in the crime of corruption are:

a. Unlawfully committing acts enriching oneself or other people or a corporation that can harm the state or the country's economy (Article 2).
b. With the aim of benefiting themselves or other people or a corporation, misusing the authority, opportunity or means available to him because of a position or position that can harm the state's finance or the country's economy (Article 3).
c. Give gifts or promises to Civil Servants keeping in mind the power or authority inherent in the position or position.

According to Muhammad Ali, what is meant by corruption is as follows:

a. Corrupt (rotten, likes to accept bribes or bribes, uses power for his own sake and so on)
b. Corruption (rotten actions like embezzling money, receiving money and so on)
c. Corruptor (corrupt person).

Baharuddin Lopa quotes from David M. Chalwers outlining the meaning of the term corruption in various fields, namely concerning the problem of bribery which deals with manipulation in the economic field and concerns in the field of public interest.
Syed Husein Alatas states that corruption has the following characteristics:

a. Corruption always involves more than 1 (one) person. This is not the same as the case of theft or fraud.
b. Corruption is generally carried out in secret, unless corruption is rampant and so individuals in power in their environment are not tempted not to hide their actions, but even though the motives for corruption are kept confidential.
c. Corruption involves elements of obligation and mutual benefits. These obligations and profits are not always in the form of money.
d. Those who practice ways of corruption usually try to hide their actions, taking refuge behind legal justifications.
e. Those involved in corruption want decisions that are firm and able to influence those decisions.
f. Every act of corruption contains fraud, usually carried out by every public or public body (community).
g. Every form of corruption is betrayal of trust.

In line with the Corruption Eradication Law, in the criminal procedure law literature there are also several kinds of theories or systems of evidence in the form of a positive system of verification based on the law, a system of proof based on the belief of the judge and a system of proof of the middle system previous.

2.2 Factors Causing Corruption Crime

Corruption cannot be completely eliminated because humans basically carry corruption instincts besides hanif (not free from committing sin). Therefore, the most important thing is how to prevent the potential of corruption from becoming actual and how to narrow the scope of corruption systematically. Amien Rais, as quoted by Adnan Buyung Nasution, stated that "to find the right therapy needed a correct diagnosis."

According to Soejono Soekanto, the factors that influence law enforcement (including corruption) are:

a. Its own legal factor, which is limited to the Act only
b. Factors in law enforcement, namely those who form or implement the law
c. Factor facilities or facilities that support law enforcement

d. Community factors are the environment in which the law applies or applies
e. Cultural factors are as a result of work, creativity, and taste that is based on human intention in life.

The same thing is also stated by Leden Marpaung that in order to create obstacles / barriers to criminal acts of corruption, a careful understanding of all the factors that cause corruption and all the things that support or influence it are needed. Opinions about the causes of corruption are also raised by Andi Hamzah, which according to him the causes of corruption are:
a. Lack of salaries of Civil Servants compared to needs that are increasingly increasing.
b. Indonesian cultural or cultural background which is the source or cause of widespread corruption.
c. Poor management and less effective and efficient controls that will provide opportunities for corruption.
d. Modernization breeds corruption.

Another opinion is also expressed by Evi Hartanti, who states the causes of corruption were:
a. The absence or weakness of leadership in key positions capable of providing inspiration and influencing behavior that tames corruption.
b. Weaknesses of religious and ethical teachings.
c. Colonialism, where a foreign government does not arouse the loyalty and compliance needed to stem corruption.
d. Lack of education.
e. Poverty.
f. The absence of strict punishment.
g. Scarcity of a fertile environment for anti-corruption behavior.
h. Government structure.
i. Radical change, where when a value system undergoes radical change, corruption emerges as a transitional disease.
j. The state of society where corruption in a bureaucracy can reflect the overall state of society.

Reflecting on some of the opinions of the experts above, it can be stated that the causes of corruption are:
a. Internal factors, namely the causes that arise from within the actor himself:
  * Religious (weak faith)
  * Moral damage
  * Religious combination and moral damage
b. Extern factor, which is the cause that emerges from outside the actor / surrounding environment:
  * Low income or salary
  * Encouragement from the family (number of dependents such as children, wife and family)
  * Opportunity factors
  * Factors of weak supervision
  * The attitude of the government that is tolerant of corruption
  * Consumptive life style
  * Economic growth is not in line with public moral growth

2.3 Constraints in Eradicating Corruption Crimes
a. Law Enforcement Failure

The spearhead of law enforcement lies in the shoulders of law enforcement. The failure of the Public Prosecutor in providing evidence that can convince judges, moreover the disclosure of criminal acts of corruption is indeed difficult which handling requires concentration and precision, besides that it requires a truly understanding of the Law. eradicating corruption. Therefore, if the Public Prosecutor does not understand this, it will be difficult to eradicate corruption.

The difficulty of obtaining evidence and witnesses in uncovering corruption cases is one reason the High Prosecutor's Office is powerless to be able to drag the perpetrators of corruption in front of the court. Corruption practitioners and witnesses as well as those involved cover each other so that the parties The High Prosecutor's Office has difficulty obtaining the evidence and witnesses along with accurate and concrete data as a basis for prosecution.

b. Reverse Proofing Efforts
The Corruption Eradication Law has included the proof system, which is reverse proof (reversal of the burden of proof). This reverse proof is proof that is charged to the defendant, the defendant is considered to have committed a crime of corruption unless he can prove that he is not committing a criminal act of corruption.

With regard to the system of reversing the burden of proof, every civil servant or state administrator based on preliminary evidence has unbalanced wealth with income or source of income, then it is obligatory to prove the legitimacy of the assets obtained in article 37a, 38a, 38b.

Against this burden of reversed evidence, of course, there are indications that benefit the perpetrators of corruption include:
- People suspected of corruption have the opportunity to release themselves from corruption charges if the application of the burden of proof is not monitored
- There will be a compromise in the verification, the perpetrator may manipulate the wealth results in all ways including the power / position
- Reverse proof means providing opportunities to expand corruption that can cause degradation in a country
- If there are perpetrators who succeed in proving their innocence in all ways, then this will be a jurisprudence for other actors to escape the law.

Any crime prevention efforts, including corruption, of course there will be obstacles / obstacles in eradicating in all sectors, as for those obstacles, namely:
- Actors of corruption have certain qualities both in terms of ability and social standing.
- Actors of corruption generally have qualities as smart people, people who have authority and opportunities.
- The modus operandi is complicated and is done by sophisticated techniques.
- Because corruption is carried out by people who are smart / educated and have authority, then the act of corruption can be covered in a long period of time, so it is difficult to know especially to find the necessary evidence and efforts to restore state losses.
- Witnesses and witnesses are often less cooperative actors of corruption are deliberately complicating investigations.

Another opinion which states weakness is that there are several causes of weak law enforcement in Indonesia, including:

Firstly, weak law enforcement in Indonesia is an aspect of party domination in a number of state institutions, not only in legislative institutions, party domination also spreads to financial institutions, ministries, and a series of executive institutions as policy implementers, so pragmatic reasoning and interests sink the professionalism of national leadership. Citing the Kompas daily

on October 17, 2011, Lecturer in Political Sciences, Gadjah Mada University, Yogyakarta, AA GN Ari Dwipayana; lecturer in State Science at Airlangga University, Surabaya, Radian Salman; and senior researcher at the CenterFor Strategic and International Studies, J Kristiadi, acknowledging the dominance of political parties in government in this country. Political parties become a source of national leadership, but too dominant political parties endanger democracy.

Democratization with the aim of welfare of the people originally made the value system in managing this nation. Here demanded integrity, professionalism of leaders in accommodating public interests. The dominance of the party in the management of the nation, directs Indonesia to the "State of Partitocracy", of course this does not become a panacea in the chronic disease of corruption in this nation. Even the area of political intervention is more violent in efforts to uphold law in justice in Indonesia.

Secondly, Professor of Criminal Law at the University of Indonesia, Jakarta, Indriyanto Seno Adji, quoted in the Kompas Daily on October 17, 2011, revealed that the intervention of the authorities, political power, and economic power began to become common in Indonesia. Rulers who should provide encouragement actually hamper efforts to eradicate corruption. Even the owners of political power who conspire with economic forces, such as entrepreneurs, become obstacles in eradicating corruption.

Thirdly, this condition is exacerbated by the lack of synergy between the police, prosecutors and the Corruption Eradication Commission. The lack of consolidation of law enforcement agencies is what is used as a gap for certain parties to intervene in handling cases. This condition was used as an entry point to weaken law enforcement agencies.

III. Discussion

Criminal policies in general can be grouped into two parts, namely:
a. Criminal policy by using criminal law (penal policy) through criminal law application.
b. Criminal policy by using facilities outside criminal law (non-reasoning policy) through influencing views of society on crime and punishment (mass media) and prevention without punishment.

Crime prevention efforts (including corruption) can be broadly divided into two, namely through the "reasoning" line (criminal law) and through "nonpenal" channels (not / outside criminal law). Both of these facilities (reason and nonpenal) are a pair that can not be separated from each other, it can even be said that they complement each other in efforts to deal with crime in the community.

3.1 Penal Policy Efforts

The prevention of corruption by using the means of punishment through the criminal justice system is formulated as follows:
a. Resolving crime cases that occur when people are satisfied that justice has been upheld and the wrongdoers have been convicted.
b. Make sure that those who have committed acts of crime repeat their crimes.

The use of penal facilities through the criminal justice system in handling criminal acts of corruption must still be carried out by law enforcent officials both the Police, Prosecutors, Judges and KPK. This is confirmed by the opinion of Herbert L. Packer in his book "The Limits of the Criminal Sanction", which says that:

*Britain International of **Humanties** and **Social Sciences** (BIoHS) Journal*
ISSN: 2685-3868 (online), 2685-1989 (print)
Vol. 1 , No. 1, June 2019, Page: 53-63

a. Criminal sanctions are very necessary; we cannot live, now or in the future, without criminality.
b. Criminal sanctions are the best tools or means available, which we have to deal with major and immediate crimes or dangers and to deal with threats from danger.
c. Criminal sanctions are one of the main guarantor, and one day is the main threat of human freedom. He is a guarantor if used sparingly, meticulously and humanely, he is a threater if used carelessly and forcibly.

Weaknesses / limitations of the ability of criminal law in dealing with criminal acts of corruption, namely:

a. Its effectiveness depends entirely on the infrastructure capabilities supporting the facilities and infrastructure, the professional capabilities of its law enforcement officers, and the legal culture of the community. The weakness of this infrastructure will reduce input in the criminal justice system, or in other words the criminal offenders who can be detected will decrease, so that the hidden criminal increases. The ability to carry out investigations and verification both in the preliminary examination and in the court session is a variable that greatly influences the effectiveness of the criminal justice system.
b. The causes of corruption are so complex, they cannot be overcome by criminal law which is beyond the scope of criminal law
c. Criminal law is a small part (subsystem) of the means of social control that is not possible to overcome the problem of corruption that is very complex (related to moral / attitudinal problems, problems of lifestyle needs and culture and social environment, problems of economic needs / demands and socio-economic welfare, economic structure / system problems, system / political culture problems, development mechanism problems and weak bureaucracy / administrative procedures (including supervision systems) in the fields of finance and public services.
d. The use of criminal law in tackling crime is only a "curricular symptom", therefore criminal law is only "symptomatic treatment" and not "causative treatment"
e. Criminal law sanctions are "remedium" which contain contradictory / paradoxical characteristics and contain negative elements and side effects
f. The criminal system is fragmentary and individual / personal, not structural / functional in nature: The functioning of criminal law requires a more varied and more demanding supporting means of "high costs".

Indonesian Legal Division Coordinator of Corruption Watch Febri Diansyah warned that if the government really wanted to eradicate corruption, the prosecutor's office and the police should be strengthened. As a law enforcement agency, the state should be able to get positive energy from the public, so that corruption can be lost in this country. Therefore, law enforcers must dare to be fair in handling legal cases. The people must be convinced of the seriousness of law enforcement, do not cut down the vote, and do not choose time to cut down because it will backfire itself for the survival of our nation.

In view of the limitations / weaknesses of the ability of criminal law to deal with the corruption cases mentioned above, efforts to tackle corruption cannot only use the means of justice but also use non-public facilities. However, when viewed from a criminal political perspective on a macro basis, the policy of crime prevention by using facilities outside criminal law or non-reasoning policy is the most strategic policy. This is because non-reason policies are more of a preventive measure against crime. Penal policy is to deal with and eliminate conducive factors that cause crime.

Efforts to tackle corruption are complex problems and are a common obligation, in this regard Barda Nawawi Arief states that:
Corruption problems are related to various complexities of problems, including moral issues / mental attitudes, problems of lifestyle and culture and social environment, problems of economic needs / demands and socio-economic disparities, structural / economic problems, system / political culture problems, mechanism problems development and weak bureaucracy / administrative procedures (including supervision systems) in the fields of finance and public services. So, the causes and conditions that are criminogenic for the emergence of corruption are very broad (multidimensional), which can be in the fields of moral, social, economic, political, cultural, bureaucratic / administrative and so on.

Furthermore, Barda Nawawi Arief said that criminal law has limitations / weaknesses as a means to overcome crime (including eradicating corruption), namely:
a. The causes of crime (especially corruption) are very complex and are beyond the scope of criminal law.
b. Criminal law is only a small part (subsystem) of a means of social control that is impossible to solve the problem of crime as a very complex humanitarian and social problem (as a socio-psychological, socio-political, socio-economic, socio-cultural, etc.) problem.
c. The use of criminal law in dealing with crime is only a "kurieren am symptom" (prevention / treatment of symptoms), therefore, criminal law is only "symptomatic treatment" and not "causative treatment".
d. Sanctions for criminal law are only "remediums" which contain contradictory / paradoxical characteristics and contain negative elements and side effects.
e. The criminal system is fragmentary and individual / personal, not structural / functional.
f. Limited types of criminal sanctions and systems for formulating criminal sanctions that are rigid and imperative.
g. The functioning / functioning of criminal law requires supporting facilities that are more varied and more demanding "high costs".

Sudarto expressed an integral policy in tackling corruption as follows:
A Clean Government, where there is no or at least not many acts of corruption, cannot be realized only by legal regulations, even though it is a criminal law with sharp sanctions. The scope of criminal law is limited. Efforts to eradicate indirectly can be done with actions in the field of politics, economy, and so on.

Romli Atmasasmita stated that:
The success of eradicating corruption is not only solely located or dependent on policies in the field of law and its implementation but also must be accompanied by policies in the fields of politics, management, economy, social, culture, and strengthened by increasing religious awareness, codes of ethics, bureaucracy, transparency and integrity.

Efforts to tackle corruption with a non-reason policy can be done in several ways, including:
a. Pre-entif
Preemptive efforts can be made by families or elementary schools (SD), junior and senior high schools by socializing early on to the generation of people about the effects and dangers of corruption and instilling honesty values based on religious values and a sense of responsibility.
b. Preventive

Preventive measures can be carried out by all levels of society where crimes that have been involved tend to be involved as a means of preventing corruption, namely:

- Abolitionistic efforts, namely efforts to overcome crime by first studying the causes of negative things, then taking action in the form of eliminating or at least reducing the causes of persons who consciously and with certain intentions of corruption, and increase awareness or close the possibility for corruption. This effort can include experts such as psychologists, criminologists who are needed to conduct scientific field research to obtain data on the causes of corruption.
- Efforts to moralize, namely the efforts to overcome the intended ones are to restore and nurture the mental, moral and faith of law enforcers, politicians, officials, and the wider community so that they can avoid corruption.

c. Reformative

Reformative efforts can be carried out by the government by increasing the morale of human resources can be started in the initial process (acceptance) and efforts to apply sanctions that are morally more severe against perpetrators of corruption means if proven guilty not only fired with disrespect but also blacklisted perpetrators and family tree. Other reformative efforts are by implementing a system of transparency of work in government agencies and increasing the economic welfare of all levels of society.

Soedarto once said that "Karang Taruna activities, scout activities and the cultivation of community mental health with religious education are nonpenal efforts in preventing and overcoming crime". In consideration of Resolution No. 3 of the 1980 UN 6th Congress on "Effective Measures To Prevent Crime", among others, stated:

- That prevention of crime depends on the human person himself (that crime prevention is dependent on man himself)
- That the crime prevention strategy must be based on efforts to arouse / raise the spirit or soul of the human being and try to strengthen the belief in its ability to do good (that crime prevention strategies should be based on the spirit of man and reinforcement).

All forms of nonpenal effort should be based on what is known as Ibda 'Binafsika (start from yourself), which means starting to prevent corruption from yourself, this can be done in every activity we have because actually humans have the ability to do that.

IV. Conclusion

4.1 Factors causing corruption can be stated, among others:
   a. Internal factors, namely the causes that arise from within the actor himself:
- Religious (weak faith)
- Moral damage
- Religious combination and moral damage
   b. Extern factor, which is the cause that emerges from outside the actor / surrounding environment:
- Low income or salary
- Encouragement from the family (number of dependents such as children, wife and family)
- Opportunity factors
- Factors of weak supervision
- The attitude of the government that is tolerant of corruption

- Consumptive life style
- Economic growth is not in line with public moral growth

4.2. Constraints faced in efforts to overcome corruption are:
   a. Failure of law enforcement
   b. There is reverse proof
   c. Perpetrators have certain qualities both intellectual abilities and education and experience so that they can do any means to prove their innocence.
   d. Social position and authority of actors in their work so that acts of corruption can be covered in a long period of time, so that it is difficult to know especially to find the necessary evidence and efforts to return money to state losses.
   e. The modus operandi is complicated and is done by sophisticated techniques
   f. Witnesses and witnesses are often less cooperative
   g. Corruption perpetrators deliberately complicate investigations.

4.3. Efforts to overcome corruption with a non-reason policy can be done by:
   a. Pre-entif
   b. Preventive
   c. Reformative
   d. *Ib'a Binafsika*

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The Social and Public Health Impacts that Occurred in Rantau Utara Subdistrict after the Publication of the Labuhanbatu District Regulations No. 10 of 2011 About the Swallow Bird Tax, Indonesia

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Abstract :
This study aim to find out the social and public health impact that occurred in rantau utara subdistrict after the publication of Labuhanbatu district regulations about the swallow bird tax. The method of this study is qualitative research by using interview data to local government and society. The result of this study there has been no social impact found in the District of Rantau Utara and Rantau Selatan Subdistrict Labuhanbatu Regency since Regional Regulation Number 10 of 2011 concerning Taxes for Swallow Bird Nests imposed.
Keywords :
social impact; public health impact; Rantau utara subdistrict; regulation

I. Introduction

The failure to achieve the local tax target derived from the exploitation of swallow nests is inseparable from the problem of orderly administration of permits and the proliferation of businessmen who opened swallow nest business in the area without clear permission from the Labuhanbatu Regency Government, so that the local tax target sourced from the far swallow nest tax from achievement. The next problem is the overlapping of policies issued by the Labuhanbatu District Government regarding the spatial layout of the area in Labuhanbatu Regency. Based on the 2013 Labuhan Batu Cipta Karya and Spatial Planning document regarding the results of regional development plans in Labuhanbatu District specifically for the city center, Rantau Utara Subdistrict, serves as the center of regional trade and service activities, and water fronts, while in the Rantau Utara Subdistrict is still found by many shop houses that are used for swallowing bird nests, this certainly contradicts the policy of swallow nests.

The overlapping of the policy illustrates the absence of synchronization of Labuhan Batu Regency Government through SKPD related to Labuhanbatu Regency DPRD in developing and planning regional development in Labuhanbatu Regency. The issue of swallow exploitation in Labuhanbatu Regency is inseparable from the health problems of the surrounding community at the swallow nest concession, because the results of the LIPI study in collaboration with the University of Riau Environmental Center said swiftlets could cause 24 types of disease in humans if the enclosure was not suitable by rules. Disease caused can attack the brain, nerves, and other diseases that exist in swallow birds. The disease is spread through saliva, breath, and swallow droppings. People affected by viruses from swallow usually feel dizzy, weak and tired. If the virus attacks the nerves, the person can become paralyzed. (Nurjito, 2015).

The results of the study clearly show that the people living around the swallow nest business are experiencing problems both from health caused by the existence of swallow nest nests that are in the midst of community settlements and not in accordance with the planned development of the sub-district that has been planned by the Cipta Karya Office and Labuhanbatu Regency Spatial Planning.

The aesthetic, Cleanliness and beauty problems of the Rantauprapat city which became the capital city of Labuhanbatu Regency in the Rantau Utara District became dirty due to the swallow's nest that perched on electrical cables in the city streets Rantauprapat, and air pollution (noise) produced from tapes (Twitter) Swallow bird caller to enter the swallow nest business shop in the afternoon. This is certainly contrary to the motto of Labuhanbatu Regency, namely Rantauprapat as the Ideal City. The regional regulation of Labuhanbatu Regency No.10 of 2011 concerning Tax for Swallow Bird Nest has not been able to curb the existence of swallow nest nests, even the number of businesses increases every year. The addition of swallow nest nests every year, must have an operational permit and not cause problems for the community around the concession, so that the management and exploitation of swallow's nests does not harm the people who are around the concession, while the profits are obtained by the entrepreneurs. If the Regional Regulation No.10 of 2011 concerning the Tax on Swallow's Bird Nest is not implemented properly, it will create a bigger problem, namely the emergence of conflicts between the community and swallow entrepreneurs. Policies that have been set by the regional government, need to be implemented or implemented to realize order and order in society.

II. Review of Literature

2.1 Public Policy

In general, the term "policy" used to designate the behavior of an actor (for example an official, a group, as well as a government agency) or a number of actors in a particular area of activity. The term policy is distinguished from the word wisdom meaning wisdom or wisdom. Policy is a general statement of behavior than organization.

According to Carl Friedrich, public policy is a direction of action proposed by a person, group or government in a particular environment that provides constraints and opportunities for policies proposed to use and overcome in order to achieve a goal or realize a goal or specific purpose. (Winarno, 2005: 103)

The term public policy according to (Charles O. Jones in Budi Winarno, 2008:16) explains that the term policy (policy term) is used in everyday practice but is used to replace very different activities or decisions. The term is often exchanged for purposes (goals), programs, decisions (decisions), standards, proposals, and grand designs. Nevertheless, although public policy may seem slightly abstract or may be viewed as something "happened" to a person

2.2 Social Impact

The impact in the Kamus Besar Bahasa Indonesia (KBBI) has a strong sense of meaning that brings consequences (both negative and positive. In the social context if the strong influence brings negative consequences, it will cause social problems. Whereas the opposite, it will negate social problems.

According to Soetomo (2008: 1) explained that in general social problems are interpreted as a condition that is not desired by most citizens. This is because the symptoms are conditions that are not in line with expectations or not in accordance with the values, norms and social standards that apply.

In another sense the gap between das sein and das sollen is the trigger for social problems. While Daljuni quoted from Abdulsyani (2002: 185) explains that atri comes from within the community itself is that the problem arises as part of the system where society is oriented. The other important thing that needs to be known in social research is that sometimes a social problem is not realized by the community because they are not aware of the existence of these social

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ISSN: 2685-3868 (online), 2685-1989 (print)
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problems (lack of awareness). This latent social problem has the potential to develop continuously over time which will be difficult and complex to handle.

Parillo (2007: 14) argues that a social condition can be categorized as a social problem if it fulfills the following four elements:

a. This condition is a problem that persists for a certain period of time. The condition that is considered as a problem, but in the future, then it will disappear by itself not including social problems.
b. It is felt that it can cause a variety of physical or non-physical losses, both for individuals and society.
c. It is a violation of the values or social standards of one or several joints of people's lives.
d. Raising the need for solutions.

III. Research Method

The location of this research will be carried out in Labuhanbatu Regency, with a focus on the makers and implementers of the Labuhanbatu District Regulation No.10 of 2011 concerning Taxes for Swallow Bird Nest. And sub-districts that have swallow nest business entrepreneurs, as well as people who live in swallow nest concessions. The scope of this study is in Kab. Labuhanbatu with a focus on policy makers, namely the Labuhanbatu Regency DPRD, Labuhanbatu Regency Government, SKPD related to the Port of Batu Regency BPMP2T, District Health Office. Labuhanbatu, businessman for swallow nest business.

IV. Discussion

The location of this research will be carried out in Labuhanbatu Regency, with a focus on the makers and implementers of the Labuhanbatu District Regulation Number 10 of 2011 concerning Taxes for Swallow Bird Nest. And sub-districts that have swallow nest business entrepreneurs, as well as people who live in swallow nest concessions. The scope of this study is in Kab. Labuhanbatu with a focus on policy makers, namely the Labuhanbatu Regency DPRD, Labuhanbatu Regency Government, SKPD related to the Port of Batu Regency BPMP2T, District Health Office. Labuhanbatu, businessman for swallow nest business.

The noise resulting from tapes (twitter) of the caller of the wallet bird slightly disturbs the citizens around the swallow bird nest building. It is in accordance with the statement from Mr Mulyono, as the citizens around the wallet bird building say that:

> *"The sound of the swallow bird caller tapes was pretty unsettling to us, during the afternoon when it wanted to rest the noise was a little disturbing, yes, although it had reported to the chief environmentalist, but until recently there had been no action of any kind.."*

This was also conveyed by Ms. Rosmah, who said that:

> *"... The sound of the bird disturbed the afternoon. Sometimes it's a little difficult for me to put my child to sleep if he wants to take a nap. Maybe there are also other residents who don't mind, but I think those who object also have this condition ... "*

Based on some of the statements it can be concluded that, the noise generated from the wallet bird caller tapes disturbs the residents around the wallet bird nest building when they want to rest.

Besides that, the environmental problems caused by the existence of wallet bird nest buildings must also exist. When the environment is not healthy, it is certain that the health of the

residents will be disrupted. The scattered rubbish and dripping ditch channels are conditions in the environment where there are swallow nest shops in Rantauprapat. Although not in all locations, however, this still has a widespread negative impact on the region and cannot be used as a justification for the operations of swallow's nest. The pollution of the environment in North Rantau Subdistrict caused indirectly by the exploitation of swiftlet nests. Direct exploitation of swallow nests does not make an impact on environmental pollution, however, there is environmental neglect which results in the non-sustainability of the environment.

The general impacts on environmental pollution caused by the exploitation of swiftlet nests in the city of Rantauprapat include a) scattered garbage, b) clogged ditch canals, c) damaged roads, and d) unhealthy air. The results of this research observation show that the above impacts are real conditions of the establishment of swallow nest business. The unconsciousness of employers and citizens of environmental justice has made the area in Rantau Utara District polluted by the environment.

The scattering of residents' garbage around the shop houses is caused by the lack of awareness of residents and entrepreneurs to care for their environment. The garbage is like it's been chronically in that environment. The condition of waste is scattered like deliberate omission from both the citizens themselves and the government. In fact, the Labuhanbatu Regency Cipta Karya and Spatial Planning Office has allocated temporary waste bins in each environment, as one of the government's efforts to create a clean environment. In fact, on Jalan Kopral Abdullah it was found trash scattered next to the shophouse swallow.

Through interviews with the Labuhanbatu District Human Settlements and Spatial Planning Office related to the occurrence of environmental omission in the vicinity of the swallow nest concession, Mr. A. Sitanggang said:

> *"Our duties and functions are actually facilitators. We first looked at the swallow environment, there were people who were deserted, there were also people who were close to the population. For that, we are running in accordance with government programs, the environmental control that we do is only from waste. provision of temporary bins for residents. For environmental control the impact of swallow is actually sheltered by other SKPD. Because once again, we ourselves do not yet know clearly how the exploitation is. The government should reinforce the regulations first. There must be the identity of the swallow shop, so that we can see the impact. So that the impact can be controlled. "*

In line with the scattered garbage, the ditch around Jalan Kopral Abdullah also went abnormal. In addition, the road conditions that are not on asphalt make this area like an uninhabitable environment. This is due to the fact that in this region there are around 30 shop houses for swallowing nests. The condition of the lonely environment was used as an excuse for not taking care of environmental health.

On Jalan Sanusi, where in this environment there are at most swallow nest business concessions, even the environment is contaminated. Air pollution is a massive pollution in this area. With the establishment of around 30 three-storey or more swallow nest-shop houses, it can already be imagined how the air conditions in the teresbut environment. Hundreds of swallows every day passing by on this street, especially in the morning and evening. At that time swallow enter and exit the shop houses.

Rantau Utara Subdistrict and Rantau Selatan Sub-District have the most population among the Sub-Districts in Labuhanbatu Regency. Population density is in line with the local government program which sets this sub-district as a city service center. Being the opposite when, the status of

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ISSN: 2685-3868 (online), 2685-1989 (print)
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urban areas is not balanced with environmental conservation programs. Urban communities need a clean and healthy environment, given that urban activities take up a lot of time.

The impact resulting from the exploitation of swiftlet nests in the Rantau Utara District and Rantau Selatan District resulted in the urban environment becoming polluted. Starting from sound pollution to the indirect impacts caused by swallow business, namely, the occurrence of environmental omission. As a result, the environment is poorly maintained, garbage is scattered, clogged ditches have an impact on the deterioration of the quality of life of the people in the Rantau Utara District and Rantau Selatan District.

The possible defense for this business is that this business makes Labuhan Batu a supplier of swallow nests and so far there has never been a significant impact on this business. The predicate above may be seen as a positive thing for Labuhanbatu, but the local government itself does not seem to pay attention to the tranquility of the urban environment, especially the Rantau Utara District and Rantau Selatan District.

In line with the above quote, Badan Lingkungan Hidup (BLH) of Labuhan Batu Regency through this research interview stated that:
"We do not have a share in the operations of swallow's nest in Labuhan Batu. BLH stated that they were more persuasive, meaning that every practice of environmental exploitation that took place in Labuhan Batu Regency would eventually become a joint suffering. This is what makes environmental management in autonomous regions not yet reflected the integration of the principles of environmental protection and ecological sustainability. "

The issue of swallow exploitation in Labuhanbatu Regency is inseparable from the health problems of the surrounding community at the swallow nest concession, because the results of the LIPI study in collaboration with the University of Riau Environmental Center said swiftlets could cause 24 types of disease in humans if the enclosure was not suitable by rules. Disease caused can attack the brain, nerves, and other diseases that exist in swallow birds. The disease is spread through saliva, breath, and swallow droppings. People affected by viruses from swallow usually feel dizzy, weak and tired. If the virus attacks the nerves, the person can become paralyzed. (Nurjito, 2015)

The results of the study clearly show that the people living around the swallow nest business are experiencing problems both from health caused by the existence of swallow nest nests that are in the midst of community settlements and not in accordance with the planned development of the sub-district that has been planned by the Cipta Karya Office and Labuhanbatu Regency Spatial Planning.

The existence of noise pollution is a definite consequence of the establishment of a swallow nest business shop. Sound pollution seems to be considered an insignificant thing. Seeing the interference caused can only be felt by the ear senses. Sound pollution from swallow shop houses is sourced from tweeters or swallow angler music, which function as flying swallow callers.

Based on research carried out by the University of Riau's Center for Environmental Research, the Public Perception of Noise in Swallow's Nest in Rimba Village, Dumai, Riau, stated that the breeding noise of swiftlets in community settlements would give rise to people's perceptions of physiological aspects, aspects psychological, and aspects of sound noise. The noise disturbance is a comfort disturbance to the people who live around the concession.

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Tabel. 1
Recapitulation of physiological perception scores on business noise of swallow bird nests in Dumai City, Riau

Indicator	Perception					Total
	SS	S	N	TS	STS	
A sense of Discomfort	45	260	21	18	5	349
Headache	55	220	36	20	7	338
Blood Pressure Rising	55	180	39	30	11	315
Hearing Disorder	50	164	63	22	12	311
Total	**205**	**824**	**159**	**90**	**35**	**1313**

Source: University of Riau Center for Environmental Research 2013

Indicator	Perception					Total
	SS	S	N	TS	STS	
Emotional Disorders	155	92	54	28	9	338
Stress	135	92	66	22	12	327
Lack of concentration	145	104	51	30	8	338
Break Disorders	160	116	60	18	5	359
Total	**595**	**404**	**231**	**98**	**36**	**1362**

Source: University of Riau Center for Environmental Research 2013

The research by the University of Riau's Environmental Research Center aims to analyze the noise frequency of swallow nest breeding and analyze community perceptions of the noise of swallowing bird nesting operations in the Rimba of Dumai City. By using a Sound Level Meter (SLM) tool, the average noise level obtained at a 30 meter radius is 69.21 dB, a 60 meter radius of 60.54 dB, and a 90 meter radius of 53.80 dB. From the average value of the noise frequency it can be concluded that the radius of 30 and 60 meters has exceeded the noise threshold in the urban area of 55 dB.

The case in Riau, the operation of swallow nests in operation has concession permits from the government. This is what makes entrepreneurs not feel that they have had a bad impact on the surrounding environment. Meanwhile, the results of the study show that almost the majority of Dumai City residents agree that noise caused by exploitation of swallow nests is very disturbing.

The same thing with the Rantauprapat City area, one of which was in the Cendana village. Head of Cendana Village explained that the most visible impact on the exploitation of this swallow was the noise. Since he was a child, he heard the noise of the business. Because it is already like that how to call swallow, so that swallow wants to enter into the shop and produce swallow nests. In addition, the number of commercial shop houses in Cendana Village is around forty. Consequently, throughout the day people are forced to enjoy the noise of tweeters from forty swallow nest shops.

The following are the results of interviews with Lurah Cendana in Rantau Utara Subdistrict:
   "*In kelurahan Cendana, it has been a long time since many of the swallow shophouses. Even since I was little, the china ranto here has had many swallow shophouses. Even once more than now. Here too, the majority of the Chinese, so the bandwagon shophouse in this area is commonplace. If it's about impact, it*

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seems that it's actually noise.So far, from me even small, it's just the impact.It's the noise that's noisy.Because he's calling wild birds, so it's gotta be strong that sound so swallow that flies."

But unlike in the case in Dumai City, already one step ahead in noise disorder research, Rantauprapat City does not seem to feel the least bit distracted. It does not appear that the daylight and local people protested against the noise they received all along. Whereas they live in urban areas, which are notabene the quality of life is better than those living in the countryside. There is nothing at all that programs are geared towards this entrepreneurship of the walet, when it is obvious that these employers are directly tangent to the environment. Even BLH has never done any research on the environment at all. Whereas urban activity in Rantauprapat is already feasible to research its environment, given the high activity of citizens and offices and the high flow of transportation.

Talking about the impact, BLH, which is actually a government institution that oversees environmental problems, actually has absolutely no contribution in this business. Through interviews at the BLH Office, Mr. M. Sitompul stated:

"BLH has so far not had a role in exploiting swallow nests. Because of our knowledge, this effort has never been touched upon. There have never been protests from residents with us. BLH had received a report about C excavated waste that was disturbing residents. That's all we've ever received. However, we once carried out counseling on environmental health in the area of shop swallows. At that time, we were running an environmental sustainability socialization program. This BLH appeals to the truth, if the action is direct, it is not our authority. After all, this swallow business is actually just a shop business. It's just their work to put on swallow music. Already that, as far as we know there has been a prohibition to try swallow in the City. So, they are illegal. The licensing agency actually has to go down there. We can monitor their activities only. Either the danger of the air was because of that, whether the droppings fell into people's yards. We don't know either. People have never reported with us.

Interview with Labuhanbatu District Health Office:

"If looking from our environmental health indicators, we can actually see that it has nothing to do with environmental health with the swallow's efforts. But if we review again, it could actually be something to do. I'm sure, the area where the ballet's stamps are not necessarily sterile of disease disorder. Nor do we know how the conditions within the stamp are. Is in it a nesting place and breeding mosquito, we haven't researched that yet. .But indeed so far, the efforts of the swallow here have not had any impact on health."

There was a refraction from the Stone Labuhan District Health Service regarding health threats that were at all times lurking over the entrepreneurship of swallow nests in Rantauprapat City. From the results of the interview, it appears that the business activities of swallow nests as unimpacted to environmental health

Next was an interview with Mr. Muksin, as an expert and entrepreneur of swallow nests in the Cendana Sub-District of Rantau Utara District as follows:

"Actually, there is no waste in this swallow. Swallow droppings are like ash. If we hold it, exactly like ash, it is immediately squeezed out. The dirt is only in the shop, where does he want to land. Even if there is, it is rarely. Usually when we harvest, we clean the place of swallow, the dirt is collected and put into the burlap. We usually dispose of it to the garbage disposal site in the weed. All of you, replace the water in those buckets. The impact is actually no. Only noise from the angler's voice. Even then, we have set the hour. At 8:00 p.m. it was already dead, on average, all those shop houses were swallowed. But indeed if on the road Sanusi, 24 hours. Because there is the most swallow shop. For air or water pollution, only a little. Because swallow wants to go out occasionally to look for food in rivers or ponds, reservoirs. If the health effects have so far never been a case. In fact, people who harvest swallow nests have never had any

pain. Moreover, many of the shop houses are occupied by those who have them underneath. So the health problem is no interference. "

From the statistical data of the ten most diseases in Labuhan Batu Regency indicates that environmental health is the strongest reason that these diseases occur very much. Acute upper respiratory tract infection (ARI) received the best-selling predicate with the number of cases 19,203. This disease is caused by the poor quality of clean air consumed by residents, plus the behavior of unhealthy people. Compounded again, this disease is a type of disease that can be transmitted freely to anyone who is contaminated from objects that suffer from this disease.

Through interviews with the Health Office related to the absence of research conducted on the effects of diseases that can be transmitted by swallow, Mr. Lindung stated:

"Not yet. We have never made such research. Because of that earlier, so far there has never been a known impact on health in Labuhanbatu. But that does not mean I conclude that Labuhanbatu is free from diseases such as the LIPI study. But later we will try to coordinate with relevant parties, SKPD-SKPD, to research this. Because indeed, if you speak of illness, he can not appear directly, he could have developed inside and in time just found out. According to data on the 10 most common diseases in Rantauprapat, one of them is ARI, culture allergies, diarrhea. For this ARI disease, it covers the middle to advanced ages. Allegedly the main cause of this disease is because of the dirty air it breathes, causing respiratory inflammation. Well, if you are like this, this can be transmitted to other people, when he communicates, now it depends on people's endurance. If the antibody is strong, it is usually resistant, if the weak are usually infected. It also depends on activity and work too. Usually, these field workers, porters, and those who have been active in smoking for 30 years often suffer from ARI. For skin allergies, diarrhea, this is due to cleanliness of water, food and air. It could be caused by unhealthy eating, careless behavior. But so far, no one has ever admitted to being sick with ARI or allergies because of the shop house.

The Labuhanbatu Health Office claimed that there had never been a case of disease caused by swallowing of swallow nests in Rantauprapat City, but seeing ARI disease which ranked first in the highest number of diseases, it seemed necessary to do further studies on the causes of this disease. In line with that, it is necessary to prove that the research carried out by LIPI that exploiting swiftlet nests in residential areas will have a negative impact on the health of the surrounding community. LIPI states that swift birds can deliver viruses, which can attack the brain, nerves and other diseases.

V. Conclussion

Leading sector for implementing Regional Regulation No. 10 of 2011 concerning Taxes for Swallow's Nest is the Investment Board and Integrated Licensing Services of Labuhanbatu Regency assisted by other agencies such as the Environmental Agency, Cipta Karya and Spatial Planning of Labuhanbatu Regency

Until now there has been no social impact found in the District of Rantau Utara and Rantau Selatan Subdistrict Labuhanbatu Regency since Regional Regulation Number 10 of 2011 concerning Taxes for Swallow Bird Nests imposed.

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Evaluation of Learning Outcome: Comparative Education Unit Level Curriculum with the 2013 Curriculum in MTsN 1 Medan

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Abstract :
This study aims to describe the comparative implementation of learning outcome evaluations applied at MTsN1 Medan by using the 2013 KTSP and Curriculum 2013. The method used in this study is qualitative methodology. Data collection techniques consist of observation, interviews, and documentation. The research findings indicate differences in the assessment of learning outcomes between the KTSP curriculum and 2013 curriculum include aspects of application in the classroom, assessment aspects, aspects of the assessment system, aspects of assessment instruments, aspects of portfolio assessment concepts, aspects of report card format, aspects of value list format, aspects of competency achievement indicators, aspects of competency achievement indicators, aspects graduate competency standards, standard aspects of assessment and aspects of value ranges.
Keywords :
evaluation of learning outcomes; KTSP; 2013 curriculum.

I. Introduction

The implementation of evaluation of learning outcomes plays an important role in motivating and learning achievement of students. Therefore, every teaching and learning process must be carried out in the evaluation activities, to see how the progress that has been achieved by students and how effective the teaching is done by the teacher in the class. Therefore the competencies inherent in teachers according to the Teacher and Lecturer Law Number 14 of 2005 are pedagogical competencies, in this competency explained in article 3 paragraph 4, that teachers must be able to design and carry out evaluation of learning outcomes for students in accordance with the applicable curriculum in the educational institutions that they have taken, namely the 2013 curriculum and KTSP, because at the moment there are several educational institutions that apply the two curricula including this MTsN 1 Medan.

Evaluation of learning outcomes conducted in educational institutions includes the cognitive, affective and psychomotor domains, known as the Bloom tax. namely: (1) the dimension of the cognitive process consists of remembering, understanding, applying, analyzing, evaluating and creating. (2) the dimension of knowledge consists of four levels, namely: factual knowledge, conceptual knowledge, procedural knowledge and metacognitive knowledge.

Learning outcomes evaluation that applies in the Education Unit Level Curriculum (KTSP) is based on basic competencies (BC) and competency standards (SK), KTSP learning outcomes assessment can be done in the following ways: class assessment, basic ability test, final unit assessment education and certification, benchmarking, and program evaluation, with instruments in the form of written tests (objective and non-objective), oral tests, portfolios, performance observations, attitude measurements, measurement of work in the form of project or product tasks, and self-assessment.

Evaluation of 2013 curriculum learning outcomes includes authentic assessments of core competencies (CC) and assessment instruments as follows: CC1 (spiritual attitude competence,

self-assessment instruments), CC2 (social attitude competencies with assessment instruments among friends), CC3 (knowledge competency with written test instruments and oral tests), and CC4 (skills competency, with practice, project, and portfolio test assessment instruments).
II. Theoritical Review

Thoha (2001) describes evaluation as a planned activity to determine the state of an object by using instruments and results, compared with benchmarks to obtain conclusions. Then learning is a modification or strengthening behavior through experience. Meanwhile Hamalik (2014) explains that learning outcomes are changes in behavior rather than mastery of the results of training carried out through the overall measurement activities (data collection and information, processing, interpretation, and consideration to make decisions about learning outcomes achieved by students after conducting learning activities in efforts to achieve the set learning goals.

KTSP is a curriculum that gives the education unit the flexibility to streamline the learning process. Kunandar (2007) emphasized that: (1) KTSP places more emphasis on aspects of achieving individual and classical competency of students, namely in KTSP students are formed to develop knowledge, understanding, ability values, attitudes, and interests that eventually form personal skilled and independent, (b) KTSP is oriented towards learning outcomes and diversity, and (c) assessment emphasizes learning processes and outcomes in mastering and achieving competencies.

The assessment activities at KTSP according to Mulyasa (2007) are: (1) class assessments carried out with daily tests, midterms, final semester examinations, and education program final exams namely school exams and National examinations), (2) basic ability tests, (3) the final assessment of the education unit and certification as evidenced by a diploma and published Certificate of Exam Results (4) Benchmarking is a standard for measuring ongoing performance, processes and results, and (5) program evaluation is carried out by The Ministry of National Education is continuous and continuous.

Arikunto (2010) explains that the class assessment model includes: (1) quizzes, fillings, or short answers that ask principle questions (2) oral questions, to measure understanding of concepts, principles, and theorems. (3) daily tests , carried out by the teacher periodically at the end of learning certain Basic Competencies (BC), (4) Midterm and end of semester examinations, conducted with material assessed from the merging of several BCs in a given period of time, (5) individual assignments given to students according to certain times and needs in various forms, for example activity reports, clippings, papers, etc. (6) group assignments are used to assess students' competencies in group work, (7) responses or practice exams, used on subjects certain who need practicum, including pre-activities, knowing the readiness of students, and post-activities, to find out the achievement of certain BCs, (8) Report on practical work, in do by the teacher in certain subjects that require practicum by observing a symptom and need to be reported, and (9) portfolio assessment, a collection of learning outcomes / student work in the form of test results, individual assignments, practice reports, which are assessed as a process of progress either analytically, holistically, or a combination of both).

The 2013 curriculum is an improvement of the Competency Based Curriculum (KBK) and Education Unit Level Curriculum (KTSP), there are 4 elements of change in educational standards, one of which is the assessment standard (Yaumi, 2013). Assessment of learning outcomes in the 2013 curriculum includes three types of competencies, namely knowledge (cognitive), attitudes (affective), and skills (psychomotor) which are based on an authentic system assessment, which is a process assessment and overall results, and requires a longer assessment time.

The 2013 curriculum on the evaluation of learning outcomes has changed several times since its enactment. The 2013 curriculum assessment has a structured and systematic assessment system for 3 competency domains namely cognitive, affective, and psychomotor with the assessment rubric of each competency domain. Assessment also changes in the writing of student report cards, namely there is a description sheet that contains groups of subjects, competencies assessed, and notes. Then the achievement sheet containing subject groups, the knowledge column, and the skill column with numbers using the value range 1 to 4 and the predicate A + to E, for columns of spiritual and social attitudes using the letter rating SB / B / C / K in the subjects, while between subjects use descriptions. In this case Mulyasa (2015) explains that the 2013 curriculum uses a benchmark reference assessment, namely the achievement of learning outcomes based on the position of the score obtained against the ideal score (maximum).

III. Research Methods

The method used in this research is qualitative methodology. Data comes from two sources, namely primary data, namely teachers, principals, and vice principals in the curriculum field, while secondary data is literature studies in the form of books, journals, guidelines for assessment of learning outcomes. Data collection techniques consist of observation, interviews, and documentation. The analysis technique used is according to Miles and Huberman (2002) which consists of: data reduction, data presentation, and conclusions. Examination of the validity of research data is carried out using four techniques: degree of trust, transferability, dependence, and certainty with source triangulation and data collection .

IV. Discussion

Evaluation of learning outcomes at MTsN 1 Medan, KTSP learning outcome evaluation model was carried out in class IX while the 2013 curriculum learning outcomes evaluation model was conducted in grades VII and VIII. For class IX that applies the KTSP assessment system has been carried out fully, this is evidenced by the implementation of Odd Semester Deuteronomy, Semester Deuteronomy, Even Semester Middle Deuteronomy and Even Semester Deuteronomy, the final test program is evidenced by the Implementation of National Based School Exams (USBN)

The KTSP assessment system applied at MTsN 1 Medan is a class-based assessment with results assessment, the dominant form of assessment to form a test for knowledge competence. The application has an assessment list format composed of UH assessments in accordance with KD with the assessment of PT, KMTT, UL. KD, Remedial, Average UH, UTS, US, Report Card Value, for reports on student learning outcomes in report cards that are subject fields, KKM, Value of Numbers and Letters, description of learning progress, value of report cards is a combination of 3 competencies namely knowledge and skills, while attitudes have columns that contain character and personality, absence also influences attitudes. the range of values used is 0-100.

The 2013 curriculum assessment at MTsN 1 Medan was carried out based on the 2013 curriculum assessment system, which is authentic assessment with process and outcome assessment, balanced assessment forms between attitudinal, knowledge and skills competencies, implementation of the 2013 curriculum student evaluation based on government regulations in *Permendikbud* No. 23 of 2016. The implementation of the school makes the assessment list composed of aspects of knowledge assessment containing columns PH, PT, HTS, HPAS, HPA, HPA rounding. The skill aspect, which contains the ability column, consists of percentages, questions, answers with a range of values (1 - 4), number of scores, and information. Reports of

*Britain International of **Humanties** and **Social Sciences** (BIoHS) Journal*
ISSN: 2685-3868 (online), 2685-1989 (print)
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student learning outcomes in report cards are points A with a column of spiritual attitudes and social attitudes in which the student's attitude indicators are written when learning takes place, point B knowledge and skills in the subject column, knowledge column with indicators of numbers, predicates, and description, and skill column with numbers, predicates, and descriptions. The range of values used is the beginning of the application of the 2013 curriculum and since the 2017/2018 school year uses a range of values from 0 to 100.

The research findings related to the comparison of the implementation of the 2013 KTSP and Curriculum learning outcomes assessment in MTsN 1 Medan are shown in the following Table 1:

Table 1. Summary of Comparative Evaluation of KTSP Learning Outcomes vs 2013 Curriculum

No	Elements of Difference	KTSP	2013 Curriculum
1	Applied in-	Grade IX	Grade VII and VIII
2	Assessment Aspect	More emphasis on aspects of knowledge	Emphasizing the balance of soft skills and skills, namely: attitudes, knowledge, and skills.
3	Scoring system	Class based	Authentic
4	Assessment Instrument	Performance tests, demonstrations, observations, assignments, portfolios, written tests, oral tests, journals, interviews, inventory, self-assessment, and peer assessment.	Diverse aspects of knowledge, skillsand attitudes, namely: Attitude assessment: self-assessment observation, evaluation between friends, and journals Assessment of knowledge: written tests, oral tests, and assignments Skills: practices, products, projects, portfolio, and other techniques
5	Portfolio Assessment Concept	A portfolio is a collection of documents and works of students in a particular work that is organized to find out the interests, development of learning and student achievement.	The portfolio is a sample of the work of the best students from BC on CC-4 to describe the achievement of skills competencies (in one semester
6	Report Card Format	Integrated knowledge and skills competencies. Assessment of attitudes is a column that contains character and personality. There is only a number assessment, the rating of letters is writing from a number assessment	Has its own column between the assessment of attitudes, knowledge, and skills. Assessment of knowledge and skills using numerical and predicate assessments. Assessment of attitude is written with qualitative assessment, which is written what is the attitude of students during the teaching and learning process.
7	Value List Format	Daily repetition value column	Assessment of knowledge is: Daily assessment (PH) Task assessment (PT)

*Britain International of **Humanties** and **Social Sciences** (BIoHS) Journal*
ISSN: 2685-3868 (online), 2685-1989 (print)
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		The ... daily test, including: 1.1.1.1. Structured Assignment (PT) 1.1.1.2. Unstructured Mandiri Activities (KMTT) 1.1.1.3. The Basic Basic Competency Test ... 1.1.1.4. Remedial 1.1.1.5. Average Daily Tests. (R.UH) 1.1.1.6. Middle Semester Deuteronomy (UTS) 1.1.1.7. Semester (US) Deuteronomy 1.1.1.8. Report Score (NR)	Middle Semester Results (HTS) Final Semester Assessment Results (HPAS) Final Assessment Results (HPA) Rounding HPA Skills assessment, including: Percentage ability Asking Answer The 3 indicators are 1-4 Total score Information Attitude assessment is in the attitude assessment journal
8	Competency Achievement Indicators	Competency Standards, Basic Competencies, Indicators	Core Competencies, Basic Competencies, Indicators
9	Graduate Competency Standards (GCS)	Permendiknas, No. 23 Year 2006	Permendikbud, No. 20 Year 2016
10	Assessment Standards	Permendiknas, No. 20 Year 2007	Permendikbud, No. 23 Year 2016
11	Rating Structure	The tendency of judgment to use tests on knowledge	Balance between the assessment of knowledge, skills, and attitudes with structured forms of assessment
12	Value Range	0 – 100	Experiencing changes from 1 - 4 then 0 - 100 for numbers while predicates using A + to E (knowledge and skills) while attitudes change with the union of spiritual and social attitudes from the columns in subjects with the SB / B / C / K assessment and between eyes lesson with description becomes a division of the attitude column between spiritual and social with a description of the attitude that appears to students during their PBM at school.

Based on the table above, it can be seen that the comparison of the application of the 2013 KTSP and Curriculum at MTsNMedan can be described as follows: (1) for evaluating student learning outcomes at each class level running according to the curriculum used, (2) changes the system of converting values from qualitative to quantitative, which previously used a scale of 0 -

100 changed to 0 - 4 and returned again to 0 - 100. (3) *madrasah* has their own policies for assessment formats, both for KTSP and curriculum 2013, (4) report cards students for the 2013 curriculum are listed in each assessment column, namely attitudes, knowledge and skills, while for KTSP report cards there is only attitude assessment, and assessment of knowledge with skills is put together in one assessment column, and (5) attitude assessment in KTSP report cards is written on in that is the assessment of the personality and noble character of students filled by the teacher with p assessment of letters, while the attitude assessment in the 2013 curriculum report contains a spiritual attitude assessment column and a social attitude assessment column, each of which is still empty, so that the assessment is filled by the teacher by writing students' attitudes as long as students follow the learning process in school.

V. Conclusions

The conclusions that can be drawn are as follows: (1) the application of the KTSP assessment at MTsN 1 Medan is carried out through the evaluation of results, the dominant form of assessment to the form of tests for knowledge competence. The evaluation of student learning outcomes based on government regulations in *Permendiknas*No. 20 of 2007, (2) the implementation of evaluation of student learning outcomes in the 2013 curriculum is carried out through authentic assessment with process and results assessment, balanced assessment forms between attitudinal, knowledge and skills competencies, implementation of the 2013 curriculum student learning evaluation based on government regulations in *Permendikbud*No . 23 of 2016, and (3) analysis of the evaluation of student learning outcomes in the 2013 KTSP and curriculum in MTsN 1 Medan, namely the absence of influence between the curriculum one and the other curriculum, because KTSP is applied in class IX while the 2013 curriculum is applied in classes VII and VIII. Differences include aspects of application in the classroom, aspects of assessment, aspects of the assessment system, aspects of assessment instruments, aspects of concept of portfolio assessment, aspects of report format, aspects of value list format, aspects of competency indicators, aspects of competence standard graduations, standard assessment aspects and aspects of value ranges.

The recommendations that can be given are as follows: (1) to the Head of *Madrasah* to optimize the evaluation of student learning outcomes by monitoring each change in assessment activities from the government, and referring to the regulations that have been prepared, facilities and facilities for evaluating student learning outcomes on all subjects for the two curricula, (2) the teacher should evaluate the student learning outcomes more for the design, implementation, and follow-up in assessing student learning outcomes. and (3) the Ministry of Religion in Medan should improve teacher competence in carrying out assessment of learning outcomes through training activities, workshops and workshops.

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