

The Effectiveness of Enforcement of Whipping Punishment to Provide a Deterrent Effect in the Enforcement of Islamic Shariat in Banda Aceh City

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Article Info	ABSTRACT
Keywords: Effectiveness, Caning Punishment, Deterrent effect, Islamic law	<p>Aceh Province is one of the provinces in Indonesia that is based on the implementation of Islamic law and has its own regional regulations called qanun. One of the qanuns in Aceh Province is Aceh Qanun Number 6 of 2014 concerning Jinayat Law. The desired goal of implementing the caning punishment is to reduce cases of violations of Islamic law in Aceh, but in reality violations of Islamic law still continue to occur. Therefore, it is considered important to conduct research related to the effectiveness of the caning punishment in order to provide a deterrent effect in enforcing Islamic law in Banda Aceh City. This study was conducted to analyze the effectiveness of the enforcement of the caning punishment by the Banda Aceh City government in order to provide a deterrent effect in enforcing Islamic law in Banda Aceh City, using Ryass Rasyid's theory on the main tasks of government, and using qualitative research methods with exploratory methods. Data collection techniques through purposive sampling. Data were collected through observation, interviews, and documentation studies. The results of the discussion in this study are that the enforcement of the caning punishment has not been effective in providing a deterrent effect as seen from 3 (three) aspects, namely security, order, and justice. Inhibiting factors for enforcing caning punishment are 1) Lack of human resources; 2) Lack of budget. The supporting factors are the community who participate in monitoring and reporting to the authorities if there are violations. Efforts made by the government in enforcing caning punishment in order to provide a deterrent effect can be seen from: 1) Cooperating between institutions; 2) Conducting socialization to the community; 3) Consistent with the rules that have been made. The author's suggestions or input to various stakeholders related to the implementation of the qanun jinayat in enforcing Islamic law in Banda Aceh City are as follows: 1) Adding human resources according to agency needs; 2) Increasing the budget; 3) Conducting socialization to the community regarding the understanding of the rules in force in Banda Aceh City.</p>
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INTRODUCTION

In 2006, the Aceh Government was given the authority to regulate its territory, based on (Law Number 11, 2006) concerning the Aceh Government. The Aceh Government was

given the authority to regulate and manage its own region, or what is commonly called Special Autonomy. The values of Islamic Sharia are regulated through Qanun, and are one of the greatest assets of the Aceh Government. One of the Qanuns that has been issued and implemented in Aceh Province is (Aceh Qanun Number 6, 2014) concerning Jinayat Law. Islamic Sharia which has long existed in Aceh encourages the Acehnese people to implement regulations in accordance with the majority religion embraced by the community. The Aceh Qanun is a qanun or regional regulation that regulates acts that are prohibited in Islam (Jinayat). Acts that are prohibited in Aceh Qanun Number 6 of 2014 are *Wine*, Maisir, Khalwat, Ikhtilath, Zina, Sexual Harassment, Rape, Qadzaf, Liwath, and Musahaqah. These acts are regulated from Article 15 to Article 64. The acts mentioned are acts that are prohibited or may not be carried out in the Islamic religion, if Indonesia adheres to Bhinneka Tunggal Ika then in terms of prohibited acts, Aceh regulates that its people obey religious rules strictly.

This act is one of the acts that we often encounter and is an act that is prohibited by Islam. Islam strictly limits intercourse between men and women who are not their mahram, so that avoid unwanted things. Such actions should be prohibited in society considering the number of children, women or the general public who are caught up in promiscuity and the increase in HIV.

Indications of the application of Islamic religious norms to adherents of religions other than Islam in the Qanun can be seen in the formulation of its regulations. As a legal umbrella for the formation of the Qanun on Jinayat Law, according to Law Number 11 of 2006 concerning the Government of Aceh, in Article 129 numbers 1, 2, and 3; it is regulated that:

1. In the event that a jinayah act is committed by two or more people together, one of whom is of a non-Muslim religion, the non-Muslim perpetrator can choose and submit himself voluntarily to the law of jinayah.
2. Every person of a non-Muslim religion commits a jinayah act that is not regulated in the Criminal Code or criminal provisions outside the Criminal Code, the jinayah law applies.
3. Against Aceh residents who commit criminal acts outside Aceh, the Criminal Code applies.

Regional Regulation of the Special Region of Aceh Province Number 5 of 2000 concerning the Implementation of Islamic Law, Article 4 number:

1. Every Muslim in Aceh is obliged to obey, practice/implement Islamic law in its entirety in daily life in an orderly and perfect manner.
2. The obligation to obey and practice/implement Islamic law as referred to in point (1) of this article is carried out in daily life through oneself, family, society in national and state life.
3. Every citizen of the Republic of Indonesia or anyone who resides or stops by in the Special Region of Aceh is obliged to respect the implementation of Islamic law in the region.

Aceh Qanun Number 8 of 2014 concerning the Principles of Islamic Sharia, Article 7 numbers (1) and (2) regulates similar matters, but with the addition of the word respect, which reads:

1. Every Muslim in Aceh is obliged to obey and practice Islamic law.
2. Every person or legal entity domiciled or located in Aceh is obliged to respect the implementation of Islamic law.

The caning punishment is carried out after a decision from the Aceh Sharia Court or district/city that has permanent legal force. The implementation of the caning punishment is the authority and responsibility of the prosecutor. One of the cases that is punished with the caning punishment is Ikhtilath. Ikhtilath is an act of intimacy between a man and a woman who are not husband and wife with the consent of both parties. As one example, the caning punishment was once carried out on two people who were proven to have committed the act of Ikhtilath, the two perpetrators with the initials AD and J. They (AD and J) were arrested in Syiah Kuala District in a boarding house on April 24, 2024, for their actions, AD and J were sentenced to 20 canings each (Banda Aceh City Sharia Court).

The expected deterrent effect with the formation of the qanun did not run as it should, this is because even though the punishment has been clearly carried out, many people still violate the Aceh Qanun Number 6 of 2014. This can be seen from the news released by the Antara News media regarding the recurrence of violations of the Aceh Qanun Number 6 of 2014 carried out by four people with the initials MFA, AU, Y, and CR who were proven to have violated Qanun No. 6 of 2014, namely consuming liquor (alcoholic drinks) in Banda Aceh City (Four Violators of Islamic Law in Banda Aceh Sentenced to 17 Floggings, 2024, Antara News).

The trigger for many acts that violate Islamic law in Banda Aceh City is due to the lack of socialization from the government regarding (Aceh Qanun Number 6, 2014), the government assumes that if the qanun has been issued then the community has understood the qanun, especially since Banda Aceh is the city center and Islamic law has been embedded in the community. However, in fact many people do not understand the qanun and the concept of implementing caning punishment in Banda Aceh City.

Lack of supervision from the local government is also a factor in the continued occurrence of violations, the government does not routinely and consistently supervise and provide guidance to the community, so that this triggers many violations of Islamic law in Banda Aceh City. One example is the violations that often occur in the Ulee Lheue area. Ulee Lheue is one of the tourist areas where violations of Islamic law are often found, the area has minimal lighting at night and places that are rarely visited by Satpol PP and WH officers in Banda Aceh City, so that many types of violations are committed in the area, including adultery.

This can be seen from the data on violations of sharia and types of Jinayat acts in the table below. In addition to the punishment of caning, in the Aceh Qanun, there are also other criminal threats, namely: Fines, Imprisonment, Restitution. This form of punishment is regulated in articles 68 and 69 (Aceh Qanun Number 6, 2014) concerning Jinayah.

Table Data on Violators of Islamic Sharia in the City of Banda, Aceh, 2019-2024

No.	Year	Number of perpetrators and types of criminal acts
1.	2019	68 cases: ikhtilath (60), khamar (6) and maisir (2).
2.	2020	24 cases: ikhtilath (12), khamar (6) and maisir (6).
3.	2021	45 cases: ikhtilath (31), khamar (9), maisir (4), and adultery (1).
4.	2022	16 cases: ikhtilath (9), gambling (6), rape (1).
5.	2023	24 cases: ikhtilath (10), khamar (12) and maisir (2).
6.	2024 (July)	11 things: ikhtilath (6), khamar (4) and maisir (1).

Source: Sharia Court, Banda Aceh City, August, 2024.

From the data above we can see, over the past five years, Jinayat cases have fluctuated, meaning there has been a decrease and an increase in five years. The highest to lowest cases occurred in the years: 2019, 2021, 2020 and 2023. The dominant cases were carried out in the following order: ikhtilath, khamar, maisir, rape and zina.

The effectiveness of a rule is recognized if the rule provides a deterrent effect on the perpetrators, so that the community is expected to be law-abiding. However, from the table above, it can be concluded temporarily that the Aceh Qanun on Jinayat Law has not been able to provide a deterrent effect, this is because the number of Jinayat violations as regulated in Aceh Qanun Number 6 of 2014 has not decreased as expected. The measure of the effectiveness or ineffectiveness of a rule can be influenced by several factors, including: punishment factors, law enforcement factors, facilities or facilities that support the enforcement of the punishment, and public awareness factors (Hidangkaullah et al., 2017).

Based on the formulation of the problem above, the following research objectives can be determined: Analyzing the effectiveness of the enforcement of caning punishment by the Banda Aceh City Government in order to provide a deterrent effect in enforcing Islamic Sharia in Banda Aceh City. Analyzing the inhibiting and supporting factors in the enforcement of caning punishment in order to provide a deterrent effect in enforcing Islamic Sharia in Banda Aceh City.. Analyze the efforts made by the Banda Aceh City Government in overcoming violations of Aceh Qanun Number 6 of 2014.

METHOD

This research is a qualitative research with an exploratory approach. Qualitative exploratory research is a research that aims to provide a clear and systematic picture related to the object being studied by providing valid data information related to data and phenomena in the field. This is also in accordance with the explanation of Kotler and Armstrong (2012), that the exploratory method is one method in researching something that attracts attention that is not yet known, not yet understood, or not yet well recognized. So that in exploratory research the aim is to obtain basic data. According to Creswell and Creswell (2018), in their book "Research Design", the approach in qualitative research, researchers state the formulation of the problem, not the research target (such as, the final result to be

obtained in the research) or the hypothesis (for example, predictions involving variables and statistical testing).

Conceptual Framework of Research

Researchers will use the conceptual framework that will be developed to determine which questions must be answered by the research and what empirical procedures will be used as tools for this. The answers to the questions that will form the basis of the interview guidelines can be seen in the table below:

Table 3.1. Conceptual Framework of Research

Draft	Dimensions	Indicator
Maintain security	Security	1. Effectiveness of the duties and functions of security forces 2. Compliance with laws and regulations 3. Sense of community security
Ensuring order	Order	1. Obedience public against laws and norms
Justice for the community	Justice	1. Transparency and accountability of legal and administrative processes 2. Legal certainty and non-discrimination

Source: Processed by the author based on the theory according to Ryaas Rasyid

Required Data

This research was obtained from primary data and secondary data. Primary data is data obtained directly from the object to be studied (Bagong, Suyanto and Sutinah, 2005; 55). Thus, researchers can obtain actual results from the object being studied through informants from related parties. Primary data in this study were obtained from direct observation and the results of in-depth interviews with research subjects. Secondary data is data obtained from certain institutions or agencies (Bagong, Suyanto and Sutinah, 2005; 55). Secondary data was obtained to support the research results, secondary data sources were obtained from journals, books, articles and scientific papers that were relevant to the research problem, namely the effectiveness of caning punishment in providing a deterrent effect in enforcing Islamic Law in Banda Aceh City.

Informants and How to Get Them

In this study, primary data were obtained from informants selected by purposive sampling from several informants who were directly related to the implementation of caning punishment. In this study, the number of informants was 21 (nineteen) people, consisting of the Civil Service Police Unit and Wilayatul Hisbah, Banda Aceh City Resort Police, Banda Aceh City District Attorney's Office, Banda Aceh City Sharia Court, Islamic Sharia Service, Health Service, Aceh Ulema Consultative Assembly, Traditional Leaders and the Aceh community. Based on the criteria above, the informants in this study are as follows:

Data collection techniques and instruments

Data collection techniques are part of the research design that is done by collecting and in the form of information from the library regarding things that are relevant to the

research title. After searching for information in the library, researchers can go directly to the field.

In this study, the researcher used the following data collection methods:

1. Observation

Observations are carried out to obtain a real picture of an event or incident to answer research questions. In this study, the researcher used participant observation and direct or covert observation. This is because the researcher in conducting the study openly stated the informant as a source of data in the study related to the effectiveness of caning punishment in enforcing Islamic law in Banda Aceh City.

2. Interview

Interview is a method of collecting information data directly from the source. Different types of interviews are used by the researcher's needs to obtain information. In this study, the researcher used a semi-structured interview method, meaning that the researcher has a written list of questions but allows free questions related to the problem. (Kriyantono, 2006). This interview is also called a directed and guided interview. The list of questions that have been formulated is the foundation of the questions, while the unwritten questions are questions that are developed according to the researcher's needs.

3. Documentation

Documents are records of past events, which can be in the form of writing, pictures, or monumental works by someone. (Bagong, Suyanto and Sutinah, 2008).

Data Analysis Techniques

The data analysis stage is the most important stage in qualitative research, namely as the main factor in assessing the quality or otherwise of a study. This means that giving meaning to data is the key. The main thing is whether the data obtained has elements of reliability and validation or not (Kriyantono, 2006).

Miles and Huberman (1992) explain the stages of data analysis techniques as follows:

1. Data Reduction

Data reduction is summarizing data that is considered important, finding patterns and themes, removing data that is less related to the focus of the research and so on from a data. This is because the data in the field has a large amount. Thus, by reducing data, it can clarify a picture and provide convenience for the author in carrying out future data collection.

2. Data Presentation

Data presentation is done by displaying research data in the form of tables, charts, relationships between categories and brief descriptions. The purpose of data presentation is to make it easier for researchers to understand the phenomena that occur and plan further methods.

3. Conclusion Drawing

The next step after reducing data and presenting data is drawing conclusions. The process of drawing conclusions is carried out based on evidence from data obtained in a strong, consistent, and accountable manner. Conclusions are presented in the form

of credible or reliable data.

To determine the validity of data in research using the examination technique through triangulation. Triangulation according to Moleong (2014) provides the definition that "triangulation is nothing other than a data validity examination technique that utilizes an event outside the data for the purpose of checking or as a comparison with existing data."

RESEARCH RESULTS AND DISCUSSION

Effectiveness of Caning Punishment Enforcement to Provide a Deterrent Effect in Enforcing Islamic Law in Banda Aceh City

Based on the results of the study, the existence of a regulation to maintain security is very necessary in a country with a legal concept like Indonesia. Aceh as a region with a Muslim majority, the existence of Qanun No. 6 of 2014 is a regulation that needs to be implemented in order to achieve security in terms of implementing sharia according to the Aceh special law, because a crime cannot be processed if there are no rules that regulate it, and the rules will not run without the goals to be achieved.

Analysis of the punishment of caning in the enforcement of Islamic law

A rule must have a measure to see whether it has been implemented according to the desired goal or not. To see whether the caning punishment has been effective or not, the author conducted a measurement using the criteria for measuring the main objectives of the formation of the government put forward by Ryas Rashid, including Security, Order, and Justice.

Security

This patrol is routinely carried out in the Banda Aceh City area by Satpol PP and WH including patrols at Coffee Shops, Hotels, parks and cafes in Banda Aceh City, as well as a socialization activity to the Community and business actors to jointly maintain existing regulations. Although patrols are carried out by Satpol PP and WH, related to case handling, sometimes the police are also involved in handling cases of violations of sharia due to the lack of human resources owned by Satpol PP and WH, the police can also carry out the process of security and order by working together with Satpol PP and WH. However, formally the authority to control violations of Islamic law is given to Satpol PP and WH,

Based on the results of the research conducted by the researcher, the researcher saw that in the security activities of Satpol PP and WH together with Polresta actively in conducting patrols and supervision in the Banda Aceh City area, but due to the limited human resources available, it certainly hampers the performance of Satpol PP and WH in carrying out supervision and security. This is also because the Banda Aceh City area is a large area so it is very difficult to provide security and supervision as a whole.

Order

This instability also occurs in the case of Khamar. The case of Khamar increased from 2 cases to 18 cases and in 2024 decreased to 12 cases. The caning sentence for the Khamar case itself increased by 2 people in 2023, but in 2024 there were 12 cases that were subject to caning, which means that in 2024 all Khamar cases were sentenced to

caning. In the Maisir case, it is the same as the Khamar case which has fluctuated every year from 7 cases to 26 cases and in 2024 decreased to 11 cases. For the caning sentence itself in the Maisir case, it has increased every year from 7 cases to 11 cases and in 2024 increased to 18 cases.

Table 4.2. Violation Data Available at the Supreme Court

No.	Case	Cases/Year		
		2021	2022	2023
1.	Alcohol/Drugs	9	0	2
2.	Maisir/Gambling	9	6	21
3.	Khalwat/Pervert	8	0	2
4.	Ikhtilath/Masking Out	5	0	0
5.	Adultery/free sex	7	1	4
6.	Sexual harassment	6	1	3
7.	Rape	3	9	7
8.	Gay/Gay	4	0	0
9.	Qadzaf/ Accuse person commit adultery	1	1	0
10.	Motorcycle gang	120	62	49
11.	Murder	9	11	10

Source:Directory of Supreme Court Decisions of the Republic of Indonesia, 2024 (Cases that occurred in Banda Aceh City, cases outside the qanun)

From the data above, we can see that the verdict of cases of violation of sharia in Banda Aceh City is dominated by violations of hamar, murder and maisir. There are still many violations in Banda Aceh City indicating the ineffectiveness of the caning punishment itself, and the unfulfilled order in society.

From the interviews and data that the author has obtained, the researcher sees that the implementation of caning punishment and the implementation of Islamic law have not been able to make society orderly by law and this is also due to the lack of government human resources in law enforcement.

Justice

The implementation of caning punishment that is not carried out openly causes public knowledge to decrease and triggers many violations of sharia. The implementation of caning punishment in open places has a big influence on the people of Banda Aceh City, in addition to providing a deterrent effect, the implementation of caning punishment also provides knowledge for the community not to violate the rules, but by not carrying out caning punishment openly again, it makes the community think that caning punishment no longer exists and increases violations of Islamic law.

The implementation of caning punishment that began to be carried out in a place that was not open is a problem of social shift that began to occur in society. The effect of not implementing the caning punishment in an open place has resulted in many violations of sharia in Banda Aceh City being carried out by teenagers and minors. The purpose of carrying out the punishment in private is to protect the psyche of children who should not

yet see forms of violence, but instead makes these children become perpetrators of violations.

For that reason, it is better to carry out the caning punishment again in an open place. This can be done as a form of socialization and education and to achieve the purpose of carrying out the caning punishment itself, namely the deterrent effect with social sanctions given to the perpetrators. By not carrying out the caning punishment openly, the desired goal of the punishment itself cannot be achieved.

Based on the results of the research conducted by the researcher, the researcher saw that the punishment of caning has not been effectively implemented. In terms of security, the punishment of caning is still discriminatory against violators and equality before the law has not been obtained, and the implementation procedure is not carried out in a written manner which results in many violations.

Inhibiting and Supporting Factors in the Implementation of Caning Punishment in Banda Aceh City

Inhibiting Factors in the Implementation of Caning Punishment in Banda Aceh City

In implementing a rule, of course, to achieve success is very difficult to do. The law was created not as a deterrent to crime, but with the aim of minimizing crime and providing a deterrent effect for those who do it. The factors that hinder the implementation of caning in Banda Aceh City are:

1. Lack of Human Resources (HR)

The lack of human resources owned by Satpol PP and WH does not only occur in the implementation of supervision, but the human resources owned by Satpol PP and WH also do not have the special skills that investigators should have. In the sense that investigators owned by Satpol PP and WH still have limited knowledge, this can cause legal defects in the investigation process.

The implementation of investigations at Satpol PP and WH is carried out by the Regional Law Enforcement and State Apparatus Resources division, specifically in the investigation and inquiry section. Currently, the members of this division are 80-90 members and this already includes field members. When compared to the area of Banda Aceh City and the population of Banda Aceh City, ideally the investigation and inquiry section has 125 members, this is based on the calculations contained in Permendgari No. 16. Year 2023 concerning Basic Service Technician Standards in the Minimum Service Standards for the Sub-Affairs of Public Order and Security.

2. Limited Budget

Budget is a must in every activity, because the budget determines whether an activity is successful or not. Likewise in the implementation of caning, the implementation of caning is carried out openly and of course requires a lot of money. In one execution of caning, a budget of around 15 (Fifteen Million) million Rupiah is needed. This budget includes the budget for installing tents and execution stages, providing food and drinks for officers and witnesses, honorariums for security and health officers, logistics and transportation costs, and the budget for renting the execution location (Kumparan, 2019). However, it seems that this has escaped the government's attention.

Budget is a must in every activity, because the budget determines whether an activity is successful or not. Likewise in the implementation of caning punishment, the implementation of caning punishment is carried out openly and of course requires a lot of money, such as the cost of a doctor to check the health of the perpetrator before and after the execution. However, it seems that this has escaped the government's attention.

Based on Qanun No. 6 of 2022 concerning the Aceh Regional Budget, Aceh received a budget of Rp. 10,186,819,912,074.00 (Ten Trillion One Hundred Eighty Six Billion Eight Hundred Nineteen Million Nine Hundred Twelve Seventy Four Rupiah). In implementing Islamic law, Satpol PP and WH received a budget of Rp. 43,911,253,053. (Qanun No. 6 of 2022)

Most of the APBA budget is used for government operational needs and other unexpected costs, these costs are greater than the budget that the government provides for implementing caning punishments, making it difficult to implement caning punishments with a limited budget.

Supporting Factors for the Implementation of Caning Punishment in Banda Aceh City

As for traditional society, most people have known the rules and implemented the rules of this qanun well. Public awareness of Islamic law and the law of caning is very high in the Aceh region. Based on the results of the study, in the implementation of this punishment, the community is very supportive, especially Banda Aceh is a city with a Muslim majority, they are very cooperative and support the implementation of the caning punishment. The existence of the Qanun and the current caning punishment is because of the wishes of the Acehnese people themselves, the community wants a rule that is in line with the religion they adhere to, so this Qanun of jinayat law and the punishment of caning for those who violate it were formed. And of course the community agrees and supports this punishment.

Efforts Made by the Banda Aceh City Government in Addressing Violations of Aceh Qanun No. 6 of 2014.

Efforts to overcome violations are efforts made by the government to make the rules of the Jinayat law and the caning punishment maximal and effective in their implementation. In an effort to handle violations of the Jinayat law, the efforts that can be made include:

1. Inter-institutional cooperation

In addition to conducting cooperation between institutions, cooperation with village officials is also an effort made by Satpol PP and WH in reducing Sharia violations in Banda Aceh City. The large number of areas in Banda Aceh City and inadequate human resources make it a little difficult for Satpol PP and WH in Banda Aceh City to conduct patrols, but by cooperating with village officials, each village can secure their respective villages. So that with this cooperation, the number of violations can be reduced. Because supervision is not only carried out by officials but also by the community.

2. Socialization

Based on the research results, socialization is currently only carried out to the perpetrators of violations, but to the general public it is currently carried out indirectly, namely by showing the implementation of caning punishment. The assumption that the

public already knows the rules circulating in the community is an assumption that causes more and more violations to occur. This assumption is growing rapidly in law enforcement agencies so that there is minimal socialization to the community by law enforcement agencies.

Early childhood education is one of the efforts that the government can do to provide socialization to children. One of them is to create regulations related to the mandatory education related to Islamic law at all levels of education starting from SD (Elementary School) to SMA (Senior High School), MIN (State Islamic Elementary School) to MAN (State Islamic Senior High School). This education is important to form the character of students in accordance with Islamic law implemented by the City of Banda Aceh and provide education to students who are the successors of the nation.

3. Enhanced Law Enforcement

Being consistent with what you want to achieve is a very difficult effort to do, because there are many obstacles that can trigger a rule that cannot be carried out consistently. One example of the difficulty of affirming and being consistent in implementing the caning punishment itself is the law enforcement officers themselves.

Taking the law into one's own hands by the community in the case of arresting violators of Islamic law is an act prohibited by the Criminal Code. Article 170 of the Criminal Code states that arbitrary acts against others, taking rights without regard to the law, with one's own will committing acts that can result in injury or injury to others or even death are punishable by a maximum of 12 years in prison.

Taking the law into one's own hands in the field is not a case that occurs once or twice. In arresting cases of violating Islamic law, people often take actions that are not in accordance with the law, such as pouring sewage water on people who violate Islamic law. Actions like this are certainly not a form of effort made to reduce violations, before cooperation is carried out by Satpol PP and WH to the Keuchik-keuchik gampong in Banda Aceh City, it would be better to conduct socialization first.

CONCLUSION

After conducting the research and discussion that has been described above, the author can draw the following conclusions in this study: Effectiveness of caning punishment. Based on the research that has been conducted by the researcher, the caning punishment regulated in Qanun No. 6 of 2014 concerning Jinayat Law has not been implemented properly or has not been effectively enforced, so improvements are still needed. The measure of the ineffectiveness of the enforcement of caning punishment in enforcing Islamic law in Banda Aceh City can be seen from the following 3 (three) aspects: Security: Based on the results of the study, security forces conduct routine patrols in the Banda Aceh City area to prevent violations of Islamic law. Then the readiness of law enforcement officers in receiving public reports regarding alleged violations of sharia is also a form of service effort provided by the security forces. Order: order is obtained from public obedience to applicable laws or norms that have not been effective. The community does not obey the existing rules due to the lack of understanding and knowledge of the community regarding the caning punishment

itself and the lack of attention from business actors regarding the enforcement of Islamic law itself. Justice: non-discriminatory attitudes and open procedures, Qanun No. 6 of 2014 and the caning punishment have not been able to provide justice. This is because the caning punishment is still discriminatory which can be seen from the differences in punishments received by Muslim and non-Muslim communities. The implementation of the caning punishment which began to be carried out in a more closed place than before which was carried out in the courtyard of the mosque. In carrying out the caning punishment to enforce Islamic law, the Banda Aceh City Government has several inhibiting and supporting factors in the implementation of the caning punishment. Some of the inhibiting factors are the lack of human resources (HR), limited human resources make it difficult for Satpol PP and WH to carry out security and order patrols in Banda Aceh City. Lack of budget can hinder the implementation of the caning punishment. In its implementation, the caning punishment requires a lot of funds so that it is difficult to carry out the caning punishment consistently. The supporting factors are the community, the traditional community that still dominates is the factor of caning punishment which is still being determined until now, as well as the community that participates in monitoring and reporting when there are violations in guarding their respective areas. Various efforts to overcome the inhibiting factors that the government must do to get effective results in the implementation of this caning punishment, including: Cooperating between institutions. This inter-institutional cooperation is an effort made by the government to get effective results. This cooperation includes cooperation with the Islamic Sharia Service in providing guidance for violators and cooperation with the Keuchik (Village Head) to supervise their own villages. Conducting socialization. Socialization is a form of government effort to unite understanding between institutions so that miscommunication does not occur, and as a form of guidance for perpetrators of violations. Consistent with the rules that have been made. The rules made by the government must be implemented consistently, but currently the government has not been consistent in enforcing the implementation of sharia according to the qanun that has been regulated.

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