

# **CHAPTER I**

## **INTRODUCTION**

### **A. BACKGROUND**

The development of democracy in Indonesia experiences ups and downs in its implementation. The application of democracy is an effort to improve democratic, social, economic and political life in Indonesian society which is still plural. Indonesia itself has undergone several changes in the democratic system, including the parliamentary democracy in 1945-1949, the parliamentary democracy in 1949-1959, the guided democracy in 1959-1965, the Pancasila democracy during the new order in 1965-1998, and the Pancasila democracy during the order of reform from reformation order which is still used today; the principle of democracy in Indonesia, which is still applied today is that the people have the highest power in which the people have the right to be elected and elect their representatives by means of general elections held every five years.

Indonesia becomes the third largest democracy in the world. Currently Indonesia has been known as a country that conducts direct and simultaneous general elections in the world with the number of participants who use their voting rights as many as 158 million of the 199 million voters in the 2019 elections. Indonesia is also known as a complex democracy based on region, geography, and holding elections. In addition, Indonesia is also the country with the largest Muslim population in the world. According to BPS & Pew Research data in 2010, the number of Muslim population in Indonesia reached

approximately 209 million people or around 88.1% of Indonesian's population that adheres to Islam and 13.1% of the total population of Muslim population in the World. Indonesia in 2050 is expected to be replaced by India as the predicate of the country with the largest Muslim population in the World (Tirto.id, 16 Agustus 2017).

The word democracy comes from the Greek vocabulary "demos" which means society, and then "kratos" means government. Ethnologically, the word of democracy means the governance held by the people (ruled by the people). Democracy is a form of government where the supreme power is in the hands of the people, and is carried out directly by elected representatives in a free electoral system. Therefore, the former, the president of US Abraham Lincoln, argued that in the democratic process, the need for participation is the people in deciding on a problem and controlling the ruling government (Hakiki, 2016:2).

Continuously, Scholars developed the concept of democracy, the concept of modern democracy and the concept of Islamic democracy. In the concept of modern democracy, the popular sovereignty is the core of democracy, whereas in the concept of Islamic democracy, the God's sovereignty is at the core of that democracy. Islamic democracy is considered as a system with Islamic concepts such as deliberation or *shura* ', consent or *ijma'*, and independent interpretative judgment or *ijtihad*. A deliberation is a consequence of the politics of human caliphate. In an Islamic, state representatives of the people or leaders must resolve all their affairs by

deliberation. In the world of politics, Muslims delegate if their opinions must be considered in handling various state problems. (Sari, D.R. 2010:41).

In addition to deliberation, there are important things that must also be considered in democracy, namely consensus or agreement (ijma '). A consensus has an important role because it provides a large legal interpretation for the development of Islamic law. The concept of consensus in the development of Islamic law always adapts to change conditions. The consensus concept which has the potential for flexibility has a greater role in developing Islamic law based on conditions. The concept which is crucial in the concept of democracy is ijihad. Ijtihad contains the concept of the oneness of God and human obligations as the caliph. It is primary for adherents of the Islamic democratic system as a guidance to become a good caliph or leader (Sari, D.R. 2010: 42).

Islam and democracy is cultivating discussion. Many Muslim scholars explain that the concept of democracy has similarities with shura, but some others view that democracy and shura are two opposing things. According to Muslim scholar, Shaykh Fadhallah Nuri, said that democracy is the equality of all citizens and is very unlikely in Islam. Moreover, those, who argue that between Shura and democracy are two terms have something in common. According to Fahmi Huwaidi democracy has a closeness to Islam based on its substance, in which some hadiths show that Islam wants a government approved by its people, an Islamic state is a state of justice and human equality in the eyes of the law. Heikal also believes that equality, freedom and

brotherhood are democratic slogans which, according to Heikal, are the main principles of Islam (Hakiki, 2016: 6).

Islam and democracy in Indonesia is an interesting portrait because First, Indonesia is the largest majority of Islamic countries in the world, and second, Indonesia is the most successful country in implementing a democratic system. This is made Mujani through his dissertation research which was later posted with the title *Muslim Democrats; Islam, Culture of Democracy and Political Participation in Indonesia after the New Order* ". In this book, the term of democracy is explained in two ways: a complex political culture and as political participation. As a concept of political culture stated, the democracy includes elements of mutual trust between fellow citizens, networks of civic engagement, trust in political institutions, tolerance, political membership, and satisfaction with democratic performance. As for political participation, the democracy is a voluntary political action starting from voting to protest by citizens with the aim of influencing public policy (Hakiki, 2016:15).

Indonesia consists of various ethnic groups, languages, cultures, social structures, and traditional values. Therefore, there is a need for multicultural education which deals with several concepts, namely democracy, equality, freedom and pluralism. This multicultural concept is not secularist, liberalistic and anthropocentric as applied in the West, but it is a lightened democracy which is a democracy that combines individual, social interests between values derived from God and values derived from humans or in this case Islam

it is called it Shura. Shura is meant is how a diverse group can discuss to formulate a case (Baharun & Awwaliyah, 2017)

Decentralization is the transfer of authority from the central government to local governments to take care of their own territory. The purpose of decentralization is to facilitate the government in its efforts to serve the people in their own regions based on the regional characteristics. Apart from that, decentralization has other objectives namely; (a) to reduce the overlapping of all matters that exist in the central government, (b). to facilitate the local government in solving a problem that occurs in the area without the need to wait for a decision from the central government, (c) to eliminate the community's stigma of poor bureaucratic performance, (d) to adjust to specific needs in each region, (e ) to reduce the existence of arbitrariness of central government (Kaho, 1997: 33). As explained earlier, decentralization has links with regional autonomy. Regional autonomy is a right where regions have the authority to regulate their own regions (Nadir, 2013: 1). This right is obtained through the transfer of government from the central government to regional government based on the conditions and capabilities of the regions in each region (Djohermansyah, 1990:35). The Regional autonomy came into force in Indonesia in 1999 or after the end of reformation. The enactment of Regional Autonomy is regulated in the Law number 22 of 1999 concerning Regional Government. However, the law must get a Judicial Review because of the many criticisms and input to be further refined about the law. Because of this, the Law number 22 of 1999 concerning Regional Government was amended

and replaced by Law number 32 of 2004 concerning Regional Government. On January 1<sup>st</sup>, 2001, the Government of the Republic of Indonesia officially announced the start of the implementation of regional autonomy.

After the enactment of the Law the authority of the central government is delegated to the regional government to regulate and manage all its own regional affairs. Besides that, the enactment of Law 32 of 2004 also experienced quite different changes in each region. The development has changed based on the potential and the main problems possessed by each region, where each region in Indonesia has different characteristics. When regional autonomy has come into force, each region has the authority to manage and regulate its own territory. Therefore, in regulating and managing their own area, the area needs a regulation that is used as guidance for the implementation of community life in the area. The regulation is referred to as a Regional Regulation (Perda). The DPRD and the Regional Head are tasked with drafting and approving legislation that produces the Regional Regulation (Perda). The enactment of the Regional Regulation aims to oversee the running of regional government, regulate and manage a more dynamic area as well as empower the community and realize regional independence.

The regional Regulation Number 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency is included in the Sharia Regional Regulation group. The Sharia Regional Regulation (Perda) is a sharia-based regional regulation in which there are Islamic Sharia values in it. Recently, there are many several regions in Indonesia, both at the Provincial and

Regency / City levels, which stipulate Syaraiah Regional Regulations as regulations in their regions. The rise of cases of prostitution in what happen in Majalengka Regency is not in accordance with the vision of the Regency. The vision of Majalengka Regency is to realize Majalengka Regency which is religious, just, harmonious, and prosperous in 2023.

The cases of Prostitution in Majalengka still exist. In 2016, there were 25 CSWs who caught on mass diseases in Majalengka Regency (Okenews, 2016). Community Disease Operation is an operation carried out by the Governemnt of Majalengka Regency which is carried out under the work of the Majalengka Regency Satpol PP. The Community Disease Operation (OPM) is carried out to bring in order to the community in accordance with existing regulations. In 2017, the dozens of CSWs netted Community Disease Operations carried out by Satpol PP. During the operation, officers combed a number of night entertainment venues in the Majalengka City, Duchy, and surrounding areas (Cirebon, 2017). The prostitutes and the nasty couples, who were netted in the raid, were taken to the PP Satpol Office, to be recorded and given guidance and asked to make a statement not to repeat their actions, especially in the month of Ramadan. The number of masher men and women of the night (CSW) were netted in OPM by the Satpol PP Majalengka Regency. Wednesday night around 23:00 WIB, In the operation which was held at several points, namely in Palasah Sub-District, Sumberjaya Sub-District, and Cigasong Sub-District, 4 men and 16 women were even netted, and even officers took them to collect data. For this reason, sanctions have

been provided for guidance and reprimands. The raid was carried out because of the rampant acts of prostitution in the region of Majalengka Regency. They even peddle themselves along the highway, in a rented house, to the local area (Pos, 2018). A total of 4 people were secured in the Lodaya Community Disease Operation which was held by Majalengka Regional Police. Those involved in the prostitution case were successfully secured from Sindangwasa Village, Palasah District, Majalengka (News, 2019).

The law No. 14/2007 concerning the prohibition of prostitution is included in the Sharia Regulation, because in Islamic Sharia it explicitly prohibits the act of prostitution. In the view of Islam it is assumed that the act of prostitution is an activity that demeans women. The act of prostitution can also damage the moral norms that exist in society, it is feared that such actions will also threaten the nation's morale. Nevertheless, the enactment of Sharia Regulations must be based on the laws and regulations in force in Indonesia.

The enactment of Perda No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency has drawn various reactions from various elements of society. There are various opinions from various layers of society about the implementation of the law. There are responses that agree or disagree with the law. People agree that with the enactment of the regulation, the act of prostitution is an act that violates religion, existing norms, and threatens the nation's morals. Whereas, those who refuse the enactment of Perda No. 14/2007 think that the Perda is discriminatory against women, and



the Perda is considered only used as a political tool to attract sympathy from the public.

In the process of implementing these laws, an in-depth evaluation is needed. These evaluations include in evaluating the content of the law as a whole, providing socialization related to the implementation of the content of the law, and providing solutions related to the enforcement of the law. The evaluation aims to have a clear law and sanction in the process of implementing the law so that later, there will be no community that feels disadvantaged.

## **B. PROBLEM FORMULATION**

Based on the background described above, this research formulates the problem that regarding Perda No. 14/2007 concerning Prostitution Prohibition in Majalengka District, violations are still committed by the community. Therefore, it can be concluded that the formulation of the problem of this research is how is the evaluation of Perda Number 14 of 2007 concerning prohibition of prostitution in Majalengka Regency? and What are the factors that influence the success or failure of these regulations?

## **C. RESEARCH PURPOSES**

The purpose of this study are to find out and explain about how Evaluation of Regional Regulation Number 14 Year 2007 Regarding Prostitution Prohibition in Majalengka Regency and to find out what factors influence the success or failure of the policy

## **D. BENEFITS OF RESEARCH**

In addition, the objectives of this study are expected to provide the following benefits:

### **1. Theoretical Benefits**

This research is expected to provide information or knowledge on the implications of a regulation. In which these regulations provide benefits to the community and those who make it themselves. Moreover, it provides learning for all elements of society and government.

## 2. Practical Benefits

This research is expected to be a reference for further research. It means that it can be developed in a broader scope for the public interest and make a positive contribution to the surrounding community and can be used as a reference in evaluating a law.

## **E. LITERATURE REVIEW**

The previous studies can be a reference for the researcher in conducting the research process where the previous studies can be useful to add information to research being carried out. The previous studies can also be useful to know advantages and disadvantages of previous research and at the same time, find differences in research to be conducted by researchers. There are several previous research that can support this research. From various studies previously, the researcher determined at least 4 scientific journal categories related to this research. There are six different literature reviews that will be classified as follows.

First, the research from Lestari and Efendi (2018) discussed "Critical Review of Governor Regulation Number 5 of 2018 concerning the Implementation of Jinayah Procedure Law". The Aceh government imposed Islamic Sharia provisions by stipulating the Aceh Qanun Number 7 of 2013 concerning the punishment of jinayat, which in article 262, it explained the execution of caning in the open by whipping in a prison / remand center / remand center. However, after the issuance of Governor Regulation No. 5 of 2018 concerning the implementation of the jinayah procedural law, it limits the implementation of

caning in the open. The results of this study indicate that the issuance of this governor's regulation is to increase investment because the implementation of caning in Aceh has been opposed by outsiders, so the issuance of the Governor Regulation is contrary to the system of legislation formation in Indonesia.

Secondly, the research from Yahya (2018) discussed "Prohibition of Liquor Distribution in the Regional Regulation of Gresik District Number 15 Year 2002 Perspective of Syafiiyah Thought". According to Shafi'i, the criminal provisions in articles 8, 9, for those who produce, distribute, offer and trade hard alcohol are included in the Ta'zir legal category, namely immoral acts that do not have the provisions of had and kafarah, and then the criminal provisions in articles 8 and 9 show conformity with Islamic law. Ta'zir's punishment in question is imprisonment, beating with the palm of the hand or being bad-mouthed by verbal speech. While the criminal provisions mentioned in article 12 ,for hard drinkers are threatened with imprisonment for a maximum of 3 months or a four million fine.

Third, research from Nasrullah & Rosadi (2017), discusses the related "Criticism of Islamic Law for Criminal Sanctions of Prostitutes in Local Regulations". This study showed several contradictions between local regulations and the Criminal Code. Such contradictions are found in several regional regulations that prohibit prostitution, such as No. 5 of 2002 in Cirebon district, Regulation No. 6 of 2003 in Medan city, Regulation No. 2 of 2004 in Palembang city etc. The contradiction of the regulation includes the determination of the officer authorized to handle the problem, the regulations in the case of wrongful

arrest, and the determination of sanctions. The Criminal Code does not provide legal sanctions for prostitutes and users, it only prohibits in terms of facilitating immoral acts by other parties. In Islamic criminal law, prostitution is considered a crime and the culprit is equated with adultery so that it is subjected to caning or stoning.

Fourth, research from Ablisar (2014), which discusses "The Relevance of Caning Penalty As One Form of Criminalization in Criminal Law Reform". The use of Islamic law as a renewal material is one of the characteristics of the Pancasila rule of law which guarantees religious freedom. Flogging is one of the types of punishment specified in the Qur'an and Sunnah. For example, the implementation of caning in Aceh through the qanun by taking into account the local needs of the people of Aceh. Establishing caning as one type of criminal in the RKUHP concept is a must because the state has the authority to carry out religious law for its adherents.

Fifth, the research was conducted by Wibowo (2007), entitled "Regulation of Solok District Regulation Number 6 Year 2002 Concerning Muslim and Muslim Women in the Perspective of Indonesian Constitutional Law". The results of this study indicate that there are still many regions that implement regional regulations that are sharia-based in accordance with Indonesian constitutional law in the form of discriminatory and violating human rights, and therefore it need accurate steps to overcome the rampant implementation of sharia regulations that are not appropriate and this can resulting in the threat of the integrity of the Unitary Republic of Indonesia. Therefore it is necessary to take appropriate measures in

the form of preventive measures that are preventive and repressive measures that are actionable.

Sixth, the research from Tahir & Triantini (2015), discusses "Integration of Zakat and Tax in Indonesia in a Review of Positive Law and Islamic Law". The research offers the concept of integration of tax and zakat as a new form of enthusiasm. Tax integration is very important to be pursued because the growth of zakat is increasing marked by the increasing number of the Amil Zakat Agency and the number of alms acquisition from year to year. With significant growth, zakat can be an economic and social tool for people and their position is as important as the State income tax

Seventh, the research was conducted by Berutu (2017), entitled "Aceh Qanun No. 14 of 2003 concerning Seclusion in the Jurisprudence and Criminal Code ". The researcher is about the prohibition of seclusion or taking actions together in a quiet place with the opposite sex who is not mahram. In this study also discusses the prohibition of adultery in the view of Jurisprudence and also the Criminal Code. This research is located in Aceh, the result of this research is that basically the regulation on prohibition of seclusion or immorality in Aceh through Qanun No. 14 of 2003, has been in harmony with what has been regulated in the provisions that have been formed in fiqh and also the Criminal Code. In Qanun No.14, 2003, basically complementary to what has been formed in the Criminal Code, because so far the khalwat actions that occur within the community cannot be dealt with, because in the Criminal Code only acts against immoral acts which are carried out openly or openly and openly and disturb the peace of society. In

the Criminal Code is more oriented to the peace of society, while the rules in this qanun prohibit khalwat actions oriented to the protection of society in terms of the negative effects arising from the actions of khalwat itself.

Eighth, the study from Gayo (2017) was entitled "Legal Aspects of the Implementation of Jinayat Law in Aceh Province". The research is located in Aceh Province, while the results of this research were writing about how the prohibition of acts is prohibited by Islam in the life of the community, as well as maintains human dignity and also protects the people of Aceh so that later they will not take actions that prohibit the rules set religion. Through the application of the Jinayat Qanun in Aceh, it has an effect on the lack of violation of Shari'a in people's lives. The law enforcers in Aceh are the Sharia Court, the Wilayatul Hisbah, the police, the Islamic Sharia Service, and the Aceh Traditional Council. The legitimacy of the enactment of this janayat qanun is in accordance with national law, namely the 1945 Constitution article 18 in which Aceh has regional privileges.

Ninth, the research was conducted by Harahap (2018), entitled "The Impact of the Implementation of Regional Regulations on the Use of Muslim Clothing in the District of Padang Sidempuan Tenggara". The research was located in the District of Padang Sidempuan Tenggara. The contents of this study are appeals to the public to use Muslim clothing as well as Muslim women, but basically as much as 63% of local people do or dress in Islamic ways from themselves, while the rest choose to wear Muslim or Muslim clothing from the existing regulations in shape. This has a positive impact on society to dress. It is rare to find Muslims

there who have not used Muslim clothing since this regulation was applied. Whether it's in schools or in office areas.

Tenth, the research was conducted by Hidayatullah et al (2017), entitled "Effectiveness of Punishment Against Perpetrators of Maisir Crimes in Qanun No. 6 of 2014". This research is located in Banda Aceh. The content of this research is the application of policies regarding the prohibition for people to consume alcoholic beverages. Qanun Number 6 of 2014 concerning Jinayat Law is effective in the Banda Aceh area, this can be seen and measured by the absence of the perpetrators who repeat the crime a second time. The perpetrators of the crime did not object to the sentence imposed on them in the form of caning, because after being sentenced to flogging, they would no longer get any other punishment. In connection with the decision of the Banda Aceh Sharia Court, namely the decision Number 06 / JN / 2016 / MS BNA and with the decision number 08JN / 2016 / MS BNA as well as all the decisions of the Aceh Sharia banda Court in 2016, especially in the criminal case against criminal behavior continue legal efforts to the next level. This becomes an indicator that the decision of the Banda Aceh Syariah Court judge can be accepted by the parties.

The other research is from Sa'ada (2016), entitled "Review and Criminal Code and Jurisprudence towards Adultery and Its Derivatives in the 2009 Aceh Qanun on Jinayat Law". The research was conducted in Aceh. The content of this research is in this study discusses what are part of the jinayat qanun and what punishment is received if it violates the jinayat qanun rules that have been applied in Aceh. The rules contained in the qanun jinayat are the prohibition to commit



khalwat, adultery, maisir and khamar. This study discuss adultery and its derivatives in view of the Aceh qanun. For violators of the qanun in the form of adultery will be subjected to caning, the amount of lashing depends on how much the mistake was made.

The research was conducted by Idawan (2012), entitled "Perda Alcoholic Beverage Level No. 7 of 1953 Yogyakarta City Perspective of Maqasid Asy-syari'ah ". This research is about sales licenses and tax collection on licenses to sell liquor. This research is located in the city of Yogyakarta; the results of this study indicated that maqashid asy-shari'ah is maintaining five aspects, namely descent, soul, intellect, religion, and wealth. Maintaining religion in the prohibition of liquor is a primary requirement because alcoholic drinks are absolutely haram regardless of the levels. Maintaining the soul was classified as primary interests and secondary interests, and was classified as primary interests because the use of alcohol in large quantities will cause serious health problems while classified as secondary interests due to effects on the body. Preservation of reason classified as primary needs because reason is a counterweight to human life.

Research from Amalia (2017) entitled "Legal counseling to perda No. 21 of 2000 concerning the prohibition of prostitution for high school / vocational / MA students in overcoming the practice of prostitution in Cianjur Regency ". The research is located in Cianjur and the result of this counseling is that counseling which gives an understanding of the harm caused by prostitution. This counseling received a good response from students and teachers with conditions that are

conducive, smooth and they are also enthusiastic about receiving material about prostitution. The government overcomes this problem in two ways, namely the way of punishment and non-punishment. The method of punishment (criminal action) is an aspect of applying criminal law whereas the non-penal method is more inclined towards prevention.

Research from Wibowo (2007) entitled "Regulation of the Regional Regulation of Solok District Number 6 of 2002 concerning Muslim and Muslim clothing in the perspective of Indonesian Constitutional Law". In wibowo's research, it is said if this regulation violates human rights in the form of the right to be free from discriminatory treatment. Although this regulation is a must for Muslims and is only a suggestion for non-Muslims, it will have a psychological impact on non-Muslim students because it looks different from their friends, so it will cause injury to the right to embrace religion. To overcome the implementation of sharia regulations in Indonesia, preventive and repressive methods are used. The preventive steps are preventive steps, which can be done, namely selecting all local regulations while repressive measures which are steps in the form of actions can be taken, namely the Minister of Home Affairs canceling regulations that are contrary to public interest.

Research from Hayadin (2013) with the research title "Conformity of the contents of the Banjar Regency Regulation No. 04 of 2004 concerning reading and writing of the Qur'an with the national curriculum of Islamic education". in this study the results obtained if the regulation is in the same direction and complement each other with the national education minister's regulation on

national education curriculum. Meanwhile, in terms of content, this regulation is more intensive in providing understanding and skills to students. In its implementation, this regulation emphasizes educational institutions as units and targets of its implementation. Based on this research, it was stated that not all public policies that are sharia are categorized as problematic regulations, are in contact with central policies, or violate human rights.

Research from Bariyah (2018) entitled "the study of regional regulations (perda) on zakat management in Indonesia". This study examined several zakat regulations, including Aceh, Riau, West Java, and Banten. The findings in this study are that the Governor of Aceh regards the mechanism of zakat management in accordance with the principle of regional PERUU because it has clear objectives, it has the right institutions, and the contents of the formulation are clear and open. The Riau Governor's Decree on zakat management does not contradict existing regulations in the State of Indonesia, even this regulation strongly supports the value of the first principle of Pancasila. The Banten Regional Regulation on zakat management has also been in accordance with the principles of regional regulations because it has clear objectives, has the right institutions, and the material and contents are appropriate and open, so it can be implemented. West Java Governor Regulation regarding the management of professional zakat, donation and alms of employees in the West Java Provincial government environment is aiming at civil servants and CPNS in the area. This is one of the goals of the management of professional zakat, infaq and alms giving

benefits of zakat as a form of improving the welfare of society and alleviating poverty.

This study was conducted by Tarawiyah (2011) which focused on the regional regulation Number 4 of 2005 concerning the prohibition of activities during the month of Ramadan on interfaith relations in the city of Banjarmasin. The study used qualitative methods by finding data through interviews and direct observations in the field. The results of this study stated that the sharia regulations did not have a major influence on the relationship between religious communities in the city of Banjarmasin. In addition, the community responds to the adoption of sharia regulations in a peaceful manner to reduce obstacles or friction between religious communities. However, when this Sharia regulation was implemented, there were several conflicts that occurred; for the example, there were still many Satpol PP members in carrying out their duties by anarchist way of closing places that were open during Ramadan. In addition, the lawmaking in the city of Banjarmasin is still considered insufficient because it does not involve the whole society, so this regulation is considered not to have a lot of positive impacts when applied.

The research was conducted by Noorhidayah (2014) with a focus of research in the form of effectiveness of regional regulation number 23 of 2014 concerning the control of liquor distribution in the City of Palangka Raya. This research used descriptive qualitative method by directly researching in the field. This study explained that the sharia regional regulations have not been effective. Because to the regulation that has not been able to regulate and control the existence of

alcohol, both legal and illegal. The regulation is still lacking a significant contribution in controlling the circulation of alcohol in the City of Palangka Raya. The ineffectiveness of the regulation can be seen from the mismatch of information received between the authorized institutions in implementing the regulation, other than that this regulation was made without any academic study, so this regulation is still weak in sociological aspects. The other causes the lack of legal awareness and the mental weakness of the state apparatus as enforcers of the regional regulations, making it difficult to apply the regional regulations on sharia.

Furthermore, the previous research was conducted by Ramli (2014) regarding the regional regulation number 18 of 2004 concerning the prohibition of prostitution in Pamekasan Regency. The study used qualitative research methods by analyzing local regulations and making observations directly in the field in the process of applying these regulations. The results of this study explained that the regional regulation has been applied to all levels of society without exception, both for the Pamek community). As well as from outside who deliberately committed prostitution, the authorities have carried out surveillance and provision to collect and examine reports relating to the crime of prostitution in Pamekasan Regency. This regulation is based on the Jinayah Fiqh review, which means promoting community welfare and the government's efforts to stay away from the community from all kinds of impacts resulting from prostitution.

The subsequent research was conducted by Basri, Usman, and Rahman (2013) which focus on the implementation of government policies regarding the

local regulations on literacy in the city of Makassar. This study used descriptive qualitative as well as quantitative methods by distributing questionnaires to 50 respondents to obtain information which is consistent with this study. The results of this study stated that local regulations regarding reading and writing of the Koran have given new enthusiasm for the younger generation to be able to read and write the Qur'an. This is proved from the 92% stated strongly agree and agree to the need for understanding the Qur'an through learning to read and write the Qur'an. Thus, it is expected that the existence of these regulations will be able to realize the young generation of quran.

The other research was conducted by Akbar (2017) which focuses on the implementation of regional regulation number 8 year 2005 concerning the supervision of the sale of alcoholic drinks in Parigi Regency. The study used descriptive qualitative research methods that aim to explain the implementation of the sharia regional regulations. The results of this study explained that there are four indicators that influence the implementation of these regional regulations, namely communication, resources, disposition, and bureaucratic structure. The aspect of communication has been going well, but the need for consistency by the apparatus in conducting socialization about the regulation. Furthermore, in terms of resources the quantity of the enforcement apparatus has been fulfilled. Then in the aspect of disposition and bureaucratic structure aspects there is still a need for motivation for implementers to have a commitment in carrying out supervisory duties in accordance with standard operating procedures.

Rahmatiah (2016) conducted a study on the effectiveness of the application of court and alcohol control in Makassar City to find out the community's response to the application related to liquor control and control. The factors influence the process of control and supervision as well as reviewing the effectiveness of the application of local regulations on the liquor. The results of this study were that the factors that cause a person to drink liquor can come from family, residence, friends, and the effects of globalization. This monitoring process is in collaboration with a designated team as explained in the liquor regulation in the city of Makassar.

Anggriani (2011) conducted research on the position of qanun and its oversight mechanism in the regional government system. The focus of this research is on the process of overseeing the application of qanun in Nanggroe Aceh Darussalam. This study provides an overview of the scope and review of central government oversight of the application of the qanun. This research results that the qanun is different from the regional regulations because the qanun must be based on Islamic laws and principles, may not conflict with Islamic sharia, but in a hierarchical qanun the same as other regional regulations. The process of supervision the central government is only repressive and preventive, and the central government can delegate its supervision to the Governor. As a result of direct supervision from the center, the central government can directly revise, cancel the qanun deemed contrary to public interests or higher regulations.

Nababan (2018) conducted this research on the legalization of zakat regulations in the perspective of legislation theory and aims to determine the

authority of local governments to form zakat regulations. From this research it was found that there is no article that delegates the authority to regulate zakat to the Regional Government, so the regional government is deemed not authorized to make a Regional Regulation on Zakat because it is considered to be in conflict with other regulations so that zakat regulations must be canceled according to the prevailing mechanism.

Jati (2013) conducted this study on the Implementation of Sharia Regulations in Regional Autonomy that aims to analyze the implementation of Sharia regulations that still have created a dilemma in the community. This research focuses on the position of Sharia regional regulations in regional autonomy in Indonesia. The results of this research conducted by Raharjo debates about the meaning of Sharia regulations, and supported by the existence of human political interests, Sharia regulations as a legal product and as a tool to form the image carried out by Regional Leaders.

Kesumagiri and Raja (2017) conducted the research on policy formulation with a case study of the regional regulation of Indregiri Hilir Regency about the reading and writing of the Qur'an for Islamic school students who focused on the formulation process from the planning process carried out by Commission IV through the right of initiative DPRD in 2012. This regulation has experienced a lot of debate, especially for non-Muslim students who also become obstacles in the process of making it who is the actor responsible for the implementation of the regulation.



The research about the region rule which set about the prostitution is not the first research conducted. The previous research has done a lot of research on prostitution, but this research is different from the other previous studies. The researcher explains the previous research studies. The regional regulations on prostitution are included in the regional regulations nuanced by Islamic law. Therefore, the researcher describes the previous research about prostitution itself, then about the rules of prostitution, and then the researcher also discusses Islamic law.

Islamic Law as know as Sharia law arranges about rules which are based on God and Quran. Inside there, shariah law arranges about way to life. Kind of shariah law is the rule which talking about prostitution. Many countries even the region areas have rule about prostitution. To be honest, the rule which talks about the prostitution does not claim itself as a sharia law. However, based on quran, Islam prohibited people to doing prostitution act. In research carry out by Yasrul (2013) explained that the rule or law determine about the behaviour of muslim life which derived by quran and hadith. In that research, it also explains about four aspects inside the rule. These four aspects are: Public Morality, Dress Code, Recitation of the Quran, and Zakat.

The research also explains the position of Islamic law in the regional area as known as the Perda in Indonesia. The focus of the prior research is the Sharia Regional Regulation in Minangkabau where there are four types of Islamic law that have become a reference for the people there. For the rules governing public

morality, the study explains the existence of prohibitions regarding gambling, the sale of hard drinks, drug and psychotropic distribution, and prostitution.

The focus of the research is the Sharia Regional Regulation in Minangkabau, where there are four types of Islamic law that have become a reference for the people there. For the rules governing public morality, the study explains the existence of prohibitions on gambling, the sale of hard drinks, the distribution of drugs and psychotropics, and also about prostitution. For the rules discussing dress code, the study also explains that there are compulsory for school students and civil servants to dress based on Islamic rules. Islamic rules have ordered Muslims to always dress in accordance with Islamic religious rules, namely closing genitals. The research also explains the rules that require people to read the Quran. This rule is implemented by means of learning to embrace BTA in each elementary school and also students at school with a view to attend religious activities.

The research was carried out by Prokop (2019) explaining about the theory of Prostitution. Prostitution is a very sensitive research object to be investigated because it is an activity inviting a lot of public controversy. The public controversy invited responses from various stakeholders. If it is seen from history, prostitution is a work that has existed from time immemorial. The ancient Greece prostitution was a sacred ritual. This ritual is carried out by exchanging the bodies of the goddesses as their surrender to God. A year later in Ancient Babylon, every woman was required to give it to the person who would pay for it and that was a noble task (Prokop, 2019). However, prostitution came under fire from various

parties during the sixteenth century. This is caused by the spread of syphilis to the United States during the Columbus expedition. Then, in the end the community, it realizes that the work includes in a criminal act, human torture, and also contrary to religion (Harper, 2008). Besides talking about the history of prostitution, the research also explains some of the rules in various countries. Each country has policies related to prostitution. After discussing several regulations in each country, the study also discusses the types of prostitution services offered and also the types of prostitution itself. In addition, this research also discusses the customer service orientation. In these services customers prefer to women who are young and in productive age, and this is what causes the growth of underage prostitution. In this study also explained about the phenomenon of prostitution conducted by men who are influenced by the times. And also in this study also discusses the development of several opinions that talk about prostitution.

Based on Dana's (2014) research, it describes about the phenomenon of gender imbalance in case of prostitution. The researcher describe about there is imbalance gender on that case. This happens because the community more often blames women who are engaged in non-monogamous sexual activities, whereas they actually more often praise or think that is natural if it is done by men on the grounds because of the nature that exists. In the case of prostitution, especially, the case of male prostitution people often assume that they commit acts of prostitution because they have factors causing this to happen, such as economic factors. However, they always have a negative stigma against women who work as sex workers.

This research also tells that there is gender imbalance in parliament. The gender imbalance in parliament causes many regulations talking about prostitution. Many laws treat between women and men differently. The research explains that prostitution grew very rapidly in the eighteenth century because it was influenced by World War I and II. At that over time prostitution has been legalized in 7 countries, illegal in 16 countries, and banned in 4 European Union countries (Danna, 2014).

In this research also explain us about regulate in each country under Europe Union. For example, in the Netherlands, the country has legalized prostitution. Acting prostitution there is considered like a business in general. Sex workers there also have legal and social guarantees. The reason the Netherlands government legalized this is to reduce the frequency of sexually transmitted diseases, reduce crime in prostitutes and their clients, and eliminate pre-reproductive prostitution. This research also explains about policy of prostitution in classic models and new models. This research also describes about type of prostitution in countries under EU. The types of prostitution are such outdoor prostitution and indoor prostitution.

And talking about country that has regulation about prostitution lets move to the Canada. There is a research which explains about prostitution on Canada. The research is from Frances M. Shaver (1985). The prostitution has never been a crime in Canada. However, Canada has regulation that arrange about prostitution. The regulation was written on Criminal Code of Canadian in section 193, 194, 195. The regulation explains that there are activities that prohibited there.

Moreover, prostitution in Canada still has existence because of economic condition. The government legalized prostitution as a kind of a job, but they arranged about the hazard possibility from prostitution, race and discrimination about that job.

The majority of sex workers are about 90 percent are women, 10 percent of men, and less than 1 percent transsexuals. Then, the majority of prostitutes of reproductive age, ranging from 20 to 25 years, usually have the highest hourly rates. A worrying phenomenon is present-day prereproductive prostitution (ages 6-15), especially in Asia. It is estimated that there are around one million child prostitutes abused in India, Thailand, Vietnam, Sri Lanka, and the Philippines (Prokop, 2019). Technically, prostitution in Thailand is illegal. However, due to several factors, as discussed in other countries, Thailand also has a problem about prostitution. However, the research carried out by (Baros, 2014) more explained about the existence of prostitution involving children. Child prostitution in Thailand is an ironic event. Where children play and learn, but they work and then again work as sex workers. Therefore the Thai Government issued a regulation prohibiting child prostitution. These rules are in the Child Protection Act of 2003 and the Anti Trafficking Act in 2008. The drafting of the regulation aims to criminalize the perpetrators of abuse and exploitation of children. But to criminalize an act that is considered a criminal act, it is necessary to have a definition of the crime. However, in the regulation there is no explicit definition of the crime. Finally, an important gap arose for prosecutors when they were demanding it. The findings show that it turns out that the regulation has other

weaknesses in terms of legal interpretation. In the enforcement process there are weaknesses where the Protection Act calls for the establishment of the Bangkok Metropolitan Child Protection Committee and Provincial Child Protection as a mechanism for the process of implementing the regulation. This committee is mandated to recommend policies, plans, budgets, laws and regulations regarding new child law and to appoint various sub-committees and / or working groups to promote social welfare and safety protection. However, when the committee saw the harbor directly, it turns out that the committee was not even owned by all the provinces in Thailand. This makes the regulation not yet run maximally and not yet effective in enforcing the regulation.

**Table 1.1 Literature review taxonomy**

No	Type	Author	Summaries
1	Sharia law related to morality	Amalia, M. (2017), Idawan, I.D. (2012), Lestari & Efendi (2018), Yahya (2018), Nasrullah & Rosadi (2017), Ablisar (2014) Sa'ada (2016), Hidayatullah, dkk (2017), Gayo (2017), Berutu (2017), Tarawiyah (2011), Noorhidayah (2014), Ramli (2014), Akbar (2017), Rahmatiah (2016), anggraini (2011), Jati (2013), Prokop (2019), Danna (2014), Shaver (1985), Baros (2014)	This study discusses the issue of morality, which from the research is relinquished related to prostitution, alcoholic beverages and Qanun, Sharia regional regulations, about the prohibition of activities in the month of Ramadan there are several studies that discuss criminal penalties such as caning. However, there are differences from the above studies related to the implementation of caning
2	Sharia regulations related to fashion	Wibowo, A. (2007), Harahap (2018),	This study shows the results if sharia regulations are regulations that violate human rights in the form of the right to be free from discriminatory behavior. Whereas Harahap (2018) discusses the effectiveness of the implementation of the local regulation on dressing.

3	Sharia regulations related to religious skills	Hayadin (2013), Basri, Usman, & Rahman (2013), Kusunagiri & Raja (2017)	This research shows the results if the sharia regional regulations are not policies that violate human rights or even interfere with other central regulations. While Basri, Usman, & Rahman (2013) discuss the formalization of the Islamic government system, especially regarding BTA Regional Regulations in Makassar City.
4	Sharia regulations related to collection of social funds or zakat	Bariyah, N.O.N. (2018), Tahir & Triantini (2015), Nababan (2018)	The findings in this study indicate that all regulations regarding zakat have the same goals, vision and mission as the zakat management law, the concept of integrating zakat and tax management, and discussing the legitimacy in applying Islamic law comprehensively. This transformative step must be encouraged by the policy of the formation of the Director General of Taxes and Zakat which functions as a regulator, supervisor and at the same time determining the policies on tax and zakat management in Indonesia. Meanwhile, according to Nababan (2018), local regulations related to zakat must be canceled in accordance with the applicable mechanism.

From the various literatures that have been presented, there are several types of sharia regulations that have been classified, namely sharia regulations which are related to morality issues, fashion, religious skills, and collections of social funds or zakat. Based the various types of sharia regulations that have been classified, this study focuses on Perda No. 14/2007 concerning Prostitution Prohibition in Majalengka Regency.

## **F. THEORETICAL FRAMEWORK**

A theoretical framework is useful as a basis for thinking in solving or highlighting problems. As for providing clarity in this study, the researcher will put forward several theoretical frameworks related to the research which will be explained below.

## **1. Policy Evaluation**

### **a. Definition of Evaluation**

Evaluation can be used to assess the success of public policies oriented towards policy goals and targets. The policy evaluation stage is an important stage in the public policy process. Evaluation can be interpreted as an interpretation (appraisal), giving a number (Rating), and assessment, words that state the effort to analyze the results of the policy in terms of unit values (Dunn, 2003, pp. 608-610). According to Anderson policy evaluation emphasizes the estimation or measurement of a policy, including material, implementation, achievement of objectives, and the impact of the policy, even evaluation can also be used to identify factors that influence the success or failure of a policy, so the results of the assessment can be used as material for decision making whether the policy will be continued, changed, strengthened or ended (Paskarina, 2007). Based on the opinions of several experts, it can be concluded that policy evaluation is an action taken to determine the size, identification, and value of all stages of public policy.

### **b. Nature of Evaluation**

Policy evaluation is related to the overall performance of the policy, especially in the process of implementing public policies. Policy evaluation has several characteristics that distinguish it from other policy analysis methods. Some characteristics of policies that distinguish them based on (Dunn, 2014, pp. 608-609) as follows:

#### *1) Value Focus*



*“Evaluation, as contrasted with monitoring, focuses on judgments regarding the desirability or value of policies and programs”.*

This means that evaluation is different from monitoring where evaluation is focused on assessing the needs or value of a policy and program. Evaluation is an effort that aims to find out the benefits of policies or social programs that have been formed. The accuracy of the goals and objectives of the policy can be questioned and accounted for and includes procedures for evaluating the goals and objectives themselves.

## 2) *Fact-value Interdependence*

*“Evaluation depends as much on “facts” as it does on “values.” To claim that a particular policy or program has attained a high (or low) level of performance requires not only that policy outcomes are valuable to some individual, group, or society as a whole, but it also requires that policy outcomes are actually a consequence of actions undertaken to resolve a particular problem.”*

Evaluation relies on facts and values to state that a policy or program's performance has achieved success or failure. This is supported by the actual policy results and as a result of all activities carried out to solve a problem.

## 3) *Present and Past Orientation*

*“Evaluative claims, as contrasted with advocative claims produced through recommendation, are oriented toward present and past outcomes, rather than future ones.”*

This means that evaluation differs from advocacy which refers to the present and past results, not from future results. Evaluation is

retrospective after an action (ex post). Evaluation is also prospective in which an action (ex ante) is made.

#### 4) *Value Duality*

*“The values underlying evaluative claims have a dual quality, because they may be regarded as ends and means.”*

Evaluation has a double quality claim because it has a basic value that is considered as an objective and method. Evaluation can be considered intrinsic (necessary for itself) or extrinsic (required for other purposes). Values are often organized into levels that describe the relative importance and interdependence of policy goals and objectives.

#### **c. Evaluation Function**

Evaluation has the main function in a policy analysis that is in the implementation of a program, if the evaluation is carried out correctly it will produce good benefits. According to (Dunn, 2003, pp. 608-610) The main functions of evaluation in policy analysis are:

- 1) Evaluation provides reliable and proven information about a policy that is carried out.
- 2) Evaluation can clarify and critique policy objectives and targets. Evaluation can also verify alternative sources of value and the foundation used.
- 3) Evaluation can be a method of analyzing a policy, for example evaluation can show the goals and targets that need to be explained

or reviewed, can also reinforce new policy alternatives or policy updates.

Besides Dunn, Samodra Wibawa et al in (Nugroho, 2003) also explained that there are four functions of public policy evaluation, namely:

- 1) *Explanation*. Evaluation can be represented as the reality of program implementation and the pattern of relationships between expectations and reality. With this evaluation, the evaluator can find out the condition of the problem and the actors involved in the success or failure of a policy.
- 2) *Compliance*. Evaluation can find out whether the actions taken are according to standards in the procedures set by the policy.
- 3) *Audit*. Evaluation can find out the results achieved whether are right on target or experience obstacles.
- 4) *Calculation*. Evaluation can take into account what the consequences of a policy in terms of socio-economic.

#### **d. Policy Evaluation Indicator**

In assessing policies, it is necessary to determine through a number of indicators in order to assess the overall results of the policy. According to (Dunn, 2014) there are six indicators of policy evaluation, namely Effectiveness, Efficiency, Adequacy, Equality, Responsiveness, and Appropriateness. The six policy evaluation indicators according to Dunn are explained more by (Winarno, 2002, pp. 184-189) are:

- 1) *Effectivity*

The word effectiveness means that the success of the goals has been achieved. Effectiveness is also always associated with the relationship between expected results and reality results. It can be concluded that the achievement of the objectives of the implementation of activities if it can overcome the problem, it can be said that the policy is successful, but if a policy cannot overcome the problem, then the policy has failed. The effectiveness of a policy cannot be seen in the short term.

2) *Efficiency*

Efficiency is related to the amount of effort done to achieve a certain level of effectiveness, generally measured in terms of costs. If the objectives of public policy cost are more than the results of the policy, then it can be said that the policy is inefficient.

3) *Adequacy*

Adequacy in a public policy is measured by how far the level of effectiveness can meet the needs of value or opportunity in a problem. This means that before a policy is passed, an analysis of the suitability of the method with the objectives to be achieved must be carried out.

4) *Equality*

Flattening has the meaning of justice given or obtained from public policy. The implementation of public policies must have a fair nature in all sectors and layers of society can feel the results of the policy, both directly and indirectly.

5) *Responsiveness*

Responsiveness is defined as the response of the community to an activity; this is related to how far the policy can meet the reference needs or values of community groups. The success of the policy can be seen from the public response to the policy on the condition that the community already has a prediction of the policy implemented. Responsiveness is an illustration of the four previous indicators of policy evaluation in the form of support or rejection of a policy.

6) *Appropriateness*

Accuracy refers to the value or price of program objectives and the assumptions rely on these goals. This indicator is associated with substantive rationality because it involves the goal, but it is not the method or instrument used to achieve that goal. Accuracy also refers to the value or price of a policy objective for statements underlying that goal; in brief, the policy evaluation indicators, according to Dunn, can be described in this following table:

**Table 1.2 Policy Evaluation Criteria**

<b>Kind of criteria</b>	<b>Question</b>	<b>Illustration</b>
Effectiveness	Have the desired results been achieved?	Service unit
Efficiency	How much effort is needed to achieve the desired results?	Unit costs Net benefits Cost-benefit ratio
Adequacy	How far does it achieve the desired results solve the problem?	Fixed costs (type I problems) Fixed effectiveness (type II problems)
Equality	Are costs and benefits distributed evenly to certain groups?	Pareto Criteria Caldor-Hicks Criteria Rawls Criteria
Responsiveness	Does the policy result satisfy the needs, preferences or values of certain groups?	Consistency with citizen surveys
Appropriateness	Are the desired results (goals) really useful or valuable?	Public programs must be equitable and efficient

Source : *William N. Dunn, 2014.*

## **2. Syaria Law**

### **a. Islamic Sharia in Indonesia**

Islamic law has existed in Indonesia since the days of the kingdom and empire. The sultans and kings in the archipelago tried to popularize Islamic law at that time, this was an important phase in the history of Islamic law. Long before the arrival of the Dutch, Islamic law was implemented and became a way of life for the Muslim community in Indonesia. The Netherlands tries to limit the application of Islamic law in Indonesia by infiltrating thought and politics, this is a strategy to weaken Islamic law in Indonesia (Al-Barbasy, 2018 : 57 - 65).

There are several reasons for Islamic groups in Indonesia to demand that Indonesia makes Islamic law the basis of the state. First, it makes the basis of the Islamic state something that was promised during the campaign. Secondly, constituents are used as a place to express the basis and aspirations of political parties. Third, the constituents are used as a da'wah forum as a place to convey the nature of Islam relating to politics, society, and the State (Al-Barbasy, 2018 : 73).

In 1999 the reform era became a new round of the emergence of demands for democratization in all fields which included legislation. With the enactment of Law No. 10 of 2004 concerning the formation of, legislation is expected to be a reference to the creation of an orderly formation that starts from the planning process to the enactment. This regulation regulates related to regional regulations that provide

opportunities for regions to regulate regional autonomy themselves. The provision of article 12 of Law No. 10/2004 consist of "material content of regional legislation is all material content in the context of the implementation of regional autonomy and co-administration tasks, and accommodating the special conditions of the region as well as further elaboration of higher legislative regulations". After the enactment of this regulation, many regional regulations have emerged that have nuances of Islamic law and local wisdom that is thick with the localistic value of the region.

After the New Order era, when entering the Reformation era there was a change in the political sphere that provided space for people to express their aspirations. In this case, the reform era provides an opportunity for Muslim elites in the regions to give something new in politics. The political elite provides an alternative to implement Islamic Sharia in the application of Sharia regulations. In democracy, this is considered valid because democracy can be interpreted as a political system in which all citizens have the same rights and obligations and all citizens have freedom in terms of speaking and expressing opinions. Sharia law is a product of the democratic political process. The application of Islamic law as outlined in sharia regulations always arises from the religion of the majority group of people in the area. Sharia regulations are a consequence of the existence of a democratic system. Sharia regulations are made within the framework of the Unitary

Republic of Indonesia (NKRI) with the ideology of Pancasila. As for groups that are against the Shari'a Law, they provide a lawsuit and opposition to the idea of making the regulation on the grounds that the Sharia Law is considered to be in conflict with democracy and straddling human rights. These groups fail to understand the meaning of democracy.

#### **b. Sharia Regulations Related to the Constitution**

There are two models of the relationship between Religion and the State according to Muhammad 2007 (in Na'imah & Mardhiah: 2016), namely the integralistic relationship and the mutualistic symbiotic relationship. Integral relationship is a totality relationship model, which in this model, religion and state cannot be agreed upon. In this model the state and religion consider two institutions that cannot be decided, and the state considers a political institution as well as a religious institution. While the mutualistic symbiotic relationship is a model highlighting that the state and religion are two things that need each other. In this model, religion must be carried out properly, and to do this, there must be an institution called the state. The state cannot run without religion because if it runs without religion, the state will occur.

According to Wahid (in Rachman, 2015: 130-134) Muslims bring the community to sharia, if sharia has not met the requirements then it must be leveled. Nevertheless, the state does not have to make various formal rules with sharia nuances. Sharia must be applied by the community itself not by the country. In a country which has a heterogeneous society, the state



must not force sharia to be implemented. A sharia-based regulation can be applied in a province, district or municipality, but if it is related to the contents of the 1945 Constitution, the regulation must be replaced and replaced.

The explanation is related to Latif's agreement (in Rachman 2015: 1671) which raises the issue of secularization and Islamic currents in Indonesia. He claims that the current of secularization and Islamization in Indonesia produced a formula, namely modern secularism or religious secularism. Indonesia is not a religious state because it is not created as a basis for state religion, and Indonesia is not a secular state because in this context the country also plans on departemen of religion, religious schools funded by the state. Therefore, Indonesia does not adhere to secular understanding (the state between religion and the state) but the basic principle of Pancasila as an ideal state is clearly the first formula "the almighty divinity" divinity is a public treaty that requires Indonesia to be based on divine values. Relating to religious values, this illustrates the life of the community which emphasizes religious values, ethics, and religious values, not as formal forms of religion or symbolic forms of religion.

Occuring mistakes compile to equate the political structure of society and state politics. In citing Gayat al Daulah al-Islamiyah's work, al-Maududi hinted at two goals (al-gayat) relating to the state, namely gayat al-ijabiyah and gayat silbiyah. Gayat al-ijabiyah means avoiding everything released by God in the scriptures, while silat gayat means

preventing, protecting freedom and maintaining the existence of the state. The things that must be considered about countries that discuss institutions that deal with the opinions of Muslims will discuss the general intended political system that must be upheld based on Sharia principles regarding security, safety and welfare of the people, without religion, and religion (Mth, 2006: 187).

Some decisions came after the rise of local regulations nuanced Islamic sharia. This debate raises the pros and cons of the Islamic Sharia Law (PSI), which is a matter of religion. First, among followers of religions who have the characteristics that surround them with individuals and socially. Second, the factor of religious content becomes a topic that needs attention and is the concern of the whole nation. Religion becomes the highest priority or ultimatum that must be fought for, agreed with all efforts (Permata, 2000). In this case the Shari'a licensing was resolved by a very sharp problem in terms of state administration. If it is seen from its position, the status of regional regulations is a legal product that has a position far below the country's laws.

Essentially, the substance of the Sharia-nuanced Regional Regulations has a lot of variety, where from each region, the population of Muslim majorors makes sharia-nuanced regulations to bring order to the people. This is inseparable from the pros and cons of the enactment of sharia-nuanced regulations, but there are several factors that must be elaborated in making regulations. In accordance with priority, it does not conflict

with the provisions of human rights and obligations stipulated in the Act, based on the sovereignty of the people who made approval by the DPRD, the Government of the Regent / Mayor, seeking public assistance in accordance with the field of order and security.

### **c. Sharia Law Classification**

There are three categories of types of sharia regulations according to Hadi (2014). First, they are related to community morality such as regulations on prostitution prostitution and prohibition on alcoholic drinks. Second, it is related to fashion or fashion such as having to wear the hijab and other clothing provisions. Such regulations are clearly identified as sharia regulations because they are very Islamic. Third, the rules govern religious skills and requirements, such as reading the Koran, zakat, infal and shadaqah. This type of regulation is also clearly identified as a sharia regulation.

Muntoha (2010) states that in general sharia-based regional regulations are divided into 4 categories; First, local regulations related to the issue of morality of society in general, examples of local regulations related to adultery and prostitution. Second, local regulations related to fashion / clothing such as the need to wear the hijab and clothing rules in certain places. Third, local regulations related to religious skills and the necessity to be able to read Al-Quran writing and the need to study in Madrasah diniyah such as al-quran writing skills as a prerequisite for promotion of civil servants, marriage, and public service. Fourth, local regulations

related to collection of social funds through local regulations on Zakat, shodaqah, and infaq (Syafingi, 2012).

### **3. Public Policy**

According to Syafii (1999: 18) is interpreted as a society, namely the relationship of a community with other communities (public relations), public service (public service) public opinion, and others. The understanding of the public is a number of people or a group of people who have the values of thoughts, hopes, feelings, attitudes and actions that are right and good based on the norm values they have.

Public Policy based on Nugroho (2003: 51), is a way to achieve the shared goals that have been dreamed of. The road is a state of society that occurs in the early days, the transition and towards the dreamed society. While the ideals of Indonesia itself is to achieve a just and prosperous society based on the Pancasila and the 1945 Constitution. Thus, public policy is a means and infrastructure to achieve a goal that has been aspired to the Indonesian nation.

Public policy is a tool used by the government to achieve the goals that have been demanded by the Indonesian people. Public policy is also used as a management of the achievement of national goals. Nugroho (2003: 52) concluded that:

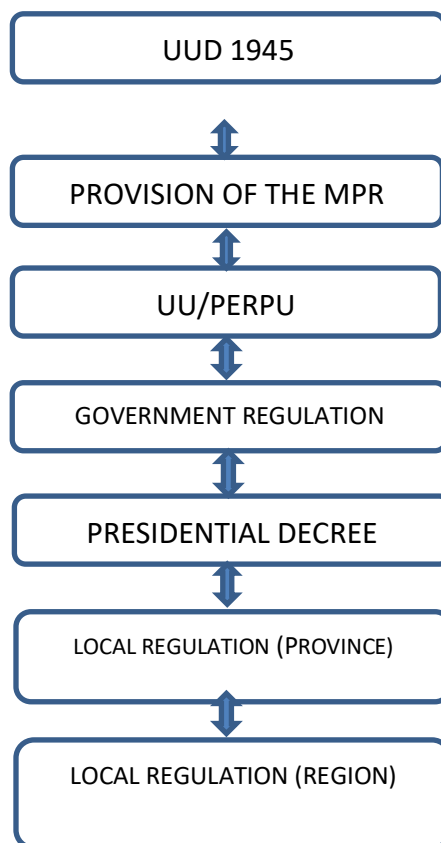
- a. Public policy is easy to be understood because public policy is everything that is done for national purposes

- b. Public policy is easy to be measured because its size is fairly clear, namely the extent to which progress has been achieved in achieving the ideals of the Indonesian nation.

Public policy, according to Nugroho (2006: 63), has levels and can be grouped into three groups namely:

- a. Macro is general or basic public policies, namely: the 1945 Constitution, Laws / Regulations, Government Regulations, Presidential Regulations and Regional Regulations
- b. Meso public policy or what it can be called as the implementation explanations, namely; Ministerial Regulation, Ministerial Circular, Governor's Regulation, Regent's Regulations, and Mayor's Regulations. The policy can also be in the form of a Joint Decree or SKB between Ministers, Governors and Regents and Mayors.
- c. Micro public policies are policies that regulate the implementation or implementation of the above policies. The form of the policy is a regulation issued by public officials under the Minister, Governor, Regent and Mayor.

**Picture 1.1 Hierarchy Indonesian Law**



Source: Compiled by the author

Based on the hierarchy or position described above, it can be concluded that the position of the 1945 Constitution, Laws / Perpu, Government Regulations, Presidential Regulations, and Regional Regulations have higher and stronger levels compared to the others. This is because based on their nature they are basic regulations and the others are regulations that are as explanatory to the implementation of policies (Arifin, 2011: 49).

Dunn (2003: 20) claims that public policy is a series of choices that are interconnected and made by an institution or official related to government duties such as land, energy, security, education, health, crime, welfare and so

forth. Thoha in Abdullah and Muhammad (2017) said that it provides understanding in public policy as a result of the formulation of the government. In this case, public policy is better understood as what is done and shaped by the government compared to the outcome process that is formed. Regarding further public policies, Wahab (2003) cited in Abdul and Muhammad (2017) identified that:

- a. public policy is more a conscious action oriented towards the achievement of goals rather than as a behavior / action that is carried out randomly and incidentally
- b. public policy consists essentially of actions that are interrelated and have a certain pattern that leads to the achievement of certain goals carried out by the government, and not an independent decision
- c. public policy regarding activities / actions is deliberately carried out consciously and measurably by the government in certain fields
- d. public policy may be positive in the sense that it is a guideline for government action to be taken in dealing with a particular problem, or negative in the sense that it is the decision of a government official not to do something.

The concept of a policy said by Anderson according to Budi Winarno (2007: 18) is considered more effective because it is more focused on what is actually done and not what is actually proposed. Besides this concept also distinguishes which policies and which decisions in it contain a sense of choice among the various alternatives that exist.

According to Erwan and Dyah (2015: 64), when viewing from an instrumental perspective, public policy is a tool to achieve a goal related to government efforts in realizing values related to publicity. As for the values of the publicity it will come in various forms as a policy objective. However, in general public policy is a tool to: 1) realize the values that are prioritized by society such as equality, fairness and openness. 2) Overcome all problems faced by the community, for example: crime, unemployment, poverty and also poor public services. 3) take advantage of new opportunities that exist for a better life for the community, such as encouraging investment, increasing exports and also service innovation. 4) protect the public from private practices that could cause harm, such as interference permits, route licenses and also the establishment of consumer protection laws.

Public policy is a way to achieve the shared goals aspired (Nugroho R., 2003: 7). The ideals of the Indonesian people are when people get justice and prosperity that is based on the Pancasila & the 1945 Constitution, then public policy is a suggestion to get that goal. Therefore, in a public policy, certainly there will be written a rule that must be obeyed by the community to get what has become a common goal.

Meanwhile, (Dye, 2008: 1) suggests that public policy is an action that has been chosen by the government to be done or not to be done. According to him, an action that has been chosen by the government must have a clear goal, and not merely for a desire without a goal. All the rules that have been made



by the government will also become a State policy. While public policy according

Based on the various opinions of the experts above, the conclusion can be drawn that a policy is actions or activities that are intentionally carried out or that are not carried out by a person, group or government in which there is an element of the decision to attempt to choose between various alternatives there is to achieve a purpose and also a certain goal.

#### **4. Prostitution**

Prostitution is an act that performs husband and wife relationships alternately with non-spouses and is carried out in certain places with the aim of getting money (Dewi, 2012: 3). Meanwhile, according to Perkins and Bannet in Koentjoro (2004: 5) prostitution is a business transaction that has been agreed by the parties in it as a short-term contract to get sexual satisfaction. In another definition, prostitution is a service to get sexual relations with the aim of getting money in return (Irwansyah, 2016: 4).

##### **a. Types of Prostitution**

According to (Asyari, 1986: 12), prostitution has the type that can be seen according to its activities whether the protection activities are registered and organized, and which are not organized.

##### **1) Registered Prostitution**

Prostitution is whose perpetrators have been overseen by the deputy control department of the police in cooperation with the social and health sector. Usually this prostitution is localized in a certain area.

Usually the occupants routinely always get an examination from the health department, and will also routinely get an injection as a public safety measure.

## 2) Unregistered Prostitution

Prostitution where the perpetrators carry out these activities illegally, and illegally, carried out either individually or in a group. His actions were disorganized, and the place was uncertain.

Meanwhile, according to Surtees (2004) cited in B. Rusyidi and N. Nurwati (2018: 3) explains that there are two types of prostitution in Indonesia divided into two groups, namely: Traditional (general) type and non-traditional type.

### 1) Traditional Type

Included in this group are prostitution activities, the majority of which are carried out in the localization area and are carried out by women with the aim of earning money. The point is that in this group requires money as a transaction tool that is used.

### 2) Non-Traditional Type

In this type of prostitution is generally carried out by people with middle and upper classes and students in large cities. Usually the practice of prostitution is carried out by students or professionals who have found permanent employment. Unlike the traditional type, the factor of this type of prostitution is the desire to experiment and adventure. In addition to money, in this type the perpetrators of prostitution also accept other goods as a means of

their transactions. Usually these items are in the form of mobile phones, perfume, luxury / expensive items, entrance tickets to prestigious clubs, and so on.

Different from the traditional type where the perpetrators are in the localization place, in this type the perpetrators of prostitution can usually be found in spas, karaoke, malls, hotels, and so on. But along with the development of technology, this type can also be found through social media or the internet. The perpetrators usually display sensual photos and there are contacts that can be contacted by the users of these services.

1) Type of Prostitutes

According to Prakash (2013:32-33) there are different types of prostitutes commonly in modern society.

- a) The Call Girl: Women who are independent in running their business. Usually they live in expensive residents with high living costs and live in big cities. Usually for transactions of at least twenty dollars per sexual contact.
- b) The Streetwalker: Commercial sex workers who offer services directly on the streets.
- c) Bar Prostitutes: Commercial sex workers who run their businesses and offer them at nightclubs, because most of them are barmaids.
- d) Brothel Prostitutes: Commercial sex workers who have their own place in offering and running their business.

e) **Camp Followers:** Commercial sex workers who operate in places where there are soldiers and other soldiers stationed, and serve the sexual needs of that male.

f) **Child Prostitutes:** Commercial sex workers whose jobs are underage.

According to B. Rusyidi and N. Nurwati (2018: 5), there are different types of prostitution in Indonesia based on different entry methods.

a) *Bonded Entry*

This type is a binding type, meaning that the perpetrators undergo the work which usually occurs because a parent, partner, or guardian of the woman who has received an advance from a pimp. This type usually occurs in poor rural areas.

b) *Involuntary Entry*

This type is the type that the perpetrators of this prostitution undergo this profession because of a coercion or threat. The perpetrators can be called victims because these victims are sex workers which generally occurs for a reason, such as kidnapping or fraud that occurs in cases of human trafficking for the purpose of sexual exploitation.

c) *Voluntary Entry*

This type is the type where the perpetrators of the prostheses undergo this profession of their own volition.

## 2) Factors Causing Prostitution

According to Weisberg in (Koentjoro, 2004: 23) there are three main motives that cause the occurrence of prostitution. The main motives are:

### a. Psychological Motives

This motive occurs because of psychological factors that give satisfaction to sex workers. Generally this motive is mostly carried out by people with the Oedipus Conflict, where the conflict is a conflict where the sex worker has a deep love for a loved one in his life.

### b. Economic Motives

This motif is a motive that generally makes a factor that usually occurs in society. Economic motives here are meant when someone expects money in return.

### c. Situational Motives

This motive occurs because of a situation that results in sex workers finally deciding to undertake this work. Usually this happens because of a traumatic or sexual experience in themselves. An example is that many sex workers decide to go into this profession because they have lost their virginity before marriage or pregnancy outside marriage.

Meanwhile, according to B. Rusyidi and N. Nurwati (2018: 2-3) Factors of the occurrence of prostitution can be grouped into three groups namely Supply, Demand, and Catalyst.

### a. Supply Factors

In supply factors, it usually occurs because of factors that encourage why the perpetrators decide becoming sex workers. There are three sources in, it namely Individual, Relational and structural. In individual factors, the perpetrators generally decide to become sex workers because there are aspects of socio-psycho-educatio, they have painful trauma such, the lack of self-confidence, the low levels of education and skills, the wrong assessment of existing norms, or the sexual behavior disorders (L. M. Baker., R. L. Dalla., C. Williamson, 2010). *Relational Factors* occur because of the influence in the environment around them. Generally, this happens because of a friendship environment, a failure in relationships, or conflict with family. Whereas *Structural Factors* occur because of economic pressures that occur in their families, difficulty in finding work, the position of girls in a family, or because they are supported by a tradition or culture (Koentjoro K. , 1996).

d. *Demand factor*

In this factor generally occurs due to high demand for sexual services.

e. *Structural Factor*

This factor occurs because of aspects that facilitate the development of sexual services. One of these aspects is when prostitution is not only a quick way to get money, but for them their profession can provide high profits so as to improve economic status and meet their needs (Worcester, 2003). Other aspects contained in structural factors are; the failure of the government to provide social services and protection, the absence or lack of law enforcement to prevent or overcome prostitution, and the interests in it (Lim, 1998).

## G. CONCEPTUAL DEFINITION

### 1. Evaluation

Evaluation is an attempt to assess the extent to which the success of public policy is oriented towards policy goals and targets.

### 2. Public Policy

Public policy is a rule that is used to achieve the goals of society that has been aspired.

### 3. Syaria Law Regency (Perda)

Sharia Regional Regulation (Perda) is a regulation that uses regulations that have Islamic shades.

### 4. Prostitution

Prostitution is a related activity like a married couple and has been agreed by both parties that one of them aim to get services and the other wants to earn.

## H. OPERATIONAL DEFINITION

**Table 1.3 operational definition**

<b>Variable</b>	<b>Indicator</b>	<b>Parameter</b>
Evaluation	Effectiveness	1. Achieving policy success
		2. Programs in accordance with the needs that exist in the community
	Efficiency	1. The ratio of costs incurred in accordance with the results of the policy (HR and Costs).
	Adequacy	1. Availability of facilities obtained by the community in the process of running the policy (Infrastructure and HR).
	Responsiveness	1. Satisfaction of community groups / NGOs / CBOs / Academics towards policies 2. Community control of policies
	Equality	Policies apply to all people without exceptions. Includes the whole community (impartial)
	Accuracy	1. useful for the community

### 1. Effectiveness

Effectiveness indicator has two parameters in it. These parameters include achievement of work success and whether or not the program is in accordance with the needs that exist in the community. The achievement of work success will be measured by whether the policy can overcome the problems that exist in society, and also how the development of the problem after the policy is made. Then effectiveness also need to know whether making a policy is a necessity, where the program will be a problem solving problem for a problem that arises or not.

### 2. Efficiency

In the efficiency indicator, there are parameters regarding the cost ratio carried out in accordance with the results of the existence of the policy. The purpose of this parameter is in applying a policy, of course we will also talk about the budget provided by the government. Then we need to analyze whether the budget given by the government is sufficient to carry out the policy.

### 3. Adequacy

In the adequacy indicator, there are parameters regarding the availability of facilities obtained by the community in the policy process. The purpose of this parameter is whether the government provides sufficient facilities for the smooth running of this policy. As in the case of Perda No. 14/2007 concerning Prohibition of Prostitution in Majalengka District, the government has the role to provide facilities in the form of



training or anything to replace the profession as a commercial sex worker who has been banned in the region.

#### 4. Responsiveness

In the indicators of responsiveness, there is a parameter in the form of the satisfaction of community groups / NGOs / CBOs / Academics towards the policy and also community control regarding the policy. The intention is to know the satisfaction response from the point of view of various stakeholders in responding to the implementation of the policy, and also that the policy can provide awareness to the public so that the policy is implemented properly.

#### 5. Equality

Equality has parameters in the form of covering the whole community (impartial) and policies applied to all communities. The intention is to expect that this policy must be implemented and obeyed by all levels of society regardless of who they are.

#### 6. Accuracy

In this indicator there are parameters in the form of useful policies for the community. The intention is to find out whether the government has made this policy in an effort to resolve cases or problems that exist in the community.

## **I. RESEARCH METHODS**

### 1. Type of research

This type of research used in research using descriptive qualitative research types. According to (Salim, 2001, p. 5) qualitative research is a descriptive research method which is carried out through the analysis process. It has the aim to describe, express, and explain a phenomenon or event. This qualitative research only focuses on one study. Qualitative research methods are often referred to as naturalistic research methods where research is carried out in natural conditions and also called ethnographic methods because basically, this research is conducted only for cultural anthropological research and referred to as qualitative research because the data and analysis are more qualitative or based on quality (Sugiyono, 2014:8).

According to (Sugiyono, 2014: 34), qualitative research is research that will be used to examine natural conditions or subjects and the results of qualitative research emphasize more on the meaning than the general. According to (Sugiyono, 2014: 53) descriptive is an analysis method used to analyze existing data using a way that is to describe it or describe existing data as it is without changing the original data.

Qualitative research is a multiple method in focus, which involves an interpretive and reasonable approach to each of the issues being studied. This means that qualitative research works in a natural setting, and seeks to understand and interpret interpretations of phenomena seen from the meanings that people give to them. Qualitative research involves the use and collection

of various empirical materials, such as case studies, personal experiences, introspection, life history, interviews, observations, historical, interactional, and visual texts that describe routine and problematic moments, as well as their meaning in life and the collective (Denzin and Lincoln, 1994: 2 in Salim 2001: 34).

According to Nasution (2009: 27), case study is an in-depth and detailed study of an aspect of the social and human environment. This study uses a case study approach. According to Creswell (in Herdiansyah, 2010: 76) case study is a process that emphasizes the boundary case (bounded system) or several cases as a whole and is accompanied by data mining and involves information related to research. Case studies are in-depth research models for specific individuals and units over a period of time. What is intended as a limitation is the limitation of time and place in the case being investigated. This research used a case study to look deeply into how the evaluation of Perda No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency is.

This study illustrated how the effectiveness of Perda No. 14 of 2007 concerning Prostitution Prohibition in Majalengka Regency is. For this reason, this research focused on how effective the process of implementing the law is. This research is descriptive, so it needs to be analyzed in conducting the research process. The analysis focuses on evaluating the implementation of a law.

## 2. Data Source

According to Zulfadrial (2012: 46), the source of the data is the subject of where the data has been obtained. There are two data sources, namely primary data and secondary data. Data sources are not only from writing or from non-writing. Research libraries or sources obtained are collected and will be selected and sort out data related to research. The participants were interviewed in conducting this research were the Majalengka Regency Parliament, related to agencies such as the Social Service and the Office for Child and Women's Protection, Community Organization Religion Perspective, NGOs, Academicians, Fractions which are related to topics in the DPRD.

### a. Primary data source

In this study the primary data were obtained from online news from trusted media, such as detiknews.com, merdeka.com, Tirto.com, BBC.com, and Bps.go.id, and interviews with Parliament, related to agencies, such as the Social Service and the Office for Child and Women's Protection, Community Religion Perspective Organizations, NGOs, Academicians, Fractions which are related to topics in the DPRD, Satpol PP.

### b. Secondary data source

In this study obtained from journals, scientific books in accordance with research.

### 3. Research Object

The object of this study is Perda No. 14 of 2007 concerning Prostitution Prohibition in Majalengka Regency.

### 4. Data collection technique

Data collection techniques are the most important techniques in a study. The main purpose of data collection techniques is to get data that matches the data standards set in the study. According to Sugiyono (2014), there are various kinds of data collection techniques such as observation, interviews, documentation, and triangulation or combination. In this study, the researcher use interview data collection techniques and documentation.

#### a. Interview

According to Esterberg (2002) cited in Sugiyono (2014) there are several types of interviews, including:

##### 1) Structured interview

Structured interview is an interview conducted by collecting data in a structured manner conducted in the interview process.

##### 2) Semi-structured interviews

Semistructured interviews are freely conducted in the interview process. Semistructured interviews are conducted to find problems openly by asking for opinions and ideas on a particular discussion topic. In conducting this interview, the researcher only listened and recorded what was said by the informant.

##### 3) Unstructured interviews

Unstructured interviews are free interviews because they do not use interview technical guidelines in the process. This interview is usually conducted to find out more about certain respondents.

The participants who were interviewed were the Majalengka District Parliament, related to agencies such as the Social Service, Community Organization Religion Perspective, NGOs, Academicians, Fractions which are related to topics in the DPRD and Satpol PP.

#### b. Documentation

Documentation is the collection and selection of a document. The document is a record of events that have already passed. Documents can take the form of pictures, writings, or monumental works of someone. Documents are in the form of images such as photographs, vivid images, sketches. Documents are in the form of writings such as regulations, policies, biographies. Documents are in the form of scientific work such as works of art in the form of drawings, films, sculptures.

#### 5. Data Analisis Technique

The data analysis technique used in qualitative research is clear, namely because the data is directed to answer the problem formulation or study the hypotheses that have been formulated in the proposal (Sugiyono, 2014: 243). This study used qualitative data analysis techniques. In qualitative data analysis, according to Bogdan in Sugiyono (2014), data analysis is the process of systematically searching and compiling data obtained from interviews, field notes, and other materials, so it is easy to understand and the findings can be

used as information to the public large. Data analysis is done by organizing data, describing it into units, conducting hypotheses, compiling into research patterns, selecting important data and data to be studied, and making conclusions.

According to Naustion (1998) in Sugiyono (2014), data analysis in qualitative research is carried out since before entering the field, while in the field, and after completion in the field.

a. Analysis before going on the field

Qualitative research has conducted data analysis before the researcher enter the field. The analysis is done through secondary data to determine the focus of the research but thus the focus of the research is still temporary. In the research conducted by the researcher, the focus of the study was on evaluating Regional Regulation No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency.

b. Analysis while in the field

Data analysis in qualitative research was carried out during data collection. For example, at the time of the interview, the researcher had done an analysis of the answers being interviewed. In the bellow is an analysis of data in the Miles and Huberman model field:

1) Data Reduction

Data reduction is a reduction in data obtained from the field because too much data is obtained. Data reduction is done by summarizing, selecting the main data, focusing on important data, and looking for themes and patterns. In

this research the researcher will summarize and select the main data that focuses on the evaluation of Perda No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency.

## 2) Data Presentation

The next step after the data is reduced is to present the data. Presenting data can be done in the form of tables, graphs, short descriptions, charts and so on. Through the presentation of the data, the more organized, arranged in certain relationship patterns, so that it was be easy to understand. In this study, the researcher presents data with a brief description of the evaluation of Perda No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency.

## 3) Conclusion or Verification

The final step in data analysis in qualitative research is to conclude or verify the data. The initial conclusions put forward are still temporary, and change if no strong supporting evidence is found at the data collection stage. The conclusion of qualitative research is a new finding where no previous findings have been found. Findings can be in the form of a description or description of an object and a hypothesis or theory. The final step in this research is to conclude all data obtained in the form of a description of the evaluation of Perda No. 14 of 2007 concerning prostitution prosecutors in Majalengka Regency.



c. Analysis after completion in the field

Data analysis on qualitative research was carried out after completion in the field. The research process was started from a broad process, then focused, and expanded again. According to Spradley (1980) cited in Sugiyono (2014), in qualitative data analysis, there are several stages as follows:

1) Domain Analysis

Domain Analysis is an analysis to obtain a general and overall picture in a study. This analysis is done by selecting a particular domain through the question. This study illustrates how the evaluation of Regional Regulation Number 14 of 2007 concerning Pelstang Prostitusi in Majalengka Regency.

2) Taxonomic Analysis

This analysis focuses on the chosen domain which then be elaborated into more detail to find out its internal structure and be carried out with detailed observations. In this study, the focus will be on the evaluation of Regional Regulation Number 14 of 2007 concerning Prohibition of Prostitution in Majalengka Regency.

3) Componential Analysis

In this analysis aims to look for specific characteristics of the internal structure of a study by contrasting the elements carried out through observation and interviews with contrasting questions. This research will conduct observations and interviews related to the effectiveness of Perda No. 14 of 2007 concerning the prohibition of prostitution in Majalengka Regency.

4) Analysis of Cultural Themes

The role of this analysis is to look for relationships between domains and relationships with all domain elements which are then stated in the theme or title of the study. The study looked for a related relationship Perda Number 14 of 2007 concerning Prohibition Prostitution in Majalengka Regency.

## **J. STRUCTURE OF THE RESEARCH**

To get ease in the discussion, the researcher makes a systematic writing planned, namely:

**Chapter 1** Introduction. The chapter consists of problem background, problem formulation, research objectives, research benefits, literature review, conceptual definitions, operational definitions, research methods and systematic writing.

**CHAPTER II** Overview of Research Objects. In this chapter, the profile and mission object of the research object are discussed.

**CHAPTER III** Discussion. Analyze the evaluation of the Perda and the factors that influence the success or failure of the regulation.

**CHAPTER IV** Closing. This chapter contains conclusions and suggestions.

