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The Pros and Cons of Implementing Local Regulation Number 17 of 2019 on the Prohibition of Night Parties in North Musi Rawas District (Case Study: Karang Anyar Village, Rupit Sub-District)

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ABSTRACT

This article examines the advantages and disadvantages of enacting Regional Regulation Number 17 of 2019 concerning the Prohibition of Evening Parties in North Musi Rawas Regency, with a case study conducted in Karang Anyar Village, Rupit District. The study aims to explore both the positive and negative aspects of implementing this regulation and how the monitoring system for evening party entertainment in North Musi Rawas Regency aligns with Regulation Number 17 of 2019. The central issue addressed in this study pertains to understanding the reasons behind the pros and cons surrounding the regulation's prohibition of night parties in North Musi Rawas Regency and the corresponding monitoring mechanisms. The research methodology employed in this study is qualitative, utilizing descriptive analysis. The Actor Theory proposed by Anthony Giddens and theories of interest groups and pressure groups serve as the theoretical framework. Primary data, obtained through direct interviews, and secondary data from online news sources, local government archives, and Karang Anyar Village archives, are utilized. Data collection methods include interviews and documentation. The findings reveal that proponents of the regulation support it due to concerns regarding night parties being associated with drug trafficking, alcohol consumption, and other negative activities. Conversely, opponents of the regulation advocate for a curfew until 24:00 WIB instead of a complete ban, citing the cultural practice of the Night Party Association in Karang Anyar Village. These associations involve social gatherings in the evening, where participants contribute financially or otherwise in accordance with established customs and regulations.

Keywords: Pros, Cons, Prohibition of Evening Parties

ABSTRAK

Artikel ini membahas tentang Pro Kontra Penerapan Perda Nomor 17 Tahun 2019 Tentang Larangan Pesta Malam Di Kabupaten Musi Rawas Utara (studi kasus Desa Karang Anyar Kecamatan Rupit). Penelitian ini bertujuan untuk mengetahui Bagaimana bentuk pro dan kontra terhadap penerapan perda nomor 17 tahun 2019 tentang larangan pesta malam di Kabupaten Musi Rawas Utara dan Bagaimana sistem pengawasan hiburan pesta malam di Kabupaten Musi Rawas Utara berdasarkan perda nomor 17 tahun 2019. Permasalahan utama dalam penelitian ini yakni terkait masalah mengapa terjadi pro kontra didalam perda nomor 17 tahun 2019 mengenai adanya larangan pembuatan pesta dimalam hari yang terjadi di Kabupaten Musi Rawas Utara dan sistem pengawasannya.

Metode Penelitian yang digunakan dalam skripsi ini adalah metedologi kualitatif melalui analisis Deskriptif. Penelitian in menggunakan Teori Aktor dari Anthony Gidenss dan teori interest group dan pressure group. Data yang dipakai dalam penelitian ini ialah data primer dan sekunder. Dat primer adalah data yang pengumpulan datanya dilakukan secara langsung kepada orang yang bersangkutan sedangkan Data sekunder yang diperoleh dari berita online, arsip pemerintah daerah dan arsip Desa Karang Anyar. Pengumpulan datanya dilakukan melalui wawancara dan dokumentasi.

Hasil yang diperoleh dalam penelitian ini adalah terjadinya pro kontra didalam perda ini adalah pihak pro adalah yang menyetujui kebijakan ini dibuat karena menganggap pesta malam adalah tempat peredaran narkoba, miras dan hal negatif lainnya. Sedangkan dari pihak kontra mereka hanya meminta batasan waktu sampai pukul 24:00 WIB dan jangan sampai dilarang full, karena Masyarakat di Desa Karang Anyar mempunyai suatu adat yang dinamakan dengan Persatuan pesta malam. Persatuan pesta malam semacam arisan pesta malam merupakan suatu adat yang mana jika ada yang ada ingin membuat pesta malam makan pihak yang ikut didalam persatuan tersebut harus membayar atau menyokong sesuai dengan ketentuan yang dibuat oleh mereka.

Keywords: Pro, Kontra, Larangan Pesta Malam

INTRODUCTION

This study examines the pros and cons of implementing Regional Regulation Number 17 of 2019 concerning the Prohibition of Night Parties in North Musi Rawas Regency in Karang Anyar Village, Rupit District. The focus of this investigation is to elucidate the reasons behind the pros and cons of enforcing Regulation Number 17 of 2019 in North Musi Rawas Regency, specifically within Karang Anyar Village.

The government prohibits its citizens from engaging in evening party activities due to the perceived prevalence of negative consequences associated with them. Both religious figures and members of the community assert that night parties have resulted in significant harm and have become hotbeds for the rapid spread of drug abuse and conflicts (Wahyu, 2021).

Drug abuse, particularly narcotics, is an ongoing latent threat that, despite repeated efforts to eradicate it, continues to evolve in new areas through different modalities. The reality of drug-related crime in society demonstrates a growing trend, both quantitatively and qualitatively, with serious repercussions, particularly among children, adolescents, and the general populace. The younger generation is the primary target for narcotics business

development due to their curiosity and susceptibility, which surpasses that of adults. Drug dealers and distributors deserve severe punishment for their crimes. However, drug users, especially children, are initially lured and offered narcotics for free by dealers (Silalahi, 2020).

The Regent and Vice Regent of North Musi Rawas Regency, Mr. H. Devi Suhartoni and Mr. H. Ahmad Inayatullah, respectively, in fulfilling their duties, aspire for North Musi Rawas Regency (Muratara) to progress and become more orderly. The region of North Musi Rawas Regency (Muratara) is currently undergoing significant changes, and the enactment of the aforementioned regional regulation was decided through joint deliberations with members of the North Musi Rawas Regency DPRD (Regional People's Representative Council) and upon the suggestions of several community members regarding the prohibition of night parties (Redaksi, 2021).

The emergence of pros and cons stems from two contrasting perspectives on the enforcement of this regulation. Proponents are those who support its implementation, as they believe it will bring peace to North Musi Rawas Regency and minimize the spread of narcotics. Opponents, on the other hand, argue against it because they view night parties as a longstanding tradition that should not be abolished. For some indigenous communities, hosting such events is part of their cultural heritage, often involving customary unions such as organ music gatherings, rice auctions, or other communal activities.

LITERATURE REVIEW

The research conducted by Asmuni (2006) on Considering the Significance of Islamic Sharia Local Regulations (A Fiqh Perspective Review), So far, regional regulations with Islamic Sharia nuances have been enacted in various regions. For instance, in the Cianjur Regency Government, West Java. Through the Regent's Decree Number 451/2712/ASDA I/2001, the Gerbang Marhamah (Community Development Movement with Noble Morality) was established. One manifestation of the implementation of this decree is that officials of Gerbang Marhamah, with the assistance of the community, strictly enforce the wearing of hijab.

In addition to Cianjur, there are 22 other regions implementing regulations with Islamic Sharia nuances. For example, in the Bulukumba Regency, South Sulawesi, regulations concerning the prohibition of alcoholic beverages and the implementation of Zakat, Infak, and Sedekah (Islamic alms) are enforced. Similarly, in the Municipality of Tangerang, Banten, under Regulation Number 8 of 2005 regarding Prostitution.

These Sharia regulations that have sparked controversy are indeed a very interesting discourse to examine. Not only because of the pros and cons accompanying them, especially regarding the extent to which law and legal systems can be decentralized, but also the significance of Sharia regulations when viewed from the perspective of Islamic jurisprudence. However, before delving into that, a historical overview of the struggle for the implementation of Islamic Sharia in Indonesia will be presented.

The next study conducted by Nur Nafsi Mutmainnah (2019) focuses on the Evaluation of the Effectiveness of Sharia-based Regional Regulations in the Reform Era. In this research, it is explained that many regional regulations with Islamic Sharia perspectives do not comply with higher-level laws that reflect the concept of human rights in their content. These include Law Number 7 of 1984 concerning the Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women; Law Number 5 of 1998 concerning the Ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment; Law Number 39 of 1999 concerning Human Rights; and Law Number 12 of 2005 concerning the Ratification of the ICCPR on the Ratification of the International Covenant on Civil and Political Rights.

The implementation of Regional Regulations with an Islamic Sharia perspective in Indonesia has implications for society in the region. Regional regulations with an Islamic Sharia perspective have the potential to violate human rights, including the implementation of civil rights in Indonesia as stipulated in both the 1945 Constitution and specific laws. The application of Islamic Sharia in the content of Regional Regulations in Indonesia has led to the disintegration of the state's ideological values, namely Pancasila, as the implementation of Islamic Sharia has undermined the values of Pancasila, which uphold the equality of human rights without discrimination based on religion, ethnicity, race, group, class, social status, economic status, gender, language, or political beliefs.

METHOD

The type of research conducted is qualitative research. Qualitative research implies that this study involves data collection directly from the field. The data utilized in this research is not numerical but rather obtained through interviews, field notes, personal writings, and other archival documents. This study requires qualitative and descriptive research methods. The data is presented in the form of readings accompanied by illustrations, not in digital format. Therefore, this research involves data excerpts to provide associations regarding the data gathered directly through research, interviews, field notes, and archives (Hadi, 1997).

RESULTS AND DISCUSSION

In this section of the study, the researcher will delve into the discourse through critical and comprehensive observation and interviews with several key informants, including the head of the legal department of North Musi Rawas Regency, law enforcement authorities of the same region, the head of Karang Anyar village, religious figures, community leaders, and youth representatives in Karang Anyar village. This section aims to explore the genesis of the pros and cons surrounding the implementation of Regional Regulation Number 17 of 2019 and its associated influences.

The debate surrounding the pros and cons of this regulation in North Musi Rawas Regency, particularly in Karang Anyar village, situated in the Rupit district, is inherently intertwined with divergent opinions on its application. The conflict arises because proponents support its implementation, believing it brings tranquility to North Musi Rawas Regency and helps minimize drug proliferation. Conversely, opponents argue that evening gatherings constitute an enduring tradition that should not be eradicated. This sentiment stems from the fact that some members of the community view evening events as integral to their cultural heritage, manifesting in rituals such as single-organ ensembles, rice gatherings, auctions, and other communal activities.

Those in favor, comprising community organizations (ormas) and religious figures such as the Indonesian Ulema Council (MUI), the Nahdlatul Ulama Regional Board (PC NU), the Religious Harmony Forum (FKUB), the Ansor Youth Movement (GP. Ansor), the Religious Committee, the Forum of Islamic Boarding Schools in North Musi Rawas Regency (Forpress), and local Islamic scholars, endorse the regulation by signing petitions in support of the ban on

evening gatherings. Collectively, they actively contribute to the advancement of Muratara's grand vision, striving for the common good. Conversely, opponents, including residents of various villages such as those in Karang Anyar village, voice their dissent. Ordinary citizens are believed to be incited by certain individuals. Police Chief AKPB Eko Sumaryanto confirmed ongoing investigations into provocative incidents disseminated through social media channels (Tasmalinda, 2021). Residents reject the policy for various reasons, including the preservation of traditional community associations.

The following are insights gleaned from interviews conducted with residents of Karang Anyar village, Rupit District, North Musi Rawas Regency, regarding the objectives of implementing Regional Regulation Number 17 of 2019 on the prohibition of evening gatherings:

Lukman (head of legal department): "The primary objective of enacting this regulation to ban evening gatherings is to enhance security and curb drug abuse, thereby preventing social disparities, misunderstandings, errors, and conflicts, whether contrary to customary or formal laws.

Bripka Day Yuliarohmat (intelligence unit chief of Muratara police): "The benefits of this regulation for the police force are evident. We no longer have to contend with the challenges posed by evening gatherings, which often led to altercations and misunderstandings among residents.

Regarding the stakeholders involved in the enactment of this regulation, as highlighted by Lukman (head of the legal department of North Musi Rawas Regency), "The primary stakeholders are the legal department and the Regional People's Representative Council (DPRD), followed by a synchronization process involving socialization and ratification by the DPRD. Subsequently, registration numbers are requested from the provincial legal bureau. Thus, the executive and legislative branches of government, as well as law enforcement agencies and community leaders, are actively engaged.

Based on interviews with informants concerning the forms of pros and cons observed in Karang Anyar village, the following conclusions emerge:

Wildan Hakim (secretary of Karang Anyar village): "The overlap in issues is attributed to cultural considerations. Evening gatherings in the village serve as opportunities for familial and communal bonding. However, the regulation prohibiting such gatherings has inevitably sparked debate within the community.

Sukarno HD (youth representative): "While some residents express a desire to continue evening gatherings, the majority, including those in Karang Anyar village, adhere to the regulation. Nevertheless, the youth in Karang Anyar advocate for restrictions on evening gatherings, limiting them to midnight.

Sudirman (ordinary resident): "The regional regulation enacted by the local government is deemed incongruent with the prevailing community norms. This sentiment arises from the existence of long-established community associations.

Yuliarohmat (intelligence unit chief of Muratara police): "The regulation was socialized long before its enactment, involving various stakeholders, including the police force, sub-district police stations, district officials, and village heads. Nonetheless, there remains a degree of dissatisfaction, particularly among residents who perceive evening gatherings as entrenched customs or traditions.

Drawing from interviews with informants regarding the underlying reasons for the pros and cons of implementing Regional Regulation Number 17 of 2019, the following insights emerge:

H. Ahmad (religious figure, Karang Anyar village): "Residents are opposed to the complete ban on evening gatherings, citing various concerns, including the disruption of communal associations and free auctions. I also believe that evening gatherings before midnight contribute positively to community cohesion.

Sudirman (resident): "We are not entirely supportive of the policy to ban evening gatherings. However, if restricted to midnight, we have no objections, as evening gatherings are integral to our village traditions. We have contributed financially to these events, and it is unclear how these funds will be reimbursed if evening gatherings are discontinued.

Wildan Hakim (Karang Anyar village secretary): "Why impose a blanket ban when evening gatherings are integral to our cultural heritage? If negative aspects exist, regulatory measures should suffice.

Insights gleaned from interviews with informants regarding the resolution process led by the regent concerning the blockade of the Sumatra Trans-Island Highway are as follows:

H. Ahmad (religious figure, Karang Anyar village): "The regent initially encouraged mediation among residents. However, upon further deliberation, it became evident that evening gatherings were indeed prohibited (Ahmad, 2022). Wildan Hakim (Karang Anyar village secretary): "Upon our return, we, as village officials, reiterated to the community that evening gatherings were indeed prohibited. Violators would face legal repercussions and fines as stipulated by the regulation. Over time, the community came to accept this reality.

Thus, with the implementation of Regional Regulation Number 17 of 2019, the North Musi Rawas Regency regent disseminated directives to each village head to oversee compliance within their respective communities. Violators were urged to report to local authorities. Subsequently, law enforcement agencies from North Musi Rawas Regency were tasked with monitoring and enforcing the regulation rigorously. As evidenced by the stipulations and enforcement actions pertaining to the closure of evening gatherings in North Musi Rawas Regency outlined in Regional Regulation Number 17 of 2019, not only are the police authorized to disperse such events, but local government officials and other security stakeholders are also empowered to intervene.

This crackdown on evening gatherings, characterized by its associated negative effects such as drug proliferation and moral degradation, underscores the government's commitment to minimizing societal harm. Therefore, the local government urges compliance with existing regulations, emphasizing their role in curtailing drug trafficking and other deleterious activities. From the information gathered, it is evident that the local government is prepared to take decisive action against any violations of the regulation. Offenders will face legal consequences

enforced by law enforcement and other relevant government authorities in accordance with the prevailing regulations.

CONCLUSION

Based on the problem formulation established at the outset regarding the pros and cons of implementing Regional Regulation Number 17 of 2019 concerning the prohibition of evening gatherings in North Musi Rawas Regency (a case study of Karang Anyar Village, Rupit District), the author draws the following conclusions:

The forms of pros and cons observed in Karang Anyar Village regarding the implementation of this regulation entail both support and opposition. The proponents, represented by community organizations (ormas) and religious figures from North Musi Rawas Regency, demonstrate their support by endorsing the policy through petition signatures. They perceive it as a long-awaited local regulation. Conversely, opposition arises from protests within Karang Anyar Village, primarily concerning traditional customs and community associations. As a form of protest, residents block the Sumatra Trans-Island Highway by burning tires and obstructing the road with tree trunks.

Furthermore, oversight is conducted by various actors, including the regent, assisted by sub-district heads, village chiefs, civil servants, public order officers, and law enforcement personnel. The regent of North Musi Rawas Regency urges sub-district heads, village chiefs, and village heads to monitor their respective areas. Law enforcement personnel and military personnel are also deployed to oversee and ensure compliance with the regulation. In the event of violations, the local government is prepared to take decisive action and impose sanctions as stipulated in the regulation.

REFERENCES

- Hadi, Sutrisno. 1997. *Metodelogi Research*, Yogyakarta, Andi Offset.
- Mth, A. (2006). Menimbang Signifikansi Perda Syariah Islam (Sebuah Tinjauan Perspektif Fikih). *Al-Mawarid: Jurnal Hukum Islam*, 16.
- Mutmainnah, N. N. M. N. N. (2019). Telaah Terhadap Efektivitas Perda Bernuansa Syariah Era Reformasi. *Jurnal Publikasi*, 1(1).
- Redaksi. (2021, Mei 19). *Ormas dan Tokoh Agama "Tanda tangan menyetujui Larangan Pesta Malam*. Dipetik Oktober 10, 2022, dari <https://www.metrosumsel.com/ormas-dan-tokoh-agama-tanda-tangan-menyetujui-larangan-pesta-malam/>
- Redaksi. 2021. *Bupati Musi Rawas Utara, Melarang Keras Pesta Malam di Kabupaten Musi Rawas Utara (MURATARA)*. Di akses dari <https://mediacakrawala.net/2021/05/17/bupati-musi-rawas-utara-melarang-keras-pesta-malam-di-kabupaten-musi-rawas-utara-muratarata/> (7 mei 2022)
- Silalahi, Dian Hardian. 2020. *Penanggulangan Tindak Pidana Penyalahgunaan Narkotika*. Sumatera Utara: CV Enam Media.
- Tasmalinda. 2021. "Buntut Blokade Jalinsum Tolak Larangan Pesta Malam, Kades Diperiksa Polisi" <https://sumsel.suara.com/read/2021/05/19/171004/buntut-blokade-jalinsum-tolak-larangan-pesta-malam-kades-diperiksa-polisi>. (4 juni 2021)
- Wahyu, Dandi. 2021. *Larangan Pesta malam dimuratarata*. <https://coganews.co.id/2021/03/12/larangan-pesta-malam-di-muratarata-ini-tanggapan-pemuda/>, (7 juni 2021)