

Manifestation of Sharia Regional Regulations in Managing Social Morality

Muhammad Sabir¹, Nazaruddin²

¹Institut Agama Islam Negeri Parepare
e-mail: muhammadsabir@iainpare.ac.id

²Institut Agama Islam Muhammadiyah Sinjai
e-mail: nazarsanrego@gmail.com

Received: 27-04-2021

Revised: 02-11-2021

Accepted: 05-11-2021

Abstract: *This study discuss about the manifestations of syariah perda in managing of sosial morality. The type of this research is a qualitative descriptive using the sociological, historical and normative juridical approaches. The results of this study suggest that the sharia regional regulations are established based on the Koran and hadith. In the history of its formation, it is inseparable from the formation of national law by observing the three periods of its formation, especially regarding regional autonomy. It is also necessary to understand that if you look at the position of regional regulations, especially sharia regulations by looking at the legal system in force in this country, it can be understood that Islamic sharia has an important position in the formation of law in Indonesia. This regulation aim of safeguarding and protecting the dignity of the community. Although there is opposition and rejection of it, this rule is in accordance with the national legal system and makes a great contribution to managing people's lives. Because one of the functions of law is to regulate or control the actions and behavior of the community so as not to do actions that are detrimental to themselves and to the surrounding community.*

Abstrak: Penelitian ini membahas tentang manifestasi perda syariah dalam pengelolaan moralitas sosial. Jenis penelitian ini adalah deskriptif kualitatif dengan pendekatan yuridis sosiologis, historis dan normatif. Hasil penelitian ini menyarankan agar peraturan daerah syariah dibentuk berdasarkan Al-Qur'an dan hadits. Dalam sejarah pembentukannya, tidak terlepas dari pembentukan hukum nasional dengan memperhatikan tiga periode pembentukannya, khususnya mengenai otonomi daerah. Perlu juga dipahami bahwa jika melihat posisi peraturan daerah khususnya peraturan syariah dengan melihat sistem hukum yang berlaku di negara ini, maka dapat dipahami bahwa syariah Islam memiliki posisi penting dalam pembentukan hukum di Indonesia. Peraturan ini bertujuan untuk menjaga dan melindungi harkat dan martabat masyarakat. Meskipun ada penentangan dan penolakan, aturan ini sesuai dengan sistem hukum nasional dan memberikan kontribusi besar dalam mengatur kehidupan masyarakat. Karena salah satu fungsi hukum adalah mengatur atau mengontrol tindakan dan perilaku masyarakat agar tidak melakukan tindakan yang merugikan diri sendiri dan masyarakat sekitar.

Keywords: *Manifestation, Regional Regulation, Syariah, Morality.*

INTRODUCTION

The development of Islamic sharia regulation should be a concern among the public. All Muslims believe that Sharia law is a teaching to solve all kinds of

national crises and can heal problems that afflict all mankind, this is based on everything that is very broad and applies throughout the ages. especially in the political and economic fields as a contributing factor. Then, a fact that

cannot be separated from the belief of Muslims is to implement Islamic law, so the teachings of Islam in the form of Kaffa have been implemented. Topo Santoso argues that the enforcement of Islamic law is like Muslims who realize that the West comes from the rational use of many laws (Santoso, 2003). At the same time, Islamic law cannot be separated from the use of the Qur'an and the Prophet's Hadith as absolute sources of law. it can be understood that there are differences between the two in terms of the basis for giving birth to a legal product. Western law prioritizes ratios in determining its law while Islamic law is based on the Qur'an and Hadith.

The presence of Islamic law in the public through local rules and regulations is the goal and expression of Islam and the legalization of Islam through Islamic regulations is a new phenomenon. People who support Islamic law dare to follow this approach after they have failed in setting the national agenda by using Islamic Sharia, Muslims believe that they can fulfill the five basic human needs in living their lives namely keeping religion, soul, intellect, wealth, and their lineage issues. As a result of these basic needs, Muslims consider it necessary to comply with Islamic law in order to protect these needs. So that the implementation of Islamic sharia is carried out by formulating regional laws. (Efrinaldi, 2014)

It should be noted that local regulations are the result of decentralization policies from the center to the regions, which of course are the result of democratic values. Democracy is the process of transforming an authoritarian government into a democratic government order (Imawan, 2005) With this policy, the concept of regional

autonomy can be implemented. so that regional autonomy is never achieved without central decentralization and decentralization can only be achieved through the implementation of regional autonomy.

According to Mahfud Md, in 1999 was the year when regional autonomy began, this has created a strong desire for a region to organize and manage its territory in accordance with the wishes of the local community. The presence of the Regional Government Law Number 22 of 1999 as a sign of the implementation of regional autonomy. In subsequent developments, this regulation was amended and revised into regulation Number 32 of 2004 concerning Regional Government (Mardiyanti, 2015). Even though this change occurred, it was still in accordance with the previous law which made a paradigm shift in an area from a centralized pattern to a decentralized government.

There are many studies that discuss the Sharia Regional Regulation as stated by Wasisto Raharjo Jati that the existence of this rule is a politicization in the fulfillment of political rights and political support to attract support from the community (Jati, 2013). Then the research conducted by Sukron Kamil and friends suggested that the emergence of Sharia Regional Regulations has a long way to go and various obstacles in its implementation until now there are more than 50 city districts that have Sharia Regional Regulations, but in the research it is also stated that there are several Sharia Regional Regulations which contain the rules. contains discrimination against women's rights, civil rights and the rights of minorities. (Kamil et al., 2007)

When looking back at history, speaking of sharia regulations in the

application of this regional regulation has become a scientific and controversial issue among the public, some of them support it and some others reject it. Those who reject the implementation of sharia regulations consider this to be contrary to the applicable national legal system, the rejection is quite justified if you see that the State of Indonesia is a state of law. On the other hand, supporters of the implementation of sharia regulations believe that it is a social tool to eradicate various social problems and diseases such as immorality and gambling which leads to the decline of public morality. It is possible that their high hopes with the existence of local rules of Islamic law by small communities actually demoralize the nation. (Nazifah, 2017)

From the description above, the author is interested in studying the manifestation of regional regulations shari'ah nuances in managing public morality. Because in its formation there are trade-offs and rejections among the social on the grounds that it is against the legal order in Indonesia. So, in this study, it provides a clear picture that Sharia regional regulations have a position and their formation is appropriate, does not conflict with other regulations and contributes to regulating society in a better direction.

RESEARCH METHODS

As for the method of this research is descriptive qualitative research using several approaches that sociological, historical and normative juridical. to analyze existing phenomena or problems in order to answer these problems. The main object of this research is Sharia Regional Regulations, taking into account the many existing Regional Regulations,

the object of research is limited to a few aspects so that it is focused on Sharia Regional Regulations only then regarding legalization or its formation and seeing how this Sharia Regional Regulation is in managing public morality.

RESULT AND DISCUSSION

Essensial Sharia Regional Regulation

A regional regulation is a regulation that is determined by a certain authority, namely the regional head through the approval or agreement of the members of the regional DPRD, then the regulation must meet formal requirements so that the regional regulations that have been set have binding legal power and power for the community.

Referring to the linguistic meaning of the word shari'ah taken from the word shari'ah in Arabic which has the meaning of a road or source to a spring. While the word is based on the word syara'a which means determined or determined (Panggabean, 2004). if the word sharia is translated into regulations into sharia regional regulations, it means that a rule contains Islamic values or principles whose foundation is from the texts (Quran, Sunnah) that are applied to an area. Sharia regional regulations is the lowest in the legal order in Indonesia.

The term sharia which is generally understood by people when discussing sharia principles in the study of Islamic law with sharia in the study of sharia regulations is not the same, there is a slight difference if studied in depth. The term shari'ah is distinguished between a literal or narrow meaning and a broad meaning. Shari'ah narrowly refers to revelations or hadiths dealing with legal matters Meanwhile, in the broadest sense,

it is revelation or hadith related to aqidah, law and ethics. In this case, Sharia means the textual of all Islamic teachings.

On the side of the sharia regulation, it is understood that its users refer to the meaning in a literal sense. However, this definition is still different, because shari'ah refers to the text of revelation or hadith without human intervention in the sense that the dalalah is pure or qathi dalalah. While sharia regulations are not words of revelation or hadith, but are already an understanding or interpretation of the text, at least the translation of the text contains human intervention or interpretation in formulating the law.

The product of human thought in determining the law is no longer referred to as shari'ah. Rather, it is named as fiqh in the study of Islamic law. The word fiqh is a discipline that is popular among Muslim thinkers as a result of the ijti'ah of scholars which refers to the arguments of the Qur'an and hadith. In the context of national life, the results of ijti'ah are used as positive law based on the agreement of the legislature's policy makers. The law is called qanun, which in Indonesian is called legislation (Zulkifli, 2018)

Islamic law is divided into two categories in terms of worship and its application when viewed in general terms. In terms of worship, Islamic Sharia law regulates all aspects related to a servant and his creator. Then, in terms of the application of Islamic law, it regulates social relations between one human being and another, and regulates the relationship between humans and citizens with the head of state. (Panggabean, 2004)

There are several groups claiming to be representatives of Islam who hope to implement Islamic law. Each group has different goals to fulfill its aspirations.

Nonetheless, both want to comply with sharia law and only follow sharia law when sharia law is legalized under Indonesian law, and some groups believe they will establish a caliphate through the development of sharia law (Sihbudi, 2004).

The culture of the Indonesian nation, which is diverse in nature, is a serious challenge that must be faced to harmonize Sharia law. Muslims should not use Sharia law, but on the one hand dismiss the culture that has been embedded in each region. There is a crucial problem in the implementation of sharia law, namely when dealing with social problems that tend to change such as the face of sharia law which tends to follow the Arab tradition so that it is formed into an elegant, flexible, and not scary law.

Basically, sharia regulations in positive law in this country are not explicitly stated in their existence, because the Constitution only implies that a regional government has the right to stipulate a regional regulation and other regulations as a form of implementing autonomy and auxiliary duties. The meaning stated in Law number 10 of 2004 concerning the formation of legislation, in this regulation there is no sharia regulation but only regional regulations. Even in regulation Number 12 of 2011 the term sharia regulations is not found, it only contains provincial and district or city regulations. However, it should be understood that even though there is the word syarait in the regulation, it does not mean that it is a provision of Islamic law but only biased regulations, only that the content material contains Islamic religious values.

History of Regional Regulation Legislation and Sharia Regional Regulations

1. History of Regional Regulation Legislation

Looking back at the history of the formation of Indonesian Regional Regulations, of course talking about regional autonomy, because both have historical links in their formation. There are three periods of Indonesian history in formulating regional regulations, namely: first, the colonial period. Second, in the post-colonial period. Then Third in the reform era (Permata, 2007). The explanation is briefly as follows:

a. Colonial Period

The issuance of Decentralisatiewet by the Dutch government in 1903 which provided an opportunity to establish government departments with their own government financial capabilities (HR Syaukani, 2007). Then in 1922, the Dutch colonial issued a new law called Wet Op The Bestuurshervorminn. With this new regulation, many Provincie, Regentschap, Stadsgemeente and Groepmeneenschap were formed and all replaced Local Resorts. As well as the formation of several regions with the stipulation of the Ordonantie (HR Syaukani, 2007). In addition, events that are very thick in inheritance are the tendency to concentrate power in the center of government and the multilevel model of government in regional government. So that in the practice of managing Indonesian government, this is still very thick.

Then moving on to the next occupation, namely with a strong military force, Japan has invaded the entire East Asian region starting from North Korea to China, then having an impact on the islands of Java and Sumatra. The Japanese government's occupation lasted only about three and a half years in 1941-194. Nevertheless, it is clear that there has been a fundamental change in the regional

administration of the former Dutch East Indies.

b. Post-Colonial Period

This period is divided into several periodizations of the application of regional government, firstly: when the regulation Number 1 of 1945 comes into force, according to this law there are several things that need to be considered about the government system, namely that the government at the top level has the right to oversee the government system. hierarchy of government units at lower levels. Then the perspective and work of local governments that still follow the legacy of the previous colonial government. Furthermore, it should also be noted that there is a dualism in the administration of regional government, on the one hand the government agency is led by a regional head, on the other hand the Regional People's Representative Body has the same authority even though the chairman is a regional leader. Second, when regulation Number 22 of 1948 came into force, according to this law, autonomous regions could be divided into two main groups, namely: ordinary regions and special or special regions called special regions, because the election of a regional head is in the process of direct appointment by the president.

c. Reformasion

The reformation period was the time for the fall of the new orde. Tremendous changes have occurred in social and political terms since the 1998 political reforms. Since the enactment of regulation Number 29 (regarding local government) in 1999, that regulkation was then amended to become regulation number 32 of 2004 until it was amended again to number 23 of 2014 for the second time. And the existence of regulation Number 25 of 1999 concerning Financial Balance

between the Central and Regional Governments has been revised into regulation Number 33 of 2004. However, the fact that must be understood is that even though there are fundamental changes in the administration of regional government, in essence it still refers to the concept of a unitary republic (Subarno, 2007).

2. The History of the Emergence of Sharia Regional Regulations

When looking at the aspects of the stages of constitutional legislation, the revival of Islamic Shari'ah regulations, there are three stages or phases of efforts to formalize Islamic law. The three stages will be described and explained as follows: (Indrayana, 2005)

The first stage is the stage of constitutionalization of Islamic law. This stage takes place in three processes of constitutional formulation, the issue of the relationship between Islam and the State has always been an ongoing debate. In the constitutionalization of Islamic law in 1945, the formation of the Jakarta Charter contained a famous sentence, namely the obligation to carry out Islamic law for its adherents. The sentence was originally part of the preamble, then in 1956-1959, there was an attempt to re-establish Islam as the basis of the State and return the sentence to the constitution. However, there was a failure after President Soekarno intervened with a presidential decree 5 July 1959. Furthermore, in 1999-2002, the attempt to re-add this sentence in the constitution was again rejected due to the lack of political support in the MPR and support from the public. (Jati, 2013)

Furthermore, the second stage is the formalization of Islamic sharia at the legal level that applies Islamic values, especially through the enactment of Law Number 1 of 1974 concerning Marriage

which further amends Law Number 16 of 2019. Legislation of Islamic law can also be seen in the enactment of Law Number 44 of 1999 concerning the Privileges of the Special Region of Aceh and the Law on the Special Autonomy of the Province of the Special Region of Aceh. In the regulations that exist in the Aceh region, in addition to strengthening the rule of law, it is also a way for the formal application of Islamic law in one of the provinces in Indonesia (Habibi, 2016)

The third stage is the application of Islamic law into local regulations (regional regulations). So it can be understood that at this stage the application of Islamic Shari'a regulations has been applied to other areas.

The Position of Sharia Regional Regulations in The National Law System.

It should be understood that the State of Indonesia applies three legal systems, namely, western law, customary law and Islamic law. all Indonesian people must obey the law of all laws that have been set. The three legal systems are a standard source for the development and development of national law. So that Islamic law which is one part of the legal system and becomes the raw material, the national legal pillar has a constitutional position. Given the diverse legal system in Indonesia, the existence of all existing regulations cannot be separated from the legal system, in this case including regulations based on Islamic sharia principles such as regional regulations with sharia nuances. However, all regulations that will be formed must be in line with the goals and ideals of the nation. (Na'imah & Mardhiah, 2017)

On the basis of the right to internal autonomy or the principle of the right to self-determination, and to manage their

own regional affairs, it can be understood that there is an authority to make regulations and manage the region. This is based on the regulation in Article 18B of the 1945 Constitution as the constitutional basis for the implementation of special autonomy. The Aceh region is a special autonomy with the privilege of being able to implement its own legal system, although in its formation it must not deviate from the objectives of national law because it is in the national legal system of the Unitary State of the Republic of Indonesia which is based on Pancasila and the 1945 Constitution. In formulating a rule, it is necessary to pay attention to the principle of legal hierarchy order with the principle of *lex superior derogat lex inferior* that lower levels of legislation should not conflict with the hierarchy of higher norms and legal regulations. (Na'imah & Mardhiah, 2017)

There is clarity in the position of shari'ah regulations in the legal hierarchy, although it is not explicitly stated in shari'ah regulations, the Article 7 of regulation Number 12 of 2011 only states the existence of provincial, district or city regulations. Therefore, the position of regional regulations with shari'ah nuances at the level of legislation remains the same as the affirmation of the law as well as arguments about the right to regional autonomy.

This can be seen in the function of regional regulations which are required to be in line with the principles in the implementation of regional autonomy. The principle is as an organizer of regional autonomy and as an assistant task, as a further elaboration of regulations with a higher status by looking at and referring to the specifics or characteristics of a region, as an organizer of regulations on a matter that is not contrary to the public

interest and as an organizer of regulations that are not contradictory. on regulations that are above status.

Apart from that, it can also be seen the regulations regarding the limits of the authority of local governments in organizing and implementing their government, namely in Article 10 paragraph 1 of Law Number 23 of 2014 concerning Regional Government. These limits include: foreign policy, defense, security, justice, national monetary and fiscal, and religious issues. So it is clear that the limits of government that are prohibited from being centralized to local governments are clear.

Questioning the limits of authority based on the above regulations regarding religious issues cannot be centralized to local governments. Generating an understanding that sharia regulations are a religious issue, if so, the formation of sharia regulations is prohibited. Based on the explanation of Article 10 paragraph 1, what is meant by religious affairs are matters relating to the determination of religious holidays, giving acknowledgment to the existence of a religion, and other stipulations related to religious affairs. (Suryani, 2014)

On the one hand, it can be understood that it is a very good arrangement not to delegate religious matters to local governments in accordance with the above-mentioned laws, but according to the 1945 Constitution, local governments have the authority to formulate regional regulations and other regulations. which regulates autonomy and co-administration, so that it is considered a gap in the formation of laws that are considered appropriate for the designation of each region and based on the aspirations of the people of a region. This

is in accordance with local government laws and regulations, regional regulations have been prepared in the context of regional autonomy which regulates provinces, districts and cities and assistance tasks. The formation of a regional regulation is an elaboration of other regulations to further improve laws and regulations at a higher level, as well as law number 12 of 2011 concerning the formation of laws and regulations that this regulation implies that the content of local regulations in the context of implementing regional autonomy and assistance task. And in order to accommodate the special conditions of an area based on the characteristics of each region. (Semjan Putra, 2019)

Looking at the nature of the meaning of Pancasila in the first precept, it gives confidence that the entire universe is harmoniously intertwined, that it was created by Allah SWT and humans are also His creations. And the end of this journey of life only returns to the creator of all things. Therefore, it is human need to fear and serve God.

According to Islamic teachings, it is obligatory for every adherent to comply with Islamic Sharia, while others must respect it. So that mutual respect and respect is formed between them and the implementation of the rules of Islamic Shari'a which is the dream of every Muslim to function as desired. Apart from that, Islam teaches its adherents to command goodness and forbid evil, which in the end can be said that the application of Islamic Shari'a in this way is the embodiment of the principle of Pancasila, the fulfillment of God's commands in the first precept.

However, seen in the application of Islamic law as the embodiment of these precepts, it cannot be separated from other

principles in Pancasila, such as harmony, moral principles, and the principle of harmony. The implementation of sharia regulations maintains the harmony of the national legal system based on Pancasila and the 1945 Constitution. Must remain guided by national laws and regulations both materially and formally.

Manifestation of Sharia Regional Regulations

The true nature of regional autonomy is an autonomous grant based on factors, calculations and policies that are able to guarantee that the region has no doubts in running or managing its own region from all aspects. as the purpose of granting autonomy is to accelerate development that reaches every corner of the country, is in harmony and harmony and does not conflict with the Guidelines for State Policy, politics and national unity, the establishment of good relations between the central and regional governments and also guarantees regional development without exceptions and requirements. A unitary state is characterized by a democratic government if regional autonomy is implemented effectively in order to strengthen the interests, benefits, and justice of the people. including the authority to formulate local regulations and the administration of their government which prioritizes the interests of the community in general. (Firdaus, 2011)

In addition, the dynamics of openness in the current period, there are various Islamic organizations that are again determined to implement Islamic law. Until there is an effort to incorporate sharia into national laws and regulations at the center, even at the regional level, there has been a distribution of public aspirations for the implementation of

sharia-based regulations. Even though in reality there is a tug of war, rejection and acceptance among the community. (Suharso, 2006)

Indonesia generally guarantees freedom of religion based on the Constitution and various existing laws. Such as Article 28E of the 1945 Constitution Paragraph 1 and Article 29 of the 1945 Constitution Paragraph 2. The Indonesian Constitution not only protects freedom of religion, but also protects every religion from all forms of discrimination. It should also be understood that Islamic Shari'ah regulations only apply to adherents of the Islamic religion. Apart from them it does not apply. The regulation does not apply as that everyone before the law has the same position, which is clearly very discriminatory if it is enforced because the principle is not fixed. (Ahmad Muhlasul, 2017)

Some of the rules contained in regional regulations that have sharia nuances such as the prohibition of gambling, pornography and action porn and liquor are also basically regulated in a higher law position, namely in the Criminal Code. it can be understood that there is no difference between Islamic law and positive law. The implementation of the provisions of Islamic law in various regions is nothing more than an effort to strengthen what has become local culture and make existing norms into current rules.

Several types of regional regulations with sharia nuances are made by local governments in Indonesia, namely: (1) regional regulations that regulate public morality such as regulations that prohibit adultery and prostitution (2) local regulations that regulate how to look like the obligation to wear the hijab for women

appropriately and politely (3) local regulations that regulate skills or intelligence in practicing religion, such as being good at reading and writing the Qur'an, (4) and finally the local regulations governing social society such as the collection and distribution of zakat, infaq, and shadaqah.

Although there are pros and cons in the formation of a sharia-based regional regulation, in the author's opinion, its existence is a necessity to improve the morality of the community and as a moral bulwark so that the community does not fall into heinous and immoral acts.

The above types of regional regulations have been made by several regions of Indonesia to maintain and organize the morality of the people in an area. As the previous explanation, with the provision of regional autonomy by the central government to regional governments, regional governments have the right and authority to regulate their regions, including in the formulation and formation of laws, especially regional regulations with sharia nuances (Sumanto, 2018). The formation of these types of rules is considered important in the context of fostering and supervising the community so that they can live a social life safely, peacefully, and for the benefit of the community so as not to fall into disgraceful acts that reflect immoral humans, making the community a noble, responsible, wise person. to be liked and loved by fellow humans and Allah SWT.

CONCLUSION

Shari'ah regional regulations are regulations whose formation is taken from Islamic values or norms, namely the Qur'an and hadith which are applied in certain areas. And in each region there are

different regulations such as prohibitions on gambling, prostitution, and liquor and others. The difference is due to the freedom of each region or regional autonomy to regulate the region provided that it does not conflict with the regulations of a higher position.

In the history of the formation of regional regulations and sharia regulations, it is inseparable from the formation of national law, marked by 3 periods, namely the colonial, post-colonial and reform periods, and especially concerning the administration of regional autonomy. Every regulation that has been set by the government certainly has controversy. There are those who support and there are those who refuse. The refusal was due to several things, namely differences in viewing Islam, differences in legal sources, religious and nationalist controversies, Islamic and non-Islamic controversies, and many more.

Looking at the position of regional regulations, especially sharia regulations in the legal order in Indonesia by looking at the legal system in force in this country, it can be understood that Islamic law as outlined in the form of regional regulations has an important position in the formation of law in Indonesia, especially by looking at the principles contained in the first precepts of Pancasila.

Even though there are contradictions and rejections of the presence of the Sharia Regional Regulation among the public, this rule is in accordance with the national legal system which makes a great contribution to managing people's lives. Because one of the functions of the law is to regulate or control the actions and behavior of the community so as not to do actions that are detrimental to themselves and to the surrounding community.

REFERENCES

- Ahmad Muhlasul. (2017). DISKURSUS PEMBANGUNAN MANUSIA DALAM PERDA SYARI'AH. *Sosiologi Reflektif*, 11(2).
- Efrinaldi. (2014). Perda Syariah Dalam Perspektif Politik Islam Dan Religiusitas Umat Di Indonesia. *Madania: Jurnal Kajian Keislaman*, 18(2).
<https://www.mendeley.com/viewer/?fileId=77e9760a-fe5b-e093-500a-8e101a3915db&documentId=c5017f34-269e-3bbe-847b-85fb7e5b473b>
- Firdaus, R. (2011). Konsep Maslahat di Tengah Budaya Hukum Indonesia.". *Al-Manahij: Jurnal Kajian Hukum Islam*, 5(1), 53-65.
- Habibi. (2016). MENINJAU PERKEMBANGAN PERDA SYARIAH DI INDONESIA Habibi Dosen Fakultas Syariah dan Ilmu Hukum IAIN Padangsidimpuan. *EL-QANUNIY: Jurnal Ilmu-Ilmu Kesyarifan Dan Pranata Sosia*, 2, 82-94.
- HR Syaukani, D. (2007). *Otonomi Daerah Dalam Negara Kesatuan*. Pustaka Pelajar.
- Imawan, R. (2005). *Desentralisasi, Demokratisasi dan Pembentukan Good Governance, dalam Syamsudin Haris (Ed.), Desentralisasi dan Otonomi Daerah:Desentralisasi, Demokratisasi, dan Akuntabilitas Pemerintahan Daerah*, (2nd ed.). LIPI Press,.
- Indrayana, D. (2005). *Kompleksitas Peraturan Daerah Bernuansa Syariat: Perspektif Hukum Tata Negara*. In *Seminar on Public Policy and People's Participation in the Era of Regional Autonomy: A Case Study of Bylaws with Religious Dimensions*. 1.
- Jati, W. R. (2013). Permasalahan implementasi perda syariah dalam

- otonomi daerah. *Kajian Hukum Islam*, 7(2), 305–318. <http://ejournal.iainpurwokerto.ac.id/index.php/almanahij/article/view/571/511>
- Kamil, S., Prihatna, A. A., Helmanita, K., Muslimin, J., al-Makassary, R., Bakar, A. A., & Alawiyah, T. (2007). *Syariah Islam dan HAM: dampak perda syariah terhadap kebebasan sipil, hak-hak perempuan, dan non-muslim*. 384. <http://103.229.202.68/dspace/handle/123456789/35171>
- Na'imah, H., & Mardhiah, B. (2017). Perda Berbasis Syari'ah dan Hubungan Negara-Agama dalam Perspektif Pancasila. *Mazahib*, 15(2), 151–167. <https://doi.org/10.21093/mj.v15i2.623>
- Nazifah. (2017). POLITISASI PERATURAN DAERAH SYARIAH DALAM BINGKAI PLURALISME INDONESIA. *Jurnal LEX SPECIALIS*, 21, 1–21.
- Panggabean, T. A. A. dan S. R. (2004). *Politik syariat Islam: dari Indonesia hingga Nigeria*. Pustaka Alvabet.
- Permata, A. N. (2007). Perda Syariah Islam, Rekayasa Institusional Dan Masa Depan Demokrasi. *Jurnal Ijtihad*, 7(1).
- Santoso, T. (2003). *Membumikan Hukum Pidana; Penegakan Syari'at dalam Wacana dan Agenda*. Gema Insani.
- Semjan Putra, A. M. (2019). Perda Syariah Dalam Tinjauan Konstitusi, Fakta Sejarah Dan Aqidah Islam. *Al-MAJALIS*, 6(2), 153–195. <https://doi.org/10.37397/almajalis.v6i2.117>
- Sihbudi, E. T. dan M. R. (2004). *Islam dan Radikalisme di Indonesia*. LIPI.
- Subarno, H. (2007). *Untaian Pemikiran Otonomi Daerah Memandu Otonomi Daerah Menjaga Kesatuan Bangsa*. Sinar Grafika.
- Suharso, P. A. M. (2006). Pro Kontra Implementasi Perda Syariah (Tinjauan Elemen Masyarakat). *Al-Mawarid Journal of Islamic Law*, 180–190.
- Sumanto, D. (2018). Hukum Adat Di Indonesia Perspektif Sosiologi Dan Antropologi Hukum Islam. *JURIS (Jurnal Ilmiah Syariah)*, 17(2), 181. <https://doi.org/10.31958/juris.v17i2.1163>
- Suryani, I. (2014). Legislasi Syari'at Islam Melalui Perda Syari'ah. *Juris*, 13(2), 165–174.
- Zulkifli, Z. (2018). Tuntutan Keadilan Perspektif Hukum Islam. *JURIS (Jurnal Ilmiah Syariah)*, 17(1), 137.