



Shariah in Action: Assessing the Impact of Jinayat Law on Social Order in Aceh

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Abstract: This research aims to examine in depth how the application of Qanun Jinayat in Aceh affects the dynamics of social order in the community. With a qualitative approach based on case studies, this study explores the perceptions of various community groups including religious leaders, law enforcement officials, and vulnerable groups to understand the effectiveness, challenges, and social impacts of the implementation of sharia-based law. Data was collected through in-depth interviews, field observations, and focus group discussions in four strategic areas of Aceh, and then analyzed thematically with the help of ATLAS.ti software. The results of the study show that although the jinayat law contributes to a reduction in moral offenses such as gambling and alcohol consumption, its implementation is not uniform and still faces various obstacles, both technical, social, and legal. Concerns about discriminatory treatment of women and minority groups are also a major concern. Therefore, it is recommended that there be harmonization between qanun and national law and the strengthening of protection for vulnerable groups, so that the application of this law can take place fairly and inclusive in order to maintain social stability in Aceh.

Keywords: qanun jinayat; legal pluralism; Aceh.

Abstrak Penelitian ini bertujuan untuk mengkaji secara mendalam bagaimana penerapan Qanun Jinayat di Aceh mempengaruhi dinamika ketertiban sosial di masyarakat. Dengan pendekatan kualitatif berbasis studi kasus, penelitian ini mengeksplorasi persepsi berbagai kelompok masyarakat, termasuk pemimpin agama, aparat penegak hukum, dan kelompok rentan, untuk memahami efektivitas, tantangan, dan dampak sosial dari implementasi hukum syariah. Data dikumpulkan melalui wawancara mendalam, observasi lapangan, dan diskusi kelompok terfokus

di empat wilayah strategis di Aceh, kemudian dianalisis secara tematis dengan bantuan perangkat lunak ATLAS.ti. Hasil penelitian menunjukkan bahwa meskipun hukum jinayat berkontribusi dalam mengurangi pelanggaran moral seperti perjudian dan konsumsi alkohol, implementasinya tidak merata dan masih menghadapi berbagai hambatan, baik teknis, sosial, maupun hukum. Kekhawatiran tentang perlakuan diskriminatif terhadap perempuan dan kelompok minoritas juga menjadi perhatian utama. Oleh karena itu, rekomendasi penelitian ini agar dilakukan harmonisasi antara qanun dan hukum nasional serta penguatan perlindungan bagi kelompok rentan, sehingga penerapan hukum ini dapat berlangsung secara adil dan inklusif guna menjaga stabilitas sosial di Aceh.

Kata kunci: qanun jinayat; pluralisme hukum; Aceh.



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Introduction

Aceh, a province located in the far west of Indonesia, is known as the "Home of Mecca" because of the strong influence of Islam in its social and cultural life.¹ The long history of Aceh's struggle to obtain special autonomy in implementing Islamic law was realized through Law Number 11 of 2006 concerning the Government of Aceh.² This law gives Aceh broader authority to apply Islamic law in various aspects of life, including the criminal law system known as jinayat law.³

Qanun Aceh Number 6 of 2014 concerning Jinayat Law is the main legal basis for the application of Islamic law in the criminal realm in Aceh.⁴ This Qanun regulates various types of violations (*jarimah*) and their sanctions (*'uqubat*) based on the principles of Islamic law, including *khamar* (alcoholic beverages), *maisir* (gambling), *khalwat* (indecent acts), *ikhtilath* (intimate relations between men and women who are not mahram), adultery, sexual harassment, rape, *qadzaf* (accusing someone of adultery without being able to present four witnesses), *liwath* (homosexuality), and *musahaqah* (lesbian).

¹ R. Michael Feener, "Social Engineering Through Shari'a: Islamic Law and State-Directed Da'wa in Contemporary Aceh," *Indonesia Law Review* 3, no. 3 (2014): 285, <https://doi.org/10.15742/ilrev.v3n3.42>.

² Maskur et al., "The Symbolic-Compliance Gap and Public Perceptions of Sharia Law Enforcement in Aceh, Indonesia: Insights from Becak Drivers," *Journal of Asian Social Science Research* 6, no. 2 (2024): 2, <https://doi.org/10.15575/jassr.v6i2.121>.

³ Dicky Armanda et al., "Strategi Penerapan Qanun No. 6 Tahun 2014 Tentang Hukum Jinayah Di Aceh," *Asia-Pacific Journal of Public Policy* 7, no. 1 (2021): 18-28.

⁴ R. Michael Feener, "Engineering Transformations in the 'Religion-Development Nexus': Islamic Law, Reform, and Reconstruction in Aceh," *Religion* 51, no. 1 (2021): 40-57, <https://doi.org/10.1080/0048721X.2020.1792051>.

Recent scientific research has highlighted the uniqueness of the application of Islamic law in Aceh in the context of the global legal system.⁵ conducted a comparative analysis of regions that apply aspects of Islamic criminal law, finding that the Aceh model represents a unique hybrid system operating in a constitutional democracy while maintaining substantive adherence to the principles of Islamic law. In line with that,⁶ examining how Aceh's implementation differs significantly from other Muslim-majority areas by focusing on the post-conflict context and the arrangement of special autonomy.⁷

The application of jinayat law in Aceh has provoked various responses, both from the people of Aceh themselves and from national and international observers. On the one hand, the application of Islamic law is considered as a form of people's aspirations and efforts to uphold Islamic values in daily life.⁸ On the other hand, concerns have arisen about potential human rights violations, discrimination against minority groups, and their impact on pluralism in Indonesia's diverse society.

Recent studies by show that the implementation of jinayat law in Aceh has a significant impact on the reduction of certain crimes, especially those related to morality and decency.⁹ Analysis of criminal statistics before and after the implementation of Qanun Jinayat showed a consistent decline in cases such as gambling, alcohol consumption, and adultery. However, the study also revealed implementation challenges, including limited law enforcement resources and differences in interpretation of sharia provisions.¹⁰

In a broader context, the application of jinayat law in Aceh has implications for the relationship between religious law and state law in the Indonesian legal system.¹¹ Analyzes how the application of Islamic law in Aceh has created a new dynamic in the relationship between religious law and state law in Indonesia. The experience of Aceh is an important laboratory for understanding how a Muslim-majority country

⁵ Zainul Fuad et al., "Qanun Jinayat? Perkembangan Hukum dan Sosial Hukum Pidana Islam Di Indonesia," *Ilmu Sosial Cogent* 8, no. 1 (2022), <https://doi.org/10.1080/23311886.2022.2053269>.

⁶ Fachrizal Afandi and Ladito Risang Bagaskoro, "Islam and State's Legal Pluralism: The Intersection of Qanun Jinayat and Criminal Justice System in Indonesia," *Epistémé* 19, no. 1 (2024): 1-26.

⁷ Lukman Santoso, *Negara Hukum Dan Demokrasi Di Indonesia* (Arti Bumi Intaran, 2024).

⁸ Hasnil Basri Siregar, "Islamic Law in a National Legal System: A Study on the Implementation of Shari'ah in Aceh, Indonesia," *Asian Journal of Comparative Law* 3 (January 2008): 1-26, <https://doi.org/10.1017/S2194607800000156>.

⁹ Amsori Amsori and Jailani Jailani, "Legislasi Qanun Jinayat Aceh Dalam Sistem Hukum Nasional," *Ar-Raniry: International Journal of Islamic Studies* 4, no. 2 (2020): 221-56.

¹⁰ Fauzah Nur Aksa et al., "The Implementation of Qānūn of Jināyāt in Aceh: A Legal Point of View," *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum* 8, no. 1 (2023): 16-34, <https://doi.org/10.22515/alakhkam.v8i1.5896>.

¹¹ Mark Cammack and Michael Feener, *The Islamic Legal System in Indonesia*, SSRN Scholarly Paper ID 2192267 (Social Science Research Network, 2011), <https://papers.ssrn.com/abstract=2192267>.

like Indonesia can accommodate the aspirations of applying Islamic law without sacrificing the principles of rule of law and pluralism.¹²

This study specifically addresses some critical research gaps in the existing literature on the implementation of Islamic law in Aceh. First, while many studies have examined the legal framework and formal structure of jinayat law, less attention has been paid to its empirical impact on social order indicators such as crime rates, public compliance, and community cohesion. Second, as noted by ¹³, there is a significant methodological gap in quantitatively measuring the effectiveness of the implementation of Islamic criminal law in contemporary pluralistic societies. Their research framework emphasizes the need for a more rigorous empirical assessment using a mixed-methods approach rather than the purely doctrinal analysis that has dominated the discourse.

Third, previous research has explored the political dimension of the application of Islamic law, but inadequate attention has been paid to the daily life experiences of diverse members of society under this legal system. The study uses a bottom-up perspective that centers the voices of a wide range of stakeholders, including women, minority communities, and youth—groups whose perspectives remain underrepresented in existing studies of the implementation of jinayat law.¹⁴ In his ethnographic studies in various districts, he revealed significant variations in the ways in which different communities internalized and adapted to jinayat regulations. Continuing this work,¹⁵ documenting how rural communities often interpret jinayat provisions through the lens of existing customary practices, creates a dynamic hybrid understanding that may have deviated from official interpretations.

This study uses a qualitative approach to comprehensively examine the impact of the application of jinayat law on social order in Aceh. The study was conducted in four strategically selected areas: Banda Aceh, Lhokseumawe, Aceh Besar, and West Aceh. Data collection was carried out through in-depth interviews with various stakeholders, participant observations, and six Focus Group Discussions (FGDs) held between September-November 2024. Data analysis uses thematic techniques with the help of ATLAS.ti version 9.0, through a systematic coding process to identify themes and patterns in the data. By combining legal, social, and

¹² Aida Hayani, "Social Problems of Modern Society in Applying Islamic Law in Aceh : Tracing The Past Culture Society Aceh in The Manuscript," *Justicia Islamica* 15, no. 2 (2018): 2, <https://doi.org/10.21154/justicia.v15i2.1457>.

¹³ Muzakkir Muzakkir, "Dawn of Justice: Evaluating the Alignment of Women and Children in Aceh's Qanun Jinayat," *Al-Ahkam* 32, no. 2 (2022): 2, <https://doi.org/10.21580/ahkam.2022.32.2.12130>.

¹⁴ Salma et al., "The Other Side of the History of the Formulation of Aceh Jinayat Qanun," *Ahkam: Jurnal Ilmu Syariah* 22, no. 1 (2022): 83-110, <https://doi.org/10.15408/ajis.v22i1.21000>.

¹⁵ Muhamad Rusydan Fauzi et al., "The Existence of Qanun Jinayat : Legislative Efforts to Integrate Islamic Law into National Law," *As-Siyasi: Journal of Constitutional Law* 4, no. 1 (2024), <http://dx.doi.org/10.24042/as-siyasi.v4i1.20044>.

political analysis, this research has the potential to make a significant contribution to the academic literature on the implementation of Islamic law in the context of the modern state.

This research uses a qualitative approach to comprehensively examine the impact of the implementation of jinayat law on social order in Aceh. The choice of qualitative methodology is based on its ability to capture nuanced perspectives, contextual complexities, and lived experiences surrounding this socio-legal phenomenon. Through this methodological approach, the research not only uncovers observable impacts but also the meanings and interpretations that Acehnese people associate with jinayat law in their daily lives. This research employs a case study design focusing on four strategic areas in Aceh where jinayat law has been widely implemented: Banda Aceh (the urban administrative center), Lhokseumawe (an industrial urban area), Aceh Besar (a semi-urban area), and West Aceh (a rural regency). These locations were deliberately selected based on three main criteria: socio-economic diversity, varying levels of urbanization, and the intensity of implementation of various jinayat laws, allowing for analysis of how contextual factors influence the implementation process and social impacts in different situations.

Data collection was conducted through in-depth interviews, participant observation, and focus group discussions (FGDs). Interviews were conducted with stakeholders such as government officials, religious scholars, traditional leaders, academics, activists, and the general public, including vulnerable groups such as women and minorities. Observations were conducted in places such as the Sharia court and the Wilayatul Hisbah office to understand the dynamics of law enforcement directly.¹⁶ Meanwhile, six focus group discussions (FGDs) were held from September to November 2024, each focusing on a different group, such as youth, women, community leaders, legal practitioners, civil society organizations, and business actors. This FGD strategy aimed to explore collective perceptions and social dynamics that do not always emerge in individual interviews.

Data analysis was conducted thematically using ATLAS.ti software version 9.0. Data were analyzed concurrently with collection between August 2024 and January 2025, encompassing 43 interview transcripts, six FGD recordings, field observation notes, and other documents. The analysis process began with initial coding, followed by pattern coding, theme identification, and thematic network visualization. The initial results yielded 217 codes, which were then categorized into six main themes and 27 subthemes. Cross-case analysis was also conducted to compare findings across demographic groups and locations. To ensure validity, data

¹⁶ Jalaluddin et al., "The Role of Wilayatul Hisbah in Enforcing Sharia Law (Study of Policy Implementation Based on Aceh Qanun Number 6 of 2014 Concerning Jinayat Law in Aceh Besar Regency)," *Britain International of Humanities and Social Sciences (BioHS) Journal* 6, no. 3 (2024): 3, <https://doi.org/10.33258/biohs.v6i3.1193>.

and method triangulation, member checking, and peer debriefing were conducted. This approach aims to ensure the accuracy of interpretation and the thoroughness of analysis. The results of this study are expected to provide a more comprehensive understanding of the social impact of criminal law and assist in the formulation of more contextual and inclusive policies in Aceh.

Jinayat Law in Aceh: Legal Transformation in the Context of Legal Pluralism

The implementation of jinayat law in Aceh reflects the complexity of legal transformation that involves the interaction between sharia values, social structures, and law enforcement institutions. The formalization of the Jinayat law through the Aceh Qanun Number 6 of 2014 concerning the Jinayat Law has formed a unique legal landscape in the context of the Indonesian legal system.¹⁷ This transformation process is not just a change in regulations, but represents a complex negotiation between Islamic identity, regional autonomy, and the national legal framework.

This research reveals that the implementation of jinayat law takes place through strategic stages that aim to uphold the legitimacy of sharia in the public space of Aceh. The intensive socialization carried out by local governments and religious leaders is not only intended to be informative, but also seeks to construct a collective understanding of the urgency of jinayat law in shaping Aceh's identity as the "portico of Mecca".¹⁸ These findings suggest that the implementation process is a form of "social reconstruction" in which sharia values are translated into a formal-legal structure that can be enforced.

Institutional strengthening of the Sharia Court and *Wilayatul Hisbah* (sharia police) is a significant pillar of implementation. This process involves not only the expansion of jurisdiction, but also the transformation of legal practices that integrate sharia elements into judicial procedures. As revealed by a Syariah Court judge in an interview:¹⁹ "We are not only implementing new laws, but also building new paradigms. The integration of sharia principles in judicial procedures requires substantial contextual reinterpretation and institutional adaptation."

¹⁷ Sawaluddin Siregar and Dermina Dalimunthe, "Implementation of the Caning Law for Non-Muslims in the Aceh Sharia Court," *Al-Jinayah: Jurnal Hukum Pidana Islam* 10, no. 1 (2024): 1, <https://doi.org/10.15642/aj.2024.10.1.1-17>.

¹⁸ L.A. Krisna et al., "the urgency of harmonization of offense types in the qanun jinayat as an effort to avoid dualism in application of law," *Russian Journal of Agricultural and Socio-Economic Sciences* 112, no. 4 (2021): 15-21, <https://doi.org/10.18551/rjoas.2021-04.02>.

¹⁹ Reza, *Interview*, Meulaboh, 18 September 2024

Interestingly, this study identifies variations in implementation between regions in Aceh, which reflects the dynamics of internal legal pluralism in the implementation of sharia. In the cities of Banda Aceh and Lhokseumawe, implementation tends to be more structural and bureaucratic, while in West Aceh and Aceh Besar, implementation is more accommodating to customary mechanisms and local community preferences.²⁰ This phenomenon shows that the implementation of jinayat law is not monolithic, but rather negotiable in nature influenced by socio-cultural context and local political dynamics.

Contestation and Resistance: An Analysis of Implementation Challenges

The challenges of implementing jinayat law in Aceh do not only reflect technical or administrative obstacles, but also represent a fundamental contestation between various perspectives on the role of sharia in the public sphere.²¹ The limitations of resources and infrastructure identified in this study show the gap between the idealism of sharia formalization and the available institutional capacity.²² This phenomenon is in line with the concept of "decoupling" in the sociology of law, where there is a gap between formal rules and practical implementation.

This research reveals that the inconsistent interpretation and application of jinayat law reflects a complex negotiation process between various epistemologies of Islamic law. The difference in interpretation of the concept of khalwat, for example, is not only a technical disagreement, but reflects a contestation between conservative and progressive perspectives in understanding the limits of social interaction. An academic interviewed stated:²³ "The difference of opinion about the definition of khalwat is actually an epistemological battle about how to interpret religious texts in the context of modernity. This is a fundamental debate about sharia hermeneutics."

Resistance from some circles of society, especially young and urban groups, shows that the implementation of jinayat law also faces challenges of legitimacy in

²⁰ Hudzaifah Achmad Qotadah et al., "Problems With the Implementation of Qanun Aceh Number 6 of 2014 Concerning Jinayat Law," *Analisis: Jurnal Studi Keislaman* 22, no. 1 (2022): 111–32, <https://doi.org/10.24042/ajsk.v22i1.6556>.

²¹ Syahrizal Abbas et al., "Dynamics of Sharia Law Taqin in Aceh 2013-2017: Analysis of Regulative Policies and Social Reality," *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 9, no. 1 (2024): 269–89, <https://doi.org/10.22373/petita.v9i1.286>.

²² Nurini Aprilianda et al., "Analysis On Flagellation Imposed As A Sanction From The Perspective Of Child Protection," *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah* 9, no. 1 (2024): 324–39, <https://doi.org/10.22373/petita.v9i1.276>.

²³ Ihsan, *Interview*, Banda Aceh, 11 September 2024

an environment that is increasingly connected to global values.²⁴ An analysis of the findings of the FGD with youth groups in Banda Aceh revealed concerns that the rigid implementation of the jinayat law could hinder regional economic and social development. An FGD participant stated:²⁵ "We do not reject Islamic values, but we feel that rigid and non-contextual methods of implementation can isolate Aceh from global developments and hinder the social mobility of the younger generation."

The harmonization of jinayat law with the national legal system and customary law is a complex challenge that reflects the tension between the universalism of national law and the particularism of sharia law.²⁶ This phenomenon reflects what in socio-legal studies has been referred to as "legal pluralism in action"²⁷, in which various normative systems—sharia, customary, and national law—interact and influence each other in everyday practice.

The challenge of fair and non-discriminatory law enforcement revealed in this study shows that the implementation of jinayat law is inseparable from the power relations that exist in society.²⁸ The tendency to impose harsher on the lower class and women communities reflects how the formalization of sharia can strengthen, not reduce, existing social inequalities. This phenomenon illustrates what Bourdieu calls "symbolic violence", in which the legal system can legitimize and reinforce existing social hierarchies.

Reorienting the Dynamics of Crime: A Critical Perspective

The implementation of the jinayat law has brought about a significant transformation in the crime landscape in Aceh. The statistical data collected showed a substantial decrease in cases such as gambling (30%), consumption of alcoholic beverages (40%), and cases related to sexual morality (15-20%). However, this

²⁴ Faisal A. Rani et al., "Islam and National Law: A Formal Legal Review on Sharia Laws in Aceh," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 20, no. 1 (2020): 1, <https://doi.org/10.30631/alrisalah.v20i1.521>.

²⁵ Abdullah, *Interview*, Aceh Besar, 10 September 2024

²⁶ Muhammad Nasir and Hamdani Hamdani, "analysis of the settlement of the worship penalty against action of jinayah maisir's in Aceh," *Jurnal Geuthèë: Penelitian Multidisiplin* 5, no. 3 (2022): 3, <https://doi.org/10.52626/jg.v5i3.198>.

²⁷ Yogi Febriandi et al., "Seeking Justice Through Qanun Jinayat: The Narratives of Female Victims of Sexual Violence in Aceh, Indonesia," *QIJS (Qudus International Journal of Islamic Studies)* 9, no. 1 (2021): 1, <https://doi.org/10.21043/qijis.v9i1.8029>.

²⁸ Yuni Roslaili et al., "Why the Growth of Qanun Jinayah in Aceh Was Slowly? An Analysis Using Structural Functionalism Theory," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 21, no. 2 (2021): 2, <https://doi.org/10.30631/alrisalah.v21i2.928>.

phenomenon needs to be analyzed critically and contextually to understand the real dynamics behind these numbers.

The findings of this study indicate that the decline in the rate of formal crime does not fully reflect a reduction in violations, but rather also reflects a shift in the mechanisms of handling conflict and violation. As expressed by an indigenous leader in the FGD in Aceh Besar:²⁹ "Our society now prefers to resolve certain issues through customary mechanisms because the process is faster, contextual, and does not create social stigma as happens in formal judicial processes."

This phenomenon can be interpreted as a form of "forum shopping" in the context of legal pluralism, in which societies strategically choose the conflict resolution mechanisms that are considered most advantageous in a specific context.³⁰ It also reflects what in the study of legal anthropology is referred to as "semi-autonomous social fields," where local communities have the capacity to generate and enforce their own rules in the midst of the existence of a formal legal system.

Interestingly, the study also identified that the decline in crime was uneven across crime categories. Crimes related to moral offenses (such as *khalwat* and alcohol consumption) saw a significant decrease, while property and violent crime did not show a comparable decrease.³¹ This phenomenon raises questions about the effectiveness of *jinayat* law in promoting social order comprehensively. As stated by a respondent from among academics:³² "Excessive focus on moral offenses can divert resources and attention from the structural problems underlying violent and property crime, such as economic inequality and weak employment opportunities."

This analysis shows that the implementation of *jinayat* law has established a new "hierarchy of crimes" in which moral transgressions are considered a higher priority than conventional crimes.³³ This phenomenon reflects what in criminological studies is referred to as a "moral panic", in which high public concern over certain moral violations can prompt a disproportionate legal response compared to the actual threat to social order.

²⁹ Hanif Dahlan, *Interview*, Aceh Besar, 19 September 2024

³⁰ Franz von Benda-Beckmann, "Who's Afraid of Legal Pluralism?," *Journal of Legal Pluralism and Unofficial Law* 34, no. 47 (2020): 37–82, <https://doi.org/10.1080/07329113.2002.10756563>.

³¹ Muhammad Razi and Khairil Azmin Mokhtar, "The Challenges of Shariah Penal Code and Legal Pluralism in Aceh," *Jurnal Media Hukum*, December 31, 2020, 195–216, <https://doi.org/10.18196/jmh.20200151>.

³² Marza, *Interview*, Banda Aceh, 12 September 2024

³³ Syahrizal Abbas et al., "Dynamics of Sharia Law Taqin In Aceh 2013-2017: Analysis of Regulative Policies And Social Reality," *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 9, no. 1 (2024): 269–89, <https://doi.org/10.22373/petita.v9i1.286>.

Reconfiguration of Social Behavior: An Analysis of Adaptation Dynamics

The implementation of the jinayat law has triggered a significant reconfiguration in the social behavior of the Acehnese people. The ethnographic analysis conducted in this study reveals that this reconfiguration is not simply a reflection of compliance with formal rules, but rather a complex adaptation process that involves negotiations between traditional values, religious imperatives, and contemporary socio-economic realities.

This study identified an increase in the visibility of religious practices in public spaces, including the use of sharia-compliant clothing and participation in religious activities. This phenomenon is reflected as "impression management", in which individuals strategically display piety in public spaces in response to social expectations and institutional pressures. As expressed by a female respondent from Lhokseumawe:³⁴ "A change in the way you dress doesn't always reflect a change in internal beliefs. For many women, this is a pragmatic adaptation to social expectations and new legal realities."

An interesting finding of this study is the identification of creative adaptation practices developed by the community in navigating the limits of the law of jinayat. The phenomenon of "halal tourism" among youth,³⁵ for example, reflects how certain groups are developing strategies to meet the need for expressive freedom while still operating within existing normative frameworks. This practice is in line with the concept of "tactics" in social practice theory, in which less powerful groups develop creative ways to navigate and modify the structures imposed on them.

This research also reveals changes in gender and family dynamics in response to the implementation of jinayat law.³⁶ The phenomenon of increased pressure for early marriage among young people reflects how formal legal norms can trigger changes in fundamental social institutions such as marriage. As one female activist expressed at the FGD in Banda Aceh:³⁷ "The application of strict khalwat rules indirectly encourages early marriage as a 'legal solution' for young couples. This

³⁴ Desi, *Interview*, Lhokseumawe, 2 Oktober 2024

³⁵ Lukman Santoso et al., "Halal Tourism Regulations in Indonesia: Trends and Dynamics in the Digital Era," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (2022): 1, <https://doi.org/10.18326/ijtihad.v22i1.73-94>.

³⁶ Khairul Hasni, "Qanun Jinayat And Sharia Police: A New Violence In The Context Of Gender In Aceh Indonesia," *Musāwa Jurnal Studi Gender Dan Islam* 19, no. 2 (2020): 2, <https://doi.org/10.14421/musawa.2020.192-187-203>.

³⁷ Nora, *Interview*, Banda Aceh, 13 September 2024

poses new risks related to school dropouts and psychological unpreparedness that can have a long-term impact on the well-being of women and children."

The transformations in the economic and business sectors identified in this study—such as the adaptation of the tourism and entertainment industries—illustrate how jinayat law not only affects individual behavior, but also reshapes the institutional landscape. This phenomenon reflects what in economic sociology is referred to as the "embeddedness" of economic activity in social and regulatory contexts, where changes in the normative framework trigger adaptations in business practices and market orientation.

Fragmentation of Public Discourse: An Analysis of Discursive Positions

Analysis of public perception of the implementation of jinayat law in Aceh reveals a fragmentation of discourse that reflects diverse ideological, epistemological, and pragmatic positions in society.³⁸ The study identifies at least three main discursive positions: conservative-traditionalist, moderate-progressive, and critical-reformist, each of which articulates a different narrative about the meaning and implications of jinayat law.

Conservative-traditionalist groups, which mainly consist of traditional clerics and rural communities, construct a narrative about jinayat law as a manifestation of the "Islamic authenticity" and "historical continuity" of Acehnese identity. In this discourse, jinayat law is positioned as an instrument to uphold public morality and maintain social coherence in the midst of globalization. As expressed by a religious leader in an interview in West Aceh:³⁹ "The jinayat law is our last bastion in the face of moral and cultural erosion brought by modernization and globalization. This is not just a law, but a value system that guarantees the sustainability of our Jewish identity."

Moderate-progressive groups, which generally consist of educated professionals and the urban middle class, are developing a more contextual discourse on the implementation of jinayat law. In this discursive position, sharia is recognized as a source of value, but its interpretation and implementation need to take into account contemporary socio-economic realities and human rights principles. An academic interviewed in Banda Aceh stated:⁴⁰ "Sharia is essentially a

³⁸ Hazar Kusmayanti et al., "Judges' Acceptance of Sharia-Inspired Laws in Indonesia," *Al-Manahij: Jurnal Kajian Hukum Islam*, October 27, 2023, 199–214, <https://doi.org/10.24090/mnh.v17i2.7716>.

³⁹ Rahmat, *Interview*, Aceh Barat, 20 September 2024

⁴⁰ Muhibbuddin, *Interview*, Banda Aceh, 13 September 2024

value system that aims to realize justice and benefits. Its implementation needs to be contextual and take into account the *maqasid* (purpose) of sharia, not just the literal application of the rules of classical *fiqh*.

Critical-reformist groups, although in the minority, developed a discourse that emphasized the problematic potential of the formalization of sharia in the context of the modern state. This discourse raises issues such as the protection of minority rights, gender equality, and compatibility with the principles of constitutional democracy. A human rights activist interviewed stated:⁴¹ "The formalization of sharia through state mechanisms has the potential to blur the important distinction between morality and legality. Not everything that is considered 'immoral' needs to be criminalized, especially when it comes to personal choices that do not harm others."

This fragmentation analysis of discourse shows that perceptions of *jinayat* law do not only reflect the level of religiosity, but are also influenced by factors such as economic position, educational background, and exposure to global values. These findings are in line with the theory of "multiple modernities" which asserts that modernization does not always result in secularization, but can give rise to various configurations of relationships between religion and modernity.

Marginalized Voices: An Analysis of the Experiences of Vulnerable Groups

This research reveals that the experiences and perceptions of vulnerable groups, especially women and minorities, towards the implementation of *jinayat* law are colored by complex dynamics that reflect their social positions within existing power structures. These findings challenge the homogeneous narrative of "public support" for *jinayat* law and demonstrate the importance of an analysis that considers power relations in society.

Women's experiences of *jinayat* law show significant variations that are influenced not only by levels of religiosity, but also by social class, education levels, and access to resources. Some women from conservative and rural backgrounds expressed support for the *jinayat* law as an instrument of social protection.⁴² However, a critical analysis of this narrative reveals how such support is often formed in the context of limited choice and internalization of patriarchal values. As

⁴¹ Salim Ahmad, *Interview*, Banda Aceh, 13 September 2024

⁴² Abdul Manan and Cut Intan Salasiyah, "Evaluating the Implementation of Sharia in Aceh, Indonesia: (Examining the Qanun Jinayat in Bireuen Regency)," *Jurnal Ilmiah Peuradeun* 9, no. 3 (2021): 3, <https://doi.org/10.26811/peuradeun.v9i3.593>.

one female activist put it:⁴³ "What appears to be 'support' is often the result of 'symbolic violence' in which women have internalized values that legitimize their own subordination. When discursive alternatives are not available, consent does not always reflect free choice."

Progressive women's groups, especially those with access to higher education and economic resources, articulate criticism of aspects of jinayat law that are considered gender-biased. They identified a "double standard" in implementation, where women tend to receive disproportionate responsibilities and sanctions in moral cases such as khalwat and adultery. This phenomenon reflects what in gender and legal studies is referred to as the "gendered application of law"⁴⁴, where laws that appear neutral in their formulation can produce different impacts based on gender.

The perceptions and experiences of religious and ethnic minority groups towards jinayat law show another complexity in the implementation of sharia in a pluralistic society. The study identified concerns among religious minorities about the "Islamization of public spaces" that could limit the expression of their religious identity. A respondent from the non-Muslim community in Banda Aceh stated:⁴⁵ "We are not against the right of Muslims to practice their religion, but we are concerned that when the values of one religion are formalized in laws that apply to all, this could create a hierarchy of citizenship that is contrary to the principle of equality."

Another interesting finding is the identification of the phenomenon of "hidden resistance" among vulnerable groups, where they publicly express support for the jinayat law to avoid social stigmatization, but privately have more critical views. This phenomenon reflects what is referred to as the "hidden transcript", in which subordinate groups develop alternative discourses that are only expressed outside the supervision of the dominant group.

Normativity Negotiation: The Interaction of Jinayat Law and Customary Law

The interaction between jinayat law and customary law in Aceh shows complex dynamics that reflect the process of normative negotiation in the context of legal pluralism. This research reveals that the relationship between the two legal systems is not as simple as coexistence or conflict, but rather encompasses more complex

⁴³ Farida Hanum, *Interview*, Lhokseumawe, 4 Oktober 2024

⁴⁴ Febriandi et al., "Seeking Justice Through Qanun Jinayat."

⁴⁵ Jason, *Interview*, Banda Aceh, 15 September 2024

processes of interaction including mutual adaptation, hybridization, and strategic competition.⁴⁶

The resilience of customary law in the midst of sharia formalization reflects the importance of informal social structures in regulating community life. The findings of this study identify people's preferences for resolving various conflicts through customary mechanisms, especially in rural areas. As expressed by a keuchik (village head) in the FGD in Aceh Besar:⁴⁷ "Customary law is not in conflict with sharia, but rather a manifestation of Islamic values that have adapted to the local context over the centuries. Customary mechanisms allow for more restorative and contextual conflict resolution compared to formal court procedures."

This statement reflects the narrative of "harmonization" that is often used to legitimize the sustainability of customary practices in the era of sharia formalization. However, critical analysis suggests that this narrative can also be interpreted as a discursive strategy to maintain the authority of customary institutions amid the expansion of formal sharia jurisdiction.

This study also identifies the phenomenon of "forum shopping" carried out by the community in navigating legal pluralism in Aceh. Individuals and groups strategically choose between customary law, jinayat law, or national law based on the calculation of benefits and harms in a specific context. This phenomenon reflects what in the study of legal pluralism is referred to as "legal strategies," in which individuals actively and strategically navigate the diversity of available normative systems.

The study also uncovered the phenomenon of "legal hybridization" in which customary institutions adopt formal sharia elements into their procedures, while sharia institutions also accommodate customary considerations in their implementation. This phenomenon reflects a process of "vernacularization" in which universal norms are translated and adapted into local contexts. As stated by a Syaria Court judge:⁴⁸ "In practice, we often consider customary precedents and local wisdom in interpreting and applying qanun jinayat. This allows for more contextual and community-acceptable law enforcement." These findings show that legal pluralism in Aceh is not only a "de facto" condition but is also increasingly

⁴⁶ Hendro Widodo et al., "Restitution as an Instrument of Justice for Victims of Domestic Sexual Violence: A Study of Positive and Islamic Law in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 1, <https://doi.org/10.32332/milrev.v4i1.10436>.

⁴⁷ Azwar, *Interview*, Aceh Besar, 15 September 2024

⁴⁸ Zulkarnaini, *Interview*, Banda Aceh, 16 September 2024

recognized "de jure" through formal coordination mechanisms between various legal systems.

Jurisdictional Contestation: Jinayat Law within the Framework of National Law

The interaction between jinayat law and the Indonesian national legal system reflects the complexity of accommodating legal pluralism within the framework of the modern nation-state.⁴⁹ This research reveals that these interactions not only involve technical-juridical aspects, but also encompass broader political, identity, and ideological dimensions.

The formal legitimacy of the jinayat law through a special autonomy framework reflects the political compromise reached between Aceh's local aspirations and the interests of national integration. However, the study identified various jurisdictional "gray zones" that create legal uncertainty. As expressed by a legal practitioner in the FGD in Lhokseumawe:⁵⁰

"In some cases, especially those involving non-Muslims or offences that are also regulated in the Criminal Code, there is ambiguity about the jurisdiction that applies. This situation can create legal uncertainty and potentially lead to conflicts between legal systems."

The tension between the principles of jinayat law and Indonesian constitutional norms reflects the fundamental challenge of harmonizing the religion-based legal system with the principles of the modern constitutional state. This phenomenon reflects what in constitutional law studies is referred to as the "constitutional challenges of legal pluralism," in which legal systems with different epistemological foundations must operate within the same constitutional framework.

An interesting finding in this study is the development of "bridging mechanisms" that aim to reduce tensions between jinayat law and the national legal system. This includes the development of "choice of law" procedures in certain cases and efforts to harmonize legislation between the Aceh qanun and national law. This

⁴⁹ Zainul Fuad et al., "Wither Qanun Jinayat? The Legal and Social Developments of Islamic Criminal Law in Indonesia," *Cogent Social Sciences* 8, no. 1 (2022): 2053269, <https://doi.org/10.1080/23311886.2022.2053269>.

⁵⁰ Mahdi, *Interview*, Lhokseumawe, 4 October 2024

phenomenon reflects the institutional adaptation that has occurred to accommodate legal pluralism within the framework of a unitary state.⁵¹

A critical analysis of this phenomenon reveals that such bridge mechanisms do not always reflect equal positions between legal systems, but rather often reflect hierarchies in which national law remains superior. As one legal academic put it:⁵²

"Although formally jinayat law is recognized within the framework of special autonomy, in practice there is still a principle of hierarchy where national law remains the main reference in cases of norm conflicts. It reflects the tension between the aspirations of regional legal autonomy and the imperative of maintaining the coherence of the national legal system."

This phenomenon suggests that the accommodation of legal pluralism in the context of the modern state remains an unfinished project, involving ongoing negotiations between a variety of normative claims that sometimes conflict. This discussion analyzes the implementation of jinayat law in Aceh and its impact on social order through a systematic examination of research findings. This analysis is structured around three main dimensions that emerge from this study: (1) the effectiveness of jinayat law in maintaining social order, (2) socio-legal implications for rights and justice, and (3) challenges and opportunities for legal development in the pluralistic framework of Indonesia.

The Effectiveness of Jinayat Law in Maintaining Social Order

The application of jinayat law in Aceh shows a measurable impact on specific indicators of social order. Analysis of quantitative data revealed a significant decline in moral and decency-related violations after the enactment of Qanun Jinayat. A statistical decline in the case of gambling, alcohol consumption, and adultery shows a substantial deterrent effect.⁵³ However, this tangible success requires critical examination given the evidence that many communities have developed parallel informal resolution mechanisms for minor violations. As a religious leader from Pidie district explained during our interview, "People respect sharia principles but often prefer to resolve minor issues through customary practices rather than formal

⁵¹ M. Arif Fadillah A. Tanjung et al., "Problematika Penegakan Qanun Jinayat Di Aceh," *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga* 6, no. 1 (2024): 456-65, <https://doi.org/10.47476/assyari.v6i1.3328>.

⁵² Tasrizal, *Interview*, Lhokseumawe, 10 October 2024

⁵³ Khairil Akbar and Sumardi Efendi, "criminal law and human rights: a study on the principle of human rights protection in aceh qanun no. 6 of 2014 on jinayat law," *Jurnal Dusturiyah* 14, no. 2 (2024): 197-211, <https://doi.org/10.22373>.

legal channels." This phenomenon has the potential to create underreporting patterns that can distort official statistics.

The effectiveness of the implementation of the jinayat law varies significantly in various geographical and demographic contexts in Aceh. Urban centers display different patterns of compliance compared to rural areas, with field observations showing stronger compliance in traditional communities where religious authority structures remain more influential. The youth population in particular showed a complex response to the provisions of jinayat, with interview data revealing strategies of resistance and accommodation. A 23-year-old student from Banda Aceh articulated this tension: "We respect Islamic values but sometimes feel that law enforcement focuses too much on appearance rather than substance." This geographical and demographic variation is in accordance with ethnographic findings⁵⁴ that identify diverse interpretations and adaptations of jinayat regulations in various Aceh communities.

Institutional capacity significantly impacts the effectiveness of implementation. Law enforcement agencies face substantial resource constraints that affect the consistent application of jinayat provisions. Special sharia courts operate with limited personnel and infrastructure, creating bottlenecks in case processing that undermine the timely delivery of justice. In addition, inconsistent interpretation of sharia principles among judges and law enforcement officials contributes to uneven application. This institutional fragmentation is in line with the theoretical framework developed⁵⁵ that highlights the gap between "law-in-book" and "law-in-action" in the context of contemporary sharia law implementation.

It is important to understand that the implementation of jinayat law is also a complex political project. At the local level, the formalization of sharia has become an instrument of legitimacy for the post-conflict regional political elite. Field observations reveal how local political figures often instrumentalize sharia discourse to strengthen their support base and assert autonomy vis-à-vis the central government. A former regional official admitted during an in-depth interview: "The implementation of sharia allows the local government to demonstrate its commitment to Aceh's Islamic identity while affirming our administrative

⁵⁴ Faisal A Rani et al., "Islam and National Law: A Formal Legal Review on Sharia Laws in Aceh," *Al-Risalah* 20, no. 1 (2020): 47, <https://doi.org/10.30631/al-risalah.v20i1.521>.

⁵⁵ Hudzaifah Achmad Qotadah et al., "Problems With the Implementation of Qanun Aceh Number 6 of 2014 Concerning Jinayat Law," *Analisis: Jurnal Studi Keislaman* 22, no. 1 (2022): 111–32, <https://doi.org/10.24042/ajsk.v22i1.6556>.

authority." At the national level, jinayat law embodies the complexity of central-regional relations within the framework of special autonomy granted as part of the resolution of Aceh's prolonged conflict with Jakarta. Thus, the political dimension of the implementation of jinayat cannot be separated from the analysis of its effectiveness in maintaining social order.

Socio-Legal Implications for Rights and Justice

The application of jinayat law has profound implications for human rights and social justice in Acehnese society.⁵⁶ The gender-related dimension emerged as particularly significant, with research findings showing a disproportionate impact on women in cases involving moral transgressions. Female respondents consistently reported increased vulnerability to public scrutiny and social stigmatization in cases of khalwat and adultery. The application of evidentiary standards and witness requirements in such cases often reveals gender interpretations that are detrimental to female defendants.⁵⁷

However, this study also identifies the emergence of women's empowerment movements that respond critically to the implementation of jinayat. Local women's organizations in Banda Aceh and Lhokseumawe have developed multi-level strategies to counter patriarchal interpretations of sharia. One female activist articulated this transformative approach: "We do not reject sharia per se, but fight for a more gender-inclusive interpretation through the reinterpretation of Islamic texts and policy advocacy." This resistance strategy includes legal education for rural women, legal assistance for women accused of violating the jinayat, and a legislative reform campaign aimed at removing gender-biased provisions. The ethnographic record also notes the expansion of alternative discussion spaces—including women's halaqah and academic forums—where progressive interpretations of sharia are developed and discussed as counterparts to the

⁵⁶ Adam Juliandika and Fazzan Fazzan, "The Implementation of Islamic Sharia in the Enforcement of Qanun Jinayat in Aceh: A Legal Analysis and Social Impact," *Ahlika: Jurnal Hukum Keluarga Dan Hukum Islam* 1, no. 2 (2024): 2, <https://doi.org/10.70742/ahlika.v1i2.94>.

⁵⁷ Burhanudin Harahap et al., "Non-Muslims and Sharia-Based Regional Government; Comparison between Aceh, Indonesia and Selangor, Malaysia," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 18, no. 2 (2023): 2, <https://doi.org/10.19105/al-lhkam.v18i2.10456>.

dominant narrative. This social transformation represents a more subtle but potentially effective form of resistance to conservative interpretations of jinayat.

Minority communities face different challenges under the implementation of jinayat. Religious minorities report experiencing indirect pressure to comply with majority norms, despite formal exceptions to sharia provisions. A Christian community leader from Sabang noted: "Although we are legally exempt from the provisions of jinayat, the social environment sometimes creates expectations for obedience." Further qualitative data analysis revealed that socioeconomic status influences how individuals experience enforcement of violence, with economically vulnerable populations reporting more frequent interactions with enforcement mechanisms than wealthy groups. This cascading impact raises critical questions about equal protection and procedural fairness in the jinayat system.

The relationship between jinayat law and customary practices (adat) represents another significant dimension that affects the outcome of justice. In many districts, these normative systems operate in parallel, sometimes complementing each other but sometimes contradictory. This legal pluralism creates navigational challenges for ordinary citizens seeking dispute resolution. According to the developed legal pluralism framework⁵⁸, the study identifies how several normative orders – state law, Islamic law, and customary practices – create complex regulatory environments that citizens must navigate. The resulting legal uncertainty can undermine trust in formal justice mechanisms and create inconsistent enforcement patterns.

Challenges and Opportunities for Legal Development

The application of jinayat law in Aceh presents challenges and opportunities for legal development within the framework of the Indonesian constitution. The main challenge involves aligning the provisions of jinayat with the national legal structure while maintaining the distinctive autonomy guaranteed to Aceh.⁵⁹ The jurisdictional ambiguity between sharia courts and ordinary courts creates potential conflicts that undermine legal certainty. Critical analysis suggests that these tensions require the development of more flexible and contextually responsive legal mechanisms that

⁵⁸ Made Weni and Sri Hartini Jatmikowati, "The Role of Wilayatul Hisbah in Enforcing Sharia Law (Study of Policy Implementation Based on Aceh Qanun Number 6 of 2014 Concerning Jinayat Law in Aceh Besar Regency)," *Britain International of Humanities and Social Sciences (BIOHS) Journal* 6, no. 3 (2024): 232–42.

⁵⁹ Abdul Halim, "Non-Muslims in the Qanun Jinayat and the Choice of Law in Sharia Courts in Aceh," *Human Rights Review* 23, no. 2 (2022): 265–88, <https://doi.org/10.1007/s12142-021-00645-x>.

can accommodate diverse legal traditions without creating systemic contradictions.⁶⁰

Developing improved coordination between formal and informal judicial mechanisms is a significant opportunity to strengthen the jinayat system. Interview data from community leaders revealed substantial support for integrating elements of customary dispute resolution into formal jinayat procedures. This potential hybridization is in line with what is⁶¹ described as a "creative negotiation" between sharia principles and contemporary social needs. Such integration can address the current implementation gap while increasing public ownership of the legal process.

Aceh's experience with jinayat law has broader implications for legal discourse in Indonesia and other Muslim-majority societies navigating the relationship between religious law and the structure of the modern state. As ⁶² noted, the implementation of the jinayat law in Aceh has stimulated a national debate about the limits of regional autonomy and legal diversity in the unitary state system. These discussions contribute valuable insights into how religious legal traditions can be accommodated within a constitutional framework without undermining national cohesion. ⁶³ Aceh calls the experience of Aceh a "laboratory of legal pluralism" with relevance beyond its regional context, providing an important model for understanding the dynamics of the adaptation of religious law in modern countries.

The political project underlying the implementation of jinayat also affects the prospects for its future development. Local political elites have an institutional interest in maintaining the sharia legal system as a symbol of regional autonomy. Meanwhile, the central government continues to balance recognition of Aceh's uniqueness with the need to maintain national legal coherence. The post-conflict political context adds a layer of complexity, with the implementation of jinayat partly representing the fulfillment of a peace deal that ended a protracted separatist conflict. This dynamic interaction between local and national political

⁶⁰ Sri Dwi Friwanti et al., "The Existence of the Sharia Court in the Mechanism of Legal Integration in Aceh," *FITRAH: Jurnal Kajian Ilmu-Ilmu Keislaman* 7, no. 2 (2021): 2, <https://doi.org/10.24952/fitrah.v7i2.4524>.

⁶¹ Friska Anggi Siregar and Cut Intan Meutia, "Legal Harmonization: Adultery in the Indonesian Criminal Code and Aceh Qanun No. 6/2014 on Jinayat Law," *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan Dan Ekonomi Islam* 15, no. 2 (2023): 388–98, <https://doi.org/10.32505/jurisprudensi.v15i2.5797>.

⁶² Mohammad Izdiyan Muttaqin et al., *From Law to Order : Wilayatul Hisbah and Satpol PP 's Joint Efforts in Sharia Enforcement in Aceh*, in *Atlantis Press*, no. Icsgrs 2024 (Atlantis Press International BV, 2025).

⁶³ Herawati et al., "Peraturan Jinayah Dan Kearifan Lokal Masyarakat Aceh Terhadap Pelanggar Anak," *Dalam Konferensi Internasional Ke-3 Tentang Hukum, Tata Kelola, Dan Keadilan Sosial (ICoLGaS 2023)*, Atlantis Press, 2023, 266–78.

considerations will shape the trajectory of the development of jinayat law in the long term.

This systematic analysis shows that the impact of jinayat law on social order in Aceh cannot be reduced to a simple measure of success or failure. Instead, implementation results reveal complex patterns of achievement, challenge, and adaptation that vary across different dimensions of the social order. The effectiveness of jinayat provisions is highly dependent on their interaction with existing social structures, cultural norms, and institutional capacity. These findings confirm the argument ⁶⁴ that the implementation of religious law should be understood in a specific socio-cultural context rather than through abstract ideals of comprehensive Islamic governance.

Research shows that jinayat law has contributed to specific improvements in social order indicators while generating new challenges in the protection of rights and legal harmonization. These mixed results suggest that continued refinement of substantive provisions and implementation mechanisms is necessary to meet the dual purpose of upholding Islamic values and protecting fundamental rights. The future development of jinayat law in Aceh will benefit from greater attention to institutional capacity building, procedural protection, and coordination mechanisms between different legal systems. These improvements can overcome the current implementation gap while strengthening the legitimacy of the system in various segments of Acehnese society.

Conclusion

This study confirms that the implementation of Qanun Jinayat in Aceh has a real influence on the reduction of certain types of violations, especially those related to moral norms such as khalwat, adultery, and alcohol consumption. This law is accepted by most people as a form of legitimacy of Islamic morality in public life. However, the findings also show that the implementation has not been consistent, both between regions and between social groups. Various challenges arise, ranging from institutional limitations, inuniform interpretations, to discriminatory tendencies towards women and minority groups. This study highlights the importance of continuous evaluation of the implementation of jinayat law in the context of a plural and democratic society. Efforts to harmonize sharia-based local

⁶⁴ Zul Anwar Ajim Harahap et al., "Analyzing the Offense of Juvenile Khalwat in Aceh: Evaluation of Qanun Number 14 of 2003 from an Islamic Legal Perspective," *Al-Manahij: Jurnal Kajian Hukum Islam* 18, no. 1 (2024): 79-93, <https://doi.org/10.24090/mnh.v18i1.10648>.

law with the national legal system are an urgent need to avoid normative tensions. On the other hand, the participation of the community, especially from vulnerable groups, needs to be strengthened so that the laws applied are not only legally valid, but also substantively fair. Within the framework of legal development in Indonesia, the Aceh experience can be used as a critical reflection on how religious values can be institutionalized in the modern state system without sacrificing human rights and social justice. Further research is recommended to expand the study on the long-term impact of the implementation of qanun on public trust in legal institutions as well as shifts in social values in society.

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