

The Implementation of Islamic Sharia in the Enforcement of Qanun Jinayat in Aceh: A Legal Analysis and Social Impact

Adam Juliandika^{1*}, Fazzan¹

¹Universitas Abulyatama Aceh, Indonesia

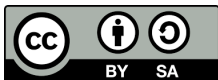
*Corresponding Author: adamjuliandika99@gmail.com

Abstract: The Qanun Jinayat is a regional regulation in Aceh that implements Islamic Sharia within the local criminal justice system. This article analyzes the application of the Qanun Jinayat, examining the legal aspects and social impacts it creates within the Acehnese community. Using normative juridical research methods and literature analysis, this study aims to illustrate the effectiveness of the Qanun Jinayat and the challenges encountered in its implementation, particularly regarding human rights issues and social acceptance. The findings indicate that the application of the Qanun Jinayat plays a significant role in strengthening Islamic identity in Aceh. However, challenges arise, requiring further oversight and harmonization with national legal principles and human rights values.

Keywords: Qanun Jinayat; Islamic Sharia; criminal law; Aceh; social impact.

Abstract: Qanun Jinayat merupakan peraturan daerah di Aceh yang mengimplementasikan syariat Islam dalam sistem hukum pidana lokal. Artikel ini menganalisis penerapan Qanun Jinayat dengan meninjau aspek hukum dan dampak sosial yang ditimbulkan di masyarakat Aceh. Penelitian ini menggunakan metode penelitian normatif yuridis dan analisis literatur untuk menggambarkan efektivitas Qanun Jinayat serta tantangan dalam implementasinya, terutama terkait isu hak asasi manusia dan penerimaan sosial. Hasil penelitian menunjukkan bahwa penerapan Qanun Jinayat berperan penting dalam memperkuat identitas Islam di Aceh, meskipun terdapat tantangan yang memerlukan pengawasan dan harmonisasi lebih lanjut dengan prinsip hukum nasional serta nilai-nilai HAM.

Keywords: Qanun Jinayat; Syariat Islam; hukum pidana; Aceh; dampak sosial.



Copyright © 2024 by Author(s)

This work is licensed under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

|| Submitted: 29-10-2024 || Accepted: 02-12-2024

|| Published: 04-12-2024

Introduction

Aceh is the only province in Indonesia granted special autonomy status, as stipulated in Law Number 11 of 2006 concerning the Governance of Aceh.¹ This status grants Aceh the authority to implement Sharia-based laws in various aspects of governance and community life. One notable example is the *Qanun Jinayat*, which regulates specific criminal laws applicable to the people of Aceh..² The existence of *Qanun Jinayat* illustrates how Islamic law is implemented within a local legal system in Indonesia, a country widely recognized for its secular legal framework.³

The *Qanun Jinayat* encompasses a set of Sharia-based criminal law provisions, addressing offenses such as adultery, gambling, alcohol consumption, *khalwat* (improper relations), and other violations of religious principles. Within the framework of the *Qanun Jinayat*, breaches of religious norms may result in specific penalties, including caning, fines, and imprisonment. The enforcement of these punishments is not solely intended to penalize offenders but also aims to deter future violations and uphold the Islamic identity within Acehnese society, which highly values religious principles.⁴

However, the implementation of the *Qanun Jinayat* has not been free from criticism and challenges, both at the national and international levels. On the one hand, the existence of this *qanun* is viewed as a reflection and respect

¹ Dahlan A Rahman, Muhammad Bin Abubakar, and Muhammad Rizwan, "Memahami Desentralisasi Dan Otonomi Khusus Di Aceh," *JPP Jurnal Politik Dan Pemerintahan* 8, no. 1 (2023): 26-40; Bambang Sucondro, "Aspek Hukum Penerapan Qanun Jinayat Dalam Paradigma Pancasila," *Hukum Pidana Dan Pembangunan Hukum* 5, no. 1 (2022), p. 63-84..

² Indis Ferizal, "Reorientasi Kedudukan Qanun No. 6 Tahun 2014 Tentang Hukum Jinayah Dalam Kaitannya Dengan Konsep Hak Asasi Manusia Menurut Hukum Islam Dan Barat," *Legalite: Jurnal Perundang Undangan Dan Hukum Pidana Islam* 1, no. 2 (2016), p. 40-59.

³ Taufik Adnan Amal, *Politik Syariat Islam: Dari Indonesia Hingga Nigeria* (Pustaka Alvabet, 2004); Debora Sanur, "Implementasi Kebijakan Otonomi Khusus Di Aceh [Implementation of Special Autonomy Policies in Aceh]," *Jurnal Politica Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 11, no. 1 (2020), p. 65-83.

⁴ Mahmuddin Mahmuddin et al., "Enforcement of Jinayat Law For Non-Muslims In Aceh," *Jurnal Hukum Dan Peradilan* 11, no. 1 (2022), p. 21-42.

for Islamic values as well as an exercise of the legally recognized special autonomy. On the other hand, criticisms have been raised regarding human rights issues and the potential misalignment with Indonesia's national legal principles, which prioritize individual rights and minority protection. Some argue that caning, as stipulated in the *Qanun Jinayat*, does not align with international standards for individual protection and human rights, which Indonesia has long upheld.⁵

Legally, the *Qanun Jinayat* operates within the framework of Aceh's special autonomy, as regulated by the Law on Aceh Governance. This reflects a form of asymmetric decentralization within Indonesia's constitutional legal system. In practice, this means Aceh has the flexibility to enact legal provisions that differ from national laws, provided they do not contravene the Constitution or the universal values recognized by the state. However, the boundary between the implementation of Sharia law and the provisions of national law is often not entirely clear, sparking ongoing discussions about the harmonization of these two legal frameworks.

The implementation of the *Qanun Jinayat* also has a significant social impact on Acehnese society. As a legal product that regulates societal values and behavior, this *qanun* has become an integral part of daily life for the people of Aceh, accompanied by efforts to instill an understanding of Sharia principles among the community. In some cases, the enforcement of the *qanun* has encouraged the community to adhere more strictly to religious norms and to avoid actions deemed to violate Islamic law. However, the implementation of the *qanun* has faced resistance from certain segments of society and human rights activists who view physical punishments such as caning as violations of individual rights. They argue that such penalties can have traumatic effects on both the offenders and the community at large.

One example of the ongoing debate concerns the case of *khalwat* or illicit relations, which is regulated under the *Qanun Jinayat*. For Acehnese society that adheres strictly to Sharia law, the enforcement of penalties for such

5 Amellia Putri Akbar, "Pelanggaran HAM Dalam Pemidanaan (Perbandingan Hukuman Cambuk Dengan Penjara)" (UIN Ar-Raniry Banda Aceh, 2017).

violations is seen as both justified and legitimate. However, for some individuals, particularly those who approach the issue from a human rights perspective, punishments for *khalwat* are perceived as infringing upon individual freedom. Furthermore, the existence of the *Qanun Jinayat* raises questions about the extent to which the rights of minorities and non-Muslim citizens can be protected under laws based on the majority religion.

Previous studies on the implementation of Islamic Sharia in Aceh have been conducted, such as by Hasnul Arifin Melayu and colleagues, who focused on Sharia law and the legal culture of the Acehnese community.⁶ 2). Bukhari et al. focused on the influence of culture and traditions in the resolution of Sharia economic issues in Aceh post-Helsinki MoU, from a legal perspective.⁷ dan 3). Selvia Junita Praja and Wia Ulfa focused on the implementation of *Qanun* Number 6 of 2014 concerning *Hukum Jinayat* in Banda Aceh, Aceh Province.⁸ Based on previous research and the background presented above, the focus of this study differs from prior studies. This research will focus on the implementation of Islamic Sharia in the application of the *Qanun Jinayat* in Aceh, from a legal perspective, as well as its social impact.

This study aims to analyze the position of the *Qanun Jinayat* within the Indonesian constitutional legal system and its impact on the Acehnese community. The research will also explore the challenges faced in the implementation of the *qanun*, both in terms of harmonizing it with national law and addressing human rights issues that have garnered international attention. Using a normative research method and a literature analysis approach, this paper seeks to provide a comprehensive overview of the effectiveness of the

6 Hasnul Arifin Melayu et al., "Syariat Islam Dan Budaya Hukum Masyarakat Di Aceh," *Media Syari'ah: Wahana Kajian Hukum Islam Dan Pranata Sosial* 23, no. 1 (2021), p. 55-71.

7 Bukhari Bukhari, Anwar Anwar, and Chaliddin Chaliddin, "Pengaruh Budaya Dan Adat Dalam Penyelesaian Ekonomi Syariah Di Aceh Pasca Mou Helsinki Dari Perspektif Hukum," *CONSTITUO: Journal of State and Political Law Research* 3, no. 1 (2024), p. 44-60.

8 Selvia Junita Praja and Wia Ulfa, "Implementasi Qanun Nomor 6 Tahun 2014 Tentang Hukum Jinayat Di Kota Banda Aceh Provinsi Aceh," *Jurnal Kebijakan Pemerintahan*, (2020), p. 11-20.

Qanun Jinayat in managing the value system of Acehese society, while also highlighting areas that require further attention to ensure alignment with the principles of Indonesia's constitution and its commitment to human rights.

This study employs a normative legal research method, aimed at analyzing the implementation of the *Qanun Jinayat* in Aceh within the framework of applicable Indonesian law, as well as evaluating its compatibility with human rights (HR) principles and the national constitution. The normative legal method is particularly suitable for this research, as it allows the researcher to assess and interpret legal rules in depth and objectively, especially in the context of local regulations intersecting with national law. This approach, often referred to as the doctrinal approach, involves utilizing various primary, secondary, and tertiary legal materials to obtain a comprehensive understanding of the issues being examined.

In this study, data is collected through an in-depth literature review of various relevant legal and academic sources. The primary data consists of regulations related to Aceh's special autonomy, particularly the *Qanun Jinayat*, Law of the Republic of Indonesia Number 11 of 2006 concerning the Governance of Aceh, and the 1945 Constitution, which serves as the highest constitutional foundation in Indonesia. Additionally, the study references several Constitutional Court rulings that are relevant to the implementation of Sharia law in Aceh, enriching the perspective on how the application of local law aligns with or contradicts national law. Secondary data includes various references from books, journal articles, research reports, and other academic publications discussing the implementation of Sharia law in Aceh, the concept of special autonomy, and human rights issues that have emerged alongside the enforcement of the *Qanun Jinayat*. Data analysis is conducted in a descriptive-qualitative manner to interpret the research findings from both legal and social perspectives.

Implementation of Qanun Jinayah in Aceh

The implementation of *Qanun Jinayat* in Aceh reflects the special autonomy granted to the province, enabling it to enforce Sharia-based criminal law.⁹ *Qanun Jinayat* covers several categories of criminal offenses, such as adultery, gambling, and alcohol consumption, which are considered violations of Sharia norms. From a legal perspective, *Qanun Jinayat* is strongly supported by Law Number 11 of 2006 concerning the Governance of Aceh. This law grants special authority to the province of Aceh to manage religious affairs, including the implementation of Sharia law, which is enacted through the *qanun*.¹⁰ Thus, formally, *Qanun Jinayat* holds legal authority and can be implemented within the region of Aceh. However, behind its formal legitimacy, there are several debates regarding the substance of certain provisions in *Qanun Jinayat* that are perceived to be in conflict with the principles of national and international law, particularly in relation to human rights.

One of the crucial points often debated is the caning punishment, which is prescribed as a sanction for certain offenses within *Qanun Jinayat*.¹¹ Although it is considered in accordance with Sharia law, this physical punishment has garnered criticism from human rights advocates both nationally and internationally. Caning is viewed as a violation of human rights principles, particularly regarding protection against inhumane or degrading treatment, as outlined in the Convention Against Torture.¹² Additionally, the provisions in *Qanun Jinayat* that prohibit interactions between men and women are seen as overly restrictive of individual freedoms, and this may potentially

9 Zaki Ulya, "Dinamika Penerapan Hukum Jinayat Sebagai Wujud Rekonstruksi Syariat Islam Di Aceh," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 5, no. 1 (2016): 135-48.

10 Sanur, "Implementasi Kebijakan Otonomi Khusus Di Aceh [Implementation of Special Autonomy Policies in Aceh]."

11 Nadia Maulida Zuhra, "Penerapan Hukuman Cambuk Bagi Pelaku Pelecehan Seksual Dalam Perkara Jinayat Dihubungkan Dengan Jaminan Akan Hak Asasi Manusia Atas Rasa Aman Dan Perlindungan Bagi Korban," *DiH: Jurnal Ilmu Hukum* 16, no. 2 (2020): 373130.

12 Aldo Rico Geraldi, "Mekanisme Pengaduan Oleh Committee Against Torture Terkait Tindakan Penyiksaan Dan Perlakuan Yang Merendahkan Martabat Manusia," *JURNAL YUSTIKA: MEDIA HUKUM DAN KEADILAN* 23, no. 01 (2020): 36-48.

conflict with the personal freedoms guaranteed by the Indonesian Constitution.

In some cases, rulings issued by the Constitutional Court have also highlighted inconsistencies between the Sharia law applied in Aceh and the principles of the national constitution.¹³ This indicates the need for legal harmonization between the provisions of *Qanun Jinayat* and national laws, to ensure that the implementation of *Qanun Jinayat* remains in alignment with the country's constitution.

The implementation of *Qanun Jinayat* in the Acehese society has received diverse responses. For some segments of the population, particularly those with a strong religious understanding, *Qanun Jinayat* is seen as an instrument capable of preserving public morality and strengthening the Islamic identity in Aceh.¹⁴ *Qanun Jinayat* is also viewed as a form of preserving local traditions and religious identity, which are distinctive characteristics of Aceh as the "Serambi Mekkah" (Veranda of Mecca). From the perspective of this group, *Qanun Jinayat* provides a mechanism to uphold Islamic values in the public sphere and strengthens the cultural and religious identity of Aceh, differentiating it from other regions in Indonesia.¹⁵

On the other hand, there are concerns among some segments of the Acehese society who believe that *Qanun Jinayat* has the potential to create an atmosphere of fear and stigma, particularly for those who feel out of sync or are less accustomed to the Sharia norms prescribed in the qanun. The strict implementation of Sharia law, such as raids and public caning, is seen as potentially causing negative social effects, such as discomfort, fear, and even discrimination for those who feel unable to fully adapt to these regulations.

Additionally, negative perceptions of *Qanun Jinayat* have emerged due to the unequal application of Sharia law in practice. Some studies suggest that the enforcement of *Qanun Jinayat* tends to disproportionately target individuals

13 Muhammad Natsir, *Membangun Hukum Pidana Lingkungan Berbasis Syariah Di Aceh* (Deepublish, 2018).

14 Ahyar Ari Gayo, "Aspek Hukum Pelaksanaan Qanun Jinayat Di Provinsi Aceh," *Jurnal Penelitian Hukum De Jure* 12, no. 2 (2017), p. 131-54.

15 Arskal Salim, *Serambi Mekkah Yang Berubah* (Pustaka Alvabet, 2010).

from lower socio-economic classes.¹⁶ This raises concerns about the potential for discrimination in law enforcement, where economically disadvantaged individuals may be more vulnerable to sanctions compared to those with greater economic power or access to law enforcement authorities.

Qanun Jinayat often raises concerns about human rights violations, particularly for individuals from minority groups or those who do not fully adhere to Islamic teachings.¹⁷ In this context, it is important to examine how *Qanun Jinayat* functions as an instrument that reflects the strength of the Acehnese society in preserving traditions and religious norms amid the forces of modernization. Many in Aceh feel that the Sharia law enforced through *Qanun Jinayat* represents values that have long existed within the community. This highlights that the implementation of the qanun is not only about law enforcement but also about the recognition and preservation of cultural values that are significant to the Acehnese people.

Social Challenges in the Implementation of Qanun Jinayat in Aceh

The implementation of *Qanun Jinayat* in Aceh has significant legal and social impacts, bringing forth various challenges that require careful consideration. Although the qanun is based on the special autonomy granted to Aceh, its application often sparks discussions about its alignment with national law and respect for human rights (HR).¹⁸ Legally, the biggest challenge in the implementation of *Qanun Jinayat* is the fundamental difference between the provisions of this Qanun and the principles of national law, especially those listed in the 1945 Constitution.¹⁹ The Indonesian Constitution guarantees basic rights of citizens, such as freedom from cruel or degrading treatment.

16 Nur Asiah, "Respon Dan Partisipasi Masyarakat Sipil Terhadap Pelaksanaan Syariat Islam Di Aceh Jaringan Masyarakat Sipil Peduli Syariat" (UIN Ar-Raniry Banda Aceh, 2017).

17 Sehat Ihsan Shadiqin, "Islam Dalam Masyarakat Kosmopolit: Relevankah Syariat Islam Aceh Untuk Masyarakat Modern?," *Kontekstualita: Jurnal Penelitian Sosial Keagamaan* 25, no. 1 (2010), p. 37086.

18 Djawas Mursyid, "Problematika Penegakan Qanun Jinayat Di Aceh" (Sahifah, 2019).

19 Ridwan Nurdin, "Kedudukan Qanun Jinayat Aceh Dalam Sistem Hukum Pidana Nasional Indonesia," *Jurnal Miqat* 42, no. 2 (2018).

Several provisions in *Qanun Jinayat*, such as the caning punishment, raise concerns about human rights violations, particularly because they may be seen as violating the right to freedom from inhumane treatment.²⁰

Moreover, although the Aceh Government has the right to formulate regional regulations, the implementation of this qanun must still align with national legal principles to avoid conflicting with the universal standards guaranteed by the state. In this context, harmonization between *Qanun Jinayat* and the national Criminal Code (*Kitab Undang-Undang Hukum Pidana*, KUHP) is crucial. For example, the physical punishments not regulated in the KUHP spark debates about the limits of *Qanun Jinayat*'s application, particularly regarding Indonesia's obligation to comply with internationally ratified human rights instruments.²¹ *Qanun Jinayat* also introduces a dual legal system in Aceh, where Sharia-based criminal law is exclusively applied in the province, differing from the national criminal law. This dualism has the potential to create legal uncertainty among the public and may lead to unequal legal treatment for Acehnese citizens who move to other regions. This situation highlights the need for synchronization between local regulations and national law to ensure that the implementation of *Qanun Jinayat* does not create uncertainty for the community.²²

From a social perspective, the implementation of *Qanun Jinayat* faces challenges related to the diverse acceptance of the law within Aceh's society. For some segments of the population, particularly those who firmly adhere to religious teachings, *Qanun Jinayat* is seen as an effort to maintain public morality and uphold Islamic values. For this group, the enforcement of Sharia law is viewed as a means of upholding religious norms that all citizens should follow, while preserving the Islamic identity in the Acehnese community. However, for those less familiar with Sharia rules, the implementation of *Qanun*

20 Ali Abubakar and M H H Zulkarnain Lubis, *Hukum Jinayat Aceh* (Prenada Media, 2019).

21 Adhya Febri Lutfiana, "Keistimewaan Qanun Di Aceh Dalam Perspektif Sociological Yurisprudence Menurut Eugen Ehrlich," *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 2 (2021), p. 199–212.

22 Ismail Hasani, *Pengujian Konstitusionalitas PERDA* (Kepustakaan Populer Gramedia, 2020).

Jinayat may be perceived as a restriction on individual freedom, interfering with privacy and freedom of belief. The strict enforcement of Sharia law, such as raids on clothing or public caning punishments, often generates fear and stigma among the community, especially minority groups in Aceh. The imposition of sanctions in public spaces, which may humiliate individuals, can also lead to stigma and negative psychological effects.²³

Another challenge in the implementation of *Qanun Jinayat* is its impact on human rights and individual freedoms, particularly concerning the right to be free from discrimination and the freedom of religion.²⁴ Human rights activists argue that the implementation of Sharia law in Aceh could potentially threaten religious freedom, as there are regulations that require residents to adhere to Islamic norms, regardless of their individual belief systems. Furthermore, the enforcement of *Qanun Jinayat* is often viewed as being harsher on vulnerable groups, which could lead to injustices in the legal process. Some studies indicate that individuals with limited economic access or social networks are more likely to face heavier sanctions compared to other social groups, reflecting inequality in the application of Sharia law in Aceh.

In an effort to maintain a balance between the enforcement of Sharia law and the protection of human rights, legal harmonization between *qanun* and the national legal system is essential. One approach to achieve this is by involving the central government and the Constitutional Court to oversee the implementation of *Qanun Jinayat*, ensuring that it remains in line with the constitution and Indonesia's international human rights obligations.²⁵ In addition, the Constitutional Court can serve as a forum for resolving legal conflicts between *Qanun Jinayat* and national regulations, ensuring that the laws applied in Aceh align with national legal standards and human rights recognized by Indonesia. Through this approach, it is hoped that the implementation of Sharia law in Aceh can preserve Islamic identity while upholding the principles of justice and human rights.

23 Abdul Halim, "Non-Muslim Dalam Qanun Jinayah Dan Mahkamah Syariah Di Aceh," n.d.

24 H Hamdani, "Penegakan Syariat Islam Di Aceh Dalam Perspektif HAM," REUSAM: Jurnal Ilmu Hukum 7, no. 2 (2019), p. 15–39.

25 Natsir, *Membangun Hukum Pidana Lingkungan Berbasis Syariah Di Aceh*.

CONCLUSION

The implementation of *Qanun Jinayat* in Aceh demonstrates that this regulation is a manifestation of the special autonomy granted to preserve the cultural and religious identity of the people of Aceh within the framework of Sharia criminal law. As a province with special autonomy, Aceh has the authority to enact regulations that govern various aspects of public life, including through Sharia-based criminal law, as outlined in *Qanun Jinayat*. The aim is to uphold moral principles in accordance with Islamic teachings, covering the regulation of crimes such as adultery, gambling, alcohol consumption, and other religious violations.

The implementation of *Qanun Jinayat* presents complex challenges, particularly in harmonizing with the national constitution and human rights principles. As part of local law, this regulation is expected to preserve the religious values that are significant for the people of Aceh. On the other hand, the enforcement of Sharia regulations, such as *Qanun Jinayat*, raises concerns regarding the protection of human rights and individual freedoms, including freedom of expression, freedom of dress, and the right to be free from degrading treatment.

Strict oversight of the implementation of *Qanun Jinayat* is essential to ensure that its enforcement aligns with national law and respects human rights. This oversight should be carried out through national legal mechanisms that enable the central government and judicial institutions to evaluate and review local regulations to ensure they remain consistent with the overarching principles of state law. In this way, the special autonomy policy in Aceh will remain within the bounds of the state's obligations to protect the fundamental rights of all its citizens. *Qanun Jinayat* plays a significant role in preserving Islamic identity in Aceh; however, its implementation must be continuously monitored to ensure it remains within the constitutional framework. The application of locally-based laws in Aceh can serve as an example for similar efforts in other regions of Indonesia. Nevertheless, the enforcement of this qanun must be accompanied by effective oversight, public education, and

respect for human rights principles to create a just and civilized society, in line with the nation's aspirations.

References

Journals and books

- Abubakar, Ali, and M H H Zulkarnain Lubis. *Hukum Jinayat Aceh*. Prenada Media, 2019.
- Akbar, Amellia Putri. "Pelanggaran HAM Dalam Pemidanaan (Perbandingan Hukuman Cambuk Dengan Penjara)." UIN Ar-Raniry Banda Aceh, 2017.
- Amal, Taufik Adnan. *Politik Syariat Islam: Dari Indonesia Hingga Nigeria*. Pustaka Alvabet, 2004.
- Asiah, Nur. "Respon Dan Partisipasi Masyarakat Sipil Terhadap Pelaksanaan Syariat Islam Di Aceh Jaringan Masyarakat Sipil Peduli Syariat." UIN Ar-Raniry Banda Aceh, 2017.
- Bukhari, Bukhari, Anwar Anwar, and Chaliddin Chaliddin. "Pengaruh Budaya Dan Adat Dalam Penyelesaian Ekonomi Syariah Di Aceh Pasca Mou Helsinki Dari Perspektif Hukum." *CONSTITUO: Journal of State and Political Law Research* 3, no. 1 (2024): 44-60. <https://doi.org/10.47498/constituo.v3i1.3408>.
- Efendi, Sumardi. "Transformation of Islamic Criminal Law in Modern Society in Aceh." *Al-Qanun: Jurnal Kajian Sosial Dan Hukum Islam* 5, no. 2 (2024): 41-49.
- Ferizal, Indis. "Reorientasi Kedudukan Qanun No. 6 Tahun 2014 Tentang Hukum Jinayah Dalam Kaitannya Dengan Konsep Hak Asasi Manusia Menurut Hukum Islam Dan Barat." *Legalite: Jurnal Perundang Undangan Dan Hukum Pidana Islam* 1, no. 2 (2016): 40-59. <https://doi.org/10.32505/legalite.v1i2.265>.
- Gayo, Ahyar Ari. "Aspek Hukum Pelaksanaan Qanun Jinayat Di Provinsi Aceh." *Jurnal Penelitian Hukum De Jure* 12, no. 2 (2017): 131-54.
- Geraldi, Aldo Rico. "Mekanisme Pengaduan Oleh Committee Against Torture Terkait Tindakan Penyiksaan Dan Perlakuan Yang Merendahkan Martabat Manusia." *JURNAL YUSTIKA: MEDIA HUKUM DAN KEADILAN* 23, no. 01 (2020): 36-48.
- Halim, Abdul. "Non-Muslim Dalam Qanun Jinayah Dan Mahkamah Syariah Di Aceh," n.d.
- Hamdani, H. "Penegakan Syariat Islam Di Aceh Dalam Perspektif HAM." *REUSAM: Jurnal Ilmu Hukum* 7, no. 2 (2019): 15-39.

- Hasani, Ismail. *Pengujian Konstitusionalitas PERDA*. Kepustakaan Populer Gramedia, 2020.
- Lubis, Zulkarnain, and Bakti Ritonga. *Dasar-Dasar Hukum Acara Jinayah*. Prenada Media, 2016.
- Lutfiana, Adhya Febri. “Keistimewaan Qanun Di Aceh Dalam Perspektif Sociological Yurisprudence Menurut Eugen Ehrlich.” *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 2 (2021): 199–212.
- Mahmuddin, Mahmuddin, Mansari Mansari, Khairuddin Khairuddin, Ahmad Fikri Oslami, and Mul Irawan. “Enforcement of Jinayat Law For Non-Muslims In Aceh.” *Jurnal Hukum Dan Peradilan* 11, no. 1 (2022): 21–42.
- Melayu, Hasnul Arifin, Rusjdi Ali Muhammad, M D Zawawi Abu Bakar, Ihdi Karim Makinara, and Abdul Jalil Salam. “Syariat Islam Dan Budaya Hukum Masyarakat Di Aceh.” *Media Syari’ah: Wahana Kajian Hukum Islam Dan Pranata Sosial* 23, no. 1 (2021): 55–71. <https://doi.org/10.223773/jms.v23i1.9073>.
- Mursyid, Djawas. “Problematika Penegakan Qanun Jinayat Di Aceh.” Sahifah, 2019.
- Natsir, Muhammad. *Membangun Hukum Pidana Lingkungan Berbasis Syariah Di Aceh*. Deepublish, 2018.
- Nurdin, Ridwan. “Kedudukan Qanun Jinayat Aceh Dalam Sistem Hukum Pidana Nasional Indonesia.” *Jurnal Miqat* 42, no. 2 (2018).
- Praja, Selvia Junita, and Wia Ulfa. “Implementasi Qanun Nomor 6 Tahun 2014 Tentang Hukum Jinayat Di Kota Banda Aceh Provinsi Aceh.” *Jurnal Kebijakan Pemerintahan*, 2020, 11–20. <https://doi.org/10.33701/jkp.v3i1.1071>.
- Rahman, Dahlan A, Muhammad Bin Abubakar, and Muhammad Rizwan. “Memahami Desentralisasi Dan Otonomi Khusus Di Aceh.” *JPP Jurnal Politik Dan Pemerintahan* 8, no. 1 (2023): 26–40.
- Salim, Arskal. *Serambi Mekkah Yang Berubah*. Pustaka Alvabet, 2010.
- Sanur, Debora. “Implementasi Kebijakan Otonomi Khusus Di Aceh [Implementation of Special Autonomy Policies in Aceh].” *Jurnal Politica Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 11, no. 1 (2020): 65–83. <https://doi.org/10.22212/jp.v11i1.1580>.
- Shadiqin, Sehat Ihsan. “Islam Dalam Masyarakat Kosmopolit: Relevankah Syariat Islam Aceh Untuk Masyarakat Modern?” *Kontekstualita: Jurnal Penelitian Sosial Keagamaan* 25, no. 1 (2010): 37086.
- Sucondro, Bambang. “Aspek Hukum Penerapan Qanun Jinayat Dalam Paradigma Pancasila.” *Hukum Pidana Dan Pembangunan Hukum* 5, no. 1

(2022): 63-84.

Ulya, Zaki. "Dinamika Penerapan Hukum Jinayat Sebagai Wujud Rekonstruksi Syariat Islam Di Aceh." *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 5, no. 1 (2016): 135-48.

Zuhra, Nadia Maulida. "Penerapan Hukuman Cambuk Bagi Pelaku Pelecehan Seksual Dalam Perkara Jinayat Dihubungkan Dengan Jaminan Akan Hak Asasi Manusia Atas Rasa Aman Dan Perlindungan Bagi Korban." *DiH: Jurnal Ilmu Hukum* 16, no. 2 (2020): 373130.

Laws and Rules

Undang-Undang Republik Indonesia Nomor 11 Tahun 2006 tentang Pemerintahan Aceh.