

Viability of the Implementation of Islamic Sharia in Aceh Regarding Protection of Women (A Study on the Appeal for Flight Attendants to Wear Muslim Clothing at SIM Aceh Besar Airport, Aceh Province)

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ABSTRACT

The main focus of this paper is to look at the views of a fair society towards the implementation of Islamic law in Aceh in various existing regulations, especially the appeal of the regent of Aceh Besar which requires flight attendants to dress in Muslim women at the Sultan Iskandar Muda (SIM) Airport. So far, the image that has been built through various narratives and unbalanced literacy, especially carried out by supporters of gender equality and human rights in their various studies, has always stated that women are restrained, marginalized and not given sufficient space in the domestic and public spheres. This study uses a qualitative descriptive approach, with data collected through observation, interviews and document review which are then refined by data analysis. This research finds that academics, ulama, policy makers and women "victims" have different views on the image of Islamic Sharia in Aceh; especially to the appeal for stewardess to wear Muslim clothing at the SIM airport which has been built as if it were an act of discrimination against women, even though all of this is a concrete effort to protect women. However, there are still many applications in the field, especially regarding socialization procedures that must and need to be considered. For this reason, continuous and comprehensive and soothing socialization involves bureaucrats, academics, scholars, community leaders and women through comprehensive socialization, especially through various writings in print media, such as in journals, magazines, newspapers, pamphlets, banners and other printed media as well as through electronic media, such as radio, television, Facebook, Instagram, YouTube, and so on.

ABSTRAK

Fokus utama tulisan ini adalah untuk melihat pandangan masyarakat yang adil terhadap Pemberlakuan Syariat Islam di Aceh dalam berbagai regulasi yang ada, khususnya terhadap himbuan Bupati Aceh Besar yang mewajibkan Pramugari untuk Berbusana Muslimah di Bandara Sultan Iskandar Muda (SIM) Aceh Besar. Selama ini image yang dibangun melalui berbagai narasi dan literasi yang tidak seimbang, terutama yang dilakukan oleh kalangan para pendukung kesetaraan gender dan HAM dalam berbagai penelitian mereka yang selalu menyatakan perempuan dikekang, dimarjinalkan dan tidak diberikan ruang yang cukup di ranah domestik dan publik. Penelitian ini menggunakan pendekatan deksriptif kualitatif, dengan data yang dikumpulkan melalui observasi, wawancara dan telaah dokumen yang kemudian disempurnakan dengan analisis data. Penelitian ini mendapat hasil bahwa para akademisi, ulama, pengambil kebijakan dan para perempuan "korban" memiliki pandangan yang berbeda atas image Syariat Islam di Aceh; khususnya terhadap Himbuan Pramugari Wajib Berbusana Muslimah di Bandara SIM Aceh Besar yang selama ini dibangun seolah-olah sebagai tindakan diskriminasi terhadap kaum perempuan, padahal semua itu adalah sebagai upaya kongkrit perlindungan terhadap kaum perempuan. Hanya saja, aplikasi di lapangan, terutama menyangkut tata cara sosialisasi masih banyak yang harus dan perlu dipertimbangan. Untuk itu, sosialisasi yang kontinyu dan konprehensif dan menyejukkan dengan melibatkan

birokrat, akademisi, ulama, tokoh masyarakat dan kaum perempuan melalui sosialisasi yang komprehensif, terutama melalui berbagai tulisan di media cetak, seperti di jurnal, majalah, surat kabar, pamphlet, benner dan media cetak lainnya serta melalui media elektronik, seperti radio, televisi, fesbuk, instgram, youtube, dan lain sebagainya.

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1. INTRODUCTION

The momentum of the end of centralized politics shifted to regional autonomy in Indonesia was marked by the birth of the Republic of Indonesia Law Number 22 of 1999 concerning Regional Government and the Republic of Indonesia Law Number 25 of 1999 concerning Financial Balance between the Central and Regional Governments. Although this centralized policy initially reaped controversy based on various arguments, the government immediately implemented both laws. Furthermore, the Regional Autonomy policy was followed by a special policy regarding the Province of Nanggroe Aceh Darussalam, namely in 2001, where the DPR-RI and the Central Government approved Law Number 18 of 2001 concerning Special Autonomy for the Special Region of Aceh Province as the Province of Nanggroe Aceh Darussalam. This law gives authority to the Province of Nanggroe Aceh Darussalam to formulate various policies and make regulations regarding community life that are in line with Islamic law or at least do not conflict with Islamic law (Abubakar, 2020; Manan at al, 2020, 2022, 2023).

It is important to note here that there are at least two important reasons why the decentralization policy was implemented; first, to encourage democratization at the regional level, and second that decentralization is the best way to prevent separatism. It is indeed generally known that a number of regions in Indonesia have long fought for the right to govern themselves. With this decentralization policy, there is room for regions to concentrate more on developing themselves from the various advantages typical of each region, such as Aceh. Therefore, it is not surprising that in almost every region this Regional Autonomy policy was welcomed with enthusiasm. One of the important regional authorities, for example, as regulated in articles 18, 19 and 22 of the Republic of Indonesia Law Number 22 of 1999 which regulates the authority, rights and obligations of the DPRD, namely the DPRD together with the Regional Head to make Regional Regulations (PERDA). The provisions of these articles were later updated by article 62 paragraph (1) letter a and article 78 paragraph (10) of the Republic of Indonesia Law Number 22 of 2003 concerning the Composition and Position of the DPRD. In 2004, Law of the Republic of Indonesia Number 22 of 1999 and Law of the Republic of Indonesia Number 25 of 1999 were improved by the issuance of a new law, namely Law of the Republic of Indonesia Number 32 of 2004

concerning Regional Government, although until now the implementing regulations have not been issued, in the form of Government Regulations. Specifically for the Province of Nanggroe Aceh Darussalam, Law of the Republic of Indonesia Number 11 of 2006 concerning the Aceh Government Law has also been born, where previously Aceh was regulated in Law of the Republic of Indonesia Number 44 of 1999 and Law of the Republic of Indonesia Number 18 of 2001. One of the main points and central points of Special Autonomy in Nanggroe Aceh Darussalam is the Implementation of Islamic Sharia in its entirety in all aspects of the lives of its people (Rahman, 2020; Manan et al, 2020b, 2021a).

Islamic law in Aceh through the Republic of Indonesia Law Number 44 of 1999 is a historical and constitutional mandate that must be maintained and carried out across generations, because the Aceh region since two centuries before Christ has been known as a busy trading center in the Southeast Asia region and is also a very strategic area as a traffic route connecting Western civilization in the Middle East with Eastern civilization in China (Husna, 2017). When Islam was born in the seventh century AD, Aceh became the first region to accept Islam in the Nusantara region (Husda, 2016).

Since then, Aceh has become the center of concentration and consolidation of Islam in the Nusantara Asia region, starting in Perlak, Samudera Pasai, Lamuri and the Islamic Kingdom of Aceh Darussalam in the 14th century AD. From Aceh, Islam spread throughout the archipelago, even throughout Southeast Asia. Around the 15th century AD, when Westerners began their adventures in the east, many areas in the archipelago were controlled by them, but Aceh remained free as a sovereign kingdom. In international politics, the Kingdom of Aceh Darussalam established fairly good diplomatic relations with the Ottoman Empire and several other kingdoms. Relations with the Netherlands, which were previously quite good, began in the 19th century AD experiencing a prolonged crisis and conflict (Husda, 2019).

However, through the Treaty of London signed on March 17, 1824, the Dutch Government promised the British Government to respect the sovereignty of the Kingdom of Aceh. Forty-seven years later, through various tricks, the Dutch convinced the British not to prevent them from controlling Aceh, through the Treaty of Sumatra on November 2, 1871 (Idris & Amalia, 2022). Two years later, precisely in April 1873, the Dutch attacked Aceh (Husda, 2016), which lasted for decades with many casualties on both sides. From then until World War II, the Dutch lost six of their generals and thousands of officers and soldiers, as did the Acehnese.

The long and winding history of the Acehnese people has made Islam a guideline for life in all aspects of their lives. Islam has become an inseparable part of them, with all its advantages and disadvantages. The Acehnese people are very obedient to the teachings of Islam. The appreciation and practice of Islam over a long period of time has given birth to Acehnese culture which is reflected in the strict customs and traditions that function as social control in society. On this basis, the Central Government through the above law provides

Special Autonomy for the Acehnese people, one of the cores of which is the enforcement of Islamic law in its entirety in accordance with the historical experience above.

In this research, the authors are interested in researching the views and opinions of academics, scholars, policy makers (executive-legislative) and women are "victims" of the appeal of the Aceh Besar regent which requires flight attendants to wear Muslim clothing for the flight attendants at SIM airport, Aceh Province because the studies that have been exposed so far have only seen the views of feminists, gender and human rights observers, while academics, ulama, policy makers (executive-legislative) and women "victims" have not been touched by the previous studies.

2. METHOD

One of the tools to obtain the data needed to complete the research is qualitative research methodology. Discussion on the Viability of the implementation of Islamic law in Aceh Regarding Protection of Women (A Study on the Appeal of Flight Attendants to Wear Muslim Clothing at SIM Aceh Besar Airport, Aceh Province). Based on the data and information obtained from the previous sample, the researcher establishes another sample to be considered to provide more comprehensive data (Manan, 2015, 2021b). To support the research findings, the researcher has also done the examination towards books, research reports related to the research focus. How to collect and analyze data accurately, the authors use descriptive analysis techniques. The authors conducted a literature review and field research to collect data (Darmalaksana, 2020). The authors followed several processes when conducting field research, including conducting observations, interviews, and documentation. Data obtained from the library and the field were analyzed using qualitative data analysis; reducing, displaying, and making conclusions.

3. RESULTS AND DISCUSSION

Flight Attendants Must Wear Muslim Clothing at the Airport

Thursday, February 1, 2018, Aceh Besar Regent Mawardi Ali issued an appeal in a circular letter number 451/651//2018 dated January 18, 2018 concerning the obligation of flight attendants to wear Muslim clothing at SIM Aceh Besar airport. The letter was addressed to eight airline General Managers (GMs) including, GM Garuda Indonesia, Lion Air, Batik Air, Citylink Air, Sriwijaya Air, Wings Air, Asia Air and GM firefly.

In the letter, Mawardi Ali stated that the request was in accordance with the provisions of Law Number 44 of 1999 concerning the Implementation of the Special Status of the Special Region of Aceh Province, Aceh Qanun Number 11 of 2002 concerning the Implementation of Islamic Law in the Field of Islamic Faith, Worship and Propagation of Islam, and Law Number 11 of 2006 concerning the Government of Aceh.

The letter with Number 451/651/2018 was also copied to the Governor of Aceh, Chairman of the Aceh DPR, GM of PT Angkasa Pura II, Head of the Aceh Islamic Sharia Service, Head of the Aceh Communication, Information and Cryptography Service,

Chairman of the Aceh Besar Regency People's Representative Council (DPRK), Head of the Aceh Besar Regency Islamic Sharia Transportation Service, Head of the Aceh Besar Civil Service Police Unit and Wilayatul Hisbah and Head of the Aceh Besar Ministry of Religious Affairs Regional Office.

The following is the content of the letter regarding the instructions of the Regent of Aceh Besar which requires flight attendants at SIM Airport to wear the *hijab*:

That in accordance with Law Number 44 of 1999 concerning the Implementation of the Special Status of Aceh Province, Aceh Provincial Regulation Number 11 of 2002 concerning the Implementation of Islamic Law in the Field of Islamic Faith, Worship and Propagation of Islam and Law Number 11 of 2006 concerning the Government of Aceh.

In relation to the above, it is deemed necessary to synergize as well as provide support and cooperation to prevent any actions that are not in accordance with Islamic law, customs, and ethics of the Acehnese people. Therefore, all airlines entering the Aceh Besar regency area are requested to do the following:

1. Complying with all Islamic Sharia regulations and laws that apply in the Aceh region in general and Aceh Besar in particular.
2. Flight attendants are required to wear the *hijab* or Muslim clothing that complies with Islamic law.
3. To all parties to be able to work together and support the implementation of Islamic law in the Aceh Besar regency area.

Views of the Parties Regarding the Appeal of the Aceh Besar Regent Regarding the Obligation for Flight Attendants to Wear Muslim Clothing at SIM Airport

The Regent's appeal was responded to in various ways by flight attendants and airlines. Most flight attendants said they did not mind the rule, and considered Muslim clothing not to interfere with their activities as flight attendants, and were willing to adjust to the rule.

In addition, the Minister of Transportation (Menhub) Budi Karya was apparently already aware of the appeal, as reported on the Dream page (Budiawati, 2018), Budi Karya said he supported the proposal because it is part of Islamic law. On the other hand, news about the appeal for flight attendants to wear the *hijab* has also become the focus of foreign media. A number of foreign media sites such as AFP, the Asahi Simbun, Bussines Insider, Reuters, and Salaam Gateway have made the issue of the obligation to wear the *hijab* in one of their articles.

Aceh Besar Regent, Mawardi Ali admitted that he had his own reasons for issuing the appeal, among them he said to carry out the Aceh Governor's Instruction to make Aceh Besar an Islamic area that is friendly to women and the flight attendants are examples of good modern women for the younger generation. They roam around the airport as the gateway to Aceh in general and Aceh Besar in particular as an area that enforces Islamic law with clothes that are very far from Islamic values. Not only that, SIM Airport is also one of the Muslim-Friendly International Airports, representing Indonesia at the 2016 World Halal

Tourism Award event (Manan et al., 2023). Maybe if there is a country whose airlines use bikini clothing for their flight attendants, we in Indonesia, especially in Aceh, our flight attendants use the *hijab* as Islamic clothing.

Since the Circular Letter was received by the eight airline leaders who take routes to and from Aceh, no one has complained, in fact they stated that they agree with the rules set by the Aceh Besar government. We know that the rules applied by airlines are international standards, but until now they claim to strongly agree, they even admit that every flight of hajj pilgrims, or umrah pilgrims, their flight attendants also wear the *hijab*.

On another occasion, Carbaini explained that the appeal to airlines or communities under PT. Angkasa Pura II is a manifestation of a sincere desire from our leaders, the Regent and Deputy Regent, for how this message can develop. The idea arose for flight attendants landing at SIM airport to wear Muslim clothing within the jurisdiction of Aceh. Usually, they have been wearing Muslim clothing since take-off. Initially, the Regent wanted to make an instruction, then I told the Regent not to make an instruction because it is not our jurisdiction. Angkasa Pura II is not our jurisdiction. We only talk in the framework of sharia, inviting others to do good in accordance with Islamic sharia law in Aceh. We still adhere to the law, so that an appeal was born to airlines landing in Aceh to wear Muslim clothing. *Alhamdulillah*, the response was extraordinary, viral, I even got a call from Arab TV, al-Jazeera. The Regent was also extraordinary, he received many calls to be asked for interviews. The response was good, there seems to be a change. There is even an airline from one of the countries in Africa that follows our pattern.

The basic idea of this appeal came from Mr. Mawardi Ali, the Regent of Aceh Besar, which was conveyed to Husaini A. Wahab as the Deputy Regent and also the Head of the Islamic Sharia Service and other related parties. There are a number of reasons; First, this is part of the propagation. This religion is a propagation so that it encourages people to do better. We do not distribute Muslim clothing to the flight attendants. We only appeal to them to wear Muslim clothing. How the pattern and model are, it's up to each airline. Their response was extraordinary. We did a surprise inspection, and there was no rejection whatsoever. We conveyed it to the Minister of Transportation, he also strongly supported it. Another reason, if we talk about Muslims, sometimes there are people who want to do good, want to wear Muslim clothing, but sometimes there are rules in the place where they work that do not allow it. With this policy, it opens up space for these people to dress according to Islamic law, for example, female police officers. Now throughout Indonesia they are free to determine how to dress, whether they want to dress Muslim or not (Asman, 2020). In this case, it goes back to each individual. The rules have allowed them to dress according to the sharia. People cannot distinguish between what is syiar and what is politics. For us, the protests exist, but we consider them as 'passing wind'.

This appeal is actually a serious effort from the Aceh Besar District Government to enforce Islamic law as we all hope, especially in the framework of protecting women, in this case the flight attendants whose airlines take routes to and from Aceh Besar. If this progress

continues to be positive, then it is possible that this appeal will be upgraded to a *qanun*, so that in its implementation it has a strong legal umbrella.

In the view of academics, the Aceh Besar District Government is actually legitimate and may issue a circular letter Number 451/651//2018 dated January 18, 2018 which urges flight attendants to wear Muslim clothing in the form of a headscarf/*hijab*, this is in accordance with the situation and conditions of customs, norms and rules of social settings of society and local wisdom of the Aceh region as the only special autonomous region implementing Islamic law in Indonesia in accordance with Law Number 44 of 1999 concerning the Implementation of the Special Status of Aceh Province, Aceh Provincial Qanun, Number 11 of 2002 concerning the Implementation of Islamic Law in the Field of Islamic Faith, Worship and Propagation and Law Number 11 of 2006 concerning the Government of Aceh.

Other academics argue that the circular requiring flight attendants to wear the *hijab*/Muslim clothing at and to Sultan Iskandar Muda Blang Bintang Aceh Besar Airport is implicitly supported by us as an effort to be a form of responsibility for the application of Islamic Law in Aceh, especially in Aceh Besar, but in fact it is not a very urgent priority program because it does not directly touch the lives of the community. Therefore, according to us academics, there are still many other priority and urgent programs that are still neglected.

Meanwhile, the clerics in Aceh Besar gave their views on the issuance of the Letter of Appeal Number 451/651//2018 dated January 18, 2018, which was signed by the Regent of Aceh Besar, Ir. Mawardi Ali, addressed to the leaders of eight airlines serving the Aceh route, namely Garuda Indonesia, Lion Air, Batik Air, Citilink, Sriwijaya Air, Wings Air, Air Asia, and Firefly. "All flight attendants are required to wear the *hijab*/Muslim clothing in accordance with Islamic law," reads one point of the letter.

Before this Letter of Appeal was issued, the Aceh Besar District Government had coordinated with a number of related groups and institutions in Aceh Besar, especially with the clerics personally and the Ulema Consultative Assembly (MPU) institutionally, because this regulation concerns the aspect of the Implementation of Islamic Law in Aceh Besar. And after that, initial discussions were also held with eight airline leaders serving routes to Sultan Iskandar Muda Airport in Aceh Besar, they all agreed and supported the good intentions of the Aceh Besar Regional Government as a manifestation and application of the Implementation of Islamic Law in Aceh, especially in Aceh Besar. Tgk. Muhammad Thaib Muhammad also explained that the clerics in Aceh Besar have also long provided advice and support to the Aceh Besar regional government to issue the appeal/appeal, considering that there is a negative image from the community towards the clothing and attire worn by flight attendants at Sultan Iskandar Muda Airport which is very contrasting with the situation in the Aceh region as a special autonomous region for the Implementation of Islamic Law. Why not require them to wear Muslim clothing, in the form of a headscarf/*hijab* for flight

attendants who take their flight routes to and from Sultan Iskandar Muda Airport in Aceh Besar.

This hope was like a response from the gods, so that after going through several processes, on January 18th, 2018, this appeal letter was issued with the hope that flight attendants who take flight routes to and from Sultan Iskandar Muda Airport, Aceh Besar, would wear Muslim clothing and this is a manifestation of efforts to protect women within the framework of the implementation of Islamic law in Aceh. On a different occasion, another cleric also conveyed almost the same thing, where the Aceh Besar Regent's Letter of Appeal regarding the Appeal for Flight Attendants to Wear Muslim Clothing is an effort by the government to protect women, especially flight attendants, within the framework of implementing Islamic law in Aceh as a local wisdom that we must all uphold.

After going through an initial coordination process with eight airline company leaders who take the route to Sultan Iskandar Muda Airport, Aceh Besar, followed by in-depth discussions and ongoing socialization steps with the parties, this appeal received positive support, so that the flight attendants as the elements directly affected accepted it happily and did not object to implementing this appeal.

When the researcher asked for opinions from other flight attendants about this appeal, they did not object, in fact they fully supported this policy, "we are happy and support it, because Aceh is a special province and a special area for the Implementation of Islamic Law in Indonesia. In addition, they also saw the sincerity of their faces wrapped in elegant hijabs to accept the consequences of work that takes the route to Aceh. They also said to the researchers that although at the beginning of this appeal there was an issue that seemed to be fried by parties who were not happy and said this appeal was an act of discrimination and a violation of human rights that trampled on the movement and freedom of women, especially in dressing. However, they actually saw the opposite, where this appeal was an effort to protect women within the framework of Islamic law. Yes, anyone who enters Aceh as a *lex specialis* area must follow it. From the results of field observations over several days at SIM Airport, all flight attendants wore Muslim clothing, loose, long and veiled, and all of them were Muslim, so they were happy as a form of support for this call.

4. CONCLUSION

The appeal for flight attendants to wear Muslim clothing in Aceh Besar is based on a situation where there is a very concerning situation and condition, in which women as a gentle group become "victims" who must be protected and saved which is wrapped in the framework of Islamic law, in accordance with the special rights given to the Aceh region through several laws mentioned above. The bureaucrats also provide the same view although in different wordings. Academics deny the narrative developed by the parties, especially feminist groups, human rights activists and gender groups and other NGOs who say that the appeal issued by the Regent of Aceh Besar is an attempt to trample on the movement and discredit women in the public sphere. Academics instead see the opposite, the appeal is a

concrete effort by the government to protect women (flight attendants) from attempts to explore behavior, attitudes and cultural herding that is very different from the local wisdom of the Acehnese people who are Islamic from the past until today. The clerics as the elite whose opinions are most listened to in society. The appeal issued by the Regent of Aceh Besar which is based on religion is inseparable from the advice, recommendations and orders of the clerics, and it is a joint effort in order to save women from moral and ethical decadence and behavior that has deviated far from the demands and guidance of Islamic teachings. Therefore, the appeal is a preventive step to protect women (flight attendants) within the framework of the implementation of Islamic law in Aceh.

Likewise, women (flight attendants) as the party who became the "victims" in the Letter of Appeal, but they still see that the action is an effort to restore the nature, dignity and honor of women (flight attendants) to their original position which has deviated far from religious guidance, due to being eroded by the almost unstoppable current of modernization. Therefore, we as flight attendants strongly support the issuance of the Letter of Appeal, because this is a form of commitment from the Aceh Besar government in an effort to protect women (flight attendants) which is wrapped in the framework of Islamic law, but in the implementation in the field, both concerning the procedures for enforcement and socialization, there are still many things that must be considered.

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