



## **Robbery, Bullying: Protection Through *Pageu Gampong* Customary Law and Islamic Law**

M Adli Abdullah

Faculty of Law, Universitas Syiah Kuala, Indonesia

Research Center for Law, Islam, and Custom, Universitas Syiah Kuala, Indonesia

Teuku Muttaqin Mansur

Faculty of Law, Universitas Syiah Kuala, Indonesia

Research Center for Law, Islam, and Custom, Universitas Syiah Kuala, Indonesia

Sulaiman

Faculty of Law, Universitas Syiah Kuala, Indonesia

Research Center for Law, Islam, and Custom, Universitas Syiah Kuala, Indonesia

Musliadi Bin Usman

The Asian Development for Education and Research Studies, Indonesia

Email: bawarith@usk.ac.id

**Abstract:** The social resilience system of the Acehese people is rooted in the *pageu gampong* tradition. The values of *pageu gampong* are defined as how the people of Aceh protect themselves from the flow of criminal behavior, robbery, bullying and community supervision based on customary law. This research aims to reveal the facts, situations and phenomena of robbery and bullying behavior in Acehese society through the protection of the *pageu gampong* customary system. Data was collected through interviews and analyzed using a juridical-sociological and phenomenological approach. The results of the research show that the practice of robbery and bullying is influenced by lifestyle demands accompanied by economic limitations and weaknesses in socializing in society, due to neglect of the values contained in the *pageu gampong* tradition. *Pageu gampong* as a customary law system has values that are integrated with Islamic values and is able to protect the community from all forms of robbery and bullying behavior. However, the tendency of the legal system to be oriented towards positivism and the current pressure for social change also contributed to the fading of the values of *pageu gampong* as the strength of the social structure of Acehese society. The values of *pageu gampong* still survive in Acehese society which is under the legal system of the Acehese government.

**Keywords:** Robbery, Bullying, Adat Law, Islamic Law, Aceh

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**Abstrak:** Sistem ketahanan sosial masyarakat Aceh telah mengakar dalam tradisi *pageu gampong*. Nilai-nilai *pageu gampong* dopisisikan bagaimana masyarakat Aceh melindungi diri dari arus perilaku kriminal perampokan, bullying dan pengawasan masyarakat berdasarkan hukum adat. Penelitian ini bertujuan mengungkap fakta, situasi dan fenomena perilaku perampokan dan bullying dalam masyarakat Aceh melalui perlindungan sistem adat *pageu gampong*. Data dikumpulkan melalui wawancara dan dianalisis menggunakan pendekatan yuridis-sosiologis dan fenomenologis. Hasil penelitian menunjukkan bahwa praktek perampokan dan bullying yang dipengaruhi oleh tuntutan gaya hidup disertai keterbatasan ekonomi dan kelemahan bersosialisasi dalam masyarakat, disebabkan terabaikan nilai-nilai yang terdapat dalam tradisi *pageu gampong*. *Pageu gampong* sebagai sistem hukum adat memiliki nilai yang terintegrasi dengan nilai-nilai Islam mampu melindungi masyarakat dari segala bentuk perilaku perampokan dan bullying. Walaupun demikian, kecenderungan sistem hukum yang berorientasi positivisme dan desakan arus perubahan sosial turut berperan terhadap pudarnya nilai-nilai *pageu gampong* sebagai daya tahan struktur sosial masyarakat Aceh. Nilai-nilai *pageu gampong* masih bertahan dalam masyarakat Aceh yang bernaung dalam sistem hukum pemerintah Aceh.

**Kata Kunci:** Begal, Perundungan, Hukum Adat, Hukum Islam, Aceh

## Introduction

Robbers were not well known for their crimes in the indigenous community in Aceh. So, the incident of Robberies in Aceh was responded to very harshly by the Acehnese people because this was a despicable thing that did not follow the customs and culture of the Acehnese people.<sup>1</sup>

This robbery and bullying occur in society, which is caused by several factors, both digitalization and a less harmonious social environment. Deception can be the production of previous people; in other words, it is the production of the family itself, parents who fail to educate their children to form character in a positive mindset.<sup>2</sup> Teenagers who grow up in the community express their identity

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<sup>1</sup>Ratno Lukito, "Shari'ah and the Politics of Pluralism in Indonesia," *Studia Islamika* 14, no. 2 (2007), Anis Widyawati, "Criminal Policy of Adultery in Indonesia," *Journal of Indonesian Legal Studies* 5, no. 1 (2020); Reza Banakar, *Law Through Sociology's Looking Glass: Conflict and Competition in Sociological Studies of Law*, in <https://www.researchgate.net/publication/228135590> Retrieved on 29 January 2016, 1987; Badruzzaman Ismail, *Membangun Keistimewaan Aceh Dari Sisi Adat Dan Budaya: Histories Dan Sosiologisnya* (Banda Aceh: Majelis Adat Aceh, 2007); Rusjdi Ali Muhammad, "Reconciliation for the Settlement of Criminal Cases: Reactualization of Local Wisdom in Indonesian Criminal Law (Upaya Perdamaian Untuk Penyelesaian Perkara Pidana: Reaktualisasi Kearifan Lokal Dalam Hukum Pidana Indonesia0," *Legitimasi: Jurnal Hukum Pidana Dan Politik Hukum* 10, no. 2 (November 19, 2021), p. 171.

<sup>2</sup>Eka Srimulyani, "Islam, Adat, and the State: Matrifocality in Aceh Revisited," *Al-Jami'ah: Journal of Islamic Studies*, 2010.

with patterns that are not good from the environment and social media they reach. This robbery also occurred because there was no sense of togetherness and lack of concern for the local indigenous community, which was starting to grow with its lifestyle.

Robbery can be classified into two categories: theft with violence (as referred to in Article 365 of the Criminal Code), which regulates theft with violence or threats of violence against people with the intent to steal, and theft by threat (as intended in Article 368 of the Criminal Code). Both of these acts involve the forcible seizure of another person's property, usually preceded by acts of violence. Crime, especially robbery, is a social problem that arises when individuals deviate from societal norms. This problem has an impact on society because both the perpetrator and the victim of crime are members of the same social group.

Adolescents face a variety of social and psychological problems, including educational difficulties, financial challenges, sexual harassment, promiscuity, drug addiction, broken families, bullying, and juvenile delinquency. Unfortunately, this problem is often not resolved, even though it is essential to find an effective solution. Therefore, it is necessary to know (1) the parties responsible for the acts of robberies and intimidation by applicable traditions and customary law, (2) the factors behind the occurrence of mugging and bullying by tradition and law applicable customs, and (3). Overcoming robbery bullying, and related behavior through the perspective of customary law and social customs of indigenous communities.

Robberies in Islamic Criminal Law are classified as *hirabah*, which is included in the *jarimah al-hudud* category.<sup>3</sup> In Islamic Criminal Law, it is recommended to defend oneself when dealing with robbers, especially in urgent situations. Theft accompanied by violence is considered equivalent to (*jarimah al-hirabah*) robbery.<sup>4</sup> Based on the components described in the article, it is in line with the *hirabah* element in Islamic Criminal Law, namely violence or criminal acts committed in public to explain in Islamic criminal law. *Hirabah* includes offenses committed by syndicates, mafias, criminals, and similar entities. *Hirabah* refers to the deliberate and organized actions of armed groups in Islamic areas to create chaos, causing bloodshed, confiscating property,

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<sup>3</sup>Abd al-Qadir 'Awdah, *Al-Tasyri' Al-Jina'i Al-Islami; Muqaranan Bi Al-Qanun Al-Wadh'i*, II (Cairo: Maktabah al-Taufiqiyah, 2013); Dedy Sumardi, "Hudūd Dan Ham: Artikulasi Penggolongan Hudūd Abdullahi Ahmed An-Na'im," *MIQOT: Jurnal Ilmu-Ilmu Keislaman* 35, no. 2 (December 2, 2011). Arab Law, "Methodological Issues in Islamic Jurisprudence Author (s): Mohammad Hashim Kamali Published by: Brill Stable URL: <https://www.jstor.org/stable/3381731>" 11, no. 1 (2019), p. 3–33.

<sup>4</sup>Muhammad Abu Zahrah, *Al-'Uqubat Fi Al-Fiqh Al-Islami* (Mishra: Dar Al-Fikr, n.d.); Imam Al-Mawardi, *Al-Ahkam Al-Sulthaniyyah* (Kairo: Dar Al-Fikr, 1960); Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (England: Oneworld Publications, 2008).

tarnishing reputations, destroying crops and livestock, and destroying religious values, moral principles, and social order.<sup>5</sup>

*Hirābah* or *qutta'u al-tarīq*, as defined by the *Ulama*, refers to the act of forcibly attacking and seizing property from someone traveling on a highway, thus hindering their journey by cutting off their path.<sup>6</sup> In Islam, robbery (*hirabah*) is included in the hudud violation. Refers to acts that carry severe penalties, leaving no room for judges or authorities to intervene except to impose a sentence on a confirmed perpetrator. Etymologically, "*hudud*" comes from the word "had," which means determining the boundary between two entities. Regarding hudud, what is meant is the punishment determined by Sharia law for committing immoral acts to prevent other evil acts from occurring. Regarding hadd punishment, Islamic law does not recognize the concepts of pardon, amnesty, and abolition carried out by the head of state as recognized in positive criminal law. Islamic law imposes sanctions to deter such crimes, emphasizing accountability in this life and the afterlife (QS. al Baqarah:179).

Social problems in society include the issue of bullying, which has received significant attention and is widely debated in both mainstream media and social media platforms.<sup>7</sup> Bullying often occurs in social communities and school environments that are characterized by high levels of social involvement. Bullying, whether it occurs in person or online, is a form of reprehensible behavior that can cause individuals to experience discomfort, emotional suffering, and depression. Both individuals and groups can complete this task. Robbery and intimidation are considered to occur when a person experiences pain and loss due to another person's actions towards them.

Bullying can be considered the root cause of several other manifestations of violence, such as physical altercations, intimidation, assault, murder, and similar acts.<sup>8</sup> To effectively address bullying, a precursor to more severe violence, it's crucial to preemptively intervene. Acts of aggression by dominant individuals or groups aim to exert control, often causing harm to victims and satisfaction to perpetrators despite the consequences. Referring to Islamic law and Indonesian legal principles, reinforcing the role of customary law as a foundational source for policy implementation and social regulation is essential.<sup>9</sup> Customary law in

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<sup>5</sup> Moh Khasan, "From Textuality To Universality: The Evolution of *Hirābah* Crimes in Islamic Jurisprudence," *Al-Jāmi'ah: Journal of Islamic Studies* 59, no. 1 (2021), p. 1–32.

<sup>6</sup> Md Asri, Muhammad Hameedullah, and Md Khalil Ruslan. 2020. 'The Crime of *Hirabah*: Approach, Justification and Significance'. *Jurnal Syariah* 28 (3), p. 383–416.

<sup>7</sup> Pavel Slutskiy, "Freedom of Expression, Social Media Censorship, and Property Rights," *Tripodos*, no. 48 (2021).

<sup>8</sup> Nurnaningsih Nurnaningsih, "Patriarchal Culture, Sexual Violence, and Legal Protection for Women in Indonesia," *Veteran Law Review* 6, no. Special Issues (2023).

<sup>9</sup> Agus Moh Najib, "Reestablishing Indonesian Madhhab 'Urf and the Contribution of Intellectualism1," *Al-Jami'ah* 58, no. 1 (2020). Nyoman Serikat Putra Jaya, "Hukum (Sanksi)

Aceh, rooted in diverse sub-ethnic customs, serves as a unifying force and societal capital, guided by Islamic principles. These customs, affirmed by Acehese regulations, are integral to regional policies promoting harmony and development.<sup>10</sup>

Policy norms and regulations are essential tools for ensuring justice within indigenous communities. It is crucial that stakeholders uphold these norms to ensure that individuals who commit wrongful acts in society face appropriate consequences under both customary and formal legal systems. Legal certainty is pivotal, requiring consistent application of criminal laws that align with societal perceptions of justice. Law enforcement's role is crucial in maintaining this balance by diligently investigating cases and respecting principles that honor local customs. The implementation of customary law in indigenous communities is constitutionally mandated by Indonesia's 1945 Constitution, specifically outlined in Article 18 B (Chapter VI on Regional Government) and Article 28 I (Chapter X A on Human Rights), underscoring its importance in fostering justice and harmony within diverse cultural contexts.

This research focuses in depth and holistically on fieldwork to reveal important facts, circumstances, phenomena, and variables related to the object under study. This research uses phenomenological, social, and humanistic approaches to collect and analyze data. These findings are presented through detailed descriptions, combining written and oral information from various channels.

This research was conducted in Aceh Jaya and Aceh Besar Regency, which covers several settlements in the area from January to February 2024, considering incidents regarding the Robberies that occurred during this time. Thus, the considerations of researchers conducting studies in this area relate to population migration from regions with different cultures, characters, and customs living in settlements in Aceh from customary law of the *mukim*, adat institution, village leader, religious figures, and academicians.

### **Demografic Respondent**

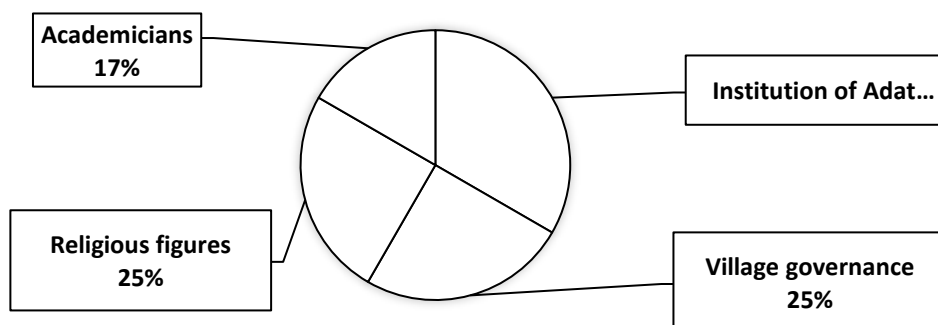
The study involves respondents from various community sectors in Aceh, including members of Customary Councils from Aceh Besar District and Panga Sub-District, village governance leaders, religious figures, and academics from Syiah Kuala University and Ar-Raniry State Islamic University. They contribute to preserving local customs, governance, spiritual guidance, and scholarly insights for regional development. Detailed demographic profiles are summarized in Graph 1.

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Pidana Adat Dalam Pembaharuan Hukum Pidana Nasional," *Masalah-Masalah Hukum* 45, no. 2 (2016), p. 123.

<sup>10</sup>Law No. 44 of 1999 and Law No. 11 of 2006).

### Demografic Respenden



**Grafic 1. The percentage of respondent representation.**

Diagram Graphic 1: Demographic Representation of Respondents indicates a balanced distribution among different community sectors in Aceh. Customary Council members comprise 33% of respondents, representing traditional leaders from various districts and regencies. Village governance accounts for 25% of respondents, including village chiefs, secretaries, and Keuchik forum heads overseeing local administration. Religious figures also constitute 25%, providing essential spiritual guidance. Academics from Syiah Kuala University and Ar-Raniry State Islamic University contribute 17%, offering scholarly insights on regional social and economic issues. This diverse representation ensures a comprehensive perspective on the study's themes, integrating views from customary, governance, religious, and academic sectors.

### Community Response: Cause Muggings and Bullying

Asnawi Zainun,<sup>11</sup> The Chairman of the Customary Law Council of Aceh Besar Regency highlights that mugging, robbery, and bullying in Aceh, according to customary and Islamic law, stem from various factors. Acehnese customs, grounded in Sharia law, regulations (*qanun*), and traditions (*reusam*), integrate Islamic values to promote social harmony. These crimes often arise from economic pressures, societal neglect of negative behaviors, and an individualistic lifestyle that undermines collective moral obligations. The erosion of traditional customs and institutions also contributes to rising crime rates. In Acehnese tradition, fulfilling children's rights involves responsibilities shared across three levels: parents (*aneuk kandong*), extended family (*aneuk kaom*), and the village community (*aneuk gampong*). Their role is to ensure education, rights fulfillment, and constructive activities for children. In conclusion, mugging, robbery, and

<sup>11</sup>Interview with Asnawi Zainun, "Chairman of the Customary Law Council of Aceh Besar Regency," 2024; Tgk Armia, Religious Figure of Mireuk Lamreudep Village, Aceh Besar Regency, 2024.

bullying are influenced by economic hardships, inadequate supervision, and the decline of traditional customs and institutions. Strengthening cultural values, community involvement, and ensuring children's rights are essential strategies to prevent these crimes.

Marzuki Muhammad,<sup>12</sup> the Mukim leader of Siem, Darussalam District, Aceh Besar Regency, identifies several causes of mugging, robbery, and bullying from the perspective of customary and Islamic law. Firstly, he attributes these issues to the lack of education among adolescents. Insufficient understanding of religious values and customary concepts significantly influences negative behaviors like mugging. Hamidi emphasizes that without adequate religious education and understanding of customary practices, youth tend to lose direction and are influenced by unsupportive environments. Secondly, Marzuki stresses the need to strengthen religion and customs, advocating for their synergy in preventing crimes and criminal acts. He underscores the importance of holistic education, which encompasses not only academic aspects but also spiritual and cultural values, as the cornerstone in preventing and addressing negative behaviors among youth in Aceh.

Muhajir, S.Pd,<sup>13</sup> Secretary of Mireuk Lamreudep Village, Aceh Besar Regency, highlights several root causes of robbery, theft, and bullying from the perspectives of social and moral conditions in the community. Firstly, inadequate moral education and supervision from families often play a significant role. Economic imbalance can also drive individuals to seek unlawful means to meet their needs, often resulting in criminal activities like robbery. Additionally, psychological factors such as stress or mental health issues can influence aggressive behavior or bullying. Lack of understanding or respect for religious and cultural norms can also lead individuals to make decisions that contradict community values.

Meanwhile, for comparisons in other regions of Aceh, Irfan,<sup>14</sup> Chairman of the Forum village leader of Panga Sub-District, Aceh Jaya regency, in his view on robbery, highlights several factors influencing its occurrence. Firstly, he argues that robbery often happens due to economic hardship within the community. Economic instability can drive individuals to seek unlawful means to meet their livelihood needs. Irfan emphasizes that unmet economic needs can trigger robbery behaviors, exacerbated by severe economic pressures leading individuals to engage in illegal activities such as drug abuse or other crimes to earn money. He

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<sup>12</sup>Interview with Marzuki Muhammad, The Mukim Leader of Siem, Darussalam District, Aceh Besar Regency, 2024.

<sup>13</sup>Interview with Muhajir, S. Pd, Secretary of Mireuk Lamreudep Village, Aceh Besar Regency, 2024, Nurdin Abu Bakar, Chairman of the Ulama Consultative Council, Panga District, Aceh Jaya Regency, 2024.

<sup>14</sup>Interview with Irfan, Chairman of the Forum Village Leader of Panga Sub-District, Aceh Jaya Regency, 2024.

underscores the complex socio-economic issues affecting crime levels in society. Addressing robbery requires not only security and legal measures but also holistic approaches to improve community economic well-being and prevent social issues.

Muhammad Nasir,<sup>15</sup> Village leader of Temareum and Religious Figure in Jaya Sub-District, Aceh Jaya Regency, discusses the issue of mugging from his perspective, identifying two main causes and their resolution approaches. Firstly, Muhammad Nasir points out that mugging often stems from a lack of parental care and supervision over their children. This can result in neglected children adopting unrestrained behaviors, ultimately causing societal issues. Furthermore, in Acehese tradition, minor disputes like these are typically resolved by restitution or compensation paid to the victim. Additionally, perpetrators may face supervision sanctions from customary institutions to prevent recurrence of such harmful behaviors in the future. Furthermore, negative influences from social environments, such as peers or social media, contribute to shaping individuals' behaviors towards bullying. Addressing these issues, Acehese customary law and Islamic law emphasize the importance of maintaining justice, social welfare, and protecting individual rights as foundations for preventing and addressing crimes. Law enforcement efforts and social development are crucial instruments in creating a safe and harmonious environment for the community.

Zahratul Idami,<sup>16</sup> a academic at Syiah Kuala University, reveals several causes of robbery, theft, and bullying:

- a. Lack of profound understanding of religious teachings regarding injustice towards others, as Allah strongly dislikes injustice, as mentioned in Hadith Qudsi where Allah forbids injustice.
- b. Poverty and hunger that prevent individuals from meeting their basic needs, alongside group ego, personal arrogance, and grudges.
- c. Habits developed since childhood without guidance or correction, normalized, and often overlooked, such as bullying. Past experiences of being mistreated may also lead to a desire to mistreat others, influenced by past trauma.
- d. Pressures from family or peer groups to influence others in ways that are morally wrong but unrecognized by the individual.
- e. In Islamic law, every action involving others has consequences for oneself, based on the principle of "Laa Dharar wa Laa Dhiraraa" (no harm should be inflicted or reciprocated). This means that what happens to a person could be due to their own actions in the past towards others or their family's actions

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<sup>15</sup>Interview with Muhammad Nasir, Village Leader of Temareum in Jaya Sub-District, Aceh Jaya Regency, 2024.

<sup>16</sup>Interview with Zahratul Idami, Academic at Syiah Kuala University, Banda Aceh, 2024.



without their awareness. Negative environments or influences may also contribute to these behaviors.

On the other stated by Teuku Tasqa,<sup>17</sup> an academic at Ar-Raniry State Islamic University, states that the causes of robbery, theft, and bullying involve complex factors:

- a. Economic deprivation often serves as a primary trigger for crimes like robbery and theft, as marginalized individuals seek illicit means to survive.
- b. Lack of understanding of customary or Islamic laws governing property rights and social obligations can lead individuals to violate social and religious norms. For example, some may not realize that taking someone else's rights without permission is forbidden both socially and religiously.
- c. In some cases, societal norms of violence or structural issues within communities can influence individuals to resort to violence to resolve conflicts or achieve their goals.
- d. Psychological and emotional conditions, such as impulsivity or lack of self-control, are also associated with robbery and theft.
- e. Unsupportive social environments or negative peer influences exacerbate behaviors like bullying among adolescents or other criminal acts.

According to customary and Islamic legal perspectives, actions such as robbery, theft, and bullying are not only considered legal and moral violations but also threats to social order and collective well-being. Therefore, effective prevention and intervention efforts must adopt a holistic approach, including robust religious education, strengthening legal and social justice frameworks, and active participation from all community components in promoting peace, justice, and communal welfare.

### **Customary Law, Islamic Law as the basis for Protection of Mugging and Bullying in Aceh**

Asnawi Zainun emphasizes the importance of community involvement in monitoring and addressing negative behaviors through the application of "aneuk gampong" principles. This involves community members actively watching over and correcting negative behaviors to uphold shared ethics and morality. The solidarity and collective responsibility taught by customary and legal practices create a harmonious and supportive environment effective in preventing criminal activities. The alignment between customary and formal law, expressed in the principle "*adat ban adat, hukum ban hukum, menyoe meusapat adan hukum nanggroe aman hana guga,*" ensures stability and security. Economic empowerment initiatives, such as "*Mon ungkot di petak sawah,*" prevent unemployment under village leadership and "*adat duek lampoh,*" which grants

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<sup>17</sup>Interview with Teuku Tasqa, Academic at Ar-Raniry State Islamic University, 2024.

community rights to manage natural resources for livelihoods, help reduce crime motivated by economic needs. Meeting basic community needs such as food, education, and housing also significantly diminishes the motivation for crime driven by economic desperation. The integration of customary and legal values aims to foster a secure, harmonious, and prosperous society.

Marzuki Muhammad emphasizes the complementary relationship between customary law and Islamic law in Aceh, stressing the importance of religious education to uphold cultural norms and ensure community well-being and security. He calls for collaborative policies involving governmental bodies, customary institutions, and religious leaders to swiftly address robbery and broader societal violence, emphasizing the need for cooperation to guide juvenile delinquency and foster resilient youth. Muhajir highlights the pivotal role of Acehese customary law and Islamic law in preventing robbery, theft, and bullying. Customary law promotes social order and harmony through local values, utilizing community-led conflict resolution and sanctions like restitution and apologies to deter negative behaviors. Meanwhile, Islamic law provides a moral and legal framework emphasizing justice, equality, and human rights, integrating religious principles to maintain a safe and peaceful environment.

Irfan condemns robbery, theft, and bullying for disrupting communal harmony, advocating strong social cohesion. Islamic Sharia guides efforts to protect adolescents and implement moral development measures. Another hands Muhammad Nasir highlights the roles of customary and Islamic law in Acehese society, focusing on preventing these crimes. Customary law resolves conflicts through village leaders and traditional institutions, using sanctions like restitution and apologies. Islamic law reinforces moral principles and social welfare, promoting respect and maintaining societal harmony in Aceh. Together, these legal systems foster morality, justice, and mutual respect in the community.

Zahratul Idami articulates essential concepts in preventing robbery, theft, and bullying through:

1. Continuous deep religious education (*Tarbiyah*) focusing rigorously on prohibiting injustice and respecting others, addressing robbery, theft, and bullying consistently. Primary responsibility for this education lies with parents, close family members, teachers, and preachers, ensuring regularity.
2. Strengthening social control within each family and fostering significant community concern among neighbors, from the closest to the entire village, to provide quality education and foster a positive environment.
3. Mutual vigilance, maintenance, and protection of goodness, with immediate consequences for misconduct, fostering a climate of benevolent values.

Teuku Tasqa underscores Islamic legal concepts in preventing robbery and theft in Aceh. According to him, based on a hadith narrated by Abdullah bin

Abbas, the sanctity of a person's life, property, and residence is absolutely respected, and violations are considered forbidden in Islam. Robbery, involving the shedding of another's blood, and theft, involving the unauthorized taking of another's rights, are unequivocally condemned. In the context of the Quran, Teuku Tasqa references Surah Al-Hujurat (49:11), emphasizing the importance of maintaining dignity and avoiding behaviors that degrade or bully others. Based on this verse, he advocates for the initiation of anti-bullying programs within communities in Aceh to prevent and address bullying behaviors. Implementing these concepts in Aceh, according to Teuku Tasqa, requires a holistic approach that integrates religious values, customary law, and principles of social justice to prevent crime and build robust social harmony.

### **The Community Practices in Aceh to Prevent Robbery and Bullying**

Asnawi Zainun the implementation and community practices to prevent mugging, robbery, and bullying involve several approaches rooted in local and traditional values. Firstly, the community promotes the concept of "*meukaoms*," which prioritizes cooperation and solidarity among residents in building a safe environment. Secondly, the concept of "*gampong* life" is encouraged to strengthen social networks and mutual *supervision* over harmful behaviors. Thirdly, the role and function of traditional leaders (*peutuah adat*) in *gampong* are activated to facilitate fair and just conflict resolution. Furthermore, the importance of justice in managing natural resources such as "*blang*", "*lampoi*", and "*glee*" is upheld, providing collective space access for community management. Lastly, efforts to enhance the skills of youth and adolescents are seen as a crucial investment in preparing them to face future social challenges. Thus, Aceh integrates traditional values with modern strategies to create a safe and sustainable environment for its entire community.

Marzuki Muhammad highlights several issues faced by adolescents in his area. Firstly, the lack of religious education for adolescents is a primary cause in strengthening their spiritual and religious foundations. This is considered crucial to shield them from negative influences such as mugging and bullying still prevalent among adolescents. Secondly, Hamidi emphasizes the need for unity in seeking preventive solutions and educational guidance for adolescents in every village. These efforts aim to provide better direction and mentoring to the younger generation so they can grow and thrive in a safe and supportive environment. Thus, Hamidi underscores the importance of collaboration between communities and local governments in building a strong foundation for a better future for Aceh's youth.

Chairman of Forum Panga leader, in his perspective on the social conditions of the community, highlights two crucial strategies to prevent negative behaviors among youth and adolescents. Firstly, he emphasizes the need for religious socialization and deepening religious knowledge as a foundation to

strengthen spiritual and moral values within the community. This socialization is expected to reduce incidents such as robbery and bullying by promoting awareness of religious norms that prioritize peace and social justice. Secondly, he advocates for providing business opportunities to the younger generation through constructive and positive activities. Focus on skill development and economic initiatives is expected not only to alleviate economic pressures that may drive criminal behavior but also to motivate them to actively participate in sustainable community development. With this approach, the Chairman of Forum Kechik aims to create an environment that supports positive development and well-being for youth and adolescents in Aceh Jaya.

Muhammad Nasir initiates security enhancements in Temareum Village through strategic steps: deliberating and formulating village security policies with community leaders and customary institutions, socializing these policies within the village, establishing collaboration with local police for monitoring and enforcement, and involving religious leaders for moral guidance. This approach aims to ensure safety and order in the community through collective efforts. Meanwhile, Muhajir outlines efforts in Aceh Besar to prevent crime by strengthening Islamic and customary values, integrating moral education in families and schools, engaging adolescents in positive activities, collaborating closely with police, emphasizing family roles in supervision and education, and conducting awareness campaigns. These initiatives reflect a unified approach to fostering a secure and peaceful environment in Acehnese communities, emphasizing local values, community participation, and cooperation with authorities.

Zahratul elucidates the implementation and community practices in Aceh aimed at preventing robbery, theft, and bullying from an academic perspective. The efforts of Acehnese communities to combat these crimes encompass several crucial approaches. First, they emphasize the importance of strengthening Acehnese customary law based on local and traditional values. This customary law serves not only as a tool for law enforcement but also as a means for mediation and fair conflict resolution at the local level. Second, legal scholars highlight the central role of Islamic law in promoting social justice and morality. Islamic law provides a robust framework for protecting individual rights, maintaining social order, and addressing behaviors harmful to society.

Furthermore, the implementation of community practices in crime prevention includes structured education and mentoring. These programs focus on fostering understanding of religious values, ethics, and morality embedded in both formal and informal education in Aceh. Schools, religious institutions, and other community organizations actively implement these programs to support the development of positive character traits among the youth. Additionally, collaboration between communities and local law enforcement agencies and governmental institutions is integral to their prevention strategy. This

collaboration involves participation in community safety programs, joint patrols, as well as reporting and swift handling of criminal cases. Continuous socialization campaigns and advocacy efforts are conducted to enhance public awareness of the importance of maintaining security and order in their environment. Through these approaches, Acehnese communities strive to create a safe, peaceful, and productive environment for all residents in accordance with their local values and legal principles.

Teuku Tasqa emphasizes several important approaches in the context of Islamic law for preventing robbery. Firstly, a strong foundation in creed and Islamic jurisprudence (*fiqh*) is essential to understand religious prohibitions and sanctions against criminal behavior. This includes a deep understanding of the moral values and ethics of Islam that govern individual rights and prohibit violent acts like robbery. In the context of theft, understanding Islamic law concerning ownership and property rights is crucial. Islamic law asserts that taking the property of others without permission is a serious violation of principles of social and economic justice.

Regarding bullying, which often occurs during adolescence, Teuku Tasqa highlights the need for nurturing creed and increased attention from teachers and parents. This mentoring should not only focus on religious aspects but also incorporate psychological and social approaches to shape strong character and avoid negative behaviors. According to Teuku Tasqa, the implementation of these concepts in Acehnese society requires extensive socialization across the entire community. This includes educating communities that have not yet received adequate religious guidance, especially in remote areas. Furthermore, a Shariah-based approach should be applied to provide a clear legal framework and promote compliance with Islamic values in daily life. Understanding that crime often arises from opportunities and moral shortcomings, holistic and proactive prevention efforts are key to creating a safe, just, and civilized society in accordance with Islamic education.

### **Identify The Characteristics of Perpetrators of Robbery and Bullying**

A Robber is someone who commits repeated acts of physical or emotional harm to another person. Adolescents classified as bullies typically demonstrate lower psychosocial functioning compared to victims of bullying and individuals who do not participate in the behavior.<sup>18</sup> The characteristics of bullies include emotional immaturity, difficulty forming intimate relationships, lack of empathy, mood swings, irritability, impulsiveness, and a lack of guilt or remorse. Incidents of robbery and bullying in communities are serious concerns that necessitate

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<sup>18</sup>Al-Sayyid Sabiq, *Fiqh Al-Sunnah*, II (Kairo: Dar al-Fath Li I'lam al-'Arabi, 1996); Wahbah Az-Zuhaili, *Fiqh Islam Wa Adillatuhu*, 6th ed. (Jakarta: Gema Insani, 2011); 'Abd al-Qadir 'Awdah, *Al-Tasyri' Al-Jina'i Al-Islami; Muqaranan Bi Al-Qanun Al-Wadh'i, Jild II*, II (Kairo: Maktabah al-Taufiqiyah, 2013).

action from various stakeholders. Bullying can be identified by specific traits exhibited by both perpetrators and victims. These indicators, derived from "Prevent and Stop Bullying from an Early Age" by Widya Ayu and the Ministry of PPPA, include social influence, prominent social status, intentional rude behavior, lack of empathy, aggression, intense anger, and controlling behavior. Based on research findings, robbery can stem from various factors including economic circumstances, environmental conditions, educational challenges, and drug issues. Financial gain typically drives perpetrators to commit theft using weapons, often resorting to violence, even endangering victims' lives.

Contributing factors such as illegal racing, media influences, inadequate social oversight, economic hardships, limited job opportunities, and broader social issues like poverty, unemployment, gender inequality, domestic violence, and racial discrimination further exacerbate these criminal behaviors in society. In indigenous communities, social problems often arise due to environmental neglect, with teenagers typically being the main perpetrators of bullying. Family dynamics, including divorce and discord, drive young people to seek identity outside the home, where they may adopt aggressive behaviors learned from their upbringing. Bullying, which can include intimidation and physical violence, provides perpetrators with a sense of enjoyment but can also lead to mental health issues. Without effective deterrence, bullying can escalate into radical behavior, shaping the criminal tendencies of perpetrators involved in robberies, where fear tactics can become habitual. Exposure to violence in social circles normalizes criminal activities like robbery among youth, compounded by unstable family environments and unsupportive parenting styles. This environment fosters a mentality where instant gratification and acceptance of violence prevail, often perpetuated within school environments where bullying is prevalent nationwide in Indonesia.

Indirectly, family dynamics, particularly disharmony and domestic violence, serve as catalysts for bullying behavior among children. These issues hinder the development of children's mental stability within their familial environment. Ineffective parenting contributes to children becoming both perpetrators and victims of bullying, as poor communication norms set by parents can isolate teenagers and lead them towards violent behavior. This cycle normalizes aggression among youth, who may feel justified in using physical intimidation. Additionally, the erosion of traditional community customs, such as "*Pageu Gampong*," which traditionally guided children's growth towards positive directions within their communities, further contributes to these social challenges.<sup>19</sup> Lack of social certainty in traditional institutions that care about

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<sup>19</sup>Azizah Mohd, Badruddin Hj Ibrahim, and Alhaji Umar Alkali, "An Overview of the Protection of Children Rights under Islamic Law," *Advanced Science Letters* 23, no. 4 (2017), Wahyuddin Naro et al., "Shariah Assessment Toward the Prosecution of Cybercrime in Indonesia," *International Journal of Criminology and Sociology* 9 (2020), p. 572–586, Fadhila, D

society and loss of social sense of customs and customs in society. In traditional communities, customs and community guidelines have been established where the village Leader (*Keuchik*) is the symbol of parent (father) for all local traditional communities, and Religious Leaders (*Tengku Imuem*) as the mother who can be used as a place to seek wise guidance. However, the role of these customs is increasingly weakening, giving rise to uncontrolled social chaos. All of this happened because of the loss of function and concern for the growth and development of society based on local customs and customary laws.

### **Islam and Solution to Robbery Punishment**

Based on the perspective of Islamic criminal law, the sanctions given to perpetrators of robbery are apparent. Can be seen from several opinions of scholars regarding the imposition of punishment, including:<sup>20</sup> Imam Malik said that the determination of the form of punishment imposed on the perpetrator of robbery was returned to the imam's *ijtihad* and consideration and asked for the consideration and opinion of the *Fuqaha*, which form of punishment he thought was more appropriate and effective, and this should not be based on the individual of the imam. *Syafiiyah* clerics say that if the perpetrators only take their property, the punishment is to have their hands and feet cut off in a crossed manner; if they only kill without confiscation and taking of property, then they are punished by death and crucifixion if they kill and confiscate their property, they are punished by death and crucifixion, if they confess -scared, then the punishment is to be thrown away and exiled.

*Hanafiyah* clerics said that if the perpetrators only took their property, they would cut off their hands and feet crosswise. If you only kill, you will be sentenced to death. If he kills and takes his property, the priest can choose between cutting off his hands and feet crosswise and then executing him or crucifying him, or not cutting off his hands and feet, but immediately being sentenced to death and crucifixion, if he only scares him without killing him and taking his property. Then, he was banished and exiled, namely to prison, and punished with *takzir*. The sanctions for robbery are explained carefully in the *al-Qur'an* verse, namely in *Surah al-Maidah* verse 33:

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(2021) 'Perlindungan Terhadap Anak Dari Kekerasan Seksual Dalam Qanun Aceh Nomor 11 Tahun 2008 Tentang Perlindungan Anak Dan Adat Istiadat Di Kabupaten Aceh Besar'. [https://repository.ar-raniry.ac.id/id/eprint/19869/%0Ahttps://repository.ar-raniry.ac.id/id/eprint/19869/1/Dina Fadhila, 170104039, FSH, HPI, 082370147717.pdf](https://repository.ar-raniry.ac.id/id/eprint/19869/%0Ahttps://repository.ar-raniry.ac.id/id/eprint/19869/1/Dina%20Fadhila,%20170104039,%20FSH,%20HPI,%20082370147717.pdf).

<sup>20</sup>Naro et al., "Shariah Assessment Toward the Prosecution of Cybercrime in Indonesia.;" Muhammad bin Ahmad bin Rusyd Al-Qurtubi, *Bidayat Al-Mujtahid*, II (Maktabah wa Matba'ah Taha, n.d.); Muhammad Afzal and Muhammad Khubaib, "Flexibility in the Implementation of Islamic Criminal Law in Modern Islamic Society in the Light of Qur'ān and Sunnah," *Journal of Islamic Thought and Civilization* 11, no. 1 (2021), Aulawiyah, Putri Hilyah. 2019. 'Penafsiran Ayat Hir Ā Bah dalam Al- Penafsiran Ayat Hirābah dalam Al- Qur' an (Pendekatan Tafsir Maq Ā Shidī ), p. 155.

"The punishment for those who fight against Allah and His Messenger and cause mischief on earth is only to be killed or crucified, or have their hands and feet cut off crosswise, or be exiled from their homes. That is a shame for them in this world, and in the afterlife, they will suffer a penalty punishment."

Apart from sanctions based on Islamic criminal law, the crime of theft is also regulated in the Criminal Code (KUHP), which contains articles that hold punishment for perpetrators of theft with violence. In the corridor of positive law, acts of robbery will usually be subject to Article 365 of the Criminal Code (KUHP) regarding robbery with violence and Article 368 of the Criminal Code regarding extortion with violence or threats of violence. Article 365 of the Criminal Code, as a complement to Article 362, ins that if the theft is accompanied or followed by violence or threats of violence against the person with the intention of preparing or facilitating the robbery or in the event of being caught red-handed, themselves or other participants can escape taking control of the goods. It was stolen, and the act was committed on a public road. 12 According to the Criminal Code, the sanctions given to perpetrators of robbery are imprisonment for at least 5 (five) years and up to a lifetime, depending on the losses caused by the act of robbery.

### **Solutions Based Indigenous Perspectives**

From a customary law perspective in Aceh, there is a deep-rooted cultural identity that sensitizes the population to new criminal activities deviating from established norms. Recent incidents of robbery, violence, and homicides have sparked varied public reactions, highlighting critical social issues requiring collective attention. These events underscore the community's shared responsibility and the need for strategic interventions. To effectively combat juvenile delinquency, restructuring early intervention through customs and traditional laws is crucial. This entails prioritizing religious education and enhancing parental and familial involvement in traditional institutions. Implementing these measures is essential to prevent similar offenses and uphold community values at the grassroots level, including activating the "pageu gampong" system under customary law.<sup>21</sup> The government, in this case, a certain customary law institution, is given the authority to carry out initial supervision and take appropriate action within its territory by complying with legal

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<sup>21</sup>Ilham, Iromi, Abdullah Akhyar Nasution, Richa Meliza, Dinda Rosaleha, and Ragil Nur Rahmalia. 2023. 'Pageu Gampong: Risk Mitigation in Preventing Children Violence in North Aceh Regency'. *Proceedings of International Conference on Social Science, Political Science, and Humanities (ICoSPOLHUM)* 3 (35), p. 00036. Swati Kaushal, "Punishment for Crimes: An Instrument of Social Change," *Proceedings of International Young Scholars Workshop* 9 (2020).



provisions<sup>22</sup>. In summary, fostering community collaboration is pivotal in reducing crime rates. The "*pageu gampong*" system, rooted in Acehnese cultural and Islamic teachings, emphasizes communal responsibility and solidarity. It aims to preempt negative occurrences that could disrupt community harmony and order. Led by village leaders, including the Leader of village, village secretary, traditional elders, and youth leaders, this system safeguards the reputation and dignity of the community. Strengthening interpersonal bonds through customary legal practices is crucial, given the diminished authority of local leaders in recent times. Clear guidelines in local laws and customs are essential to uphold community values and ensure the welfare of all members.

*Pageu Gampong* as Customary law includes preserving customary regulations and restoring the role of traditional leaders within expected law norms to prevent the recurrence of unpleasant incidents.<sup>23</sup> Restoring the authority and responsibility of traditional leaders to address and resolve social problems in local conventional communities. Traditional leaders take on the role of fathers for all local indigenous community groups by strengthening and maintaining policies within the legal framework. Looking for solutions to economic disparities that lead to crime, theft and community ills through traditional roles and customary institutions as (*Pageu Gampong*). As *hadith Maja* said; "*pageu lampoh ngon Kawat, pageu Gampong ngon adat*". Guarding gardens with fences, defending villages with customs,

This *hadith Maja* clearly states that customary laws must be established as the basis for community guidance. So, strengthening customary law and traditional institutions is necessary for traditional community leaders to carry out supervisory roles and functions in local communities. Aspects of village normal regulations need to be strengthened again as the *hadith Maja* says, "*Lam Gampong ta meusare, Lam meugle tameubila, Lam lampoh meutulung Alang, Lam meublang ta meusyedara*."

The *pageu gampong* system, which is deeply rooted in the traditions of the Acehnese people, is an effort carried out jointly by all levels of *gampong* society to protect their environment from influences or actions that could tarnish the good name of the *gampong*, whether carried out by the *gampong* community itself or by outside the village. This *pageu gampong* is carried out with full

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<sup>22</sup>Governance, Malikussaleh, and Policy Reviews. 2023. 'Implementation of Qanun Number 4 Of 2009 About Gampong Government ( Studies on Task Force Pageu Gampong . Mns . Alue Drien District Lhoksukon North Aceh )' 1 (1), p. 61–67.

<sup>23</sup>Afadlal et al., *Runtuhnya Gampong Di Aceh: Studi Masyarakat Desa Yang Bergejolak* (Yogyakarta: Pustaka Pelajar, 2008); Yusi Amdani, "Proses Pelaksanaan Penyelesaian Perselisihan Di Lembaga Peradilan Adat Aceh Tingkat Gampong (Desa)," *Asy-Syiráh: Jurnal Ilmu Syari'ah Dan Hukum* 48, no. 1 (2014); Priyotomo, Iskandar Eko. 2010. *Peran Keuchik Dalam Revitalisasi Gampong Di Aceh Besar*.

awareness and responsibility by each *gampong* resident. Violators of the *Pageu Gampong* tradition will be subject to customary sanctions.

The implementation of the custom (*Pageu Gampong*) tradition covers all aspects of life: social, political, religious, security and order, economics, culture, customs, and so on. The custom (*Pageu Gampong*) tradition will create a sense of unity and oneness, preventing negative things from occurring that could tarnish the good name of the *Gampong* so that order and tranquility are always maintained. Apart from that, it is also beneficial for enforcing discipline within the community.

## Conclusion

Robbery and bullying are acts that are contrary to the principles of customary law and culture that are rooted in Acehnese society. Poverty includes the intimidation that has occurred recently and is influenced by the absence of social security regarding financial problems in society, lifestyle, reduced ability to socialize in society. The existence of the *pageu gampong* should be a protection for the people of Aceh from pervasive crime and bullying. The flow of modernization has had an impact on the stickiness of Acehnese customs (*pageu gampong*) in maintaining the cultural values of the Acehnese people which are integrated with Islamic law. In practice, this crime always exists in Aceh as long as the function of monitoring and self-protection through *pageu gampong* is not implemented properly in all *gampong* in Aceh. As a result, the values contained in the customary law system (*pageu gampong*) are increasingly fading and can weaken the social protection system of the Acehnese people. The above conditions can be resolved well if the *pageu gampong* tradition is reactualized, a system of social resilience for the Acehnese community that already exists and is able to protect all forms of criminal behavior in the *gampong*. Therefore, it is important to strengthen the rationale regarding living customary law as a valid basis for implementing policies and regulations to protect communities in society. Policy norms and regulations can function as a legal way to uphold justice for indigenous peoples. Restoring the function of traditional institutions and revitalizing the *Pageu Gampong* traditional legal system.

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