

Settlement of Minor Criminal Offenses Under Aceh Qanun Number 9 of 2008 Concerning the Development of Customary Life and Traditions in Aceh

Arief Pandu Hidayat¹, Fazzan², Muhammad Nur³, Siti Rahma⁴, Zul 'Aidy⁵.

^{1.2.3.4.5.} Faculty of Law, University Abulyatama.

E-mail: ariefpandu85@gmail.com (CA)

Abstract: Aceh Qanun Number 9 of 2008 on the Development of Customary Life and Traditions serves as a legal foundation for Acehnese society in resolving minor criminal offenses through customary mechanisms at the gampong (village) level. This qanun explicitly regulates 18 categories of cases that may be settled through customary institutions, thereby reflecting the vitality of customary law as an instrument for resolving social conflicts in line with Islamic values, justice, and local wisdom. However, in practice, the implementation of this qanun still encounters various challenges that require further examination. This study employs a juridical-empirical approach with the research site located in Blang Bintang Subdistrict. Data were collected through interviews with gampong officials, customary leaders, and relevant authorities, complemented by a review of regulatory documents, including Circular Letters issued by the Governor of Aceh, the Aceh Customary Council (MAA), and the Aceh Regional Police Chief, which reinforce the implementation of Qanun Number 9 of 2008. The analysis was conducted qualitatively, integrating perspectives from positive law, customary law, and Islamic law. The findings reveal that the mechanism for resolving minor criminal offenses at the gampong level has been carried out in accordance with Qanun Number 9 of 2008, particularly through deliberation and restorative approaches. Nonetheless, several obstacles persist, including limited understanding among gampong officials, external intervention by formal law enforcement, as well as weak documentation and supporting facilities. These conditions create challenges in realizing the legitimacy of customary law within the national legal system. To overcome these obstacles, it is necessary to strengthen customary institutions through training, the formulation of technical guidelines, and enhanced coordination between gampong authorities, the Aceh Customary Council, and law enforcement agencies. Regulatory and institutional support will further consolidate the role of customary law as a mechanism for resolving minor offenses in Aceh. Overall, Aceh Qanun Number 9 of 2008 has proven effective in the settlement of minor offenses, although its implementation still faces challenges. Strengthening customary institutions constitutes a strategic effort to reinforce the role of customary law within the framework of the national legal system.

Keywords: Aceh Qanun, customary law, minor criminal offenses, customary institutions.

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1. Introduction

Custom and customary law hold a special position in the social order of Acehnese society. The special status of Aceh, as regulated under Law Number 11 of 2006 on Aceh Governance, provides wide-ranging opportunities for the regulation, recognition, and implementation of customary norms within society (Andriyadi, 2015). Within this context, Aceh Qanun Number 9 of 2008 on the Development of Customary Life and Traditions was enacted as a legal umbrella for structuring the mechanisms of customary dispute resolution at the gampong (village) and mukim levels. This qanun affirms that custom is not merely a cultural heritage but also an instrument of conflict resolution that prioritizes principles of restorative justice, deliberation, and the restoration of social harmony. (Darussman et al., 2022)

Article 13 paragraph (1) of Aceh Qanun Number 9 of 2008 specifies 18 types of customary cases that may be resolved through customary mechanisms, namely:

1. Domestic disputes.
2. Disputes between community members.
3. *Khalwat* (improper relations).
4. Minor theft.
5. Inheritance disputes.
6. Disputes in trade transactions.
7. Debt disputes.
8. Minor assault.
9. Minor vandalism.
10. Other minor civil disputes.
11. Disputes regarding livestock damaging crops.
12. Disputes concerning agricultural yields.
13. Land boundary disputes.
14. Disputes concerning communal land rights (*hak ulayat*).
15. Disputes over the use of village natural resources.
16. Defamation.
17. Youth disputes (minor fights).
18. Other customary disputes that may disrupt social harmony. (Iqbal et al., 2020)

From these enumerations, it is evident that minor criminal offenses such as petty theft, minor assault, minor vandalism, and disputes between residents are accommodated within the framework of customary dispute resolution. This reflects a decentralization of dispute resolution based on local values and traditional wisdom.

To ensure that customary resolution practices are carried out consistently, the Government of Aceh, through Circular Letters from the Governor of Aceh, the Aceh Customary Council (Majelis Adat Aceh/MAA), and the Chief of the Aceh Regional Police, has reinforced the role of gampong customary institutions. These circulars emphasize the importance of optimizing Qanun Number 9 of 2008 so that formal law enforcement officials respect and support customary mechanisms in handling minor cases. In this way, there is synchronization between customary law and the national legal system within the framework of legal pluralism. (Mansur, 2018)

The Governor of Aceh's Circular, for example, instructs subdistrict heads (camat), village heads (keuchik), and mukim leaders to prioritize resolving disputes through customary means before referring them to positive law. The MAA, as the authority for fostering and preserving custom, has also issued technical guidelines for customary dispute resolution to ensure uniformity of procedures across Aceh. Meanwhile, the Aceh Regional Police Chief, through his circular, directed police personnel to prioritize customary approaches in handling minor cases as enumerated in Article 13 paragraph (1) of Qanun Number 9 of 2008. Accordingly, police officers are not to immediately process such cases under criminal law but instead encourage settlement through the keuchik, tuha peut, and gampong customary institutions.

This policy aligns with the paradigm of restorative justice that is increasingly emphasized within Indonesia's criminal justice system. Customary dispute resolution does not merely seek to determine guilt or innocence but aims to restore social relations fractured by disputes or minor offenses. This differs from formal judicial mechanisms, which tend to be retributive and often create social stigma for offenders.

The context of Blang Bintang Subdistrict is particularly interesting to study because the community in this area of Aceh Besar continues to uphold strong adherence to gampong customs. However, modernization, growing public access to formal law enforcement, and the increasing complexity of cases have created obstacles in the practice of customary resolution. For instance, some residents prefer reporting minor cases to the police rather than resolving them through customary deliberation, while others view customary decisions as lacking binding legal force.

This phenomenon raises fundamental questions: To what extent is Qanun Number 9 of 2008 truly implemented at the gampong level? Do customary institutions have sufficient capacity to resolve minor offenses? What challenges arise in practice? And what measures can be taken to strengthen the role of customary institutions so that they remain relevant in governing community life?

This research assumes that strengthening customary institutions is not only crucial for preserving Aceh's cultural identity but also strategic in reducing the burden on formal law enforcement. By encouraging case resolution at the gampong level, minor cases do not accumulate at the police, prosecutors, or courts but are handled more quickly, inexpensively, and effectively. Moreover, customary mechanisms are better suited to preserving familial values and social harmony, which are the foundation of Acehnese life.

Normatively, the existence of Qanun Number 9 of 2008, the Governor's Circular, MAA guidelines, and the Police Chief's Circular demonstrate a political will to strengthen the position of customary law. Empirically, however, the implementation of these policies still faces challenges, including human resource limitations, inadequate facilities, and varying levels of community acceptance.

Therefore, this study focuses on addressing three central issues:

- a. How is the mechanism for resolving minor criminal offenses in gampong implemented under Qanun Number 9 of 2008?

- b. What challenges are faced in the practice of resolving minor criminal offenses in Blang Bintang Subdistrict?
- c. What efforts can be made to strengthen customary institutions so they can more effectively resolve disputes in gampong?

The answers to these questions are expected to contribute theoretically to the study of customary law in Indonesia while also offering practical recommendations for the Aceh Government, gampong authorities, and law enforcement. In the academic domain, this research enriches the discourse on legal pluralism, particularly the relationship between customary law and formal law in regions with special autonomy such as Aceh.

Thus, this introduction affirms that the resolution of minor criminal offenses under Aceh Qanun Number 9 of 2008 is not merely a local practice but part of a broader strategy to build a legal system that is more responsive, restorative, and contextual to community values. Blang Bintang Subdistrict serves as a representative locus for examining the effectiveness, challenges, and opportunities for strengthening customary institutions in resolving cases particularly minor criminal offenses in contemporary times. (Alhakim et al., 2025)

2. Method

This study employs a qualitative method with a juridical-sociological approach to examine the resolution of minor criminal offenses under Aceh Qanun Number 9 of 2008, combining normative analysis of legal regulations with empirical observation of customary dispute-resolution practices at the gampong level. Conducted in Blang Bintang Subdistrict, where strong customary traditions remain despite the influence of modern legal developments the research gathers primary data through in-depth interviews, participant observation, and documentation involving key actors such as the keuchik, tuha peut, religious leaders, customary figures, and community members, while secondary data are drawn from legislation, academic literature, and institutional documents. Data were analyzed through reduction, presentation, and conclusion-drawing, with validity ensured through triangulation and member checks, and ethical principles upheld throughout the process (Iqbal et al., 2025). Designed to explain dispute-resolution mechanisms, identify practical obstacles, and formulate recommendations for strengthening customary institutions, this methodological framework offers a holistic view that integrates normative and empirical realities, contributing both theoretically to discussions on legal pluralism and restorative justice and practically to policymakers and customary communities in Aceh.

3. Result & Discussion

3.1. Mechanism for Resolving Minor Criminal Offenses in Gampong According to Qanun Number 9 of 2008

The resolution of minor criminal cases in Acehnese society cannot be separated from the customary legal system, which has long been rooted in the community's social life. In the Aceh context, customary law is not merely a normative instrument but also a manifestation of collective identity and the embodiment of Islamic values that are

deeply integrated into the local culture (Amirullah & Muhibuddin, 2020). Qanun Aceh Number 9 of 2008 on the Development of Customary Life and Traditions serves as the formal legal basis that recognizes and regulates the settlement of cases through customary courts. This qanun provides legitimacy to the practice of dispute resolution through customary means, which has been handed down from generation to generation at the gampong level.

Minor criminal offenses, such as minor assault, small disputes, defamation, or quarrels between residents, are generally not resolved through formal judicial mechanisms. Instead, communities prefer customary resolution because it is seen as faster, simpler, less costly, and capable of delivering restorative justice. The primary goal is not punishment but the restoration of social relations, the strengthening of kinship values, and the creation of harmony within society.

The fundamental principles of resolving minor criminal cases in Acehese society are deliberation, reconciliation, and kinship (Hatta, 2024). The process of customary deliberation always upholds the values of harmony, peace, and sincerity, so that the resolution is not merely a formal decision but rather an agreement accepted by all parties. This aligns with the principles of Islamic law, which emphasizes *ishlah* (reconciliation) as a path to conflict resolution.

The nature of settlement through customary law is also restorative, seeking to restore relationships between the parties and within the wider community. Unlike formal criminal law, which focuses on punishing offenders, customary adjudication aims to restore social equilibrium. As a result, the community perceives customary mechanisms as providing a greater sense of substantive justice compared to formal legal enforcement. (Rado & Badillah, 2019)

Based on interviews conducted in Blang Bintang District, customary adjudication in gampong involves several key actors:

- a. *Keuchik* as the leader of the gampong and chair of the customary council, responsible for leading deliberations, gathering information, mediating parties, and making final decisions.
- b. *Tuha Peut* (village consultative council), which provides collective legitimacy for customary decisions.
- c. *Imum Meunasah* or religious leaders, who offer moral guidance and Islamic values in case resolution.
- d. *Sekdes* (Village Secretary), who acts as a registrar, documenting the deliberation process and producing official records.
- e. *Ulee Jurong*, who initially receives community reports and forwards them to the *keuchik*.

This structure demonstrates that customary courts at the gampong level operate collectively, involving formal leaders, religious authorities, and community figures, thus ensuring both social and religious legitimacy for decisions. Field research in Blang Bintang shows that the mechanism for resolving minor criminal cases proceeds through several systematic stages:

- a. Reporting cases: are reported by residents to the Ulee Jurong or directly to the *Keuchik*.
- b. Information Gathering: the *Keuchik* personally visits the parties' homes to obtain information, reflecting a personal approach.
- c. Summoning Parties: the *Keuchik* separately summons the perpetrator and victim to hear their accounts.
- d. Internal Evaluation: the *Keuchik*, *Tuha Peut*, *Imum Meunasah*, and village officials deliberate internally to assess the case and determine appropriate sanctions.
- e. Joint Deliberation: both parties are invited to a customary deliberation led by the *Keuchik*, with *Tuha Peut*, *Imum Meunasah*, and customary figures in attendance.
- f. Decision and Customary Sanctions: outcomes often include public apologies, compensation, fines, or symbolic sanctions such as *peusijuk* (blessing ceremony).
- g. Reconciliation Ceremony: an adat ritual, such as sharing yellow sticky rice (*bu leukat kuneng*) or collective prayer, symbolizes reconciliation.

This process underscores the importance of sincere peace, ensuring that no resentment or hostility remains between parties after the case is resolved. One crucial element is synchronization with formal law enforcement. Article 13(1) of Qanun Aceh Number 9 of 2008 stipulates that disputes or customary conflicts must first be resolved at the gampong level. Law enforcement authorities, including the police, provide space for customary adjudication to function.

Interviews with community police officers (*Bhabinkamtibmas*) in Blang Bintang reveal that the police support customary courts as long as procedures are followed. If reconciliation is reached, the case is considered resolved. However, if deliberation fails, the case is transferred to the formal criminal justice system. This indicates coordination and role-sharing between customary and state law.

Field findings suggest that communities view customary mechanisms as far more effective than formal ones. The main reasons include:

- a. Speed and simplicity: customary deliberations usually take only a few days, unlike lengthy court proceedings.
- b. Low cost: there are no significant financial burdens on the parties.
- c. Substantive justice: decisions restore social relationships rather than merely punishing offenders.
- d. Family values: home visits by the *Keuchik*, meetings at the *meunasah*, and reconciliation rituals foster kinship and peace.

As expressed by one victim, customary settlement is "more comforting" because the perpetrator apologizes publicly and social relations are restored. This demonstrates that customary adjudication provides culturally contextual justice in Aceh. From interviews and field observations, the sanctions imposed in resolving minor offenses are generally restorative and symbolic. These include:

- a. Public apologies to the victim and community.
- b. Customary fines in money or goods as agreed.
- c. Compensation for the victim's losses.
- d. *Peusijuk* and collective prayer as symbols of purification and reconciliation.
- e. Shared meals (*bu leukat kuneng*) to strengthen fraternity. (Ridha, 2017)

These sanctions serve a dual function: concretely resolving conflicts while restoring social harmony. Nonetheless, there are cases that cannot be settled through customary means such as when minor offenses cause serious injuries or when parties refuse reconciliation. In such cases, matters are referred to the police for formal processing, demonstrating that customary jurisdiction has limits and respects national law. Customary law thus functions as the first track of resolution, while formal law serves as the last resort when adat fails.

The settlement of minor criminal cases through customary courts reflects the legal philosophy of Acehese society, which emphasizes harmony and balance. The primary goal is not punishment but the restoration of peace in three dimensions:

- a. Harmony between disputing individuals.
- b. Harmony within the wider community.
- c. Harmony between humans and their social-cultural environment. (Simanjuntak & Nababan, 2025)

This philosophy highlights the communal orientation of Acehese customary law, distinct from the individualistic and legalistic focus of formal law. In conclusion, the mechanism for resolving minor criminal offenses at the *gampong* level under Qanun Number 9 of 2008 emphasizes deliberation, reconciliation, and kinship. The process involves customary structures, including the *Keuchik*, *Tuha Peut*, *Imum Meunasah*, and community leaders, and follows systematic stages from reporting to reconciliation rituals. The community perceives this mechanism as effective because it is simple, fast, affordable, and provides substantive justice. Law enforcement authorities also support customary adjudication, ensuring integration between customary and formal legal systems. Thus, customary mechanisms are not only culturally relevant but also legally valid under Qanun Aceh Number 9 of 2008.

3.2. Challenges Encountered in the Practice of Resolving Minor Criminal Offenses in Blang Bintang District

The settlement of cases through customary law mechanisms in Aceh has long been recognized as one of the most effective means of mitigating social conflict, particularly in cases categorized as minor offenses. Historically, the Acehese people have placed customary law (*adat*) as the primary reference in resolving disputes. This is inseparable from the position of adat within the Indonesian legal system, particularly in Aceh, which obtained formal recognition through Law No. 11 of 2006 on Aceh Governance, Aceh Qanun No. 9 of 2008 on the Development of Customary Life and Traditions, and Aceh Qanun No. 10 of 2008 on Customary Institutions. These three legal instruments provide the legitimacy for the existence of customary institutions in dispute resolution, including minor criminal offenses (*tipiring*). (Lesmana, 2019)

Nevertheless, the effectiveness of resolving *tipiring* cases through customary mechanisms at the *gampong* level does not always run as expected. In Blang Bintang Subdistrict, Aceh Besar Regency, several obstacles have been identified in the practice of case resolution. These challenges are multi-layered, ranging from normative, structural, sociological, to technical aspects. This section elaborates these obstacles in detail, based on field research gathered from *gampong* documents, interviews with

keuchik, victims, perpetrators, police officers, and bhabinkamtibmas, supported by juridical analysis.

One of the most crucial challenges in the practice of resolving tipiring cases in Blang Bintang is the difference in perceptions of justice among the parties involved. The customary mechanism, as stipulated in Article 13 of Aceh Qanun No. 9 of 2008, emphasizes peaceful settlement with the main goal of restoring social relations. Consequently, sanctions tend to take the form of compensation, apology, *peusijuek* rituals, or payment of customary fines.

However, interviews with the Burhanuddin, *Keuchik* of Gampong Blang revealed issues when victims were dissatisfied with the outcome of the customary deliberations. He stated: "We always prioritize settlement through customary means because it is more acceptable to the community, but sometimes victims reject the results if they do not meet their expectations." This illustrates the gap between the restorative justice values embraced by customary mechanisms and the retributive justice expectations of some victims. In certain cases, victims demanded harsher formal punishments to deter offenders, while gampong officials and perpetrators preferred reconciliation. As a result, tensions arose, often leading to the transfer of cases to the police. This demonstrates that although the qanun provides space for customary settlement, its practical implementation faces dilemmas when justice perceptions cannot be reconciled.

Another significant challenge lies in the limited human resource capacity of gampong officials, particularly *keuchik* and *tuha peut*, in understanding legal procedures as stipulated in the qanun. Research findings indicate that the educational background of *keuchik* in the three studied villages is relatively low one only completed junior high school, another high school, and one had a diploma. With such limited education, their comprehension of legal substance, including the mechanisms for resolving tipiring cases under Qanun No. 9 of 2008, is also limited. This was reinforced by their statements expressing the lack of training and socialization from local authorities regarding customary dispute resolution procedures.

This limitation affects the quality of customary deliberation outcomes, which often end up as compromises without ensuring victim recovery or preventing recidivism. Similarly, logistical and technical challenges exist, such as the absence of proper mediation spaces, inadequate administrative support, and lack of operational funds, all of which delay proceedings. Victims frequently expressed frustration over repeated postponements, raising concerns that perpetrators might flee or reoffend.

Another recurring issue is the absence of post-reconciliation monitoring mechanisms. Although agreements are reached, the lack of enforcement weakens their effectiveness. Victims expressed concern that offenders could repeat offenses without follow-up supervision. In addition, delays in mediation processes often eroded community trust in customary institutions.

The settlement of tipiring cases in Blang Bintang thus faces multiple dilemmas: between maintaining social harmony and fulfilling individual justice, between the authority of customary institutions and formal law, and between restorative and

retributive approaches. Based on field interviews with the Blang Bintang Police Chief and bhabinkamtibmas, another challenge is the community's lack of understanding of the limits of customary authority. Many residents assumed that police involvement should only occur as a last resort, even though in practice, police cooperation could strengthen the legitimacy of customary decisions.

From the findings across Kampung Blang, Data Makmur, and Cot Geundreut, common cases included minor assaults, petty thefts, fraud, debts, and threats. While many were resolved through compensation, *peusijek* rituals, or fines, others ultimately had to be transferred to the police when no consensus could be achieved.

From the above analysis, it can be concluded that the main challenges in resolving minor criminal offense cases in Blang Bintang include:

- a. Differences in perceptions of justice among victims, perpetrators, and gampong officials.
- b. Limited human resource capacity of gampong authorities in understanding adat law and qanun.
- c. Inadequate time, facilities, and administrative support during mediation.
- d. Lack of post-reconciliation monitoring mechanisms.
- e. Delays in mediation processes that create uncertainty.
- f. Tensions between collective social justice and individual justice.
- g. Limited public understanding of the jurisdiction of customary institutions.

Therefore, strengthening customary institutions, improving the capacity of gampong officials through training, providing adequate government support, and clarifying coordination between customary institutions and formal law enforcement are crucial. These efforts are necessary to ensure that customary settlement mechanisms not only preserve social harmony but also deliver substantive justice for both victims and perpetrators.

3.3. Efforts to Strengthen Customary Institutions to Be More Effective in Resolving Cases in Gampong

Customary institutions in the context of Acehnese society, particularly at the gampong level, hold a highly strategic position in regulating, resolving, and maintaining social order through customary dispute resolution mechanisms (Amalia et al., 2018). Qanun Aceh Number 9 of 2008 on the Development of Customary Life and Customs serves as the normative foundation that recognizes the role of customary institutions in resolving certain cases, including minor criminal offenses as stipulated in Article 13 paragraph (1). Cases handled at the gampong level through customary adjudication include, among others, family disputes, disputes between residents, violations of customary etiquette, inheritance disputes, as well as minor criminal offenses such as petty theft, minor assault, and minor immoral acts.

Nevertheless, despite having a legal foundation and social legitimacy, the effectiveness of customary institutions in resolving cases at the gampong level faces several challenges. These challenges arise not only from the limited capacity of the customary institutions themselves but also from external factors such as intervention by law enforcement officers, the development of national positive law, and shifts in social

values in modern society. Therefore, efforts are needed to strengthen customary institutions so that they become more effective, credible, and capable of making a tangible contribution to Indonesia's legal system, particularly in the context of developing restorative justice.

Customary institutions in Aceh, especially those led by the *keuchik*, *imum mukim*, *tuha peut*, and other customary leaders, derive legitimacy from two sources: formal legitimacy through Qanun Aceh Number 9 of 2008, and social legitimacy through community recognition. The Qanun affirms that customary adjudication functions as a means of resolving problems arising in community life by prioritizing deliberation, reconciliation, and the principle of balanced justice. (Kasim & Nurdin, 2020)

Article 13 paragraph (1) of this Qanun specifies 18 matters that can be resolved at the *gampong* level, including minor criminal offenses. This list also defines the jurisdictional limits of customary adjudication (Salim et al., 2025). The Circular Letters of the Governor of Aceh, the Majelis Adat Aceh (MAA), and the Chief of the Aceh Regional Police further reinforce the existence of customary institutions by encouraging cases falling under customary jurisdiction to be resolved through *gampong* mechanisms before being reported to formal law enforcement agencies. This reflects a form of synergy between customary law and state law.

While this legal foundation provides wide room for customary institutions to function optimally, in practice their effectiveness is often hampered by weaknesses in human resources, limited legal knowledge, and conflicts of interest when disputing parties prefer formal channels. To understand the importance of strengthening customary institutions, the key challenges must first be mapped.

Challenges faced include:

- a. Limited Capacity of Customary Officials
Many *gampong* officials and customary leaders lack adequate legal knowledge, making it difficult to translate restorative justice principles into practical dispute resolution.
- b. Lack of Documentation and Administration
Cases resolved at the *gampong* level are often poorly documented, even though such documentation is vital for accountability, evaluation, and formal recognition by law enforcement agencies.
- c. Intervention by Law Enforcement Officers
- d. Despite directives to respect customary resolutions, police or prosecutors sometimes directly take over minor cases, which may weaken community trust in customary institutions.
- e. Social and Cultural Shifts
Modernization, urbanization, and the penetration of formal legal values have led some community members to prefer taking their cases to formal courts, thereby reducing the practical role of customary institutions.
- f. Weakness of Customary Sanctions
- g. Customary sanctions are often viewed as lenient or lacking enforceability. The effectiveness of customary institutions depends largely on community compliance with their decisions.

From these challenges, it is clear that strengthening customary institutions requires multidimensional strategies in terms of regulation, human resource capacity, and integration with the formal legal system. The concept of restorative justice has emerged as a new paradigm in modern criminal law, emphasizing the restoration of social relationships, balance, and harmony rather than mere punishment. The principles of restorative justice align with Acehese customary practices that prioritize deliberation, reconciliation, and fair compensation.

In resolving minor cases at the gampong level, customary institutions seek to bring disputing parties together to find a joint solution. For instance, in cases of minor assault, the offender may be required to apologize, pay compensation, or undertake customary sanctions such as community service. This approach not only reduces the burden of cases in formal courts but also strengthens social solidarity at the gampong level.

Thus, strengthening customary institutions also means reinforcing the basis for implementing restorative justice in Indonesia. The Acehese customary system can serve as a contextual model of restorative justice, rooted in local culture while in line with Indonesia's criminal law reform as reflected in the new Criminal Code, which also acknowledges non-judicial dispute resolution principles.

Efforts to strengthen customary institutions to be more effective in resolving cases at the gampong level can be carried out through several strategies:

- a. **Strengthening Regulations and Synergy with Positive Law**
Qanun Aceh Number 9 of 2008 needs to be supported by more technical derivative regulations, such as regent or mayoral regulations governing procedures, administrative formats, and reporting obligations for customary dispute resolutions. Synergy must also be enhanced with the police through memoranda of understanding to ensure that minor cases are prioritized for resolution at the gampong level.
- b. **Capacity Building for Customary Officials**
Customary institutions require regular training programs on criminal law, restorative justice, and mediation skills. With improved capacity, customary officials will rely not only on experience but also on sufficient legal knowledge.
- c. **Improved Documentation and Administration**
Each case resolved at the gampong level should be recorded in registers or simple digital systems. This will facilitate evaluation, monitoring, and formal recognition of outcomes by state institutions.
- d. **Enhancing the Role of the Majelis Adat Aceh (MAA)**
The MAA can serve as a supervisory and advisory body for customary institutions at the gampong level, ensuring that customary sanctions comply with restorative justice principles and do not violate human rights.
- e. **Economic and Social Empowerment as Part of Customary Sanctions**
Customary sanctions should go beyond apologies or fines, including obligations such as community service, contributions to gampong development, or rehabilitation for offenders. This way, dispute resolution becomes an instrument for both social restoration and development.
- f. **Integration with the National Restorative Justice System**

- g. The success of Acehnese customary institutions in applying restorative justice could serve as a national model. Integration with Indonesia's criminal policy is necessary, for example, through formal recognition of customary dispute resolutions in the Criminal Procedure Code (KUHP) or Supreme Court regulations.

Strengthening customary institutions is not only vital for Acehnese society but also carries broader significance as a contribution to national legal reform. Indonesia's pluralistic legal system inherently allows room for customary law as a source of law. In this regard, Aceh's customary adjudication, based on restorative justice, can serve as a social laboratory to test the effectiveness of new legal paradigms.

Moreover, the new national Criminal Code accommodates restorative justice principles by providing space for criminal case settlements outside the courts. Aceh's practices can enrich the implementation of these principles, as Acehnese customs have long emphasized deliberation, reconciliation, and restoration of social relations. Thus, strengthening customary institutions is not merely a local concern but also an essential contribution to shaping Indonesia's criminal law system into one that is more humanistic, just, and rooted in local wisdom.

4. Conclusion

Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Traditions provides a juridical foundation for Gampong communities in resolving minor criminal offenses through customary mechanisms. The regulation of 18 principal matters in Article 13 paragraph (1) of the Qanun affirms that the Acehnese people have the authority to resolve social conflicts and minor criminal offenses in a familial, deliberative, and restorative manner. This demonstrates that customary law remains alive and functions as an instrument of dispute resolution in harmony with Islamic values, local wisdom, and the principle of substantive justice that characterizes Acehnese society.

Research in Blang Bintang District shows that the implementation of the mechanism for resolving minor criminal offenses in Gampong has been effective, yet not without challenges. The obstacles include the limited capacity of gampong officials in fully understanding the provisions of the Qanun, external intervention from law enforcement officers, and the lack of supporting facilities for documenting each customary decision. In addition, challenges arise from differing perceptions between the community and formal authorities regarding the status of customary law within the national legal system. These constraints indicate the need for better harmonization between customary law, positive law, and Islamic law to ensure that dispute resolution practices maintain strong legitimacy.

To strengthen the role of customary institutions, systematic efforts are required, such as enhancing the capacity of gampong officials through customary law training, drafting uniform technical guidelines, and reinforcing coordination with the Aceh Customary Council (Majelis Adat Aceh), local government, and law enforcement agencies. The Circular Letters of the Governor of Aceh, the Aceh Customary Council,

and the Chief of Aceh Regional Police have already served as important foundations to ensure the continuity and recognition of customary mechanisms, yet their implementation needs to be reinforced with supervision and resource support. Thus, strengthening customary institutions will not only enhance the legitimacy of resolving minor cases in gampong but also safeguard the sustainability of Aceh's local wisdom within the framework of the Unitary State of the Republic of Indonesia.

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