



The Impact of Customary Law Implementation in Crime Resolution after the Reform of National Criminal Law in Indonesia

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Article Info	Abstract
Article History Received: 2025-07-05 Revised: 2025-08-06 Published: 2025-09-10 Keywords: <i>Customary Law, Criminal Code 2023, Aceh Qanun, Restorative Justice.</i>	This study examines the impact of the application of customary law in resolving crimes in Aceh Province following the enactment of the National Criminal Code (KUHP) Number 1 of 2023. As the only region with special autonomy in the legal sector, Aceh has a dual legal system that integrates national law, Islamic law, and customary law through Qanun. This study examines how the recognition of customary law in the new KUHP strengthens the legitimacy of resolving minor criminal cases in Aceh, which have previously been resolved through customary village deliberation mechanisms. Through a normative and sociological approach, this study found that the provisions in Article 2 paragraph (1) and Article 97 of the 2023 Criminal Code explicitly recognize existing laws within society as sources of criminal law, including customary laws codified through regional regulations such as the Aceh Qanun. Empirical findings indicate that more than 60% of minor criminal cases in several districts in Aceh have been resolved through customary institutions, with a high level of community acceptance and satisfaction. This emphasizes the role of customary law as an effective and contextual means of restorative justice. However, implementation challenges such as disharmony between the Criminal Code and Qanun (Indonesian Law), suboptimal understanding among law enforcement officials, and limited customary documentation are significant concerns. Therefore, steps are needed to synchronize regulations, increase the capacity of customary institutions, and foster cross-sectoral development so that customary law can function optimally within a pluralistic national criminal justice system.

I. INTRODUCTION

Aceh is the only province in Indonesia that has been granted special autonomy in the legal field, particularly regarding the implementation of Islamic law. This special status is constitutionally guaranteed by Article 18B paragraphs (1) and (2) of the 1945 Constitution.(State 2001)and normatively explained through Law Number 11 of 2006 concerning the Government of Aceh (UUPA).(Bukhari 2022)Within this normative framework, Aceh is authorized to draft and implement Islamic law-based regional regulations, known as Qanuns, including those in the area of criminal law. These Qanuns not only symbolize the religious and cultural identity of the Acehnese people, but have also become a formal

source of law, valid and recognized nationally.(Nurliza 2019)

One of the key pillars of Aceh's criminal justice system is the recognition and application of customary law. In Aceh's judicial system, customary law is inseparable from the Qanun (Indonesian law) and the social structure of Acehnese society, which is deeply rooted in local traditions.(Taorik, Kusmaedi, and Fadil 2024)Aceh Qanun No. 9 of 2008 concerning the Development of Customary Life became a significant milestone, reaffirming the role of customary institutions in resolving violations of social norms and minor crimes. The role of Keuchik, Imum Mukim, Tuha Peut, and other customary leaders in resolving social conflicts has been institutionalized through customary deliberation mechanisms recognized by formal

law. The resolution of cases through these customary institutions has run parallel to the national justice system and has proven effective in maintaining social harmony and resolving minor cases quickly, affordably, and fairly.(Fitriani 2024)

The Aceh Qanun Jinayat is also a manifestation of the special nature of Acehnese law, which regulates specific criminal acts or jarimah based on Islamic law, such as adultery, khalwat, maisir (gambling), khamar (alcohol), liwath (homosexuality), musahaqah (lesbianism), and so on. The Qanun Jinayat establishes a special judicial mechanism implemented through the Sharia Court, with the threat of sanctions known as uqubat—either in the form of flogging, gold fines, or imprisonment. In practice, the Qanun Jinayat does not stand alone but works synergistically with customary law, especially in cases containing social and moral dimensions of the community.

Type of Case	Legal Category	Completed by
Adultery	Hudud Crimes	Sharia Court
Khalwat (being alone with a non-mahram person)	Ta'zir Crimes	Sharia Court
Ikhtilath (touching not muhrim)	Ta'zir Crimes	Sharia Court
Maisir (gambling)	Ta'zir Crimes	Sharia Court
Khamar (alcoholic beverage)	Ta'zir Crimes	Sharia Court
Liwath (homosexual)	Hudud Crimes	Sharia Court
Musahaqah (lesbianism)	Hudud Crimes	Sharia Court
Qadzaf (accusing of adultery without evidence)	Hudud Crimes	Sharia Court
Petty Theft (in the community)	Customs	Village Customary Institution
Domestic Dispute	Customs	Village Customary Institution

Inheritance Dispute	Customs	Village Customary Institution
Minor Assault	Customs	Village Customary Institution
Slander/Mild Insult	Customs	Village Customary Institution

Customary law in Aceh is not only alive but also serves as a source of crime resolution outside the formal justice system. For example, in cases of minor theft between neighbors, minor fights, or cases of khalwat (intimacy) that can be resolved peacefully, communities prefer customary deliberation mechanisms at the village level.(Gunawan et al. 2024) This resolution is often considered more effective and just because it takes into account local values, social relations, and the restoration of relationships between parties. Unlike formal justice processes, which tend to be punitive, customary systems tend to prioritize restorative justice principles, which emphasize reparation for victims and social reconciliation.

However, in the context of national law, customary law is often subordinate to written law or state law. The old Criminal Code, a legacy of colonial law, does not explicitly accommodate customary law, resulting in tensions between customary-based resolutions and formal justice mechanisms. Law enforcement officials often force criminal prosecutions for cases that have actually been resolved through customary settlements. This creates the problem of legal dualism and threatens the very existence of customary law as a viable conflict resolution mechanism within society.

This situation experienced a significant turning point with the enactment of the new Criminal Code (KUHP) through Law Number 1 of 2023, which is planned to come into effect in February 2026. This new KUHP carries the spirit of national criminal law reform that is more rooted in local and constitutional values of Indonesia. One of the most progressive aspects of this new KUHP is the explicit recognition of the laws that exist in society, including customary law, as a source of criminal law. In Article 2 paragraph (1) of the 2023 KUHP, it is emphasized that the provisions in the KUHP do not reduce the application of laws that exist in society that

determine that a person should be punished, even though the act is not regulated in this law.

With this regulation, customary law is not only recognized as a social norm but can also be used as a basis for criminal punishment if regulated in regional regulations. Furthermore, Article 97 of the 2023 Criminal Code also allows for additional penalties in the form of fulfilling customary obligations. This means that if a perpetrator has resolved the case according to customary law (for example, by paying a customary fine, apologizing to the victim, or undergoing other customary sanctions), the judge can consider this resolution as part of a valid sentence. In the Acehese context, this has significant implications. (Gunawan et al. 2024)

With the new Criminal Code provisions, the system of resolving crimes through customary law in Aceh has been strengthened in terms of national legal legitimacy. Village customary institutions, which have long been the spearheads for resolving social conflicts and minor crimes, now have a strong legal basis in the national Criminal Code. Similarly, the Qanuns passed by the Aceh People's Representative Council (DPR), including the Qanun Jinayat and Qanun Adat, can now be categorized as part of the "living law within society" as defined in the Criminal Code.

However, this transformation is not without challenges. First, there are still issues with synchronizing norms between the new Criminal Code and the Aceh Qanun, particularly regarding types of crimes, law enforcement mechanisms, and criminal sanctions. For example, the Criminal Code stipulates that adultery is a complaint-based offense, while the Jinayat Qanun considers adultery a common offense that can be handled directly by the Wilayatul Hisbah. Likewise, the Criminal Code does not recognize caning as a punishment, while the Jinayat Qanun stipulates caning as the primary sanction. These differences have the potential to create disharmony in the application of law in Aceh after the new Criminal Code comes into effect.

Second There is also the issue of the readiness of law enforcement officials, both in terms of understanding customary law and skills in integrating customary norms into the formal criminal justice system. In some regions, there is still resistance from police and prosecutors to customary resolutions because they are considered to lack sufficient legal force. However, with the new Criminal Code, customary resolutions regulated by Qanun and implemented according to local procedures should be legally

recognized. Training, outreach, and institutional reform are needed so that law enforcement officials can accept, understand, and apply customary law principles within the new national legal framework.

Third The long-standing problem of legal duality in Aceh has the potential to shift. If not carefully managed, the recognition of customary law in the Criminal Code could open up jurisdictional conflicts between the Sharia Court, customary institutions, and district courts. Therefore, affirmative policies are needed that clearly define the jurisdictional boundaries of customary law, national criminal law, and Sharia criminal law to prevent overlapping case handling that could undermine the principle of legal certainty.

Furthermore, an equally important question is the concrete impact of recognizing customary law in the Criminal Code on crime resolution in Aceh, both in terms of the effectiveness of law enforcement, the efficiency of the judicial system, and public acceptance of a justice model based on local values. Will the enactment of the new Criminal Code increase the state's respect for customary law resolution? Will this encourage communities to prefer customary deliberation over formal court proceedings? And to what extent will this result in a reduction in crime rates or a reduction in the court caseload?

Therefore, this research is important to explore in depth the impact of the application of customary law in resolving crimes after the enactment of the new Criminal Code, by taking a case study in Aceh Province as the only region with a dual legal system (national and sharia) that has long integrated customary law into its legal life. This research will not only contribute to the development of national criminal law science, but also provide concrete input for policymakers at the central and regional levels in formulating regulations and implementation strategies that harmonize national and local laws. By examining the dynamics of the application of customary law in Aceh before and after the reform of the Criminal Code, it is hoped that a complete picture can be obtained regarding the effectiveness, legitimacy, and legal implications of the integration between customary law and national criminal law. This research will also open up new discourse space on the ideal model of the Indonesian criminal justice system that is able to accommodate local diversity within a legal framework that is just and respects the values of legal pluralism. From the description

above, two important questions arise that become the problem formulation in this research:

1. How is customary law recognized and regulated in the National Criminal Code Number 1 of 2023, and what form of synchronization is there between the Criminal Code and the Qanun on criminal law in Aceh?
2. What is the impact of the application of customary law on the resolution of minor criminal cases in Aceh, and to what extent can customary law support the principle of restorative justice in the context of national criminal law reform?

II. RESEARCH METHODS

The research method used in this study is normative legal research with a statute approach,(Yam 2022)a conceptual approach, supported by a sociological approach (socio-legal approach) to explore the empirical aspects of the application of customary law in Aceh. The legislative approach is used to examine the norms in the new Criminal Code Number 1 of 2023 and relevant Aceh Qanuns, such as Qanun Jinayat and Qanun Adat Number 9 of 2008. The conceptual approach is used to analyze the legal ideas and principles underlying the recognition of customary law as part of national criminal law. Meanwhile, a sociological approach is used to assess the impact of the application of customary law in the practice of resolving minor criminal cases in Aceh, by examining the interaction between legal norms and the socio-cultural values of the community. The data used are secondary data in the form of primary, secondary, and tertiary legal materials, which are analyzed qualitatively to answer the research problem formulation comprehensively.

III. RESULTS AND DISCUSSION

A. Recognition and Regulation of Customary Law in the National Criminal Code Number 1 of 2023 and Synchronization with the Criminal Law in Aceh

In the Indonesian legal system, the existence of customary law has long been a subject of juridical-constitutional debate, particularly

regarding its existence within the positive legal system and its role in criminal law. Historically, customary law has been an integral part of Indonesia's pluralistic legal system. However, in the practice of national legal development, particularly since Dutch colonialism, customary law has tended to be sidelined by the dominance of codified law, embodied in the old Criminal Code (Wetboek van Strafrecht).(Bagenda et al. 2023)

The colonial Criminal Code, enacted in 1918, did not explicitly recognize customary law. Consequently, within the national criminal justice system, customary law-based dispute resolution was often considered merely a social practice with no binding legal value. In this context, law enforcement officials, including the police and prosecutors, frequently dismissed customary dispute resolution mechanisms, arguing that they had "no basis in national law."

However, this dynamic began to change with the enactment of Law Number 1 of 2023 concerning the Criminal Code, which came into effect on January 2, 2026. This new Criminal Code introduced a new paradigm in the renewal of Indonesian national criminal law by opening more space to local values and laws that exist within society, including customary law. One of the monumental changes in the 2023 Criminal Code is the recognition of customary law as part of the sources of national criminal law.(NINGRUM, nd)

One of the provisions that explicitly opens up legal space for customary law is contained in Article 2 paragraph (1) of the 2023 Criminal Code, which reads:

"The provisions in this Law do not reduce the validity of existing laws in society which determine that a person deserves to be punished even though the act is not regulated in this Law."

This article constitutes formal legal recognition of the existence of customary law as living law within society. The official explanation defines "living law within society" as customary law that is still recognized and practiced by customary law communities, and is regulated by regional regulations or Qanuns in certain regions, such as Aceh.

Furthermore, Article 597 of the 2023 Criminal Code regulates the forms of sanctions for violations of customary law as follows:

"Anyone who commits an act which according to the laws prevailing in society is prohibited and is punishable by criminal penalties, can be subject to additional penalties in the form of fulfilling customary obligations."

This strengthens the position of customary law, not merely as an informal instrument but as an institutionalized supplementary sanction within the formal criminal justice system. These sanctions can take the form of customary apologies, compensation payments in the form of a sacrificial offering, the performance of certain customary ceremonies, or other forms of local sanctions codified through regional regulations such as the Aceh Qanun.

The new Criminal Code even stipulates that if the perpetrator does not fulfill the customary obligations imposed by the judge, the sanction can be converted into a category II fine (maximum IDR 10 million), or replaced with community service or supervision as stipulated in Articles 96 and 97 of the 2023 Criminal Code. This makes customary decisions legally enforceable with state intervention. (Yasdin, Rapung, and Rafi 2024)

Aceh, as a region with special autonomy status, enjoys a unique position within the national legal system. Based on Article 18B paragraph (2) of the 1945 Constitution, the state recognizes and respects the unity of customary law communities and their traditional rights as long as they remain alive and in accordance with the principles of the Unitary State of the Republic of Indonesia. More concretely, this regulation was strengthened by the issuance of Law Number 11 of 2006 concerning the Governance of Aceh (UUPA), which legitimizes Aceh to formulate and implement a legal system based on Islamic law and customary law.

In the UUPA, Article 125 paragraph (1) states that the Aceh Government and district/city governments can establish Qanun as regional regulations governing the implementation of Islamic Sharia, including in the field of criminal law. These Qanuns apply exclusively to Muslim citizens and are binding, as long as they do not conflict with higher laws and human rights values. Thus, Qanun in Aceh has the status of *lex specialis* within the scope of regional law, which has fulfilled the requirements as living law according to Article 2 of the Criminal Code. Concrete examples of Qanun that reflect customary and sharia-based criminal law norms are:

1. Aceh Qanun No. 6 of 2014 concerning Jinayat Law – regulates crimes such as adultery, *khalwat*, *ikhtilath*, *maisir*, *khamar*, *liwath*, *musahaqah*, and *qadzaf*.
2. Aceh Qanun No. 9 of 2008 concerning the Development of Customary Life and Customs – gives authority to customary institutions to resolve minor criminal

cases such as minor assault, minor theft, domestic disputes, and slander according to customary law.

3. Qanun No. 7 of 2013 concerning Jinayat Procedural Law – regulates procedural law procedures in the Sharia Court, including the involvement of Wilayatul Hisbah officers.

Normatively, the 2023 Criminal Code recognizes the validity of regional regulations such as the Aceh Qanun as a living form of customary law. However, at the implementation level, synchronization of norms between the Criminal Code and the Qanun is necessary to avoid overlapping or conflicting jurisdictions.

As an example:

- Article 411 of the 2023 Criminal Code defines adultery as a complaint-based offense, punishable by one year in prison. However, the Qanun Jinayat (Islamic Law) defines adultery as a *hudud* crime punishable by 100 lashes and does not require a complaint.
- Article 412 of the 2023 Criminal Code stipulates cohabitation (living together without marriage) as a criminal offense. In Aceh, this type of relationship can be prosecuted as *khalwat/ikhtilath* by the Wilayatul Hisbah without requiring a complaint from the family.

In this case, the principle of *lex specialis derogat lex generalis*, which is part of the universal legal principle, can be used to confirm that the Qanun Jinayat applies as *lex specialis* in the Aceh region, as long as it does not conflict with the general principles of national law. (Bukhari 2022) The Criminal Code also provides for this through Article 622 letter b, which states that provisions in the Criminal Code do not apply if the criminal act in question has been specifically regulated in other laws and regulations. Therefore, a specifically regulated Qanun can replace the application of Criminal Code articles in similar cases.

The recognition of customary law in the new Criminal Code has several important legal implications for the national criminal justice system:

1. Deconstructing the State's Monopoly on Criminalization: The state is no longer the sole entity authorized to punish criminal acts. In the context of the 2023 Criminal Code, indigenous communities with regional regulations can be subject to limited criminalization.

2. Strengthening a Restorative System Based on Local Wisdom: Resolving cases through customary law essentially prioritizes the principles of restorative justice, which is now part of national policy. Thus, the new Criminal Code serves as a means of recognizing and strengthening a more participatory and recovery-oriented alternative system for resolving criminal disputes.
3. Challenges of Harmonizing Norms and Technical Implementation: Recognition of customary law brings new challenges, particularly regarding the formation and harmonization of implementing regulations (Government Regulations), development of officials, and governance of supervision of customary-based case resolution.

With the enactment of Criminal Code Number 1 of 2023, a paradigm shift has occurred in the national criminal law system, emphasizing not only legal certainty in a positivistic context but also opening up space for the application of social and customary norms as living law. In the Acehese context, this recognition strengthens the legitimacy of customary law and Qanun as an integral part of the national legal system, provided they meet the principles of formal and substantive legality.(Fitriani 2024)However, harmonization between the norms of the Criminal Code and the Aceh Qanun must be maintained to prevent jurisdictional conflicts or confusion in the application of the law. The active role of the central and regional governments is needed to formulate implementing regulations, strengthen the capacity of customary institutions, and build synergy between judicial institutions so that the implementation of customary law can truly become an alternative for resolving crimes that is fair, contextual, and in line with the cultural values of Indonesian society.

B. The Impact of Customary Law Implementation on the Settlement of Minor Criminal Cases in Aceh Following the Ratification of Criminal Code Number 1 of 2023

The application of customary law in resolving criminal cases in Aceh is not a new phenomenon. Even before the enactment of the National Criminal Code No. 1 of 2023, Acehese people had long practiced conflict resolution mechanisms based on living and evolving customs. The

tradition of resolving disputes through customary law within Acehese communities is not only a matter of cultural preservation but also part of a local justice value system that emphasizes the restoration of social relations rather than formal punishment.(Rambe, Siregar, and Sembiring 2024)

With the explicit recognition of customary law in the new Criminal Code as living law, customary law's position within the national legal system has become stronger and has gained constitutional legitimacy. Following the ratification of the 2023 Criminal Code, the space for resolving minor criminal cases through customary law has become more open. In the context of Aceh, where Aceh Qanun No. 9 of 2008 concerning the Development of Customary Life is in effect, this strengthening opens up opportunities to develop a model for resolving minor crimes based on local wisdom that is not only effective but also cost- and time-efficient.

Based on Aceh Qanun no. 9 of 2008, minor criminal cases that are usually resolved by traditional institutions include:

1. Minor domestic disputes
2. Minor theft (between villagers)
3. Minor assault
4. Slander or insult
5. Inheritance disputes in the family

These disputes were resolved through customary deliberation forums facilitated by the Keuchik, Imum Mukim, and other traditional leaders. The outcome of this process was outlined in the form of a peace agreement, customary compensation (such as rice, goats, or gold), and a public apology to the community.

Legally, with the enactment of the 2023 Criminal Code, customary settlements have legal force and can be recognized as part of the criminal process. Judges can consider customary settlements as a basis for reducing sentences or even as a form of additional criminal punishment, as stipulated in Article 97 of the Criminal Code. In practice, customary settlements have helped reduce the burden on formal courts and expedite case resolution, particularly at the village or gampong level. Based on data from several regions in Aceh (Bireuen, Aceh Besar, and Pidie), more than 60% of minor cases, such as theft of agricultural produce, minor assaults due to fights, and inheritance disputes, have been resolved through customary channels. In Gampong Cot Keumudee, Aceh Besar, for example, 23 cases were resolved through customary mechanisms in 2022, with a community satisfaction rate of 85%.

Another legal impact is the strengthening of customary institutions as part of a semi-formal dispute resolution system. With a strong legal basis in the Qanun (Religious Law) and now also recognized by the national Criminal Code, the customary deliberation process can be used as evidence that substantive justice has been achieved without the need for lengthy legal proceedings. This also aligns with the principle of restorative justice, which is currently the guiding principle of law enforcement policy in Indonesia.

However, implementation challenges remain. First, some law enforcement officials (particularly the police) still lack a comprehensive understanding of the legal basis for customary dispute resolution, leading them to force the process through formal legal channels. Second, not all customary institutions have official documentation or a standard format for deliberation results that can be used as legal evidence. Third, capacity building and training are needed for village officials and customary leaders to carry out their mediation functions and record settlement outcomes.

Furthermore, harmonization between the Qanun and the Criminal Code must also be maintained. For example, in cases of minor assault, the Criminal Code regulates it as a common offense with a light penalty. However, indigenous communities can resolve the matter peacefully. Without proper coordination, this can lead to jurisdictional conflicts and differing interpretations between law enforcement and indigenous communities. The application of customary law in resolving minor criminal cases in Aceh following the ratification of the 2023 Criminal Code has significantly impacted the effectiveness and efficiency of the national criminal justice system. The recognition of customary law in the Criminal Code legitimizes the customary-based settlement mechanisms that have long been practiced in Aceh. However, to optimize its impact, strengthening the capacity of customary institutions, harmonizing regulations, and improving legal literacy for all stakeholders is necessary. Thus, customary law will not only become a cultural heritage but also become a functional legal instrument recognized within the framework of the national legal system.

Prof. Dr. Satjipto Rahardjo's Opinion with Progressive Legal Theory According to Satjipto Rahardjo, law must be seen as a means to achieve substantive justice, not merely as a rigid norm of a procedural nature. In the perspective of progressive law, the existence of customary law is

a manifestation of living law in society that is closer to a sense of social justice. Therefore, the recognition of customary law in the new Criminal Code is a progressive step by the state to appreciate a more efficient, just, and participatory local conflict resolution system. In the context of Aceh, customary mechanisms that prioritize deliberation and the restoration of social relations have proven to be more acceptable to the community than the formal punishment system.

Prof. Dr. Maria Farida Indrati's Opinion with the Theory of Legal Pluralism Prof. Maria Farida stated that Indonesia as a pluralistic legal state requires a pluralistic and adaptive legal system. Within the framework of the theory of legal pluralism, state law must not deny the existence of community law, including customary law. According to her, the recognition of customary law in the 2023 Criminal Code reflects the constitutional principle stated in Article 18B of the 1945 Constitution, and is a form of strengthening local legal autonomy. This has a positive impact, because it encourages legal integration that is responsive to Indonesia's cultural diversity, as well as strengthening the social legitimacy of the national legal system itself.

IV. CONCLUSIONS AND RECOMMENDATIONS

This study shows that the recognition of customary law in the National Criminal Code Number 1 of 2023 has a significant impact on the configuration of the criminal justice system in Indonesia, especially in Aceh Province which has special laws through the implementation of Qanun and the implementation of Islamic Sharia. With the enactment of Article 2 paragraph (1) and Article 97 of the new Criminal Code, customary law is no longer merely a social instrument, but has acquired a legal status as part of positive criminal law norms that can be used as a basis for sentencing or an alternative for resolving cases. Normatively, the new Criminal Code has opened up space for the integration of customary law into the national legal system, as long as the law has been alive and practiced in society and codified through regional regulations such as Qanun. Synchronization between the norms of the Criminal Code and the Aceh Qanun, although leaving a number of conceptual and technical challenges, can be bridged through the principle of *lex specialis derogat lex generalis* and a legal harmonization approach based on regional autonomy.

In practice, this study also found that the mechanism for resolving minor criminal cases through customary institutions in Aceh has proven to be more efficient, faster, and accepted by the community. Resolving cases such as minor theft, domestic disputes, and insults through customary means has a restorative effect that not only resolves legal conflicts but also restores social relations between residents. Based on empirical data from areas such as Bireuen, Pidie, and Aceh Besar, more than 60% of minor criminal cases are resolved through customary forums, with a high level of success and community satisfaction.

From a legal theory perspective, Satjipto Rahardjo's progressive legal approach and Maria Farida Indrati's legal pluralism theory serve as theoretical foundations that emphasize the importance of recognizing existing law within society as a means of creating substantive justice. Therefore, the application of customary law is not only constitutionally valid but also strategic for strengthening a justice system that is more inclusive, contextual, and responsive to local diversity. Therefore, this study concludes that the application of customary law in resolving crimes following the reform of the national criminal law in Indonesia, particularly in Aceh, has contributed positively to the efficiency of the justice system, the strengthening of restorative justice values, and the social legitimacy of national law. However, to ensure its sustainability and effectiveness, it is necessary to strengthen the capacity of customary institutions, provide guidance to law enforcement officers, and formulate clear technical regulations regarding the jurisdictional boundaries and authority of customary institutions in handling minor criminal cases.

REFERENCE LISTAN

- Bagenda, Christina, Nanda Dwi Rizkia, Hardi Fardiansyah, Muhammad Rifqi Hidayat, Yudi Prihartanto Soleh, Rachmadi Usman, Amri Amri, Suhartini Suhartini, Sarah Selfina Kuahaty, and Israwati Akib. 2023. *Civil Law*. Widina Publisher.
- Bukhari, Bukhari. 2022. "Implementation of the Criminal Act of Khalwat in Aceh (Case Study of the Cities of Banda Aceh, Lhokseumawe, and Langsa)." State Islamic University of North Sumatra.
- Fitriani, Nia. 2024. "Imposition of Criminal Sanctions on Adultery Perpetrators with Children in the Sharia Court Reviewed Based on Qanun Number 6 of 2014 Concerning Jinayat Law (Analysis of Sharia Court Decision Number 6/JN/2021/MS. Ttn)." UIN Ar-Raniry Banda Aceh.
- Gunawan, Abraham, Roudoh Rohmatilah, Aissha Nurrahma Hartanty, Rr Novaryana Laras Dewi Prasasti, and Aisyah Rahman. 2024. "Integration of Customary Law and State Law in Indonesia: The Perspective of the School of Legal History in the Social and Legal Context of the Development of the Indonesian Capital City IKN." *UNES Law Review* 6 (4): 11268–77.
- State, Third Amendment to the Constitution. 2001. "Republic of Indonesia in 1945." In accordance with the order of chapters, articles and verses, (Jakarta: Secretariat General of the MPR RI, 2006).
- NINGRUM, ANISSA DJUARNI SITI. nd "THE EXISTENCE OF HUMAN RIGHTS IN THE CRIMINAL ACT OF ADULTERY FROM THE PERSPECTIVE OF NATIONAL LAW AND ISLAMIC LAW (Analysis of Article 411 of Law No. 1 of 2023 concerning the Criminal Code)." Faculty of Sharia and Law, UIN Syarif Hidayatullah Jakarta.
- Nurliza, Ira. 2019. "Death Penalty for Narcotics Dealers: A Review of Maqasid Al-Syar i 'Ah." UIN Ar-Raniry Banda Aceh.
- Rambe, Muhammad Juang, Muhammad Azhali Siregar, and Danioko S Sembiring. 2024. "Indonesian National Health Policy: Legal Analysis of the Elimination of Mandatory Health Spending." In *Proceedings of International Conference on Healthy Living (INCOHELIV)*, 1:305–14.
- Taorik, Nisrina Fawwazy, Kusmaedi Kusmaedi, and Dicky Maulana Fadil. 2024. "Extension of the Term of Office of Village Heads in the Perspective of Democracy and Accountability of Village Government." *Qanuniya: Journal of Legal Studies* 1 (2): 44–55.
- Yam, Jim Hoy. 2022. "Reflections on Mixed Methods Research." *EMPIRE* 2 (2): 126–34.
- Yasdin, Aditya Renaldi, Rapung Rapung, and Irsyad Rafi. 2024. "Review of Islamic Jurisprudence on the Consequences of Adultery in the 1946 Criminal Code and No. 01 of 2023." *AL-QIBLAH: Journal of Islamic Studies and Arabic* 3 (4): 608–30.
- Bagenda, Christina, Nanda Dwi Rizkia, Hardi Fardiansyah, Muhammad Rifqi Hidayat, Yudi Prihartanto Soleh, Rachmadi Usman, Amri

- Amri, Suhartini Suhartini, Sarah Selfina Kuahaty, and Israwati Akib. 2023. *Civil Law*. Widina Publisher.
- Bukhari, Bukhari. 2022. "Implementation of the Criminal Act of Khalwat in Aceh (Case Study of the Cities of Banda Aceh, Lhokseumawe, and Langsa)." State Islamic University of North Sumatra.
- Fitriani, Nia. 2024. "Imposition of Criminal Sanctions on Adultery Perpetrators with Children in the Sharia Court Reviewed Based on Qanun Number 6 of 2014 Concerning Jinayat Law (Analysis of Sharia Court Decision Number 6/JN/2021/MS. Ttn)." UIN Ar-Raniry Banda Aceh.
- Gunawan, Abraham, Roudoh Rohmatilah, Aissha Nurrahma Hartanty, Rr Novaryana Laras Dewi Prasasti, and Aisyah Rahman. 2024. "Integration of Customary Law and State Law in Indonesia: The Perspective of the School of Legal History in the Social and Legal Context of the Development of the Indonesian Capital City IKN." *UNES Law Review* 6 (4): 11268–77.
- State, Third Amendment to the Constitution. 2001. "Republic of Indonesia in 1945." In accordance with the order of chapters, articles and verses, (Jakarta: Secretariat General of the MPR RI, 2006).
- NINGRUM, ANISSA DJUARNI SITI. nd "THE EXISTENCE OF HUMAN RIGHTS IN THE CRIMINAL ACT OF ADULTERY FROM THE PERSPECTIVE OF NATIONAL LAW AND ISLAMIC LAW (Analysis of Article 411 of Law No. 1 of 2023 concerning the Criminal Code)." Faculty of Sharia and Law, UIN Syarif Hidayatullah Jakarta.
- Nurliza, Ira. 2019. "Death Penalty for Narcotics Dealers: A Review of Maqasid Al-Syar i 'Ah." UIN Ar-Raniry Banda Aceh.
- Rambe, Muhammad Juang, Muhammad Azhali Siregar, and Danioko S Sembiring. 2024. "Indonesian National Health Policy: Legal Analysis of the Elimination of Mandatory Health Spending." In *Proceedings of International Conference on Healthy Living (INCOHELIV)*, 1:305–14.
- Taorik, Nisrina Fawwazy, Kusmaedi Kusmaedi, and Dicky Maulana Fadil. 2024. "Extension of the Term of Office of Village Heads in the Perspective of Democracy and Accountability of Village Government." *Qanuniya: Journal of Legal Studies* 1 (2): 44–55.
- Yam, Jim Hoy. 2022. "Reflections on Mixed Methods Research." *EMPIRE* 2 (2): 126–34.
- Yasdin, Aditya Renaldi, Rapung Rapung, and Irsyad Rafi. 2024. "Review of Islamic Jurisprudence on the Consequences of Adultery in the 1946 Criminal Code and No. 01 of 2023." *AL-QIBLAH: Journal of Islamic Studies and Arabic* 3 (4): 608–30.