EDUCATIONAL AND SOCIAL CONSTRUCTIONS OF THE SHARIA IMPLEMENTATION IN ACEH, INDONESIA

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Abstract: This qualitative research examined how people's actions in Bener Meriah, where Sharia law has been implemented, reflect on the community. As a method for gathering information, interviews with respondents, who were chosen for the interviews using purposive sampling, were carried out. The findings brought to light three different aspects. First, the Sharia is more about knowing Islamic law as a penalty for lashing offenders, while the authorities and linked organizations maintain socializing the Sharia. Second, the construction of Sharia is to incorporate its principles into how people engage with one another, particularly in the domains of social and education. Third, in addition to the historically connected traditional values of Gayo culture, the inhabitants' awareness of the Sharia also plays a vital part in the culture.

Abstrak: Penelitian kualitatif ini meneliti bagaimana tindakan masyarakat di Bener Meriah, di mana hukum Syariah telah diterapkan, merefleksikan masyarakat. Sebagai metode untuk mengumpulkan informasi, dilakukan wawancara dengan responden, yang dipilih secara purposive sampling. Temuan-temuan yang diperoleh menunjukkan tiga aspek yang berbeda. Pertama, Syariah lebih kepada mengetahui hukum Islam sebagai hukuman bagi pelanggar cambuk, sementara pihak berwenang dan organisasi terkait terus melakukan sosialisasi Syariah. Kedua, konstruksi Syariah adalah memasukkan prinsip-prinsipnya ke dalam cara orang berinteraksi satu sama lain, terutama dalam ranah sosial dan pendidikan. Ketiga, selain nilai-nilai tradisional budaya Gayo yang terhubung secara historis, kesadaran penduduk akan Syariah juga memainkan peran penting dalam budaya tersebut.

Keywords: Muslim communities, sharia, social and educational construction, Aceh

Introduction

Conceptually, Islam has had universal and absolute values throughout the ages. However, Islam is not a rigid dogma in the face of times and changes. Suppose it is seen that Aceh Province is the only region in Indonesia that implements Sharia. In that case, the law itself has no distance from the social life of locals since every tradition and behavior is familiar to Islamic teachings.

Social construction is a simultaneous and continuous process in the externalization, objectification, and internalization stages.[1] Each construction result will interact with individuals and communities who carry out externalization, which continues constructing the next reality. Therefore, each repetition of the construction cycle will open a new construction.

The theory, indeed, is integrated into the Sharia in Aceh. Its implementation, which is issued in Law No. 44 of 1999 and No. 18 of 2001, is based on the special autonomy granted to Aceh Province to provide broad opportunities to regulate and manage one's household, empower natural and human resources, increase community participation, and implement a social order that follows the noble values of social life in Aceh.[2] Inevitably, when we talk about Islamic law, it embraces many sectors. The law also covers education, culture, politics, economy, and other aspects.[3] An example of how Manan and Salasiyah's[4] proof of Sharia law has benefited the Acehnese economy is the rising demand for Islamic clothing designed to conceal the *aurat*. In addition, the Sharia bank has replaced the conventional banking system in Aceh, making it possible to end the *riba* system once and for all. Sharia law in Aceh also allows local customs followed by a minority population to be protected following Islamic canonical texts, such as the *qanun*. Most importantly, implementing Sharia law in Aceh has led to numerous departments and institutions whose sole purpose is revitalizing Aceh's social and economic spheres. These include *baitul mal* and *rumah dhuafa*, which oversee the distribution of *alm* and zakat to Aceh's poor, and other organizations that place a premium on upholding human rights.

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[1] Burhan Bungin, *Sosiologi Komunikasi (Teori, Paradigma, Dan Discourse Teknologi Komunikasi Di Masyarakat)* (Jakarta: Kencana Prenada Media Group, 2008).

[2] Puteri Hikmawati, *Relevansi Pelaksanaan Syariat Islam Di Nanggroe Aceh Darussalam Dengan Hukum Pidana Nasional* (Jakarta: Pusat Pengkajian, Pengolahan Data dan Informasi Setjen DPR-RI, 2007).

[3] Alyasa Abubakar, *Syariat Islam Di Provinsi Nanggroe Aceh Darussalam: Paradigma, Kebijakan Dan Kegiatan* (Banda Aceh: Dinas Syari'at Islam Aceh, 2008).

[4] Abdul Manan and Cut Intan Salasiyah, "Implementation of Islamic Sharia Laws in East Aceh: The Acehnese Perspectives," *Journal of Contemporary Islam and Muslim Societies* 6, no. 2 (2022): 149–185.

The educational and social components of the Sharia law in Aceh Province have been strengthened through several ratified regulations. First, the province has exclusive control over religion, education, and local customary law since it is designated as a Special Region by Law No. 24, 1956, the decree of the Republic of Indonesia No. 1/ MISSI/1959, and Law No. 574 on the Principle of Regional Administration. By passing this law, the provincial administration of Aceh (with the approval of the Republic of Indonesia) has demonstrated its commitment to strengthening its Islamic-based educational system. Culturally speaking, the Sharia law, infused into the Islamic teachings within Aceh Province, has essential educational values in everyday life.[5] We may infer from this rule that the educational sector was given the highest priority before the economic, political, and other sectors were developed.

Another reason concerns the history of Aceh, as the Acehnese people are tightly associated with Islamic law and teaching. To help propagate Islamic doctrine throughout *meunasah*, the leaders collaborated with the *ulama* and preachers. As the hub for Islamic religious and educational activities, *meunasah* is essential.[6] In addition, Alyasa Abubakar, a contemporary and highly-respected Acehnese scholar, argues that education is the first and foremost means by which Islamic law may be made evident in society (as discussed by Bustaman-Ahmad in his research). The public and stakeholders should be first well educated rather than only promoting the *shari'ah*. Yussuf Hassan (also in the study of Bustaman-Ahmad) supports that implementing Islamic *kaffah* (holistic manner) would take over 50 years, depending on how well the society understands and educates itself about the real *shari'ah*.[7]

 Simultaneously, besides the educational sector, one of the results of this granted "special autonomy" was the establishment of Islamic law in Aceh. This also orders the Islamic jurisdiction to apply for every crime in Aceh.[8] The paradigm of Sharia presented among the Acehnese people is more orderly and organized, as outlined in the rule of law. It is also supported by particular regulations that the community and sanctions in the form of penalties for the Sharia violators must obey. Nevertheless, this law also becomes

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[5] Abdul Manan, "Islamic Educational Values in Life-Cycle Rituals: An Ethnographic Study in Kluet Timur Community, Aceh, Indonesia," in *Global Perspectives on Teaching and Learning Paths in Islamic Education*, ed. Miftachul Huda et al., Advances in Educational Technologies and Instructional Design (Hershey: IGI Global, 2020), 118–134, http://services.igi-global.com/resolvedoi/resolve.aspx?doi=10.4018/978-1-5225-8528-2.

[6] Yusny Saby, "Islam and Social Change: The Role of the 'ulama' in Acehnese Society" (Universiti Kebangsaan Malaysia, 1995).

[7] Kamaruzzaman Bustamam-Ahmad, "The Application of Islamic Law in Indonesia: The Case Study in Aceh," *Journal of Indonesian Islam* 1, no. 1 (June 1, 2007): 135–179, http://jiis.uinsby.ac.id/index.php/JIIs/article/view/7.

[8] Noorhaidi Hasan, *Islamic Militancy, Sharia, and Democratic Consolidation in Post-Suharto Indonesia* (Singapore, 2007).

a polemic for them since many understand the Sharia. However, the number of violations is relatively high, and there is injustice in deciding the law.

The number of Sharia violations in Aceh Province, which is relatively high, impacts the community's social life. The Sharia has indirectly dared to be ignored so that, in the essence of law, the community is apathetic to the daily practice of Sharia. This attitude inevitably impacts the younger generation, who tend to take actions that violate Sharia. Implementing Shariah law in Aceh continuously receives obstacles, especially from communities or organizations compelling the government to revise the regulation due to injustice or against human rights.[9]

Sharia in Aceh historically and socially strengthens the notion that Islamic teachings are oriented to theological matters and human affairs related to social construction. The Sharia developed has become a part of social problems since it is inseparable from various humanitarian issues. Social problems here can be interpreted that Sharia has been in the midst of people's lives and is no longer limited to the nature of the individual but the problem of a more collective group.

Notably, in the district of Bener Meriah, according to *Qanun* number 6 of 2018, in Bener Meriah District Medium-Term Development Plan (RPJMD) for 2017-2002, in chapter II dan VII, it was stated that the first mission of Bener Meriah Regency Government to "realize the implementation of Islamic values thoroughly or *kaffâh*," which means all level of societies and life order should be rooted to the reinforced Islamic values to create a harmonious life and devoted and obedient humans to Allah, the Almighty.[10] This regulation expects to direct people who are aware of Islamic law and those who have the essence of value   for the lives of others. Consequently, the Sharia implementation in Bener Meriah Regency has various realities in building social construction. The values should be understood to form a religious community, and the characters should be based on Islamic teachings. The locals see this expectation differently, where the Sharia has been socially constructed.

Research into Sharia law in Bener Meriah Regency has been conducted many times. Regarding social and religious matters throughout the pandemic, the law became progressively less effective regarding productivity, service quality, responsiveness, responsibility, accountability, and instructional guidance across all sectors of society.[11]

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[9] Habiburrahim et al., "Language, Identity, and Ideology: Analysing Discourse in Aceh Sharia Law Implementation," *Indonesian Journal of Applied Linguistics* 9, no. 3 (February 2020): 599–607.

[10] Rahmat Yanidin, Muhammad Bin Abubakar, and M Akmal, "The Local Government Strategies in Building Halal Tourism in Bener Meriah Regency," *Malikussaleh Social and Political Reviews* 1, no. 1 (November 2020): 14.

[11] Ahmad Yani et al., "Performance Evaluation of Islamic Services in Pandemic Times in Bener Meriah District," in *Proceedings of the 2nd International Conference on Social Science, Political Science, and Humanities (ICoSPOLHUM 2021)* (Lhokseumawe: Atlantis Press, 2022), https://www.atlantis-press.com/article/125971435.

The Sharia law permits young people to enter into marriage at a younger age has had a detrimental impact on society, as seen by a rise in divorce rates caused by problems associated with entering into a legally binding marriage contract at a younger age.[12] Mental health issues, a lack of preparedness for parenthood, and the negative consequences of divorce all play a role in these marriages breaking down. In light of this predicament, the application of Sharia law requires a rethink. However, the Sharia law in the regency has not wholly integrated the *dharuriiyah* idea into the budget allocation for the educational sector, instead reserving it for the protection of descendants, religion, and other specific purposes.[13] Management of the budget does not place a high value on safeguarding human lives and private property. Considering that education is the primary key to enhancing human resources and the development of an area, the current scenario is dire. From the perspective of Sharia law, this part of education requires open budgeting to reach its potential.

In addition, *Hukum Adat Gayo*, a form of customary law, is often applied in regions within the Gayo highlands. In some cases, customary law may conflict with Islamic principles and violate international human rights standards.[14] It is impossible to separate the Bener Meriah Regency, Aceh Province villages from the Acehnese people throughout the province, notwithstanding the integration of local customs. Gayonese and other ethnic groups in the province share something despite their vast cultural and geographical differences: a commitment to Islam. Nevertheless, based on previous studies, the gap appears here as the local custom begins to blend with the Sharia law with a significant proportion of the tradition, diminishing the role of Islamic teaching as a foundation of life structures, including educational and social constructions, due to its weak coverage, socialization, and implementation in the regency.

Therefore, the educational construction in Bener Regency Regency still needs a more comprehensive Islamic touch to cover and fulfill educational needs. In addition, the social construction within the Sharia implementation in the regency has made habit patterns in daily life no longer based on Islamic law. It is merely viewed as a Sharia punishment. However, the awareness of the community is increasing every day towards the practice of Islamic values   applied in individual and social life. Therefore, this

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[12] Darmawan Darmawan et al., "Marriage Dispensation and Family Resilience: A Case Study of the Bener Meriah Shariah Court, Aceh Province," *AHKAM/ : Jurnal Ilmu Syariah* 22, no. 2 (2022): 433–454.

[13] Ayumiati Ayumiati et al., "Education Budget Management: Analysis of the Sharia Maqasid Approach," in *PROCEEDINGS: Dirundeng International Conference on Islamic Studies* (Meulaboh: Sekolah Tinggi Agama Islam Negeri Teungku Dirundeng Meulaboh, 2022), 335–342, https://ejournal.staindirundeng.ac.id/index.php/dicis/article/view/1025.

[14] Valentina Shanty, Adwani Adwani, and Azhari Yahya, "Indigenous Sanction of Expulsion in Central Aceh District (Human Rights Perspective)," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 13, no. 2 (December 31, 2018): 254–272, http://ejournal.iainmadura.ac.id/index.php/alihkam/article/view/1828.

phenomenon has piqued the researchers' interest, and they intend to dig more into the educational and social construction that took place in Bener Meriah due to Sharia implementation.

Methodology

This qualitative study obtained the data in an interview with seven informants from Bener Meriah Regency, who were selected purposively based on their social background. This selection is based on Lexy,[15] who proposes that purposive sampling provides subjects who understand the intricacies of the research problem. Table 1 shows that the seven informants selected involved the three youth figures, who also serve as university lecturers, two village chiefs, a Sharia office representative, and an official from the Islamic Scholar Assembly. Their age was around 37 to 52, consisting of 6 males and one female. The data collection was completed for six months, from December 2020 until May 2021. The informants were selected based on their educational and social backgrounds, and the authors obtained their consent as they became these research informants.

Table 1: The Demographic Informants

No.	Informants' Initials	Age	Sex	Occupation
1	RM	52	M	Village chief
2	AY	47	M	Village chief
3	AH	41	M	Youth figure, university lecturer
4	IF	37	M	Youth figure, university lecturer
5	NH	45	F	Public figure, teacher
6	MB	51	M	Islamic scholar
7	MH	40	M	Sharia officials

Furthermore, the data retrieved were analyzed using Miles and Huberman's framework[16] – data reduction, data display, and conclusion drawing. The result discussed might suggest the educational and social construction of the Sharia implementation in the regency by portraying and discoursing the informants' views.

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[15] Lexy J. Moleong, *Metodologi Penelitian Kualitatif [Methodology of Qualitative Research]* (Bandung: Remaja Rosdakarya, 2002).

Results and Discussion
Public Views on the Sharia Implementation as the Educational Construction

Throughout his research, Bustaman-Ahmad concludes that disseminating Islamic law to the people of Aceh relies heavily on traditional Islamic education.[17] As an educational structure in their life, the Sharia implementation is responded to in various ways by the communities in Bener Meriah Regency. For them, the law is not something they should be afraid of, but such brings peace. As RM mentioned, this can be seen in religious activities, including praying and having Islamic discourses. The followings are the displayed excerpts (E) of the informants.

E1: *The people here start their congregated prayers and discuss Islamic teachings at dusk, Isyâ, and dawn. This togetherness made them know each other, which in the end, strengthened their relationship. In addition, their attendance at the mosque brings them a sense of security.*

The Sharia is also considered another 'tool' to educate communities. AY promoted the law in his interview excerpt below.

E2: *The people in Remang Tige Jaya village need direction and guidance based on Allah's words to educate them to be better. The Sharia, which is based on Islamic teaching, is an appropriate law to have.*

Even the Sharia is concerned with strengthening the communities' faith regarding Islamic education, particularly the younger generations. As the policymaker, the local government of Bener Meriah Regency is the one that can realize the integration of the law. The following excerpts stress the existence of the law.

E3: *The local government should have clear rules and regulations that can save young local generations from falling into adverse effects of globalization, such as cybercrime, drugs, online gambling, and online prostitution, which have become public attention. This issue is like an iceberg that will eventually melt. Therefore, the government should anticipate it* (AH).

E4: *I cannot imagine where children are developing into adult's lack monotheistic values. The leadership will lead to deviations that can harm others. Sending them to religious places like pesantren is a good choice, although some still think that their bad attitudes must cause it. Thus, regardless publics' opinions, their piety must be fortified, and the government, through the Sharia implementation, may cope with this problem* (RM).

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[16] Matthew B. Miles, A. Michael Huberman, and Johnny Saldana, *Qualitative Data Analysis: A Methods Sourcebook*, 3rd ed. (London: SAGE, 2018).

[17] Bustamam-Ahmad, "The Application of Islamic Law in Indonesia: The Case Study in Aceh."

E5: *The government must provide an effective solution, for example, having the policy to send children to Islamic boarding schools to avoid the evil influences of modernization. Even though institutions do not guarantee to change an individual into a better one, they will undoubtedly improve one's human morals and shape the character. At least, the sending may reduce actions that lead to Sharia violations* (IF).

E6: *Islamic boarding schools in Bener Meriah Regency have a significant role in the Sharia implementation since they can strategically partner in developing symbols starting from educational, bureaucratic, and community institutions. In the end, it is vital to enhance the education and social development of the community* (NH).

All of these remarks show that parents in Bener Meriah are cognizant of the dangers posed by modernization to their children's moral development and are taking preventative measures to safeguard them. Because of this, many of them enrolled their kids in Islamic schools. Moreover, the Sharia is interestingly regarded as the means of converting guidance for non-Muslims. The selection means the law is accepted as the educational construction within its implementation. One of the members in the Ulama Assembly of Bener Meriah Regency, MB, admitted the argument as follows.

E7: *Besides improving the community's 'aqidah, the Sharia implementation offers conversion guidance. It strengthens the converts' faith and integrates them into the Muslim communities. This program appears considering that some 10-year converts still do not pray regularly because of the lack of Islamic teachings or their intentional willingness. The assembly also aids their economy.*

Public Views on the Sharia Implementation as the Social Construction

The Sharia implementation directly builds the social construction within the communities of Bener Meriah Regency—various responses, including optimism and pessimism, color the implication of the law. The pros promote Sharia as the appropriate law to regulate communities and construct an ideal civilization.

E8: *If the government issues the law with the legal arrangements for the Sharia violators, the social values will turn into a model in social interaction to regulate the values of life* (AH).

E9: *Although Sharia violations like lewdness have occurred, the punishment process runs suitably, starting from the levels of the village, the office of Sharia municipal police, and the Supreme Court. The Sharia indeed guides the communities* (AY).

E10: *The Sharia has aided Islamic figures in eradicating immoral actions committed in public sites. The local regent and his ulama deputy, Ahmadi and Abuya Syarkawi, proved this when a tourist location named Ghop-ghop Ali-ali, where many Sharia culprits and*

gangs of troublemakers were hanging around, was closed after they had a persuasive approach with its business owners without getting flogged (IF).

If it is related to modern technology influenced by gadgets, the Sharia is considered able to limit the use of which.

E11: *Children playing games on their smartphones during school hours and praying times should be considered. The Sharia implementation offers services to the communities, particularly parents, to limit the use of gadgets for their children. They should follow religious rules and local customary values and norms instead of spending time on the internet* (IF).

Nevertheless, some informants also have their cons related to the Sharia implementation. They delivered doubtful opinions that the law had particular weaknesses throughout its implementation.

E12: *Sharia implementation has been maximized in the past, yet, from a community perspective, there is still a lack of supervision and an unoptimized implementation of the law. Although most people here apply the custom, Sharia violations like seclusion and gambling still exist* (MH).

E13: *Even though socialization and guidance related to the Sharia have been conducted by the Sharia authority, in this case, the Sharia office, its implementation has various problems encountered in each village. The lack of public understanding of the applicable Sharia likely causes this. The control should be integrated within all means, such as holding Islamic discussions after dusk prayers or emphasizing the law through Friday prayers* (AY).

E14: *The Sharia implementation does not reach the level of schools as those are the root of socializing the communities. The schools and the Sharia authority should collaborate to provide socialization in regular events like Monday flag ceremonies. Unfortunately, at some points, this idea is not balanced with good support of funding* (MB).

E15: *Certain activities involving many people like horse racing, are included as the target of Sharia socialization. People attending the events are asked to do congregational prayers in the race field, but the program did not work effectively* (MH).

As seen in the excerpts above, Sharia implementation throughout the communities of Bener Meriah Regency is being eroded by modernization and a lack of exposed Islamic teaching. While efforts were made to address the problems, success has been painfully sluggish. The discussion part elaborates on how the Sharia law is being implemented in the regency's schools and neighborhoods and what long-term effects it may have is unfolded.

The Educational Construction in the Sharia Implementation

So far, the Sharia implementation in Bener Meriah Regency can no longer be understood as a legal framing. Nevertheless, it becomes a social concept that integrates rules into social interactions. The local people never had a conflict against the social values and customs of the community, where the Sharia is used as their life guidance. Feener[18] once mentions how Sharia law integrated as ideology and used in the judicial system has transformed Acehnese society to urge modern perception about Islam beyond traditional views encompassing the education and economics sector. Due to this form of obedience, Gayonese people have been constructing the system of their culture, tradition, and education based on Islamic teaching.[19] Specifically, how people perceive this social interaction certainly shapes education governance at both local and provincial levels. Education is viewed as the core of cultural and social reconstruction.[20]

The active role of parents in the community to educate their children, provide a good direction and practice good behavior is necessary, whether they are included in Islamic boarding schools or not. Regarding educating children, giving advice is a mere alternative instead of taking physical action due to human rights. In reality, this condition, the existence of human rights, makes it difficult for the community, specifically parents, to educate children since they are afraid of being entangled with the child protection law.

A viral cause in Bener Meriah Regency where parents hit their children became the subject of discussion in public and on social media at the end of 2019. The child who slept at his friend's house without his parent's permission made them hit the child with leather sandals and was caught on video. The Bener Meriah police have handled this case. By taking this case as an educational attempt, it is now hard for parents to provide teaching and education to their children. On the contrary, it may end as a misunderstanding since many see the attempt as a punishment. Nevertheless, it now contradicts and deals with human rights, which tends to be inconsistent with the culture of the locals. To overcome this, as RM in E4 and IF in E5 uttered above, religious, educational institutions like Islamic boarding schools are an alternative to educating their children.

The in-line opinion – sending children to religious institutions – aims to make children have noble characters. This perception is in line with the data showing that most parents living in Banda Aceh would prefer to get their children enrolled in *pesantren*

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[18] Michael R. Feener, "Social Engineering through Shari'a as Islamic Law and State-Directed Da'wa in Contemporary Aceh," *Islamic Law and Society* 19, no. 1 (2012): 275–311.

[19] M Ibrahim, *Nilai-Nilai Pendidikan Islam Dalam Adat Gayo*, *Banda Aceh: Al-Mumtaz Institut* (Banda Aceh: Al-Mumtaz Institute, 2013).

[20] Susan L. Robertson, "Untangling Theories and Hegemonic Projects in Researching Education and the Knowledge Economy," in *A Companion to Research in Education*, ed. Alan D. Reid, E. Paul Hart, and Michael A. Peters, vol. 9789400768 (Dordrecht: Springer, 2014), 267–276.

because they believed that it would provide a better quality of learning and characteristic based on Islamic teaching.[21] A similar thing happens in Aceh's eastern regions, where the locals are more conservative and Islamic institutions are pretty popular, and that goes double for kids with special needs.[22] Many believe that the appreciation is to prevent their circles from violating society and religious norms.[23] However, the challenges are getting tougher in facing the problems of globalization that affect the development of children and adolescents, which, of course, parents have higher vigilances. Hence, the local government should issue a policy to support them for children's safety.

In responding to this demand, Shah and Cardozo[24] outline four aspects, namely the discourse or ideas of development, reconstruction, peacebuilding, and social justice, that have contributed to the social construction of justice in Aceh's context. Those eventually will demand actions to redistribute or broaden access to educational opportunities; decentralize the school governance in local areas under transparent representation; the national and provincial acknowledgment towards the Islamic politics of education in Aceh; and the dissociation between short-term rehabilitation and more extended plan of peacebuilding agenda.

Then, it does make sense now how many districts in Aceh now have the opportunity to develop educational institutions as the demand for new social engineering due to the implementation of Sharia law. Principally, Bener Meriah Regency has several places for fostering children, like a small class for Quran recitation called Taman Pengajian Anak to educate children since they are young or a more comprehensive Islamic institution for any range of age called *pesantren*. The presence of *pesantren* may educate children to have disciplined, independent, tenacious, and honest values. Establishing an Islamic boarding school in Bener Meriah Regency, like the Bustanil Arifin Bale Atu Islamic Boarding School, may avoid social and Sharia issues. Most *pesantren* alums become community figures, such as imams and Friday preachers, since they learn Islamic teachings and common sciences as the traditional schools offer.

The comprehensive implementation of Sharia cannot be carried out without solid religious knowledge since many of its implementations have been based only on the government's version, not on the version of knowledge and practice. This is presumably caused by some individuals who do not understand the Sharia canons. The government

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[21] Ritesh Shah and Mieke Lopes Cardozo, "Education and Social Change in Post-Conflict and Post-Disaster Aceh, Indonesia," *International Journal of Educational Development* 38, no. 1 (September 2014): 2–12.

[22] Misri A. Muchsin et al., "An Overview of Inclusive Education in Eastern Aceh, Indonesia: What Do the Educational Elements Say?," *Jurnal Ilmiah Peuradeun* 10, no. 2 (May 30, 2022): 297, https://journal.scadindependent.org/index.php/jipeuradeun/article/view/631.

[23] Ibid.

[24] Shah and Lopes Cardozo, "Education and Social Change in Post-Conflict and Post-Disaster Aceh, Indonesia."

occasionally only emphasizes normative matters by only acting against Sharia violations. Of course, to strengthen the Sharia in a whole area, the Islamic boarding schools in Bener Meriah Regency have a dominant position in constructing Islamic values within societies through spreading religious knowledge, theories, and practices in the communities' daily activities. In addition, as RM criticized above, some people still perceive that a child sent to an Islamic boarding school is hard to manage by his or her parents. This wrong assumption appears due to their weak religious knowledge and awareness. In truth, it is an effort to identify, in this period of globalization, the most effective framework for Islamic pedagogy,[25] regardless of the moderation, appeared radically or liberally.[26] Forming a critical spirituality based on Islamic teaching in a youngster may strengthen Sharia implementation in education. As proposed by Brooks,[27] to balance the inputs of the external Islamic educational construction, one must reflect his or her critical consciousness, resistance, and love of Islam. For the inputs, ideally, an educator must confront themselves with a self-reflection to nurture the concepts, values, or principles any educational institutions aim for.[28]

Furthermore, universally, the Sharia implementation is not only viewed to regulate its mere issues, but it also maintains the quality of its adherents' faith, as in Bener Meriah, for example, in terms of monotheism. Historically, before Islam entered Aceh through Peureulak and Pase in the eighth century, most Gayonese people still practiced animism.[29] Then, the existence of Islamic values gradually changed Gayoneses' old belief (animistic practice) – the practice of feeding the ancestor spirits executed in every sacred and crucial cultural event – into more Islamic cultural practice.[30] As has been mentioned by MB in E7, the Sharia turned into guidance for converts. The importance of coaching for converts,

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[25] St. Wardah Hanafie Das, Abdul Halik, and Amaluddin -, "Paradigm of Islamic Education in the Future: The Integration of Islamic Boarding School and Favorite School," *Information Management and Business Review* 8, no. 4 (September 23, 2016): 24–32, https://ojs.amhinternational.com/index.php/imbr/article/view/1390.

[26] Siti Yumnah, "Construction of Islamic Boarding School in Developing Moderate Islam," *Nazhruna: Jurnal Pendidikan Islam* 3, no. 2 (July 24, 2020): 232–246, http://e-journal.ikhac.ac.id/index.php/NAZHRUNA/article/view/614.

[27] Melanie C. Brooks and Miriam D. Ezzani, "Islamic School Leadership: Advancing a Framework for Critical Spirituality," *International Journal of Qualitative Studies in Education* 35, no. 3 (March 16, 2022): 319–336, https://www.tandfonline.com/doi/full/10.1080/09518398.2021.1930265.

[28] Kamarullah Kamarullah and Barep Sarinauli, "Saya Keras Demi Kepentingan Peserta Didik! Refleksi Pendidik Terhadap Prinsip Mengajar Dan Profesinya," *Ta'dib* 13, no. 1 (2023): 1–9.

[29] Mahmud Ibrahim, *Mujahid Dataran Tinggi Gayo* (Takengon: Yayasan Maqamamahmuda, 2001).

[30] Husaini, "Discovering Wisdom in Gayo Tradition with Reference to Islamic Educational Values in Marriage Practice," *Journal of Contemporary Islam and Muslim Societies* 4, no. 2 (2021): 204–234, http://jurnal.uinsu.ac.id/index.php/JCIMS/article/view/8407.

whether held by the government through the Ulama Assembly, is to integrate newcomers to Islam socially, so they are introduced to various Muslim habits and rules that must be followed.

Here, the role of Islamic education became crucial. The existence of *dayah* as a traditional Islamic educational institution, along with the modern Islamic educational institution called *pesantren*, was the frontline toward the case of faith devotion. It was found in the eastern part of Aceh Province, where non-Islamic educational institutions were concerned less-superior to Islamic ones, even for disabled pupils.[31] Furthermore, the dominance of Islamic educational institutions then took the attention of the government of Aceh. The government had initiated a program called '*Dai Perbatasan*.' It was run based on the Governor Regulation No. 54 of 2014 about the *Dai Perbatasan* (borderline preachers appointed by the government). The program focused on reinforcing and strengthening the faith in Islam within the people considered susceptible groups. Those who were susceptible included people who still confused the practice of Islamic tenet to the other belief as animism.

As mentioned by MB in E7, the integration of a comprehensive Sharia can also be seen from the converts' economic status. In addition to providing religious understanding, the assembly through Baitul Mal (treasure house) also aids their daily goods. Baitul Mal Aceh has an essential role in improving society's economy in Aceh. Besides being responsible as an authorized institution managing the mechanism of alms (*zakat*), Baitul Mal Aceh has also put down the poverty rate through a community economic empowerment program resulting in long-term benefits and releasing the economic dependence from other parties.[32] Such a program is a part of the local government to strengthen '*aqidah* and *Tâwhid* of the communities, particularly the converts and poor. Focusing on aiding the economy is imperative since every human being's necessities and social stability can be affected by living expenses. When a balanced economy does not support converts, they are undermined occasionally by their faith and '*aqidah* to return to their original religion or others. Therefore, the program is expected to support their '*aqidah* through the distribution of assistance or business capital, so they may economically develop.

The Ulama Assembly of Bener Meriah Regency aims for a broader Sharia implementation scope. This makes the institution focus on fatwas by having particular extensions in villages, such as village chiefs, imams, community leaders, and figures who provide information about various problems related to Sharia within the community. In addition, the assembly is vital in providing input on strategies regarding the Sharia implementation in the regency. The result shows that the existence of Sharia in Bener

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[31] Muchsin et al., "An Overview of Inclusive Education in Eastern Aceh, Indonesia: What Do the Educational Elements Say?"

[32] Armiadi Musa Basyah, "Pentadbiran Zakat Di Baitul Mal Aceh: Kajian Terhadap Agihan Zakat Bagi Permodalan Masyarakat Miskin" (University of Malaya, 2009).

Meriah Regency has an immense contribution to society regarding social issues. It shapes the character of a civilized society. This formation of civil society cannot be separated from the Sharia that existed, which has religious values applicable in the economic, social, cultural, and political fields. This condition follows the way of the community's social life as taught by the Prophet Muhammad in the past of Medina.

The core of the traditional educational value of the people living in Bener Meriah is reflected in a proverb saying, *"Edet kuet muperela agama, rengang edet benasa agama, edet munukum bersifet ujud, ukum menukum bersifet kalam"* (The culture is based on the religion, while the culture is not firmly held, the religion will fall, the culture is a physical representation of religion). This proverb indicates that religious values are a foundation for traditional values for them; the tradition, which is a part of Central Aceh, was known as *mukemel.*[33] This value refers to one of the Islamic values, shame. The concept of *mukemel* is embedded in every social aspect of the Gayonese people, a native ethnicity living in Bener Meriah. Thus, this value becomes one of the main goals of every traditional education. The people of Bener Meriah consider that a successful education indicates that the students has implemented the value of *mukemel* in their daily lives. In fact, the locals have their cultural system called *sumang,* which does not cover *mukemel* as the main value within someone, but also includes several supporting values, such as orderly-mannered, loyal, affectious, diligent, trusted, deliberation-oriented, and being helpful.[34] Hence, the locals' educational structures, which are half of the values, need to be cultivated beginning in early childhood.

The Social Construction in the Sharia Implementation

The Sharia implementation in Bener Meriah Regency has been going on for a long time. Based on the statement of MH in E12, for the locals, the Sharia is viewed as a divine law that should be obeyed starting from their birth. In Gayonese, *"ukum mu hukum besifet kalam, edet mu nukum besifet wujud".* Islamic law is derived from *Kalamullâh* and *Sunnah* of Prophet Muhammad PBUH, while tradition produces the law, which goes hand in hand with supporting the implementation of Sharia.[35] It reflexes that local tradition in Gayo has been contributing to preserving the continuous Islamic teaching, including in Bener Meriah. Having a break during the midday prayer becomes a must, although some do not stop their activities, as revealed by MH in E16. Principally, the locals have an

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[33] Sofyan Abdi, "Konsep Nilai Islam Dalam Nilai Mukemel Dalam Sistem Budaya Suku Gayo," *Tahdzib Al-Akhlaq: Jurnal Pendidikan Islam* 2, no. 2 (2019): 53–62.

[34] Syukri Syukri, "Budaya Sumang Dan Implementasinya Terhadap Restorasi Karakter Masyarakat Gayo Di Aceh," *MIQOT: Jurnal Ilmu-ilmu Keislaman* 41, no. 2 (January 22, 2018): 406–427, http://jurnalmiqotojs.uinsu.ac.id/index.php/jurnalmiqot/article/view/428.

[35] Ibrahim, *Mujahid Dataran Tinggi Gayo*.

appeal not to do Sharia violations in people's lives. The guidance of Sharia in the form of the spread of socialization, for instance, the issue of drugs and juvenile delinquency, presumably has been carried out by the Sharia office.

AH in E8 argues that the social values resulting from the appropriate Sharia implementation will be the context of social interaction that allows the community to integrate the Sharia into public law. This finding reflects how the central government efforts once administered the implementation of *adat* penal law included into national penal law. This indicates that *adat* is not simply associated with the locals' way of life but also is used to tackle the instability of order and society in many areas of Indonesia.[36]

The community will have a synchronous regulation to be applied. In addition, most locals in Bener Meriah Regency are enthusiastic about the existence of the Sharia, which makes them able to anticipate forms of social disease that occur in the community, such as lewdness, drinking, gambling, and stealing. This social belief toward law has been engineered since the Aceh government released the qanun regional regulation. This finding is in line with Arfiansyah's statement[37] stating that the local apparatus is responsible for keeping the stipulation of *qanun* to handle slight violations in the village.[38] Including locals Gayonese, they are pleased to enjoy this development.

As the Sharia goes comprehensively, these violations will decrease indirectly since the punishment is usually whipped in the mosque's courtyard, where many crowds witness the execution. This penalty indeed creates a deterrent effect with the shameful nature of Sharia violators. On the contrary, it also provides a positive social impact, meaning it becomes a social control amid a society with positive values.

The case mentioned by IF in E10 suggests that the Sharia is not merely about giving a penalty. The resolution can be generated in a more humane or Islamic way. It is in line to implement Sharia in Aceh, to make people implement Islamic tenets in daily life. Implementing the Islamic tenet cannot be forced on the people, yet, people have to consciously understand and be aware that, as a Muslim, it is an obligation to obey and practice the Islamic tenet in daily life. One of the famous penalties was canning by rattan stick. The outsiders considered this punishment violated human rights as a form of violence. However, if deeply analyzed, the canning is merely a form of education for people as the number of beats given is only a few. The primary purpose of canning is to

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[36] Abdul Aziz, "RUU KUHP Akan Akomodir Hukum Adat," *Tirto,* last modified 2016, https://tirto.id/ruu-kuhp-akan-akomodir-hukum-adat-hH7.

[37] A. Arfiansyah, "Contemporary Changes and Uses of Adat in Gayo Society, Indonesia," *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 10, no. 1 (May 2021): 32–63.

[38] Arfiansyah, "Contemporary Changes and Uses of Adat in Gayo Society, Indonesia," in *Heritage of Nusantara: International Journal of Religious Literature and Heritage* Vol. 10, No. 1, pp. 32–63.

educate and build the self-consciousness of shame when performing a deviant act such as seclusion. It is also appropriate to the concept of *mukemel* as a value in the Bener Meriah tradition. Commonly, the Sharia office carries out the caning, represented by the Sharia municipal police. In contrast, the ulemas and the office staff deploy Sharia socialization in communities and schools. The Sharia court then decides the final decision.

The Sharia authorities' efforts to spread Sharia socialization can no longer be observed as something that should be avoided due to its caning penalty. Instead, it is an initiative to implement the Sharia because of its legal factors, in addition to the awareness of the communities. Culturally, the Sharia and customary socio-culture within the Gayonese in Bener Meriah Regency cannot be separated.

Nevertheless, the advancement of technology directly affects the habits, morals, and behavior of individuals, including children. IF in E11 stressed that the presence of information technology should have strict supervision to evade Sharia violations. Indeed, information and technological advancement have gradually broadened people's mindsets toward global issues associated with law and humanism. Millennial ulemas give daily Islamic feeds on social media to share Islamic knowledge.[39] So, the next generation may make use of these advantages.

Interestingly, a study from Arfiansyah[40] has an appealing finding of how *adat* law has been socially transformed. His study – supported by the case of Rembele village, Bener Meriah, in handling more complex violations, namely gender inequality, sexual and child abuse, and social discrimination – suggested that locals should also open their understanding to be more considerate in handling social issues and violation taking place in regencies in Aceh, especially in Bener Meriah. He believed that *adat* penal law is not limited only to Islam and local cultures but is open to various ideologies, international norms, and a sense of humanism. It means that the Sharia does not constrict global progression. Nevertheless, it supports the communities to be aware of all aspects of Islam-related life, leading them to a better direction (*needs a theory*). This, therefore, requires the figures of Islamic scholars or *ulama,* who are considered the big umbrella for the communities as it was stated in Law No. 44/1999, which granted Aceh the to determine the matter towards religious and cultural affairs, education, and the role of the *ulama.* The *ulama* played a significant role in shaping and preserving education in Aceh province. One of the academicians of Aceh, Alyasa Abubakar, says that to implement a meaningful education based on Islamic law, *ulama* should be preserved and well-educated.[41]

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[39] Rusli Rusli and Nurdin Nurdin, "Understanding Indonesia Millennia Ulama Online Knowledge Acquisition and Use in Daily Fatwa Making Habits," *Education and Information Technologies* 27, no. 3 (April 19, 2022): 4117–4140, https://link.springer.com/10.1007/s10639-021-10779-7.

[40] Arfiansyah, "Contemporary Changes and Uses of Adat in Gayo Society, Indonesia."

[41] Bustamam-Ahmad, "The Application of Islamic Law in Indonesia: The Case Study in Aceh."

The existence of Islamic scholars within the Sharia authorities, or even in the governmental scope, will ease the spread of the Sharia. In terms of social construction, an important figure will make people secure and more manageable. The case depicted by IF in E10 reflects this condition, where the Sharia becomes a medium to bridge unethical matters if its application is done ethically and is committed. In the end, the enforcement of the Sharia will be free of obstacles and challenges if all parties are committed to upholding the law.

Moreover, as has been stated by MB in E14, the weakness of the Sharia implementation in the Bener Meriah Regency is influenced by the minimal budget for its programs. This is under the description of the head of the court facilities at the Sharia office. Besides, the ineffectiveness is also supported by the inconsistency in enforcing the Sharia itself. To illustrate, there will be selective slashing in deciding the law punishment. For ordinary people, they are usually ensnared. Contrarily, the people who have power in terms of economy and social status; are not able to be punished. As a result, the Sharia is not enforced proportionally, which generates a lack of public trust.

In further discussion, there are more complex reasons why implementing Islamic Shari'a in Aceh faces some obstacles. The most fundamental and classic obstacle is the implementation of *qanun* associated with the *qisas* and *rajm* for an accused murderer and adultery violator often invites protests from National Criminal Code (KUHP), NGOs, and international organizations that fight for human rights.[42] Furthermore, the implementation of Islamic law in Aceh tends to discriminate against women, where women are dominantly accused of being involved in violations such as tight attire regulation, being fall under suspicions of prostitution, and LGBT.[43] To counter the accusation, Muhsinah and Sulaiman have proved that women in Aceh Province are actively implementing the law, covering the female officials in regional Sharia offices and, of course, the communities themselves.[44] Regarding this issue, there was a compelling case that indicated the support for canning as a penalty, a violator, who was a protestant,

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[42] Ramizah Wan Muhammad et al., "The Legal Framework of Islamic Criminal Law in Aceh with Reference to Application, Challenges and Way Forward (Kerangka Undang-Undang Jenayah Islam Di Aceh Merujuk Kepada Aplikasi, Cabaran Dan Jalan Kehadapan)," *Journal of Islam in Asia (E-ISSN: 2289-8077)* 15, no. 3 (October 2018): 300–314; Muhammad Razi and Khairil Azmin Mokhtar, "The Challenges of Shariah Penal Code and Legal Pluralism in Aceh," *Jurnal Media Hukum* 27, no. 2 (2020): 195–216.

[43] Khairul Hasni, "English Sharia Police: Gender Discrimination, and Elite Politics in Aceh," *Al-Hayat: Journal of Islamic Education* 4, no. 1 (June 2020): 30.

[44] Muhsinah Muhsinah and Sulaiman Sulaiman, "Peran Perempuan Dalam Pelaksanaan Syariat Islam Di Provinsi Aceh," *MIQOT: Jurnal Ilmu-ilmu Keislaman* 43, no. 2 (December 30, 2019): 202–221, http://jurnalmiqotojs.uinsu.ac.id/index.php/jurnalmiqot/article/view/617.

chose to can as he considered it more humanized than the jail.[45] It is against the stigma that canning violates human rights since it promotes violence.

Implications and Challenges of the Sharia Implemented in Bener Meriah

The centralization of Islam in the Gayo Highlands is a logical consequence of regular religious preaching. It is carried out commonly in a cultural approach, causing Islam to be readily accepted by the Gayonese people so that, in the end, it integrates with local cultural values. The preacher inserts Islamic values into various cultural aspects that developed in the locals long before Islam came. For example, Islam has infiltrated their arts, folklore, and custom terms, even when encountering catastrophes.[46] Many will stand with their religious principles no matter what calamity occurs.[47] Economically, the Sharia is also projected as a model for tourist magnets, so the locals' prosperity increases.[48]

As the impact of plurality on differences in society, the people are more tolerant and respectful of each other. This behavior reflects Islamic values, which love peace in social life. The mixing and adjustment between Islamic values and Gayonese cultural norms are reflected not only in the cultural behavior of the Gayonese people but also in this Gayonese principle, *religion urum edet, song zet urum sifet* (Islam and Gayo customs are substances with properties that cannot be separated).[49]

This confirms that the acculturation between Islam and the custom is close and mutually supportive. Islamic values have been immersed in all life aspects of the people of Gayo, namely the belief and solid social relationship formed as a kinship. The combination of Islamic teaching and Gayonese culture has supported acculturation in significantly preserving the strong Gayonese identity through solid local traditions and customs.[50] The function of custom is to support the implementation of Islamic teachings

[45] Mahyadi, "Seorang Warga Non-Muslim Di Cambuk, Memiliki Dan Menjual Miras Di Kota Takengon," *Serambi News*, last modified 2020, https://aceh.tribunnews.com/2020/02/12/seorang-warga-non-muslim-dicambuk-memiliki-dan-menjual-miras-di-kota-takengon?page=2.

[46] Abdul Manan et al., "Tulak Bala as an Outbreak Prevention Within Sharia-Based Community," in *Proceedings of the 2nd International Conference on Science, Technology, and Modern Society (ICSTMS 2020)* (Langsa: Atlantis Press, 2021), 145–150, https://www.atlantis-press.com/article/125960638.

[47] Abdul Manan et al., "Religious Perspectives on the Origin of the COVID-19 Pandemic: An Analysis of a Sharia-Based Community," *Mankind Quarterly* 63, no. 3 (2023): 458–482, https://mankindquarterly.org/papers/63/3/6.

[48] Abdul Manan et al., "Halal Tourism: A Proposed Sharia Model for Implementation," *Jurnal Ilmiah Peuradeun* 11, no. 1 (January 30, 2023): 81–100, https://journal.scadindependent.org/index.php/jipeuradeun/article/view/784.

[49] Ali Mustafa and Rahmat Hidayat, "Islam Gayo: Studi Tentang Akulturasi Islam Dengan Budaya Lokal Di Kabupaten Aceh Tengah," *Al-Mishbah: Jurnal Ilmu Dakwah dan Komunikasi* 13, no. 2 (2017): 313.

[50] Husaini, "Discovering Wisdom in Gayo Tradition with Reference to Islamic Educational Values in Marriage Practice."

as a cultural principle in the life of the Gayonese people. It is also to maintain the Sharia implemented adequately so that there is no violation of the Sharia provisions. As it is integrated gradually, the custom is transformed into a part of religion. In this context, it strongly indicates that the Sharia constructs the educational and social values   related to the societies' lives.

The behavior of the Gayonese people in Bener Meriah Regency has a vital essence of Islam as a daily teaching, whether at the family level, social institutions, or educational sectors. In addition to integrating a legal regulation, the habit also strengthens the Sharia implementation and the pattern of awareness to a maximum effort.

Still, there might be obstacles to enforcing Islamic law in Aceh. Murdani[51] identifies at least some of the problems that Islamic law enforcement in Aceh faces as a result of globalization: religious privatization; population decline; increased international trade and markets; ecological concerns; terrorism and war; natural disasters; the breakdown of traditional family structures; and a need for a new ethical framework. His research also argues that Sharia law enforcement in Aceh should be guided by Islam's overarching goals and principles, including its emphasis on monotheism, equality, deliberation, freedom, mutual aid, tolerance, and a host of others. Given that Aceh is still a welcoming place for people of many faiths and backgrounds to settle down, the findings might provide difficulties in applying Sharia law there. Tensions will arise between the predominantly Muslim Acehnese and their neighbors of diverse faiths and backgrounds. Sharia law in Aceh must be consistent with Islam's goals and principles. Aceh's communities need more open and honest communication about the Sharia law implementation.

Conclusion

The robust social control and local customs of the local community may cause this finding. It can be seen from the locals who still firmly hold the values   of Gayonese cultural customs whose culture does not conflict with Islamic values, even those who follow the values   of Islamic teachings, which become the local wisdom. Moreover, the strong support from the government, community leaders, and other social institutions also contributes to the conduciveness. The support from various parties certainly maximizes the Sharia implementation as a whole. The guidance and counseling carried out by the Sharia office to the villages also positively impact the locals. At least, they do not only perceive that the Sharia is merely a caning punishment, but it is more about spreading knowledge about Islamic teachings to the public. To support the implementation,

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[51] Danial Murdani, "Globalization and the Paradigm of Islamic Law Implementation in Aceh," *Mazahib* 21, no. 1 (July 11, 2022): 1–28, https://journal.uinsi.ac.id/index.php/mazahib/article/view/4323.

Sharia counseling programs are launched to educate the community about the importance of religious teachings in life. The learned religious values become social values that can benefit people's lives and be used as educational and social constructions. With the Sharia implementation, the people of Bener Meriah Regency see more Sharia values being practiced daily. Indeed, this form of practice can prevent acts that are outside of the law. The local government is quite concerned about policies related to the Sharia, so the Sharia office runs several programs. The successful Sharia implementation cannot be separated from the community's support, which is in sync with the government and related agencies. It is also seen from the cultural aspect, reflected through its integration with Islamic values   in the people's social interactions. This is also realized due to factors of education and knowledge of the community.

The communities of Bener Meriah's understanding of their Islamic-based culture, traditions, and education is influenced by the fact that Sharia is enforced not just as a legal framework but also as a social concept. The parent's role in their children's education is crucial from a practical standpoint. Most of Bener Meriah's parents send their kids off to boarding schools or Islamic academies. They believe that pesantren, which teaches the dominant form of Islam, will instill good morals in their children. This trend demonstrates how Islamic teaching has the potential to positively shape community social issues and influence individuals' views on the importance of education. However, a further study related to the Sharia implementation in schools and public sites may suggest a new insight to cover the lack of finding in this study. The broader scope of research areas and numerous potential informants will enrich the findings. Thus, another novelty of Sharia implementation can be elaborated and associated with other regions and certain socio-cultural conditions.

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