

Institutionalization of Islam and Adat: The Legal System of *Hak Langgeih* in Aceh

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Abstract: This study aims to discuss the institutionalization of custom and Islam in the Fatwa of Aceh's Ulama Consultative Council (MPU). Local genius and adat have recently emerged as essential role of the legal pluralism discourse in the age of globalization. This fatwa was issued in an effort to preserve Muslim land and property ownership in Aceh, Indonesia, after the tsunami. The effort has its dynamics, considering the existence and control of property by non-Muslims. The problem in this study is how the dynamics of the legal system, encompassing legal substance, legal structure, and legal culture, interact with the institutionalization of legal rights in Aceh's MPU Fatwa. This research is socio-legal research. The results of this study indicate that adherence to adat, mediated by '*hak mieung*', has placed adat structures as dispute resolution processes. Legal culture is of greater significance than legal structure and substance in the institutionalization of *hak langgeih* in Aceh.

Keywords: Legal system; Islamic law; Adat law; Local genius; *Hak langgeih*.

Introduction

State employs a system of law that recognizes a specific legal tradition (Glenn, 2000). A state's legal system emerges throughout time and progressively intersects with other legal traditions at different levels of interaction. By this point, legal plurality and inter-legality concepts become fundamental perspectives on a state's legal system (Giudice, 2014; Horne, 2014; Menski, 2014; Sumardi et al., 2021; Tamanaha, 2021; Wimra, 2022; Wimra et al., 2023). Given the increasingly blurry national borders, globalization encourages this state by permitting laws to border each other. The law can be globalized and localized by the substantial amount of information interchange (Hassan, 2014; Irianto, 2009; Volk, 2019; Wharton & Miller, 2019). The continuously developing dynamics of law also involve local genius practices as an object (Ergashev & Farxodjonova, 2020).

Additionally, many forms of local genius in Indonesia still exist today. In certain regions, the asymmetric decentralization model additionally provides dynamics for legal developments that maintain local genius in everyday life (Lele, 2023). Aceh is entitled to enforce Islamic law since it is one of the provinces that was granted extraordinary autonomy. This special autonomy can be observed when establishing policies and legal products. As a government official, Majelis Permusyawaratan Ulama (MPU) has a significant position as a legislative and executive partner, particularly in the legislation and supervision of regulations related to Islamic law (Ichwan, 2011, p. 213). As an independent institution, MPU issued Fatwa Number 8 Year 2015 on *Hak Langgeih* in Islam in response to the reality of non-muslim control over a large amount of land, buildings, and plantations in Aceh. In Islamic law, the *hak langgeih* is principally synonymous with *syufah*. The provisions of Article 49 Qanun Number 10 Year 2002 on Islamic Sharia Courts associate the *hak langgeih* terminology with *syufah*.

The *hak langgeih* are rights of priority owned by family members, fellow community members, and neighboring landowners in buying the land, as stated in Supreme Court Decision No. 298 /K/Sip./1973

dated March 31, 1977. Conflicts of interest among Acehnese citizens are expected to arise from the rules and regulations stated in the fatwa. Statistically, the number of *hak langgeih* disputes is resolved through litigation. This is because almost all *hak langgeih* land disputes are resolved through restorative justice mechanisms at the *gampong* (village) and customary components. Choosing to privatize the ownership of properties and buildings under non-Muslim control gave rise to this possibility (Ansor et al., 2016; Makin, 2016; Zulkarinaini et al., 2022). In actuality, though, non-litigation methods can be used to mediate disputes on property control. This instance shows the importance of the legal culture of the society, which must address property ownership disputes among indigenous peoples.

This study presents a dynamic of the Acehnese indigenous community's legal system of *hak langgeih*. This practice intersects with the legal system built by legal substance, structure, and culture. In practice, legal culture is essential in maintaining the stability of multiethnic society in post-tsunami Aceh. This paper will reveal how the Acehnese legal system's implementation of *hak langgeih* institutionalizes the relationship between Islam and *adat*. The question of how the legal system, legal substance, and legal culture of *hak langgeih* affect Acehnese people's daily lives is discussed in this formulation. This paper aims to clarify Aceh's traditional legal model, mainly concerning the local genius-based regulations governing property ownership and control. In order to comprehend the interaction between positive law and societal local genius, this research is crucial.

Literature Review

Tradition is information, a loose conglomeration of data structured around a single basic theme (Glenn, 2000, p. 16). Normative information must be captured during the prime transformation and then selected and adjusted in a dynamic, continuous process (Glenn, 2000, p. 71). A living tradition performs a continuous reflective process of looping and feedback. This is recognized as the massaging of tradition (Glenn, 2019, p. 428). The influence of this feedback will entrust a tradition to accommodate the seeds of diversity and change (Glenn, 2000, p. 30). Of course, this condition would be a remarkable oscillation process with the possibility of stability or even variation (Glenn, 2019, p. 429). The dynamics of this process are in its sustainability activities, though it will not end in its final form because the process is indeed ongoing. This possibility is also because setbacks in the face of information challenges, both internally and externally, are unavoidable.

The research will focus on institutionalizing *adat* using Lawrence Friedman's legal system approach, which states that the legal system is built on the law's substance, structure, and culture (Friedman, 1969b; Tamanaha, 2017). These three aspects are separate yet linked to one another. *Adat* and Islamic laws are recognized under Indonesia's constitutional system, which follows the triangle concept of legal systems (Lukito, 2012, 2017, pp. 91–97). The influence of modernization and the thick positivistic ambiguities of the civil law tradition were passed down by the Dutch in Indonesia diminish the *adat* law tradition. It can be seen in the Colonial Government of the Dutch East Indies' instrumentalization and bureaucratization of *adat* through a set of regulations that increasingly marginalize the position of *adat* (Rahmat et al., 2023).

The coexistence of plural laws and the influential role of Islamic leaders in Aceh create a complex legal geography where traditional Islamic teachings, local genius, and state administration must be negotiated and made compatible (Chambert-Loir, 2017; Mukti et al., 2019; Sumardi et al., 2021). These dynamic shapes the legal landscape and affects how contemporary social issues are addressed within Islamic law and governance. Aceh Province is one of the provinces with special rights to implement Islamic law. Based on these considerations, it logically follows that the laws established in Aceh refer to Islamic law as a whole. For a long time, the people of Aceh have practiced Islamic law following their existing *adat* (Jauhola, 2020, pp. 148–150; Schenk, 2016). It is important to note that the integration of *adat* into the formal legal system can sometimes lead to tensions, especially when there are discrepancies between customary practices and national laws or human rights standards (Jauhola & Bolong, 2017; Mubarak et al., 2023; Shea, 2016). Because it deals with enormous social changes, Aceh's Islamic legal system is one of the most

challenging types of experimentation. At the same time, it attempts to create a new legal system within the context of a broader constitutional framework (Feener, 2015, p. 9).

Aceh's customary law is based on Islamic legal principles that have been technically implemented. Aceh established its legal construction model due to the massage of law dynamic between Islamic law, *adat* law, and civil law. Aceh's legal system, established on the special autonomy of Islamic sharia implementation, permits the creation of a legal substance distinctive from other provinces. The integration of customary and Islamic law into the national legal system has led to the internalization of these rules, transforming the legal awareness of the community from a living law system to a formal legal system fused with the state legal system (Sumardi et al., 2021).

The customary practice encompasses various legal issues, including criminal and civil lawsuits. Customary practices in the civil arena include marriage, inheritance, and economics (Britton-Purdy et al., 2020). Shari'a economic activity in the practice of Acehnese local genius has existed in various forms for a long time, and according to Sudiarti and Harahap, land tenure constraints in Aceh prompted the practice of cooperating in land cultivation as *mawah* and *cater*. *Mawah* and *cater* are manifestations of land management cooperation that have existed since the XVI century within the framework of *muzara'ah*, *mukhabarah*, and *musaqah*. This practice has played a crucial role in improving the welfare of Acehnese and is still in use today (Sudiarti & Harahap, 2017). *Gala*, or the practice of pawning without a limited time, is another practice the people of Aceh apply. In regard to this, Ibrahim and Fauzi found a shift in people's understanding of the concept of pawns used in *gala*, implying usury. The *gala* practice is enduring a value shift, transforming it from a helping activity to a benefit-taking activity (Fauzi, 2020; Ibrahim, 2012).

In some aspects, the practice of *hak langgeih* in Acehnese is similar. According to Rahman, the Langsa people still respect and use *hak langgeih* in land-buying and selling transactions (Rahman, 2014). Lubis and Husin's findings prove the existence of disputes that arise when the *hak langgeih* is not exercised, which are resolved peaceably at the *gampong*. If diplomatic efforts at the *gampong* fail, they will only be implemented at the Kota Langsa Sharia Court. Customary institutions effectively resolve disputes over *hak langgeih*; nevertheless, no disputes over *hak langgeih* were resolved at the Sharia Court until 2014 (Husin, 2016; Lubis, 2021), in contrast to Jahidin, the right to be seen as an option to refuse or cancel a land sale and purchase agreement with a foreign party or a person who is not a member of an indigenous community. Due to the lack of socialization among Aceh's government and community leaders, this local genius has begun to fade among the younger generation (Jahidin, 2021).

MPU, as the Ulama's representative in Aceh, tends to play an essential role in developing Shari'a economic practices. In general, Nazim states that clerics in Aceh play a crucial role in purifying religious understanding and serving as government advisors and mufti for the community (Nazim et al., 2018). According to Jailani and Taqiuddin, MPU has made significant contributions to the development and socialization of Islamic banking in Aceh by encouraging the formation of legal protection in the form of Qanun. Even MPU faces several challenges, notably needing more human resources in Islamic banking (Jailani & Taqiuddin, 2018).

Method

The postpositivism paradigm, which combines literature and field research, is used in this study. It is a nondoctrinal legal study conducted using qualitative procedures and socio-legal approaches. The triangulation technique was employed to obtain the study's primary data. Four regions in Aceh Province – Kota Banda Aceh, Kota Lhokseumawe, Kecamatan Baitussalam in Aceh Besar, and Kecamatan Kota Juang in Bireun – were the locations of non-participant observations. Judges of the *Mahkamah Syari'yah Aceh*, the *Dinas Syariat Islam Aceh*, the *Dinas Pertanahan Aceh*, the *Majelis Permusyawaratan Ulama Aceh* (MPU), the *Majelis Adat Aceh* (MAA), and *Keuchik* from all over *gampong* who have resolved disputes about *hak langgeih* were also interviewed in-depth. Many academics and practitioners from Aceh participated in the FGD. Scientific articles about Islamic and customary relations inside Aceh's positive law framework serve as the study's secondary data source. Circle analysis is the method used to analyze data. Condensed data was

collected, and cross-source data verification occurred afterwards. Conclusions are drawn based on the outcomes of the completed data verification.

Results and Discussion

Aceh's Special Autonomy: The Recognition of Religious Structures and Customs

The legal structure is a legal institution in the form of both institutionalization and the processes carried out within the institution, such as the number and form of judicial institutions, the existence of the constitution, and even the division of powers among judges, legislators, and the government (Friedman, 1969a, p. 34). Aceh's legal structure evolved its special privileges and autonomy status. Aceh province is the only province guaranteed explicitly in Islamic law implementation (Mubarak et al., 2023; Salim, 2018, p. 237). It indicates that Aceh is a distinct region with distinct characteristics that cannot be confused with other regions, whether in social culture or government bureaucracy. Acehnese society's long struggle for independence supports its recognition as a particular region. Despite its invisibility in the annals of government history, this privilege received more attention after the reform regime went into effect in mid-1998 (Jiwon, 2015; Lay, 2017; Lee, 2020; Otto & Otto, 2015). Under President Habibie's leadership, the collapse of the New Order Era with its model of unification and centralization was later replaced with a model of autonomy and decentralization.

The Reform Era saw the emergence of several regions with exceptional autonomy, including Aceh, Papua, Papua Barat, and DKI Jakarta, as well as regions with special status for Yogyakarta (Aziz, 2018, pp. 1-2). Special autonomy is a particular authority recognized and granted to the provincial government to regulate and protect the rights of the local community depending on their initiatives and aspirations (Abrar et al., 2020; Asnawi et al., 2021, 2021, p. 250; Zada, 2023). Aceh's special autonomy and particular regions have been established by a series of laws legislated since the beginning of the reform period, namely Law Number 44 Year 1999 on the Implementation of Provincial Privileges of the Special Region of Aceh, Law Number 18 Year 2001 on Special Autonomy for the Province of the Special Region of Aceh, and Law Number 11 Year 2006. Aceh's particularities also include the Governor's special authority, the *Majelis Permusyawaratan Rakyat Aceh* (DPRA), local political parties, *Wali Nanggroe*, recognition of customary institutions, Islamic Sharia, and the Shari'a Court (Asnawi et al., 2021, p. 246; Jiwon, 2015).

According to Article 125 paragraph (1) of Law 11 Year 2006, Islamic law implemented in Aceh includes *aqidah*, *syariah*, and *akhlak*. This law introduces and strengthens the legal standing of the Aceh Government's legal structure, especially the existence of the MPU and MAA. Aceh Province's special autonomy cannot be separated from the social and historical facts that Aceh Province has a distinct character of a way of living that cannot be separated from Islamic law, which gave birth to a strong Islamic culture. According to historical records, this character became the Acehnese social capital during the Acehnese people's struggle. Another alleged reason for this special autonomy status is the Acehnese determination to rebuild their way of life after the earthquake and tsunami disaster devastation.

Through Qanun Number 2 Year 2009, MPU is designated as an official institution, and a part of the Aceh Government is strengthened. The MPU is an assembly consisting of Muslim scholars and *ulama*, and it is based as a partner of the Aceh Government and the DPRA. MPU is an independent institution tasked with deciding what will be utilized in the formula of government policies. The MPU is also given the task and authority to issue fatwas and advice community members who disagree.

MPU's responsibility is to consider regional government, development, economy, socio-cultural, and society policies. MPU also provides recommendations and advice to the community based on Islamic teachings. The MPU, as a clerical institution, has the authority to advise on religious dissent and issue fatwas on governance, development, economic, socio-cultural, and societal issues. According to Article 3 of Qanun 13 Year 2017, the MPU is also authorized to reprimand the Aceh Government and vertical agencies within the Aceh Government.

MPU is essential in Aceh's development policy as an institution tasked with caring for the community and as a government agency. The effort to reintroduce the clergy's position and formal role in

government is an attempt to reaffirm the unique role that existed in Aceh's socio-political life in the past (Salim, 2018, p. 152; Shadiqin & Srimulyani, 2021). Similarly, the MAA is established under the Aceh Government Law (Ridwansyah & Orsantinursakul, 2022). MPU, following MAA, as part of the legal structure that exists only in Aceh, provides a new form of legal tradition in the paradigm of a mixed legal system that developed later in the era of legal pluralism.

According to Qanun 9 Year 2008, MAA is an assembly of traditional life organizers in Aceh with an institutional structure up to the *gampong* that can also formulate Aceh Government policies based on their respective duties, functions, and authorities. MAA was officially established on the Decree of the *Kongres Adat Aceh*, held on September 24-28, 2002, in Banda Aceh by the *Lembaga Adat dan Kebudayaan Aceh* (LAKA). This congress adopted the decision to rename LAKA to MAA (Ismail, 2015, pp. 76-77). The opportunity of legitimizing adat under Law Number 44 Year 1999 and Qanun Number 7 Year 2000 encouraged Congress. MAA's position was strengthened further by Qanun Number 3 Year 2004.

The regulation and institutionalization of the MAA as a recognized official institution demonstrates a new model of legal tradition that reflects the balance of tangents between *adat* (and Islam) and the state. It is strikingly comparable to the existence of customary institutions in other provinces, which only serve as official institutions and are not uniquely in contrast to other non-governmental organizations (Gude & Papic, 2020). The relationship between *adat* and formal law in Aceh is part of a broader and ongoing negotiation of legal and political authority in the region.

Social structures at the *gampong* and *mukim* support MAA's existence (Iskandar, 2019; Yolandika, 2022). The *Gampong* Government was comprises *Tuha Peut*, *Keuchik*, *Imam Meunasah*, and *Gampong* staff comprised the *Gampong* government. *Tuha Peut* is a *gampong* representative unit comprising scholars, traditional leaders, community leaders, and clever ingenious *gampong* residents. *Keuchik* is *Gampong*'s executive, with a role similar to that of the village head. *Keuchik* serves as a peace judge, assisted by *Imam Meunasah* and *Tuha Peut*. *Keuchik* is also part of the *gampong*'s customary institution. It demonstrates that Aceh's lowest government implements an *adat* government system, both officially and in practice. *Keuchik* is not only an emblem of *adat* government; it is also an essential component of government bureaucracy. *Adat* institutions have their hierarchy, beginning with *Lorong*, *gampong*, sub-districts, regencies, and finally, provinces.

Most of Aceh's disputes were resolved at the *gampong* through mediation conducted by *Keuchik* with the advice of the *gampong*'s secretary. *Tuha Peut* and *Imeum Meunasah*, representing indigenous institutions, are implicated in the mediation process. *Keuchik* effectively resolved disputes as a representation of *adat* and government bureaucracy. The prosecutor's office also aided mediation by providing peaceful accommodation for most of *Gampong*'s residents. The police also assisted in implementing restorative justice by delegating some authority to *adat* institutions.

These significant advances in Aceh Province's existing legal structure have effectively promoted the concept of restorative justice in conflict resolution. The existing *adat* institution structure is the original Acehnese *adat* structure, posited and established as an official institution. *Keuchik*, as part of the legal structure, plays a strategic role in representing the existence of *adat* and government bureaucracy. However, it is more likely to be seen in its dimension as an indigenous institution in dispute resolution. This practice demonstrates that Acehnese legal traditions are a hybrid of Islamic, customary, and civil law traditions.

Legal Substance: From *Nomos* to *Norm*

The substance of the law is the output of legal structures in the form of rules, doctrines, rulings, and injunctions produced by formal state institutions (Friedman, 1969a, p. 34). Materially, the MPU Fatwa, which has permanent legal force, proposes the transformation of *syuf'ah* into *hak langgeih* in Aceh. Formally, the resolution of disputes caused by the fatwa is also stipulated in the *Surat Keputusan Bersama* between the Governors, the Head of the Aceh Regional Police, and the MAA so that problems that arise are ideally resolved at the customary court level through restorative justice mechanisms. The involvement of Qanun is one of the key features that distinguishes Aceh from most of Indonesia. Qanun is a regulation enacted

by the provincial government to implement special autonomy. Although hierarchically, qanun is a type of local regulation, bureaucratically, qanun is not subject to government regulations and is directly subject to the law.

Qanun is a Malay term that distinguishes between the laws listed in custom and the laws listed in the book of jurisprudence (Fang, 1976, p. 178). Until now, the term qanun has gained popularity and is still used in Acehnese's life. According to Acehnese Malay literature, qanun is a rule derived from Islamic law later incorporated into Acehnese customs (A. Abubakar, 2018, pp. 58–60; Muhammaddin et al., 2019). In its broadest sense, Qanun is an Islamic law-based rule that the Sultan upholds and applies in his domain. In a broader sense, qanun is another reference to customary law. Following the reform period, the term qanun is more likely to be interpreted as a regional regulation that is a technical form of implementing the Aceh law (A.-Y. Abubakar & Yoesoef, 2004, pp. 19–20; Bustamam-Ahmad, 2017; Din & Abubakar, 2021; Rani et al., 2020). Qanun is linked to the value of a substantial, cooperative, and accommodating approach to state policy in implementing Sharia in the modern world (Faisal et al., 2023). One form of positive *fiqh* practice in implementing Islam in Aceh is *shuf'ah*.

Syuf'ah can be interpreted as a priority right for neighbors or close family members to get an offer from an immovable asset to be sold by the owner. Meanwhile, the *hak langgeih* in its original form is a mechanism of rights owned by neighbors or families that is active when *syuf'ah* is not implemented. The right to lose arose when the party wishing to sell immovable assets did not first make priority offers to neighbors or families. *Syuf'ah* has long been practiced as an *adat* for the people of Aceh. Disregarding *syuf'ah* stimulates the right to disregard neighbors and families. MPU sees these two concepts as interconnected and inextricably linked in the practice of Acehnese life. The MPU then issued Fatwa Number 8 Year 2015, which expanded the meaning and scope of the right itself.

This fatwa expands and redefines the *hak langgeih*, commonly used in Acehnese. The *hak langgeih* is defined as an abstract right of ownership arising from purchasing and selling transactions and renting leases, and it is intended to eliminate harm. The *hak langgeih* system proposed in this Fatwa is a tool for removing impurities that may arise due to buying and selling transactions and renting leases. Taking into account the context, this new definition of *hak langgeih* was based on the fact that, following the tsunami disaster, many lands in Aceh were controlled by non-muslims by eliminating the existing *hak langgeih* in Acehnese society.

This fatwa also expanded the reach of the *hak langgeih*, which had previously only involved neighbors and relatives of family members to brothers of the same religion. The *hak langgeih* is a right in Aceh customary law related to giving priority rights to three elements of society in land sale transactions, namely relatives, fellow community members, and neighbors, according to Supreme Court Decision No. 298K/Sip/1973 dated March 31, 1977. This expansion of meaning must be distinct from the Acehnese people's everyday concept of relatives and family. One of the reasons and sociological juridical facts for reinterpreting the concept of brothers in *hak langgeih* is the existence of privileges and special autonomy that Aceh has in implementing Islamic law.

Hak langgeih is sharia based on local genius imposed in Aceh. Aceh's local genius is implementing Islamic law adapted to its time and space. The construction of *hak langgeih* as part of *adat* was primarily based on Islamic law provisions and adapted to the Acehnese people's lives. This rule has existed since the ancestors' time, and it is ambiguous when it was first implemented. However, this rule is still followed today (Khalsiah et al., 2018; Rahman, 2014, p. 71).

This fatwa outlines several preventive measures on the sale of immovable property, specifically land and buildings. In practice, however, the *hak langgeih* is more commonly used after completing a trade. Human rights have been practiced before the establishment of the Fatwa by the MPU. The *hak langgeih* is thought to be a legacy of local genius passed down through generations. The *hak langgeih* was initially institutionalized broadly in positive law only through recognition and guarantees of protection for its implementation, whether from the Constitution, the Law, or Qanun. It is because *hak langgeih* is closely

related to aspects of custom and the application of Islamic law, which are stated to be protected by the Aceh Government Law.

On the repressive border, resolving disputes over the *hak langgeih* has been deliberately planned through Qanun Number 10 Year 2008. The *Surat Keputusan Bersama* of the Governor, the Head of the Aceh Regional Police, and the Chairman of the MAA Numbers 189/677/2011, 1054/MAA/XII/2011, and B/121/I/2012 are one of the keys to resolving these disputes and disputes. This decree aims to ensure the implementation of Qanun Number 9 Year 2008. Customary mechanisms and customary justice are two different forms of alternative dispute resolution that the people of Aceh must pursue. Disputes concerning the buy, sale, or lease of *hak langgeih* fall under disputes that must first be resolved in customary courts. This decree encourages the community to resolve disputes through customary courts rather than litigation. The attitude of the Police Officers who returned the dispute to *Keuchik* proves the consistency of the implementation.

This decree, in particular, seeks to preserve the dignity of the trial and customary verdicts, which are an essential part of Aceh's local genius. This decree states that minor criminal disputes in *gampong* and *mukim* must be resolved first at the customary court at the *gampong*, as stated in Article 13, Article 14, and Article 15 Qanun Number 9 Year 2008. All parties are required to respect the administration of the customary judiciary, which must refer to the norms of customary law and customs in that place in its decisions. Customary trials should be held in public, except for some instances that must be held behind closed doors due to customary propriety. Except for specific cases that must be conducted behind closed doors due to customary propriety, the customary court should be held openly. Customary court rulings are final and binding and cannot be challenged again in court.

The presence of fatwas and decrees as a legal substance in the normative implementation of *hak langgeih* is complete and comprehensive. The legal standing of the implementation of the *hak langgeih* and the settlement mechanism, protected and regulated in the Constitution, the Act to Qanun, demonstrates this. In practice, these mechanisms are jointly supported by other competent legal structures, ensuring that customary courts can effectively resolve disputes.

Legal Culture: Mutual Acceptance to Fatwa

Conceptions of legal culture extend well beyond the professional juristic forum. They relate to a broader understanding or experience of law generally shared by persons who live in a specific legal context, such as a region, nation, or set of nations (Cotterrell, 2019). Aceh's special autonomy status in applying Islamic Sharia has been established historically through identity formation, which has taken a long time since the early days of the Islamic sultanate. Aceh's current situation reflects a state of equilibrium in its social and political dynamics (Kusujarti et al., 2015; Salim, 2018, p. 244). Aceh's social and cultural life was founded on religion and *adat*. The clergy evolved into a critical unit and a manifestation of the existence of religions and *adat*. It is not an exaggeration to say that Islam is the foundation of Acehnese culture, known for its fierce fighting spirit (Armia, 2019; Habiburrahim et al., 2020; Samad, 2017, p. 24). Fidelity to the rule of law is also deeply intertwined with legal culture, as it shapes the expectations, attitudes, and behaviors of those who create, interpret, and apply the law and those who are subject to it (Foran, 2019, p. 33). Legal culture refers to the values, practices, and norms that characterize how a society understands and uses the law.

Aceh's dynamic society is evidenced by its indigenous, cultural, social, and political life and its ability to guarantee legal certainty in all matters. It is because of the religious living conditions of the Acehnese, who have developed attitudes, a strong fighting power, and a strong Islamic culture. Acehnese solidarity arose from their shared fate and the spirit of rebuilding after the natural disaster. At the same time, the Aceh government is committed to resolving conflicts peacefully, comprehensively, and dignifiedly (Baharudin, 2016, p. 88; Manan, 2020; Otto & Otto, 2015). *Adat* is positioned as an integral part of the pluralist legal framework of Aceh, which coexists alongside religious law and positive law (Jauhola, 2020, p. 33; Kasim & Nurdin, 2020; Khalsiah et al., 2018). The research indicates that local customary *adat* law is recognized as a legitimate source of law within this framework.

In the history of Aceh's struggle, the nickname of the *Serambi Mekkah* (Porch of Mecca) has encouraged the Islamic climate to become a strong habit in the daily life of the Acehnese people. One of the mechanisms that can maintain community collectivity is the existence of *Dayah*, the habit of gathering and discussing in coffee shops after dawn before activities and after *isya*. In the face of social change, Islam has the potential to become a social capital for the people of Aceh. Strong religious beliefs contribute to the resilience of social capital (Kasim et al., 2021, p. 72). *Dayahs* in Aceh are not just educational institutions but also play a significant role in the socio-political fabric of the region, influencing the implementation of Islamic law and contributing to the strong sentiment against deviant sects that diverge from traditional Islamic teachings (Burhanudin, 2014, p. 128).

Most indigenous peoples and government officials are unfamiliar with the existence of this Fatwa. Several factors could have contributed to this ignorance. Some traditional functionaries with knowledge of this Fatwa believe that the tradition of *syufah* and the *hak langgeih* in its original form has become an *adat*. The institutionalization of the *hak langgeih* into Fatwa does not affect community compliance with the implementation of its traditions. Public legal awareness of this fatwa is essential for ensuring that the traditions and customs protected by the fatwa can be effectively applied and accepted by society. The solid legal culture in Acehnese society also contributes to the persistence of a balance between *adat* and Sharia, which is attained through compromise and integration rather than conflict. Disputes triggered by such waivers of rights are frequently referred to as ordinary disputes. Nonetheless, any disputes, particularly those arising from land ownership transactions, were traditionally resolved at the *gampong*.

When Aceh gained special autonomy, the construction and arrangement of indigenous life in the Acehnese community formally began. The consistent structuring of the legal substance goes hand in hand with the structuring of the existing legal structure. It has affected the legal culture and practice of community acceptance of Islamic law, which is formalized through Qanun and fatwas. The existence of *hak mieung* is one of the factors driving public acceptance. Horizontally, *hak mieung* can be found in neighborly and sisterly relationships. Respect for one another in the model of intersubjective relations creates a legal culture of mutual acceptance. Everyone is entitled to be a neighbor or a relative.

On the other hand, the community's acceptance of dispute resolution mechanisms through customary courts is also due to indigenous functionaries' rights. The participation of *Keuchik*, *Tuha Peut*, and *Imam Meunasah* as cultural expertise in dispute resolution aided public acceptance. Cultural expertise refers to applying specialized knowledge about culture to a specific set of circumstances in a legal case, provided by an expert whose considerations are made irrespective of the legal outcome (Akbar et al., 2021; Holden, 2019). This expertise is meant to be neutral and can be requested by the court or the parties involved.

Conclusion

With its special autonomy status, Aceh Province has a legal system that differs from other Indonesian provinces. The specific autonomy in dispute affects the overall implementation of Islamic law. One form is the issuing of Fatwa MPU Number 8 Year 2015 on *Hak Langgeih* in Islam. This fatwa developed in response to the Aceh development movement after the tsunami disaster, which destroyed the Acehnese people's structures and infrastructure.

In legal substance, this fatwa stipulates that Muslims avoid selling or renting out property and buildings to non-Muslims. This fatwa is the next phase and development of the community's enduring *syufah* tradition. Structurally, the process of institutionalizing *adat* and Islam is facilitated by the existence of MPU and MAA as government partners with coordination and supervision responsibilities. To anticipate challenges arising from this fatwa, the Governor, the Head of the Aceh Regional Police, and the MAA issued a *Surat Keputusan Bersama* that provides a guideline and method of dispute resolution through restorative justice. The Acehnese people's legal culture became the most significant consideration in this process. The MPU Fatwa regulates the *hak langgeih*. However, most individuals need to become more familiar with this legal requirement. The implementation of *hak langgeih* is supported by social capital in

the form of *hak miueng* in the broader society. Community fidelity to sustaining and emerging customary practices offers a method of dispute resolution that employs customary structures as a medium.

These facts suggest that adhering to *adat* encourages the development of a beneficial legal culture. Legal certainty, as stipulated through the positivization of legal substance through current legal structures, has minimal effect on public legal fidelity. This legal awareness also considers the social purposes embedded in *adat* structures, such as existing dispute resolution mechanisms.

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Conflict of Interest

This article does not contain plagiarism and is free from conflicts of interest.

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