

Settlement of Mild Criminal Offence of Livestock Theft Based on Aceh Qanun Number 9 Year 2008 in Aceh

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Abstract

Aceh is a provincial area which is a special legal community unit and is given special authority to regulate and manage its own government affairs and the interests of the local community. Minor crimes that can be resolved by customary institutions as mandated by Article 13 of Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs that can be resolved in a customary manner through customary institutions. Meurah Mulia District, North Aceh Regency also practices the settlement of minor crimes based on Qanun Number 9 of 2008. The problem to be studied in this study is the Implementation, Settlement of Minor Criminal Acts of Theft of Livestock. The approaches used in this thesis are the Historical approach, the Sociological approach, and the Normative approach. The types of research are field research and library research. The data analysis model uses an interactive model, namely data reduction, data reduction presentation and conclusions. The minor crime of livestock theft that occurred in Meurah Mulia District, North Aceh Regency has been implemented properly according to the regulations in Qanun Number 9 of 2008 with different verdicts. The settlement of the minor crime of livestock theft is carried out using peaceful settlement and compensation. The minor crime of livestock theft that occurred in Meurah Mulia District, North Aceh Regency has ended effectively. The effectiveness indicator is assessed from the completion of the entire series of settlements of the minor crime of livestock theft in accordance with Article 16 of Aceh Qanun Number 9 of 2008.

Keywords: Minor Criminal, Theft of Livestock, Aceh Qanun.

INTRODUCTION

Aceh is a provincial region which is a special legal community unit and is given special authority to regulate and manage its own government affairs and the interests of the local community in accordance with the laws and regulations in the system and principles of the Unitary State of the Republic of Indonesia based on the 1945 Constitution of the Republic of Indonesia, which is led by a Governor. (Regulation, 2006).

Customary Law or known as Adat Recht is a collection of actions that were previously carried out repeatedly or continuously and have norms and are not written. In resolving customary problems, a customary institution known as Customary Court is used. The implementation of Customary Court is recognized by the Indonesian nation where this is stated in many applicable laws and regulations. (Apriliani, 2020).

A criminal act is any human behavior or action that has been determined in statutory regulations as a prohibited act that will be subject to sanctions or criminal law for those who violate or commit the act. (PRESIDENTIAL DECREE, 2023). Every person who clearly and firmly commits an act, whether it is a good act or a bad act (crime), must be held accountable for the act that he has committed. This accountability also includes criminal acts, both acts that are classified as crimes and acts that are included in the form of violations (Aguswandi, 2021).

The people of Aceh believe that order and peace in society can be maintained by maintaining customs. This can be demonstrated through Narit Maja Aceh, "Ta pageu lampoeh ngon wire, ta pageu nanggroe ngon adat" (Amsori, 2022). For that reason, in realizing the enforcement of customary law in dealing with various cases and disputes that exist in society at the Gampong level, the government through Article 6 of Law Number 44 of 1999 and Article 98 of Law Number 11 of 2006 has provided reinforcement for the existence of customary institutions in Aceh. (Jamaluddin et al., 2016). The two legal instruments state that customary institutions function and play a role as a vehicle for community participation in the implementation of Aceh government and district or city government in the areas of security, peace, harmony and public order. (Darmawan, 2010).

The concept of fostering customary life and customs in line with Islamic law in Aceh is based on the collective principle of the Acehnese people who do not separate between law (Islam) and customs in life. Both are identities and self-identities that need to be constantly maintained, developed, and protected. Customs and customs also become the glue and unifier of the various sub-ethnicities that live in society in Aceh. (Idami, 2017). Therefore, these customary values and customs need to be fostered and developed in the midst of community life. A long series in the state administration process places Aceh as a regional government unit that is special and specific (Law Number 11 of 2006). Aceh's specialness can be seen from the existence of several laws and regulations at the qanun/perda level that specifically apply in Aceh that regulate customs, one of which is Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs which is used as a guideline for implementing various rules in customary law in Aceh (Mukhlis, 2014).

Minor crimes that can be resolved by customary institutions as mandated by Article 13 of Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs that can be resolved in a customary manner through customary institutions, namely: disputes in households; disputes between residents; khalwat (immorality); theft in the family (minor theft); minor theft; theft of livestock; minor assault; forest burning (on a small scale that is detrimental to the customary community); harassment, slander, incitement, defamation and threats (depending on the type of threat) (Surya & Suhartini, 2019).

Criminal acts of theft with relatively small values of goods can go to court because currently the Public Prosecutor (PU) charges the defendants with minor theft using Article 362 of the Criminal Code and not Article 364 of the Criminal Code because the limitation of minor theft regulated in Article 364 of the Criminal Code is limited to goods or money with a value of less than Rp. 250,- (Two Hundred and Fifty Rupiah). This value is certainly no longer relevant to the current situation, because there are almost no goods with a value of less than Rp. 250. The concept of independent customary justice is not a necessity (Musrizal et al., 2022).

The customary settlement of criminal acts aims to find an agreement and understanding between the two parties (both the victim and the perpetrator of the crime) in the form of the best solution for both parties without harming the other party). The application of customary criminal settlement is based on customary law or customs that exist in society which are carried out through the customary court process. This means that the

punishment or sanction that will be given to the perpetrator of the crime in the customary court is different from the sanction or law given to the perpetrator of the crime that is resolved through the litigation process (court)(Aguswandi, 2021).

Meurah Mulia District, North Aceh Regency is one of the districts that has minor criminal acts in it, namely regarding livestock theft. Meurah Mulia District, North Aceh Regency also practices the settlement of minor criminal acts based on Qanun number 9 of 2008. Based on the explanation above, the author will conduct research on "Implementation of Aceh Qanun No. 9 of 2008 concerning Customary and Customary Guidance in Resolving Criminal Acts of Theft in Meurah Mulia District, North Aceh Regency".

Formulation of the problem

1. How is the Implementation of Aceh Qanun No. 9 of 2008 concerning the Development of Customs and Traditions in Resolving Minor Criminal Acts of Livestock Theft in Meurah Mulia District, North Aceh Regency?
2. How to Resolve Minor Criminal Offenses of Livestock Theft in Meurah Mulia District, North Aceh Regency?
3. How Effective is the Resolution of Minor Criminal Offenses of Livestock Theft in Meurah Mulia District, North Aceh Regency?

METHOD

Basically, in carrying out each scientific work, complete and objective data is always needed and there are research procedures and special methods that are adapted to the problems that will be studied to complete the preparation of the scientific work. (Muhaimin, 2020).

Research Approach

The approaches used in this thesis are the Historical approach, the Sociological approach, and the Normative approach. The historical approach is to examine sources that contain information about the past and its development. This study intends to reconstruct the training period systematically and objectively, by collecting, evaluating, verifying and synthesizing evidence to support the facts to obtain strong conclusions. The sociological approach is a research basis for studying life together in society. This study views law as a social phenomenon. Data processing and analysis in sociological legal research are subject to the methods of analysis and social sciences. (Moelong, 2018).

The normative approach is an approach used to find the truth based on the logic of legal science from its normative side which is applied to certain situations. In this research, it is often conceptualized as what is written in the laws and regulations.(Hartono, 2006).

Types of research

This type of research is field research and library research. Field research is research by observing human daily activities using the five senses as its main aids, such as ears and eyes. So the field research method is a procedure for collecting information or facts that

occur at the research location through interviews in a systematic manner and based on the research subject. (Narbuko & Achmadi, 1999).

This research method is said to be (library research) because the research method is to examine and observe recorded sources, such as books, Qanun, laws, journals, articles and others related to this research, so that accurate and clear data is found. In the formation of this research, the field taken is in the village that has the most theft history in Meurah Muliah District, North Aceh Regency

Data source

Data source according to (Moelong, 2018)The main data sources in qualitative research are words and actions, the rest is additional data such as documents and so on.

Primary Data Sources

Primary data sources are data that can be obtained directly from the author's own activities when researching the research object, and not from data that is already available. The primary data sources that the author uses are direct interviews with sources, namely several Geuchik Gampong (Meunasah Nga Village, Reudeup Village, and Saramaba Village), Tuha Peut Polsek Gampong, Meurah Mulia District, North Aceh Regency who have data on minor crimes of theft. The types of primary data sources are grouped into:

Source person

This type of data source in research is generally known as a respondent. In qualitative research, the position of the source is very important, as an individual who has information. Researchers and sources have the same position, and the source does not just provide a response to what the researcher asks, but he can choose the direction and taste in presenting the information he has. In this study, the data source is the result of the author's interview with the sources mentioned above.

Documents and Archives

Documents are written materials or objects that are related to a particular event or activity. Many events that have occurred a long time ago can be researched and understood on the basis of a study of documents or archives, whether directly or indirectly related to the problem being studied.

Secondary Data Sources

Secondary data sources are data used as a complement to supporting primary data which is also literature related to the title or data that has been previously collected and documented by an author, as well as books that are relevant to this research. So that the data can be used by other authors as a reference in conducting a research.

Data collection technique

- Data collection techniques are very necessary in research, researchers must be able to use techniques in the data collection process in order to obtain accurate data as expected.(Fuady, 2018). In this research, the data collection techniques used are as follows:
- Direct observation, namely data obtained through direct observation consisting of detailed descriptions of activities, behavior, people's actions, as well as all possible interpersonal interactions and structuring processes that are part of the observed human experience.
- Interview, is a form of communication between two people, involving someone who wants to obtain information from another person by asking questions, based on certain goals. The author uses unstructured interview techniques, meaning that in conducting interviews going down to the field the author will open up the possibility to develop question topics from the interview guide that has been prepared.
- Document Analysis, which can be used as sources include photos, personal letters, newspaper reports, magazine article diaries, research reports, books relevant to the research, and other written data.

Data Analysis Techniques

Data analysis is an effort made by working with data, organizing data, sorting it into manageable units, synthesizing it, searching for and finding patterns, finding what is important and what is learned, and deciding what can be told to others. Data analysis is carried out through a process of reviewing the results obtained in the field, namely the results of interviews, observations, and documents that have been collected. The raw data obtained is so much, and sometimes not all of the data obtained is relevant to the research theme. So it is necessary to do data reduction to sort and select relevant data.(Moelong, 2018). The data analysis model uses an interactive model, namely through three stages:

- Data reduction is the process of selecting, focusing on simplification, abstraction, transformation of raw data that emerges from field notes. The data that is reduced includes all data regarding the research problem.
- Data presentation After data reduction is complete, data presentation is carried out, which is the process of presenting data that has been reduced as a systematic set of information that provides the possibility of drawing conclusions and taking action.
- Conclusion. This stage is the stage of drawing conclusions from data obtained from the research process that has been analyzed. Drawing conclusions or verification is an effort to find or understand the meaning, regularity, patterns, explanations, causal flows or propositions.(Miles, 1992).

RESULT AND DISCUSSION

Implementation of Aceh Qanun No. 9 of 2008 concerning the Development of Customs and Traditions of Meurah Mulia District

In the process of maintaining the sustainability of customary law, the Aceh government has ratified Qanun No. 9 of 2008 which aims to maintain the sustainability of customs in community life. With the birth of this Qanun, it is hoped that small problems that often occur in community life can be resolved at the Gampong level. Currently, there is a strong desire from the organizers of customary justice that the determination of customary decisions should be made in writing, because the written form will add to the weight of the decision itself. In addition, monitoring of the decision will be more supervised. It is also hoped that a copy of the decision will be submitted to the parties concerned (the parties), the mukim institution, and the police. This aims to ensure that they know that a case has been resolved at the Gampong court level and they do not need to re-examine it, except in certain cases that are not within the authority of the Gampong.

Local wisdom based on the regent's regulation and referring to the Qanun, the village community in Aceh in resolving disputes/disputes is asked to submit to regional regulations in an orderly manner and follow the rules in Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs. Article 13 of the qanun clearly states that there are 18 types of disputes/disputes that can be resolved through customary law, including:

- a. domestic disputes;
- b. disputes between families related to faraidh;
- c. disputes between citizens;
- d. sexual intercourse;
- e. disputes over property rights;
- f. theft in the family (minor theft);
- g. family property dispute;
- h. petty theft;
- i. livestock theft;
- j. customary violations regarding livestock, agriculture and forests;
- k. disputes at sea;
- l. disputes in the market;
- m. minor abuse;
- n. forest burning (on a small scale that is detrimental to indigenous communities);
- o. harassment, slander, incitement and defamation;
- p. environmental pollution (light scale);
- q. threatening (depending on the type of threat); and
- r. other disputes that violate customs and customs.

Furthermore, it is also emphasized that the settlement of customary and customary disputes/disputes as referred to above is resolved in stages as per Article 13 paragraph 2. This means that, as far as possible, the cases referred to above are resolved first at the village court level by village officials. This means that the types of cases above are not immediately

taken out of the village to be resolved, either by the police or by other parties. In fact, in the next paragraph it is emphasized again that law enforcement officers provide an opportunity for disputes/disputes to be resolved first according to customary law in the village.

In Aceh Qanun Number 4 of 2003 concerning Village Government, which is explained in Aceh Governor Regulation Number 25 of 2011 concerning Guidelines for the Implementation of Village Government, it has been determined that one of the duties and functions of the keuchik is as a village judge who seeks to resolve legal problems related to disputes/conflicts that occur within the village.

Meurah Mulia District, North Aceh Regency has implemented Qanun No. 9 of 2008 which aims to maintain the continuity of customs in community life. Meurah Mulia District, North Aceh Regency has several minor crimes reported by the community to the Meurah Mulia District Police Chief in the theft of livestock as follows:

Table 1. Number of Minor Crimes of Livestock Theft in Meurah Mulia District, North Aceh Regency

Case Number	Case Date	Type of Case	Village	Number of Cases	Party I	Party II	Contents of the Verdict
LP/03/III/2023/SPKT/Meurah Mulia Police/Lhokseumawe Police/Aceh Police	February 2, 2023	Goat Livestock Theft	Reuudeup	1	Mr. Lukman	Mursal	Compensation
LP/09/III/2023/SPKT/Meurah Mulia Police Station/Lhokseumawe Police Station/Aceh Police	March 13, 2023	Duck Livestock Theft	Saramaba	1	Adam Nur	Dawn of Baihaki	Peace
LP/14/III/2023/SPKT/Meurah Mulia Police Station/Lhokseumawe Police Station/Aceh Police	June 22, 2023	Goat Livestock Theft	Saramaba	1	Malik's Revelation	Khaidir	Peace
LP/19/III/2023/SPKT/Meurah Mulia Police Station/Lhokseumawe Police Station/Aceh Police	August 28, 2023	Cattle Theft	Nga Meunasah	1	Muh. Andar	Rinaldi	Compensation
LP/21/III/2023/SPKT/Meurah Mulia Police Station/Lhokseumawe Police Station/Aceh Police	September 5, 2023	Chicken Livestock Theft	Reuudeup	1	Muaz Ahmadin	Adi Firman	Peace

Source: Meurah Mulia Police, 2023.

From the table above, it can be seen that all minor criminal acts of livestock theft that occurred in Meurah Mulia District, North Aceh Regency have been implemented properly according to the regulations in Qanun No. 9 of 2008 with different verdict contents. The implementation of Qanun No. 9 of 2008 also involving Geuchik, God of Peace, Kpolice station and the reporter and the reported who were then given more attention during the final decision deliberation from both parties. In line with the Regulation of the Regent of North Aceh Number 42 of 2014 concerning the regulation of livestock maintenance, all people in North Aceh Regency including in Meurah Mulia District are urged to regulate their

respective livestock so as not to invite the interest of individuals to commit minor crimes of livestock theft in North Aceh Regency including Meurah Mulia District.

Settlement of Minor Criminal Offenses of Livestock Theft in Meurah Mulia District

In Aceh Qanun Number 4 of 2003 concerning Village Government, which is explained in Aceh Governor Regulation Number 25 of 2011 concerning Guidelines for the Implementation of Village Government, it has been determined that one of the duties and functions of the keuchik is as a village judge who seeks to resolve legal problems related to disputes/conflicts that occur within the village.

Basically, every criminal act that has been committed by a person must be accounted for in the form of imposing certain sanctions or punishments. This also applies to criminal acts that are resolved through customary courts, but the punishment given is different from the punishment of the perpetrator of the crime decided in court in the form of imprisonment or prison. There are several punishments or sanctions that can be applied in customary courts to perpetrators of criminal acts, namely as regulated in Article 16 of Qanun Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs, namely as follows:

- a. Advice;
- b. Reprimand;
- c. Statement of apology;
- d. I m;
- e. Diyat;
- f. Fine;
- g. Compensation;
- h. Ostracized by the village community or other names;
- i. Expelled from the village community or other name;
- j. Revocation of customary titles; and
- k. Other forms of sanctions according to local customs

In Article 16 paragraph (2) of Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs, it is also regulated that "the family of the violator of customs is also responsible for the implementation of customary sanctions imposed on their family members". The existence of this provision shows that the characteristics of customary law are communal, not individual. Thus, the imposition of sanctions is not only the personal responsibility of individuals who do something that can cause disputes or disagreements, but is also the joint responsibility of their families.

Meurah Mulia District is one of the districts that has natural plant products such as rice fields and animals such as cattle, goats, and types of poultry. Every individual who has livestock must also consider the basic food needs of the livestock up to the cages of the livestock. Therefore, when a case of livestock theft occurs in Meurah Mulia District, North Aceh Regency, it will be reported to the Geuchik and Tuhapeut, if no solution is found, the injured party is welcome to report it to the authorities, namely the Chief of Police Sector (kapolsek) in order to find common ground. In the case of minor crimes of livestock theft that occurred in 2023 in Meurah Mulia District, North Aceh Regency has been resolved

peacefully and in accordance with Qanun regulation number 9 of 2008 concerning the minor crime of livestock theft.

The application of sanctions is given in accordance with the dispute/conflict that occurs, the losses and impacts caused, as well as the socio-economic conditions of the parties involved. The sanctions are applied in stages, according to the agreement between the parties and/or the perpetrators with the Customary Court Council. If the sanctions decided by the Council are not implemented, the council will meet to discuss the implementation of the sanctions that have been imposed. Each decision of the customary court council is accompanied by a peace and restoration process. This process is manifested in the form of mutual forgiveness (shaking hands) and/or a peisjuk event. The Customary Court Council is obliged to confirm the peace that has been resolved, asking the parties and the community not to bring up the problems that have occurred again. The peace process must be attended by the parties and the village leader.

Every Decision of the Village and Mukim Customary Court or other names in Aceh is made in writing, signed by the Chairperson and Members of the Assembly and both parties to the dispute, and a copy is submitted to the Chief of Police Sector (Kapolsek), Sub-district Head and Aceh District Customary Council. This decision is final and binding and cannot be appealed again to the general court or other courts. This is firmly stated in the Sixth Dictum of the Joint Decree of the Governor, the Regional Police Chief, and the Aceh Customary Council. The district police sector is passively involved in the process of resolving disputes/disputes according to village customs in Aceh. The police can play a role in fostering and supervising, so that decisions on customary sanctions, peace and restoration can be implemented according to the results of the deliberations.

Effectiveness of Resolving Minor Criminal Acts of Livestock Theft in Meurah Mulia District

The rules regarding criminal settlement through customary courts are not only regulated in the Aceh regional regulations (perda), but are also supported by the central government. This can be seen from the establishment of regulations regarding customary courts as formulated in Law Number 6 of 2014 concerning Villages, which explains that every village within the territory of the Unitary State of the Republic of Indonesia has the authority of a Customary Village. The authority given to the village includes the authority to form and organize customary courts to resolve problems that occur in society, including criminal problems.

In the customary justice manual in Aceh, several principles are mentioned in the customary justice process for resolving disputes/conflicts, namely:

- a. Trustworthy or Reliable (Acceptability) Customary justice can be trusted by the community.
- b. Responsibility/Accountability This principle emphasizes the accountability of customary justice implementers in resolving cases not only to the parties, society and the state but also to Allah SWT.

- c. Equality before the law/Non-discrimination Customary justice must not discriminate on the basis of gender, social status or age. Everyone has the same status and rights before custom.
- d. Fast, Easy and Cheap (Accessibility to all Citizens) Every village court decision must be accessible to the community, both in terms of cost, time and procedure.
- e. Sincere and Voluntary (Voluntary nature) Customary justice must not force the parties to resolve their cases through customary courts.
- f. Peaceful Resolution In the Acehnese language, this principle is known by the phrase “Uleue bak mate ranteng ek patah”, the aim of customary justice is to create balance and peace in society.
- g. Deliberation/Consensus (Consensus) Decisions made in customary courts are based on the results of deliberations and consensus based on the law of the implementers of customary courts.
- h. Transparency All judicial processes (except for certain cases) whether related to receiving complaints, calling witnesses, trials or making and reading out decisions must be carried out openly.
- i. Honesty and Competence (Competence/Authority) A traditional leader may not take any advantage in any form, either material or non-material, from handling a case.
- j. Diversity (Pluralism) Customary justice respects the diversity of legal regulations which consist of various customary legal systems and apply in a particular customary society.
- k. Presumption of Innocence Customary law does not condone taking the law into one's own hands.
- l. Proportional Justice Customary court decisions must be fair and applied based on the severity of the case and the economic circumstances of the parties.

Technically, the operational procedures for resolving customary disputes/disputes in the village have been regulated in a Joint Decree (SKB) between the Governor, the Chief of Police, and the Aceh Customary Council dated December 20, 2011, which is described in Aceh Governor Regulation Number 60 of 2013 concerning the Implementation of Settlement of Customary and Customary Disputes/Disputes. The SKB stipulates several decisions:

- First: Disputes/conflicts that occur at the village and mukim level that are minor in nature as referred to in Article 13, Article 14, and Article 15 of Aceh Qanun Number 9 of 2008 must first be resolved through the Village and Mukim Customary Court or other name in Aceh.
- Second: The Police provide an opportunity for every dispute/conflict as referred to in the FIRST dictum to be resolved first through the Gampong and Mukim Customary Court or other name in Aceh.
- Third: all parties are obliged to respect the implementation of the Gampong and Mukim Customary Courts or other names in Aceh.
- Fourth: The customary courts of the village and village or other names in Aceh resolve and make decisions based on customary law norms and customs that apply in the local area.

- Fifth: The customary court hearings of the village and mukim or other names in Aceh are attended by the parties, witnesses and are open to the public, except for certain cases which according to custom and propriety may not be open to the public and are not subject to any fees.
- Sixth: Decisions of the Gampong and Mukim Customary Courts or other names in Aceh are final and binding and cannot be appealed again to general courts or other courts.
- Seventh: Every decision of the Gampong and Mukim Customary Court or other names in Aceh is made in writing, signed by the Chairperson and Members of the Council and both parties to the dispute, and a copy is submitted to the Chief of Police Sector (KAPOLSEK), Sub-district Head and the Aceh Sub-district Customary Council.
- Eighth: The implementation of the Gampong and Mukim Customary Courts or other names in Aceh in making decisions is prohibited from imposing corporal sanctions, such as imprisonment, bathing with dirty water, shaving hair, cutting clothes and other forms that are contrary to Islamic values.
- Ninth: cases resolved at the Mukim level are cases that were not resolved at the village level.
- Tenth: The Aceh Government and the Regency/City Governments foster and supervise the implementation of the Village and Mukim Customary Courts or other names in Aceh.
- Eleventh: The Head of the Aceh Regional Police and the Chairman of the Aceh Traditional Council and all of their staff (province, district/city) are obliged to provide guidance, coaching, development and supervision of materials on Customary Law and Customary Court Administration in accordance with the rules and principles of Customary Law/Traditional Customs that apply in the local community.
- Twelfth: The Aceh Government and the Regency/City Governments can assist in financing the administration of the Gampong and Mukim Customary Courts or other names in Aceh according to regional capabilities.
- Thirteenth: The Village and Mukim Customary Court Council or other names in Aceh in resolving disputes/conflicts are guided by Aceh Qanun Number 9 of 2008 and Aceh Governor Regulation Number 25 of 2011 concerning General Guidelines for the Implementation of Village Government.

The pattern of dispute resolution based on Aceh's legal culture as stated above, has implications, on the one hand, of strengthening village autonomy and at the same time reducing the workload of law enforcement officers (police, prosecutors, state judges). However, on the other hand, it is necessary to increase the capacity of village leaders, so that their wisdom, policies, and expertise in resolving various cases in the village can provide a sense of justice for its citizens.

In principle, customary court hearings are held in the meunasah openly, and may not be held in other places, as regulated in Article 14 paragraph (4) of Aceh Qanun No. 9 of 2008. This is important because it concerns the legality of the results of the dispute resolution deliberations. However, according to Article 16 paragraph (8) of Aceh Governor Regulation

No. 60 of 2013, dispute resolution deliberations involving women and children, whether as perpetrators or as victims, are held privately at the home of one of the customary leaders, such as the keuchik's house, imuem meunasah or the house of a tuha peut member.

In Article 15 of Aceh Qanun Number 9 of 2008, it is stipulated that “the procedures and requirements for resolving disputes/disputes shall be carried out in accordance with local customary provisions”. Although this provision is very short and firm, its meaning is very deep and broad. This is another characteristic (besides being communal) of customary law which is flexible. This means that regarding material law and formal law in the process of resolving the case, it refers to local customary law. This is in accordance with the customary proverb “different ponds, different fish, different fields, different grasshoppers”.

Article 16 of Aceh Qanun Number 9 of 2008 regulates the types of sanctions that can be imposed in resolving customary disputes. In relation to the types of sanctions, Teuku Muttaqin Mansur explained the meaning of these sanctions, including:

a. Apology statement

An apology statement is a word of apology delivered by the perpetrator/offender or an innocent party. In practice, the guilty party is usually the one who apologizes to the innocent party first. If the innocent party forgives, then their dispute/dispute is over. The intention of the parties in the statement was not due to coercion from the traditional justice apparatus or pressure from other parties, but the statement of apology emerged from the sincerity of the parties' hearts.

b. I m

Sayam is to reconcile. Peace categorized as 'Sayam' is peace because of committing a customary crime. The criminal penalty imposed by sayam is usually a dispute/dispute that does not involve blood, such as a fight. The sanction for the perpetrator who makes the mistake is to pay diat.

c. He t

According to the term sharak, diaat is property that must be paid because of a crime committed against life or body parts that does not result in loss of life. Diat is a fine for killing or injuring someone

d. Fine

Customary fines are usually imposed on perpetrators of khalwat. The fine imposed is slaughtering a goat. Apart from fines for goats, sometimes khalwat perpetrators/violators will also be subject to multiple sanctions, that is, apart from fines, they can also be subject to exile or even having their identity card revoked as a member of society.

e. Compensation

Compensation sanctions are usually imposed on perpetrators/violators who commit minor theft, such as: stealing fruit, or damaging other people's plants. In determining the amount of compensation, in addition to considering the circumstances of the perpetrator/violator and the parties, the customary court panel will also review the location where the perpetrator/violator committed the theft or where the plants were

damaged. An estimate of the loss will be made and based on this estimate, the customary court will impose a fine on the perpetrator/violator.

f. Punishment of being ostracized

The sanction of excommunication is imposed on people who do not usually participate in activities in the gampong, such as mutual cooperation. Mutual cooperation is a community activity to clean the village, usually carried out before certain big holidays, but there are parties who do not participate in mutual cooperation for no justifiable reason. Those who do not participate will usually be ostracized by the community in ways, such as not going along if a party or kanduri is being held at the house of the person violating the custom, or if a member of their family experiences misfortune, the community will not come to visit them.

g. Punishment of exile/revoked of rights as a village resident

The punishment of exile is a punishment imposed on perpetrators/violators who are considered to have polluted the village. Usually imposed on perpetrators of khalwat or adultery. Perpetrators/violators, both male and female, who are proven to have committed such acts will be exiled from their home village. After the perpetrators/violators have served the sanction for a certain period, they may return to their home village.

h. Revocation of customary title

Traditional titles are gifts given specifically to individuals or institutions in Aceh, owned by Acehnese or individuals outside Aceh and institutions owned by non-Acehnese. The title was given by Wali Nanggroe as a traditional authority in Aceh. However, other traditional figures such as panglima laot may also give traditional titles to anyone they consider to have concern and development for fishermen in Aceh. If someone violates customary law, the title given can be cancelled.

From all the explanations above, Meurah Mulia District has implemented customary justice law in accordance with Qanun Number 9 of 2008. The Chief of Police Sector also contributed and collaborated with related parties, both the reporter/reported and the village head/Geuchik or Tuha peut. All minor crimes that occurred in Meurah Mulia District, North Aceh Regency have been resolved properly and optimally. This also illustrates that the Meurah Mulia District community is very cooperative in responding to acts of theft, other minor crimes. That way, the community feels safe and comfortable and can carry out daily activities calmly.

CONCLUSION

Based on the results of the research and legal analysis, the following conclusions were obtained:

1. The minor crime of livestock theft that occurred in Meurah Mulia District, North Aceh Regency has been implemented properly according to the regulations in Qanun No. 9 of 2008 with different verdicts. The implementation of Qanun No. 9 of 2008 also involves Geuchik, *God of the Peut*, Kthe police chief and the reporter and the reported party who were then given more attention during the final decision deliberations by both parties.

2. The Development of Customary Life and Customs in Meurah Mulia District, North Aceh Regency has been implemented and can be resolved according to customary law which refers to minor criminal acts and also refers to Article 16 paragraph (2) of Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs, namely "the family of the violator of customs is also responsible for the implementation of customary sanctions imposed on their family members". The settlement of minor criminal acts of livestock theft in Meurah Mulia District, North Aceh Regency was carried out using peaceful settlement and compensation. All settlement activities were carried out in the joint meunasah of Geuchik and Tuha Peut and were attended by the Head of the Meurah Mulia District Police, North Aceh Regency.
3. The minor crime of livestock theft that occurred in Meurah Mulia District, North Aceh Regency has effectively ended. The effectiveness indicator is assessed from the completion of the entire series of resolution of the minor crime of livestock theft starting from the alleged perpetrator, the summons of the perpetrator by the geuchik, the victim's reporting to the head of the sector police (KAPOLSEK), mediation, legal considerations by all individuals involved in the case, determination of the sentence for the minor crime that ended in peace and compensation in accordance with Article 16 of Aceh Qanun Number 9 of 2008.

Suggestion

Researchers suggest to Geuchik and Tuha Peut should be able to provide the best solution in every minor crime, both livestock theft and others, so that the resolution of the problem does not take long. All parties involved in every minor crime case are also expected to be cooperative. It is also expected that all people in Meurah Mulia District, North Aceh Regency who have livestock will not invite opportunities for criminal acts and are required to regulate their livestock according to the North Aceh Regent Regulation Number 42 of 2014 concerning the regulation of livestock maintenance.

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