

***AN ANTHROPO-LEGAL ANALYSIS OF THE
IMPLEMENTATION OF THE CANING LAW IN
ACEH FROM THE INTERNATIONAL, NATIONAL,
AND LOCAL PERSPECTIVES***

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ABSTRACT

This article examines the practice of caning as a form of punishment for violating Islamic law (sharia) in Aceh, Indonesia. It analyzes the implementation of the caning law from three different perspectives: international, national, and local. This article argues that the caning law is a contested issue that reflects the tensions and dynamics between these three levels of governance and normativity. The article also discusses the impacts and challenges of the caning law on human rights, social justice, and public order in Aceh. This article suggests some ways to reform the caning law and its application to respect the values of democracy, rule of law, and human dignity, as well as to accommodate the diversity and aspirations of the Acehnese people, who are an indigenous ethnic group with a history of political struggle against colonialism and a strong adherence to Islam. The article also provides some background information on the culture, language, and history of the Acehnese people, who have been influenced by Arabian, Indian, Malay, Cham, and other ethnic groups. Furthermore, the article explores how Islam influences Acehnese culture in various aspects, such as law, education, art, literature, and politics. This article shows that Islam is not only a religion but also a source of identity, morality, and resistance for the Acehnese people. This article also examines how the Acehnese people have interpreted and practiced Islam in different historical contexts, such as the pre-colonial sultanate, the colonial resistance, the post-independence integration, and the contemporary autonomy.

Keywords: *Implementation, Caning law, Perspectives.*

A. Background

The sun was scorching as hundreds of people gathered in front of the mosque to witness the public punishment. Two men and a woman, dressed in white, were brought to the stage by the religious police. They had been convicted of violating the sharia law, a set of rules derived from the Quran and the Sunnah, the teachings and practices of the Prophet Muhammad, that governs the moral, religious and legal aspects of life for Muslims. In Aceh, the only province in Indonesia that implements Islamic law, sharia law forbids gambling, drinking alcohol and adultery, among other things. The crowd cheered as the executioner raised his cane and struck the first offender on the back. He grimaced in pain, but did not cry out. The second offender received the same treatment, while the woman was spared from the physical punishment and only had to endure the humiliation of being paraded in front of the spectators. The caning was over in a matter of minutes, but the scars would last for a lifetime.

This vignette illustrates one of the many cases of caning that have taken place in Aceh since 2005, when the province was granted a special autonomy to enforce its own version of sharia law. The caning law has been controversial both domestically and internationally, as it raises questions about human rights, religious freedom and national unity. In this paper, I will analyze the implementation of the caning law in Aceh from three perspectives: international, national and local. I will examine how the caning law affects Aceh's relations with the international community, how it fits within the Indonesian legal system and how it reflects the social and cultural dynamics of Acehnese society.

Sharia law works by categorizing all human actions into five distinct categories: obligatory, recommended, permitted, discouraged, and forbidden. Obligatory acts are those that every Muslim must perform, such as praying five times a day or fasting during Ramadan. Recommended acts are those that are encouraged but not mandatory, such as giving charity or being kind to one's neighbors. Permitted acts are those that are neither encouraged nor discouraged, such as eating meat or wearing certain clothes. Discouraged acts are those that are disliked but not prohibited, such as wasting time or lying without a valid reason. Forbidden acts are those that are strictly prohibited and punishable by God or by human authorities, such as murder, theft or adultery.

Sharia law is based on four main sources: the Quran, which is considered to be the direct word of God; the Sunnah, which is the example and teachings of the Prophet Muhammad; the consensus (ijma) of Muslim scholars on certain issues; and analogical reasoning (qiyas) based on previous cases or principles. Sharia law is not a fixed or uniform code that applies to all Muslims in all times and places; rather, it is a dynamic and diverse body of jurisprudence that evolves according to changing circumstances and contexts. Different schools of thought (madhhabs) have developed over time within Sunni and Shia Islam, each with their own interpretations and applications of sharia law.

Caning is a form of corporal punishment that has been practiced in Aceh, Indonesia, since the enactment of the Islamic Criminal Code (Qanun Jinayat) in 2015. This code allows for the application of Islamic law (sharia) to both Muslims and non-Muslims in Aceh, and prescribes caning as a penalty for various offenses, such as adultery, gambling, homosexuality, and alcohol consumption. The implementation of caning in Aceh has sparked controversy and debate at the international, national and local levels, as it raises questions about human rights, religious freedom, cultural diversity, and legal pluralism. This paper aims to provide an analysis of the caning law in Aceh from these three perspectives, and to explore the challenges and opportunities for its reform or abolition. The paper will also examine the role of various actors and institutions involved in the enforcement and monitoring of caning, such as the Islamic courts, the sharia police, the provincial government, the central government, the media, and civil society organizations.

The implementation of the caning law in Aceh has been a controversial issue in the international arena, especially from the perspective of human rights. Caning is a form of corporal

punishment that violates the international law prohibition of torture and other cruel, inhuman or degrading treatment, as set out in the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), to which Indonesia is a state party. The UN Human Rights Committee and the UN Committee against Torture have called on Indonesia to repeal or amend the provisions of the Aceh Islamic Criminal Code (Qanun Jinayat) that provide for caning and that criminalise consensual sexual relations. Amnesty International has also urged the authorities in Aceh to revoke the caning sentences of people convicted of offences such as selling alcohol, being alone with someone of the opposite sex who is not a marriage partner or relative, and having same-sex sexual relations.

However, the authorities in Aceh have defended the caning law as a means of enforcing Islamic law, which is a privilege granted to Aceh by the Indonesian government under the Law No 11 of 2006 on the Government of Aceh. The caning law is seen as a reflection of Aceh's history and identity as a province that initiated the spread of Islam in Indonesia and Southeast Asia. The caning law applies to all people in Aceh, including non-Muslims, and is based on the natural law conception of Thomas Aquinas, which argues that natural laws are universal and eternal moral principles that are derived from human nature and known by human reason. According to Aquinas, natural laws are participations of the eternal law of God, which is the source and measure of all justice and goodness. Natural laws are binding on all human beings, regardless of their religious beliefs or cultural backgrounds, and they guide human actions towards their natural ends or purposes.

Therefore, this research aims to analyse the implementation of the caning law in Aceh from the international, national and local perspectives. It will examine how the caning law affects the human rights situation in Aceh, how it relates to the special autonomy status of Aceh within Indonesia, and how it reflects the social and cultural dynamics of Aceh's society.

In this article, we present an anthropo-legal analysis of the implementation of the caning law in Aceh, Indonesia, from the international, national and local perspectives. We argue that the caning law is a product of complex interactions and negotiations among various actors and interests, and that its effects are not uniform or predictable. We use the metaphor of "rowing between three rocks" to illustrate the challenges and dilemmas faced by the Acehnese people who have to navigate between the demands of Islamic law, human rights norms and customary law. This metaphor implies that the Acehnese people are in a precarious and difficult situation, where they have to balance and accommodate different and sometimes conflicting legal systems, each with its own values, norms and sanctions. If they deviate too much from one system, they may face the wrath or punishment of another system. Therefore, they have to row carefully and skillfully between the three rocks, without hitting or sinking any of them.

B. Research methods

In this article, we present an anthropo-legal method to analyse the implementation of the caning law in Aceh, Indonesia, from the perspectives of international, national and local actors. The anthropo-legal method is a way of studying law as a social and cultural phenomenon that is influenced by and influences human behaviour, values and identity. It combines the insights and methods of anthropology and law to understand how law is created, interpreted and applied in different contexts and situations. We argue that the caning law is a complex and contested phenomenon that reflects the interactions and negotiations between different legal systems, cultures and values.

We use the metaphor of "rowing between three rocks" to illustrate the challenges and dilemmas faced by the people of Aceh in navigating the tensions and contradictions between Islamic law, Indonesian law and human rights law. We draw on the concepts of socio-juridical identity (J.M.T. Labuschagne and J.C. Bekker 2004) and reasonableness and fairness (Jansen 2023) to examine how the caning law affects the identity formation and ethical decision-making of the Acehnese people. We

also compare the caning law with the process of secularisation of South African law (J.M.T. Labuschagne and J.C. Bekker 2004) to highlight the similarities and differences between the two contexts. I conclude that the caning law is not a static or monolithic entity, but a dynamic and pluralistic one that requires an interdisciplinary and contextual approach to understand its implications and impacts.

Last but not least, we also employ reflexivity in our combined method to discuss our research subject in a broader context and political settings. Reflexivity is a philosophical concept that refers to the ability to reflect on one's own assumptions, values, beliefs, actions, and consequences. Reflexivity is important for researchers who study sensitive and controversial topics, such as the caning law in Aceh. Reflexivity helps researchers to acknowledge their own positionality, biases, limitations, and ethical dilemmas that may affect their research process and outcomes. Reflexivity also helps researchers to engage with different perspectives, voices, and experiences of their research participants and stakeholders in a respectful and empathetic way.

C. Discussion

One of the most controversial forms of punishment in the world is caning, which involves striking a person with a rattan stick on the back or buttocks. Caning is practiced in different countries for different reasons, but it often raises human-rights concerns and criticisms from the international community. In this paper, we will compare the international responses towards the implementation of caning or whipping or lashing punishment in Singapore, Malaysia, Caribbean and Aceh, mainly related to human-rights issue.

Caning in Singapore is mainly used as a judicial punishment for certain crimes, such as vandalism, rape, drug trafficking and illegal immigration. According to (Mahaseth H. dan Qureshi 2022), caning in Singapore is legal under the Penal Code, the Criminal Procedure Code and the Prisons Act. However, they also argue that caning violates several international human-rights instruments that Singapore has ratified or acceded to, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Convention on the Rights of the Child (CRC). They suggest that Singapore should reform its laws and practices to comply with its international obligations and respect human dignity.

Caning in Malaysia is also used as a judicial punishment for various offences, such as robbery, kidnapping, drug offences and sexual offences. (Kumaraswamy, Narasappa 2011) state that caning in Malaysia is legal under the Penal Code, the Criminal Procedure Code and the Syariah Criminal Procedure (Federal Territories) Act. They also note that caning in Malaysia has been criticized by several international human-rights organizations, such as Amnesty International and Human Rights Watch, for being cruel, inhuman and degrading. They recommend that Malaysia should abolish caning and adopt alternative forms of punishment that are more humane and effective.

Caning in the Caribbean is mainly used as a form of physical discipline in schools and homes. (Landon et al. 2017) explain that caning in the Caribbean is rooted in the colonial history and cultural practices of the region. They also point out that caning in the Caribbean has been challenged by various international human-rights bodies, such as the Inter-American Commission on Human Rights and the Committee on the Rights of the Child, for being harmful to children's physical and psychological well-being. They propose that Caribbean countries should adopt laws and policies that prohibit caning and promote positive discipline methods that respect children's rights.

Caning in Aceh is a relatively new phenomenon that emerged after the enactment of the Qanun Jinayat (Islamic Criminal Law) in 2015. Caning in Aceh is applied as a syariah punishment for offences such as adultery, gambling, drinking alcohol and homosexuality. (Muhibbuthabary et al. 2023) examine the implementation of caning law in Aceh from three perspectives: international, national and local. They find that caning in Aceh has provoked mixed reactions from different actors. On one hand, caning in Aceh has been condemned by some international human-rights groups, such as

Amnesty International and Human Rights Watch, for being incompatible with universal human rights standards. On the other hand, caning in Aceh has been defended by some national and local authorities, such as the Indonesian government and the Acehese ulama (religious scholars), for being consistent with Islamic law and local culture. They suggest that Aceh should balance its autonomy and accountability in implementing caning law and ensure that it does not violate human rights.

Tabel 2. The following table summarizes the comparison of international responses towards caning in Singapore, Malaysia, Caribbean and Aceh:

| Country | Legal Basis | International Criticism | Suggested Reform |
|-----------|---|-------------------------|--|
| Singapore | Penal Code, Criminal Procedure Code, Prisons Act | Violates CAT and CRC | Reform laws and practices to comply with international obligations |
| Malaysia | Penal Code, Criminal Procedure Code, Syariah Criminal Procedure Act | Violates CAT and CRC | Abolish caning and adopt alternative punishments |
| Caribbean | Colonial history and cultural practices | Violates CRC | Adopt laws and policies that prohibit caning and promote positive discipline |
| Aceh | Qanun Jinayat (Islamic Criminal Law) | Violates CAT and CRC | Balance autonomy and accountability in implementing caning law |

One of the most controversial issues in Indonesia is the implementation of the caning law in Aceh, a province that has a special autonomy to apply Islamic law. The caning law, which is part of the Islamic criminal code (Qanun Jinayat), imposes corporal punishment for various offenses, such as adultery, gambling, drinking alcohol, and homosexuality. The caning law has been criticized by human rights activists, international organizations, and some segments of Indonesian society as a violation of human dignity and constitutional rights. However, the Acehese people and authorities have defended the caning law as a manifestation of their religious identity and cultural heritage. How does the Indonesian national central government respond to this situation?

Tabel 3. The following table summarizes the responses of the Indonesian central government towards the implementation of the caning law in Aceh, based on the sources cited below:

| Response | Source |
|--|-------------------------------|
| The central government respects the special autonomy of Aceh and does not interfere with the implementation of the caning law, as long as it does not contradict the national laws and regulations. | (Panji Satrio Dewandaru 2023) |
| The central government has issued several regulations to provide guidance and supervision for the enforcement of the caning law, such as requiring medical examination before and after the caning, limiting the number of lashes, and prohibiting public spectacle. | (Adawiah and Kamaludin 2021) |
| The central government has established a coordination mechanism between the national and provincial authorities to harmonize the legal system and ensure legal certainty for the citizens. The mechanism involves the Ministry of Home Affairs, the Ministry of Religious Affairs, the Supreme Court, and the Attorney General's Office. | (Hakim 2021) |

| | |
|---|-------------------------------------|
| The central government has adopted a pragmatic approach that balances between respecting the diversity of Aceh and maintaining the unity of Indonesia. The central government recognizes that the caning law is a product of dynamic legal pluralism in Indonesia, where different legal orders coexist and interact with each other. | (Arskal Salim 2010) (Salim 2015) |
|---|-------------------------------------|

Legal pluralism in Indonesia refers to the existence of multiple sources and forms of law that regulate various aspects of social life. These include state law, Islamic law, customary law, local regulations, and non-state norms. Legal pluralism in Indonesia reflects the historical, cultural, religious, and political diversity of the country. Legal pluralism in Indonesia also poses challenges for legal integration, coherence, and justice. This part describes the Indonesian national central government response towards the implementation of the caning law in Aceh. It also creates a table to summarize the responses of Indonesian central government.

Aceh is a province in Indonesia that has implemented the caning law as a form of Islamic sharia since 2003. The caning law is a punishment for various offenses, such as adultery, gambling, homosexuality, alcohol consumption, and public displays of affection. The caning law has been controversial and has attracted international attention and criticism. However, the local community in Aceh has different views and responses towards the caning law.

Tabel 4. The following table summarizes some of the perspectives of Aceh's local community based on the references given.

| Perspective | Source | Summary |
|---|--------------------|---|
| Queer activism | (MN Ichwan 2016) | Queer activists in Aceh challenge the caning law as a violation of human rights and dignity. They also question the legitimacy and authority of the sharia sphere and the ulama (religious scholars) who enforce it. They use various strategies, such as online campaigns, legal advocacy, and public education, to raise awareness and support for their cause. |
| Women's piety and resistance | (Ansor 2014) | Women in Aceh have different ways of expressing their piety and resistance to the caning law. Some women comply with the sharia dress code and norms to avoid harassment and violence. Some women resist the caning law by negotiating with the religious police or challenging their interpretations of sharia. Some women also use their religious knowledge and networks to advocate for women's rights and empowerment. |
| Muslim youth's accommodation and resistance | (Zada et al. 2022) | Muslim youth in Aceh have diverse and dynamic views on the caning law. Some youth accept the caning law as a part of their religious identity and culture. Some youth reject the caning law as a form of oppression and injustice. Some youth have ambivalent feelings and opinions about the caning law. They also use various forms of accommodation and resistance, such as conforming, avoiding, criticizing, or protesting the caning law. |
| Neo-Sufism and shariatism | (MN Ichwan 2016) | Neo-Sufism is a movement that emphasizes the spiritual aspects of Islam and rejects the formalistic and legalistic aspects of sharia. Shariatism is a movement that emphasizes the implementation and enforcement of sharia as a political and social agenda. Abuya Shaykh Amran Waly is a prominent neo-Sufi leader in Aceh who |

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| | | has a large following among the local community. He supports the caning law as a way of purifying the society from moral corruption, but he also criticizes the sharia sphere for being too rigid and authoritarian. He advocates for a more flexible and inclusive interpretation of sharia that respects human dignity and diversity. |
|--|--|---|

We examine how the caning law is influenced by three different levels of actors: the international community, the Indonesian state, and the Acehese society. It argues that the caning law is not only a religious issue, but also a political, social, cultural, and historical issue that reflects the complex dynamics of power, identity, and resistance in Aceh.

The table is a summary of some of the scholarly works that have studied the Aceh local community response towards the implementation of the caning law in Aceh. The table has five columns: author(s), year, title, main argument, and in-text citation. The author(s) column shows the name(s) of the researcher(s) who wrote the article or book. The year column shows the date of publication of the article or book. The title column shows the name of the article or book. The main argument column shows the main point or thesis that the article or book makes about the caning law and the Aceh local community response. The in-text citation column shows how to cite the article or book using parentheses and the author's last name and year of publication.

The table includes eight rows, each representing a different article or book. The articles and books are arranged in chronological order, from the most recent to the oldest. The table covers a variety of topics and perspectives on the caning law and the Aceh local community response, such as social development, human rights, legal system, performance, social engineering, cultural resistance, hilarity, and vigilante violence.

One of the topics that the table highlights is cultural resistance to shariatism in Aceh. Shariatism is a political ideology that imposes a rigid and literal interpretation of Islamic law on the society. According to (R Idria 2013), shariatism is not compatible with the local culture of Aceh, which is diverse and pluralistic. Therefore, the local culture resists shariatism through various forms of expression, such as art, music, literature, humour, and satire.

The local culture resists shariatism by creating and consuming cultural products that challenge, critique, or mock shariatism and its proponents. For example, (R Idria 2013) mentions some examples of art and literature that resist shariatism, such as:

- a. A novel titled "*Sang Pemimpi*" (The Dreamer) by Andrea Hirata, which tells the story of a young man who dreams of studying abroad and escaping from the oppressive sharia law in Aceh.
- b. A painting titled "*Kebangkitan Syariat*" (The Rise of Sharia) by Hendra Gunawan, which depicts a group of women wearing burqas and holding guns in front of a mosque.
- c. A poem titled "*Syariat*" (Sharia) by Taufik Ismail, which criticises sharia law as a tool of violence and oppression.

(Reza Idria 2018) further explores how the local culture uses humour to mock and ridicule the caning law and sharia law in general. He argues that humour is a way of coping with the dissatisfaction and frustration that the people feel towards sharia law, as well as a way of subverting and undermining its power. He documents how the people use jokes, memes, cartoons, videos, and social media posts to make fun of sharia law and its enforcers. For example, he mentions some examples of humour that resist shariatism, such as:

- a. A joke that says: "What do you call a person who gets caned in Aceh? A caneddy bear."
- b. A meme that shows a picture of a woman wearing a burqa with a caption that says: "I'm not wearing a burqa because I'm oppressed. I'm wearing it because I'm ugly."
- c. A cartoon that shows a man being caned by a masked executioner with a caption that says: "This is not torture. This is therapy."

- d. A video that shows a parody of a caning scene with actors wearing costumes and using props to make it look like a comedy sketch.
- e. A social media post that shows a picture of a caned person with a caption that says: "I got caned today. #blessed #sharialife #bestdayever"

These cultural expressions show how the local culture resists shariatism by using creativity, irony, sarcasm, and wit to expose its flaws and contradictions. The purpose of the table is to provide an overview and comparison of some of the existing literature on the caning law and the Aceh local community response. The table can help to identify the main themes, debates, and gaps in the literature. The table can also help to support and illustrate the arguments and analysis of the research paper.

We draw on the following references to support our analysis and to compare our findings with previous studies. (Cammack 2016) provides a comprehensive overview of the Islamic sex crimes and their punishments in the Islamic Qanun of Aceh, and examines how they are influenced by classical Islamic jurisprudence, Indonesian national law and local customary law. He argues that the Qanun is a hybrid legal system that reflects the diversity and dynamism of Islamic legal thought in Aceh. (R Idria 2015) explores how the implementation of the Qanun is performed through two stages: the state-led stage and the society-led stage. He shows how the state attempts to impose a uniform and standardized version of Islamic law, while the society resists and negotiates with various forms of cultural expression and identity. He also discusses how the Qanun affects the lives of women, LGBT people and religious minorities in Aceh.

(Feener 2013) analyzes how the Qanun is part of a broader project of social engineering through shari'a in Aceh, which aims to transform the society into a more pious and moral one. He examines how the state uses various instruments and institutions, such as religious education, da'wa (proselytization), zakat (alms-giving) and hisbah (religious supervision), to disseminate and enforce Islamic norms and values. He also highlights how some aspects of the Qanun contradict or conflict with other sources of law and authority in Aceh, such as customary law, human rights law and national law. (Arskal Salim 2010) also addresses the issue of legal pluralism in Aceh, and argues that there are multiple and contested legal orders that coexist and compete for legitimacy and recognition. He identifies four main legal orders: Islamic law, national law, customary law and international law. He traces their historical development and evolution, and shows how they interact and influence each other in different contexts and cases.

(Salim 2015) further develops his argument on legal pluralism in Indonesia, with a focus on contemporary Islamic law. He examines how Islamic law is interpreted, applied and contested by various actors, such as state institutions, religious courts, civil society organizations, political parties and individuals. He demonstrates how Islamic law is not a monolithic or static system, but a dynamic and diverse one that reflects the plurality and complexity of Indonesian society. Idria (2013) also challenges the notion of a homogenous or hegemonic Islamic law in Aceh, and argues that there is a cultural resistance to shariatism among some segments of the Acehnese society. He identifies three forms of resistance: passive resistance, active resistance and creative resistance. He illustrates how these forms of resistance are expressed through various cultural practices, such as music, dance, literature and art.

(Reza Idria 2018) continues his critique of shariatism in Aceh, and argues that living under sharia law is not as "hilarious" as some proponents claim. He exposes the contradictions, inconsistencies and injustices that result from the implementation of the Qanun, especially for women, LGBT people and religious minorities. He also questions the legitimacy and authority of the religious police who enforce the Qanun, and accuses them of abusing their power and violating human rights. (Kloos 2011) also investigates the role and impact of the religious police in Aceh, and argues that they are not merely agents of the state, but also actors with their own interests and agendas. He analyzes how they use violence, territoriality and moral authority to assert their presence and influence in Aceh,

and how they face resistance and criticism from other actors, such as civil society groups, human rights activists and ordinary citizens.

D. Closing

In this research, we have examined the implementation of the caning law in Aceh from three different perspectives: international, national and local. We have argued that the caning law is not a simple matter of human rights violation or cultural relativism, but rather a complex and dynamic phenomenon that reflects the historical, political and social contexts of Aceh and Indonesia. We have also shown that the caning law is not a monolithic or static practice, but rather a contested and negotiated one that involves various actors, interests and discourses.

We have analyzed the international perspective by looking at how the caning law has been perceived and criticized by the global community, especially the United Nations and human rights organizations. We have discussed the challenges and dilemmas that the international actors face when dealing with the caning law, such as the tension between universalism and pluralism, the risk of cultural imperialism and the need for dialogue and cooperation. We have also explored the possible ways to improve the human rights situation in Aceh, such as through monitoring, advocacy and capacity building.

We have examined the national perspective by tracing the historical and legal development of the caning law in Aceh within the framework of Indonesia's decentralization and special autonomy policies. We have highlighted the contradictions and ambiguities that exist in the Indonesian legal system regarding the caning law, such as the inconsistency between the national constitution and the Aceh Qanun, the lack of clarity on the jurisdiction and authority of the religious courts and the police, and the absence of effective oversight and accountability mechanisms. We have also suggested some reforms that could be made to harmonize and improve the legal system in Aceh, such as through constitutional amendment, legislative review and judicial supervision.

We have explored the local perspective by examining how the caning law has been implemented and experienced by the people of Aceh, especially those who have been subjected to or witnessed the caning punishment. We have revealed the diversity and complexity of the local views and attitudes towards the caning law, ranging from support to opposition, from acceptance to resistance, from fear to pride. We have also identified some factors that influence the local perception and practice of the caning law, such as religious beliefs, cultural values, political interests, social norms and personal experiences.

Based on our findings, we have proposed a new analytical framework to understand and evaluate the caning law in Aceh, which we call "rowing between three rocks". This metaphor captures the idea that the caning law is situated in a triangular relationship between three different legal systems: international human rights law, Indonesian national law and Acehnese customary law. Each of these legal systems has its own principles, values and norms that may conflict or complement each other. The caning law is thus a product of constant negotiation, adaptation and transformation among these three legal systems.

We hope that our research will contribute to a deeper and more nuanced understanding of the caning law in Aceh, as well as to a more constructive and respectful dialogue among the various stakeholders involved. We also hope that our research will inspire further studies on other aspects of the caning law that we have not covered in this research, such as its impact on women's rights, children's rights, health rights and economic rights. We believe that by rowing between three rocks, we can find a way to balance between justice, dignity and diversity.

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