



## NEGOTIATING SHARIA AND DEMOCRACY: INSTITUTIONAL PATHWAYS OF POLITICAL ISLAM IN ACEH

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### Abstract

This article examines the transformation of political Islam in Aceh, Indonesia, within the context of decentralized democracy. It traces the evolution of religious governance from insurgency and culturally embedded practices to the establishment of formal judicial and administrative systems. The research draws on qualitative fieldwork conducted in Aceh, combining document analysis, participant observation, field visits, and nine semi-structured interviews with actors from Islamic institutions, political bodies, and civil society organizations. The paper studies the embedding of Sharia into local governance through legal, institutional, and administrative mechanisms. The results show that Aceh's post-conflict Islamic order developed along three primary trajectories: political reintegration, the codification of ideology into law, and the bureaucratization of religious practices. Sharia is operationalized through *qanun* legislation, Islamic courts, religious authorities, and enforcement agencies, resulting in a system where moral regulation is embedded within the state apparatus. This configuration enhances political legitimacy and Acehnese identity, yet it also generates challenges related to gender equality, minority rights, and democratic accountability. The article argues that Islamic governance in Aceh arises from institutional compromise rather than ideological dominance, underscoring both the capacity and constraints of political Islam in a pluralist democracy.

**Keywords:** Political Islam; Sharia Governance; Islamic Governmentality; Post-Islamism; Aceh; Legal Pluralism

### Abstrak

*Artikel ini meneroka transformasi Islam politik di Aceh, Indonesia, dalam konteks demokrasi yang terdesentralisasi, dan menelusuri evolusi governansi keagamaan dari fase pemberontakan dan praktik keagamaan kultural menuju pembentukan sistem peradilan dan administrasi formal. Berdasarkan riset lapangan yang dilakukan di Banda Aceh, penelitian ini menggunakan wawancara, analisis dokumen, dan observasi partisipan. Artikel ini juga menelaah bagaimana Syariah dilembagakan dalam pemerintahan lokal melalui mekanisme hukum, institusional, dan administratif. Hasil penelitian menunjukkan bahwa tatanan Islam pasca-konflik di Aceh berkembang melalui tiga trajektori utama: reintegrasi politik, kodifikasi ideologi ke dalam hukum, dan birokratisasi praktik keagamaan. Syariah dioperasionalisasikan melalui legislasi qanun, peradilan Islam, otoritas keagamaan, dan lembaga penegakan hukum, sehingga menghasilkan suatu sistem di mana regulasi moral terintegrasi ke dalam aparatus negara. Konfigurasi ini memperkuat legitimasi politik dan identitas Aceh, namun sekaligus memunculkan tantangan terkait kesetaraan gender, hak-hak minoritas, dan akuntabilitas demokratis. Artikel ini berargumen bahwa governansi Islam di Aceh muncul dari kompromi institusional, bukan dari dominasi ideologis, yang menegaskan kapasitas sekaligus keterbatasan Islam politik dalam demokrasi pluralistik.*

**Kata kunci:** Islam Politik; Governansi Syariah; Islamic Governmentality; Post-Islamisme; Aceh; Pluralisme Hukum

### Background

Aceh's trajectory following the Helsinki Agreement offers a unique viewpoint on the routinisation of political Islam within a pluralist democracy, while remaining anchored in a sub-national identity. Existing scholarship has mapped the codification of *qanun* and the establishment of Islamic institutions; however,

analytical lens has often privileged either ideological moderation or centre-periphery bargaining.<sup>1</sup> By contrast, the everyday

<sup>1</sup> Asep Saepudin Jahan, 'The Clash of Muslims and the State: Waqf and Zakat in Post-Independence Indonesia', *Studia Islamika*, 13.3 (2006), pp. 353–95; Mohammad Hasan Ansori, 'From Insurgency to Bureaucracy: Free Aceh Movement, Aceh Party and the New Face of Conflict',



administrative procedures that sustain Islamic authority and reshape Aceh's relationship with the Indonesian state have received comparatively less attention.<sup>2</sup> This article fills this void by analyzing the institutional, legal, and administrative methods by which Sharia is embedded in Aceh's contemporary governance.

Historically, the ideological template for Islamic politics in Aceh is neither purely nationalist nor strictly Islamist. The Darul Islam uprising of the 1950s under Daud Beureueh embedded a conception of Islamic governance as inseparable from Acehnese collective identity, a motif later rearticulated by the Free Aceh Movement (GAM). Scholars such as Aspinall, Ichwan, and Munhanif demonstrate that GAM mobilised a hybrid repertoire of Islamic, ethnic, and *adat* symbols, allowing insurgent claims to resonate beyond narrowly defined religious constituencies.<sup>3</sup> Situating Aceh's current Sharia system within this historical context challenges the idea that the 2005 Helsinki Agreement was a sudden break from the past.

The transition from armed conflict to political engagement in Aceh was facilitated by

*Stability*, 1.1 (2012), pp. 31–44; Abdul Halim, 'Non-Muslims in the Qanun Jinayat and the Choice of Law in Sharia Courts in Aceh', *Human Rights Review*, 23.2 (2022), pp. 265–88; Nurlinah, Rizkika Lhena Darwin, and Haryanto, 'After Shari'ah: Islamism and Electoral Dynamics at Local Level in Indonesia', *Global Journal Al-Thaqafah*, 8.2 (2018), pp. 17–29; Krismono, Supriyanto Abdi, and Syahmirwan, 'Negotiating Islam, Democracy and Pluralism: Islamic Politics and the State in Post-Reform Indonesia', *Mazabib*, 24.1 (2025), pp. 101–30.

<sup>2</sup> Rahmatunnair Rahmatunnair, 'Paradigma Formalisasi Hukum Islam Di Indonesia', *AHKAM: Jurnal Ilmu Syariah*, 12.1 (2012); Jahar, 'The Clash of Muslims and the State: Waqf and Zakat in Post-Independence Indonesia'; Krismono, Abdi, and Syahmirwan, 'Negotiating Islam, Democracy and Pluralism: Islamic Politics and the State in Post-Reform Indonesia'.

<sup>3</sup> Edward Aspinall, 'From Islamism to Nationalism in Aceh, Indonesia', *Nations and Nationalism*, 13.2 (2007), pp. 245–63; Moch Nur Ichwan, 'Ulama, Negara Bangsa, dan Etno-nasionalisme Religius: Kasus Aceh', in *Ulama dan negara-bangsa: membaca masa depan Islam politik di Indonesia* (Yogyakarta: Pascasarjana UIN Sunan Kalijaga : Pust Pengkajian Islam, Demokrasi, dan Perdamaian (PusPIDeP), 2019); Ali Munhanif, 'Islam, Ethnicity and Secession: Forms of Cultural Mobilization in Aceh Rebellions', *Studia Islamika*, 23.1 (2016), pp. 1–28.

the emergence of new political parties, most notably Aceh Party (PA) and Nanggroe Aceh Party (PNA), which integrated former separatists into local governance structures. Ansori<sup>4</sup> and Saputra et al.<sup>5</sup> observe that these actors simultaneously advance welfare-oriented agendas while promoting *syariah*-based regulations, notably Qanun Jinayat, thereby aligning pragmatic service delivery with moral legitimization. This dual strategy, combining the provision of practical services with the assertion of moral authority, exemplifies a general tendency among Islamic political groups to adapt their agendas to function within democratic frameworks while retaining religious symbolism as a source of legitimacy.<sup>6</sup>

A clear distinction must be made between Islamism and political Islam. Islamism denotes a programmatic pursuit aimed at systemic transformation via comprehensive Sharia enforcement, often framed against secularism; political Islam, by contrast, refers more broadly to the participation of Islamic actors within existing political arenas.<sup>7</sup> Aceh illustrates a pragmatic modality of political Islam wherein armed rebellion gives way to legal codification and bureaucratic governance, reinforcing post-Islamist propositions that emphasize transformation over confrontation. Bayat's theorisation of post-Islamism<sup>8</sup>—as a shift toward pluralism, civic inclusion, and moral governance—illuminates how Acehnese elites legitimate Sharia through institutional mechanisms rather than charismatic authority.

<sup>4</sup> Ansori, 'From Insurgency to Bureaucracy'.

<sup>5</sup> Akmal Saputra, Heru Nugroho, and Arie Sujito, 'Post-Conflict Aceh: Partai Aceh Versus Partai Nanggroe Aceh at the 2017 Election', *Jurnal Ilmiah Peuradeun*, 10.1 (2022), p. 87.

<sup>6</sup> Nurlinah, Darwin, and Haryanto, 'After Shari'ah'.

<sup>7</sup> Jocelyne Cesari, *What Is Political Islam?* (Colorado: Lynne Rienner, 2018); Jocelyne Cesari, 'Political Islam: More than Islamism', *Religions* 2021, Vol. 12, Page 299, 12.5 (2021), p. 299.

<sup>8</sup> Asef Bayat, 'The Coming of a post-Islamist Society', *Critique: Critical Middle Eastern Studies*, published online 1996; Asef Bayat, *Making Islam Democratic: Social Movements and the Post-Islamists Turn* (Stanford: Stanford University Press, 2007).



Infrastructurally, the province has witnessed the consolidation of bodies such as the Majelis Permusyawaratan Ulama (MPU), Wilayatul Hisbah (the Sharia Enforcement Agency), and the Mahkamah Syar'iyyah (Islamic Courts).<sup>9</sup> These agencies transform abstract religious norms into enforceable rules, exemplifying what Césari labels as hegemonic Islam, wherein the state monopolises the definition and regulation of religious authority.<sup>10</sup> Salim's analysis of Sharia formalisation across Indonesia further reinforces the idea that Islamic governance is a state-mediated project: regional autonomy provisions authorise local Islamic legislation, while central institutions circumscribe its ambit, thus ensuring alignment with national legal hierarchies.<sup>11</sup>

The Acehnese model, however, generates normative frictions around gender justice, minority inclusion, and legal pluralism, areas where Islamic regulations may collide with Indonesia's constitutional framework. Debates on the inclusion–moderation thesis, advanced through cases such as Tunisia's Ennahda, Türkiye's AKP, Morocco's PJD, and Indonesia's PKS, are instructive yet limited, as they tend to focus on electoral behaviour and elite rhetoric while neglecting the institutional logics that hard-wire Islamic authority into state apparatuses.<sup>12</sup> Scholars like Larkin and Nasasra,<sup>13</sup>

as well as Sigillò,<sup>14</sup> therefore suggest looking more closely at the role of bureaucrats and functional administration.

This paper studies the incorporation of Sharia into Aceh's bureaucratic structures following the post-Islamist period. Rather than assessing mere rhetorical claims of moderation, it examines how technocratic, administrative, and legal procedures stabilize religious norms. Empirically, the analysis rests on a mixed qualitative dataset comprising: (1) nine semi-structured interviews conducted in Banda Aceh between July and August 2024 with officials from the Dinas Syariat Islam, the Mahkamah Syar'iyyah, and the Majelis Permusyawaratan Ulama, as well as representatives from rights-based NGOs (KontraS Aceh and Flower Aceh) and multi-faith community organizations; (2) systematic document analysis of foundational legal texts, including Qanun Jinayat and Law No. 11/2006, alongside relevant institutional regulations; and (3) participant observation and targeted field-trips to Islamic courts, Wilayatul Hisbah offices, and community forums. All materials were thematically coded thematically to trace how Islamic precepts are interpreted, implemented, and normalised within provincial governance. This article engages with Hakim's conceptualization of Islamism as discourse,<sup>15</sup> while contending that practical and procedural dynamics are central to understanding contemporary forms of religious authority. By analyzing the bureaucratic translation of Sharia into policy and practice, this study contributes to post-Islamist scholarship and offers insight into the governance of religious diversity within democratic systems. Aceh's experience provides

<sup>9</sup> Moch Nur Ichwan, 'Official Ulema and the Politics of Re-Islamization: The Majelis Permusyawaratan Ulama, Sharatization and Contested Authority in Post-New Order Aceh', *Journal of Islamic Studies*, 22.2 (2011), pp. 183–214.

<sup>10</sup> Cesari, *What Is Political Islam?*

<sup>11</sup> Arskal Salim, *Challenging the Secular State: The Islamization of Law in Modern Indonesia*, 1st edn (Honolulu: University of Hawaii Press, 2008).

<sup>12</sup> Ahmad Nur Fuad, 'From Binary Perspectives to Context-Sensitive Approaches: Changing Trends in Scholarship on Political Islam in Turkey, Tunisia and Indonesia', *Ulumuna*, 28.2 (2024), pp. 961–87; Houssem Ben Lazreg, 'Post-Islamism in Tunisia and Egypt: Contradictory Trajectories', *Religions* 2021, Vol. 12, Page 408, 12.6 (2021), p. 408; Rory McCarthy, 'Islamism, Party Change, and Strategic Conciliation: Evidence from Tunisia', *Party Politics*, 30.6 (2024), pp. 1064–74.

<sup>13</sup> Craig Larkin and Mansour Nasasra, 'The "Inclusion-Moderation" Illusion: Re-Framing the Islamic

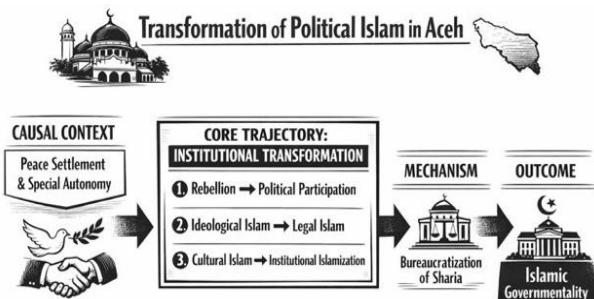
Movement inside Israel', *Democratization*, 28.4 (2021), pp. 742–61.

<sup>14</sup> Ester Sigillò, 'Islamism and the Rise of Islamic Charities in Post-Revolutionary Tunisia: Claiming Political Islam through Other Means?', *British Journal of Middle Eastern Studies*, 49.5 (2022), pp. 811–29.

<sup>15</sup> Luqman Nul Hakim, *Islamism and the Quest for Hegemony in Indonesia* (Singapore: Springer Nature Singapore, 2023).



important insights for scholars analyzing the connection between political Islam and democracy.<sup>16</sup>



**Figure 1.** Transformation of Political Islam in Aceh

Figure 1 synthesizes the article's argument by situating institutional transformation as the central analytical trajectory. The causal context of peace settlement and the granting of special autonomy establishes the structural conditions through which Islamic authority is incorporated into formal state institutions.

Within this context, political Islam in Aceh unfolds through three interrelated transformations: the conversion of insurgency into electoral participation, the translation of ideological Islam into codified legal norms, and the reorganization of cultural religiosity into institutionalized forms of governance. Such changes converge through the bureaucratization of Sharia, whereby legislation, administration, and enforcement mechanisms operationalize religious norms as routine practices of governance. The resulting outcome produces a form of Islamic governmentality characterized by the normalization of moral regulation and the institutionalization of religious authority. By condensing this situation schematically, Figure 1 clarifies how Islamic governance in Aceh emerges not as a project of ideological control, but as a negotiated institutional process shaped by bureaucracy and democratic constraint.

### From Rebellion to Political Integration: The Institutional Adjustment of Political Islam

The transformation of the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) into the political Aceh Party constitutes a decisive

moment in the institutionalization of political Islam within Indonesia's decentralized democratic order.<sup>16</sup> The 2005 Helsinki Agreement marked not merely the termination of armed conflict but the opening of a new political and ideological trajectory for Aceh. Through this settlement, GAM relinquished its demand for full independence in exchange for a framework of self-government within the unitary Republic of Indonesia. As chief negotiator Shadia Marhaban underscored, the compromise was existential rather than administrative, reframing sovereignty as autonomy rather than secession: "What we received was a normalization of decentralization. Because we did not want to be equated with other provinces... what we have is normalization and self-government or self-rule."<sup>17</sup> This redefinition of political authority created the conditions under which Islamic governance could be formally articulated through state institutions.

The political settlement precipitated a broader ideological recalibration. The transition from insurgency to governance required GAM to translate a revolutionary ethos into a durable political identity compatible with democratic procedures. This shift was juridically anchored in the Law on the Governing of Aceh (LoGA, Law No. 11/2006), which institutionalized key Islamic legal and administrative bodies, including the Mahkamah Syar'iyyah (Islamic courts), Wilayatul Hisbah (Sharia enforcement agency), and the Majelis Permusyawaratan Ulama (MPU). Collectively, these institutions formed the bureaucratic infrastructure of post-conflict Islamic governance. LoGA thus functioned simultaneously as a peace mechanism and a constitutional instrument that embedded

<sup>16</sup> Mukrimin Mukrimin, 'Islamic Parties and the Politics of Constitutionalism in Indonesia', *Journal of Indonesian Islam*, 6.2 (2012); Zuly Qodir, 'Post-Islamism And Reform Islamic Law: The Challenges And Future Of Political Islam In Indonesia', *AHKAM: Jurnal Ilmu Syariah*, 23.2 (2023); Krismono, Abdi, and Syahmirwan, 'Negotiating Islam, Democracy and Pluralism: Islamic Politics and the State in Post-Reform Indonesia'; Ansori, 'From Insurgency to Bureaucracy'.

<sup>17</sup> Shadia Marhaban, 'Interview with former GAM negotiator', 4 July 2024.



Sharia principles within Indonesia's democratic legal order, while circumscribing their operation within state-sanctioned limits.<sup>18</sup>

The consolidation of this institutional transition was reinforced by the electoral ascendancy of Aceh Party in the 2006 and 2012 regional elections. Former combatants entered formal politics and secured legislative dominance within the Dewan Perwakilan Rakyat Aceh (DPRA).<sup>19</sup> The party's political platform foregrounded the defense of Islamic identity and the consolidation of Aceh's special autonomy through the enactment of *qanun* legislation. These initiatives reflect a pattern of ideological moderation consistent with post-Islamist trajectories observed in other contexts, whereby formerly militant or Islamist actors shift from confrontation to bureaucratic participation. In this configuration, religious legitimacy and electoral engagement emerged as complementary, rather than antagonistic, sources of political authority.<sup>20</sup>

Central to this evolution was a movement away from ideological absolutism toward *wasatiyyah*, a moderate interpretive framework that reconciles Islamic values with democratic governance. Within the discourse of Aceh Party, Sharia was articulated not as an oppositional project, but as a moral foundation for public administration. This framing served several strategic purposes: it distanced the party from radical Islamist currents, broadened its electoral constituency, and affirmed its compatibility with Indonesia's pluralist constitutional order. Islamic governance was thereby presented as a stabilizing moral resource rather than a vehicle for political exclusion.<sup>21</sup>

<sup>18</sup> Saputra, Nugroho, and Sujito, 'Post-Conflict Aceh; Partai Aceh Versus Partai Nanggroe Aceh at the 2017 Election'.

<sup>19</sup> Zulfan Zulfan, Siti Ikramatoun, and Aminah Aminah, 'Aceh Local Political Party: The Rise, Victory, and Decline', *Multidisciplinary Science Journal*, 5 (2023).

<sup>20</sup> Abdul Ghani Imad, 'Post-Islamism Ideological Delusions and Sociological Realities', *Contemporary Arab Affairs*, 12.3 (2019), pp. 3–20.

<sup>21</sup> Ahmad Nur Fuad, Slamet Muliono Redjosari, and Rofhani Rofhani, 'From Islamism to Democracy: The Case of Rached Ghannouchi and Ennahda of Tunisia', *Islamica*:

Importantly, this turn toward moderation was shaped less by theological reflection than by structural and political constraints. As Sindre argues, moderation within Islamist movements frequently arises from competitive political environments and shifting opportunity structures.<sup>22</sup> In Aceh, internal factionalism and electoral rivalry—most visible during the 2017 regional contest—compelled Aceh Party to recalibrate its political positioning. Religious and cultural narratives were mobilized to reinforce claims of moral guardianship over Acehnese identity, consolidating hegemonic status while simultaneously exposing tensions between political pragmatism and normative authenticity.

The codification of Islamic norms through Qanun Jinayat illustrates the practical dimension of this transformation. By regulating criminal, social, and moral conduct, these *qanun* operationalize Islamic jurisprudence within Aceh's governance framework.<sup>23</sup> In doing so, they exemplify what Jocelyne Césari conceptualizes as "hegemonic Islam," wherein Islamic principles function as regulatory instruments embedded within state bureaucracy rather than as abstract theological ideals.<sup>24</sup> Sharia was thus translated into policy, morality into administration, and religious identity into enforceable legal norms.

Yet this institutionalization has generated intrinsic tensions. While the integration of Islamic law has furnished post-conflict legitimacy and moral authority, it has also produced frictions with democratic norms of inclusivity and rights protection. Critics have noted that conservative interpretations of Sharia have, at times,

*Jurnal Studi Keislaman*, 17.2 (2023), pp. 244–67; Ali Munhanif and A. Bakir Ihsan, 'Ideas, Politics, and The Making of Muslim Democracy: An Historical Trajectory in Indonesia', *Studia Islamika*, 30.3 (2023), pp. 525–60.

<sup>22</sup> Gyda M. Sindre, 'Adapting to Peacetime Politics? Rebranding and Ideological Change in Former Rebel Parties on JSTOR', *Government and Opposition*, 54.3 (2019), pp. 485–512.

<sup>23</sup> Halim, 'Non-Muslims in the Qanun Jinayat and the Choice of Law in Sharia Courts in Aceh'.

<sup>24</sup> Cesari, 'Political Islam: More than Islamism'; Jocelyne Césari, *The Awakening of Muslim Democracy: Religion, Modernity, and The State* (Cambridge: Cambridge University Press, 2014).



marginalized women and religious minorities, constrained public deliberation, and reinforced patriarchal policy frameworks.<sup>25</sup> These dynamics highlight a central dilemma of post-Islamist governance: the challenge of reconciling claims of religious authenticity with the demands of pluralism.

Despite these contradictions, the metamorphosis of GAM into Aceh Party underscores the adaptive capacity of political Islam. The movement's ability to convert revolutionary ambition into an administrative project demonstrates that Islamic governance can evolve through institutional recalibration rather than ideological abandonment. This adaptation reflects strategic negotiation with structural constraints rather than linear moderation, illustrating how democratic incorporation can sustain continuity through transformation.

Comparatively, Aceh's experience resonates with post-Islamist transitions in contexts such as Tunisia's Ennahda and the Bangsamoro Autonomous Region in Muslim Mindanao.<sup>26</sup> In each case, former Islamist or insurgent movements recalibrated their objectives from claims of doctrinal supremacy toward political pragmatism. Aceh diverges, however, in its pronounced reliance on legal codification as the primary vehicle of Islamic institutionalization. Whereas Ennahda rebranded itself as a "Muslim democratic" party and Bangsamoro adopted hybrid power-sharing arrangements, Aceh embedded its Islamic aspirations within a juridical architecture underwritten by state authority. This legalistic pathway constitutes Aceh's distinctive contribution to the comparative study of political Islam.

At the same time, the Acehnese model reveals the structural limits of localized Islamic governance within a pluralist democracy. The close alignment between Aceh Party and religious institutions such as the Majelis Permusyawaratan

Ulama (MPU) risks generating a form of hegemonic closure, in which religious legitimacy substitutes for democratic accountability. In such configurations, dissent may be moralized as deviance, reflecting dynamics of Islamic governmentality wherein moral governance becomes a mechanism of discipline rather than civic empowerment.

Taken together, Aceh's trajectory demonstrates that post-Islamist governance should not be understood as a teleological endpoint but an ongoing process of negotiation. The recalibration of GAM into Aceh Party illustrates the fluidity of Islamic political agency—its capacity to navigate between faith and power, resistance and regulation. By institutionalizing Sharia through *qanun* legislation and bureaucratic mechanisms, Aceh has transformed rebellion into regulation and ideology into institution. In doing so, it offers a nuanced analytical framework for understanding the future trajectories of political Islam within democratic and pluralist settings.

### **From Ideological Islam to Legal Islam: The Bureaucratization of Sharia in Aceh**

The institutional development of political Islam in Aceh marks a decisive phase in the evolution of Islamic governance in Indonesia, defined by a gradual transition from ideological discourse to codified legal authority. Central to this transformation is the enactment of Qanun Jinayat, a comprehensive legal framework that systematizes Islamic criminal law to regulate offenses such as theft, adultery (*zina*), alcohol consumption, gambling, and unmarried intimacy (*khawatir*). This shift signifies a movement away from abstract moral exhortation toward enforceable legal statutes embedded within Aceh's decentralized administrative system. In this configuration, Sharia operates not merely as a moral compass, but as a binding institutional framework upheld through state bureaucratic apparatuses.

An official statement by the Aceh government captures the normative justification underlying

<sup>25</sup> Zulfan, Ikramatoun, and Aminah, 'Aceh Local Political Party: The Rise, Victory, and Decline'.

<sup>26</sup> Imad, 'Post-Islamism Ideological Delusions and Sociological Realities'.



this process: “The implementation of Islamic Sharia in Aceh is essentially the aspiration of the Acehnese people. To fulfill this aspiration, the Aceh government and the DPRA, as regional representatives, agreed to formalize these aspirations through the enactment of *qanun*, especially through Law No. 11 of 2006 on Aceh Governance.”<sup>27</sup> This declaration underscores how local political consensus has been mobilized to legitimize the codification of Islamic law as both a moral and political project. The integration of religious authority within bureaucratic structures reflects a broader global tendency in which states instrumentalize religion as a source of legitimacy, governance, and social regulation.

Comparative experiences further illustrate this pattern. In Algeria, religious institutions have been incorporated into public administration, enabling the state to centralize Islamic authority while framing such intervention as necessary for public order and national cohesion.<sup>28</sup> Similarly, Azerbaijan exercises control over mosques, clerics, and Islamic organizations under the banner of social harmony, effectively subordinating religious practice to state interests.<sup>29</sup> Indonesia exhibits parallel dynamics, where the Ministry of Religious Affairs, religious courts, and local Islamic institutions function as bureaucratic instruments that align religious observance with state objectives.<sup>30</sup> In Aceh, this convergence materializes through localized lawmaking that simultaneously reflects popular aspirations and the state’s imperative to preserve political stability within a pluralist constitutional framework.

Political parties have played a pivotal role in advancing this process of bureaucratization. Aceh

Party (PA) and Nanggroe Aceh Party (PNA) strategically deploy religious symbolism, clerical endorsement, and Islamic rhetoric to consolidate political legitimacy. By framing policy agendas in Islamic terms, these parties link political authority to Acehnese moral heritage and collective identity.<sup>31</sup> Such mobilization operates less as a theological revival than as a pragmatic recalibration of post-conflict politics. *Qanun* legislation thus functions not only as an expression of religiosity, but also as a mechanism of identity management and state-building.

The institutional pillars established in the post-Helsinki period—*Qanun Jinayat*, the Mahkamah Syar’iyyah, the Majelis Permusyawaratan Ulama (MPU), and Wilayatul Hisbah—constitute the legal infrastructure through which Islamic norms are codified and enforced in Aceh. The Mahkamah Syar’iyyah enjoys judicial authority unparalleled in other Indonesian provinces, adjudicating both criminal and civil matters under Sharia. The MPU operates as a consultative religious body whose theological opinions shape policy formulation, while *Wilayatul Hisbah* serves as the enforcement arm overseeing public morality. Complementing these institutions is the Wali Nanggroe, a symbolic authority representing unity, continuity, and post-conflict order. As one institutional representative noted, “The Aceh Governance Law established the *Wali Nanggroe* institution as a unifying figure and conflict resolution body, representing the peace settlement.”<sup>32</sup> Together, these bodies translate Islamic authority into routinized administrative governance.

Notwithstanding its institutional coherence, the shift from ideological Islam to legal Islam has generated sustained controversy. The implementation of *Qanun Jinayat*, particularly its reliance on corporal punishments such as public

<sup>27</sup> Interview with a representative of Mahkamah Syar’iyyah, 5 July 2024.

<sup>28</sup> Francesco Tamburini, ‘The Bureaucratization of Islam in Algeria: The State as the Only Controller of Religion’, *Journal of Asian and African Studies*, 60.4 (2025), pp. 2286–307.

<sup>29</sup> Kamal Gasimov, ‘The Bureaucratization of Islam in Azerbaijan: State as the Principal Regulator and Interpreter of Religion’, *Central Asian Affairs*, 7.1 (2020), pp. 1–37.

<sup>30</sup> Jahar, ‘The Clash of Muslims and the State: Waqf and Zakat in Post-Independence Indonesia’.

<sup>31</sup> Saputra, Nugroho, and Sujito, ‘Post-Conflict Aceh; Partai Aceh Versus Partai Nanggroe Aceh at the 2017 Election’.

<sup>32</sup> Interview with an Official of Lembaga Wali Nanggroe, July 2024.



caning, has drawn criticism for contravening human rights norms and Indonesia's constitutional commitments.<sup>33</sup> Human rights organizations contend that such sanctions undermine human dignity and conflict with international legal conventions. Feminist scholars and civil society activists further argue that provisions

governing *khalwat* and *zīnā* disproportionately criminalize women, at times transforming survivors of sexual violence into legal defendants. These critiques expose a central paradox of Aceh's legal Islamization: a project intended to uphold moral order may simultaneously reproduce structural injustice.

Social reception of Qanun Jinayat within Aceh remains deeply divided. Conservative Islamic groups regard the law as the culmination of Aceh's historical and religious destiny, framing it as an assertion of moral sovereignty within a formally secular state. By contrast, progressive Muslim intellectuals and civil society organizations advocate reinterpretations grounded in *maqāsid al-shari'a*—the objectives of Islamic law—emphasizing justice, welfare, and human dignity. Rahmatunnair<sup>34</sup> argues that the institutionalization of Islamic law in Indonesia must reconcile doctrinal integrity with democratic pluralism. From this perspective, Aceh's model demands continuous reform if Sharia is to function not merely as a symbol of piety, but as a vehicle of substantive justice.

At the national level, Aceh's legal experiment has reinvigorated debate over the place of Islamic law within Indonesia's pluralist legal order. Rahmatunnair conceptualizes this accommodation as the "Indonesianization" of Islamic law, a selective integration of Islamic principles within constitutional democracy.<sup>35</sup> Yet

<sup>33</sup> Zainul Fuad, Surya Darma, and Muhibbuthabry Muhibbuthabry, 'Wither Qanun Jinayat? The Legal and Social Developments of Islamic Criminal Law in Indonesia', *Cogent Social Sciences*, 8.1 (2022).

<sup>34</sup> Rahmatunnair, 'Paradigma Formalisasi Hukum Islam Di Indonesia'.

<sup>35</sup> Rahmatunnair, 'Paradigma Formalisasi Hukum Islam Di Indonesia'.

this coexistence generates jurisdictional ambiguities as national and regional legal systems overlap, producing uneven enforcement and legal uncertainty. These tensions exemplify the structural challenges inherent in sustaining unity amid legal pluralism.

Comparative cases further contextualize Aceh's hybrid configuration. Sudan's experience oscillates between codification and ambiguity, reflecting shifting balances between reformist and authoritarian impulses.<sup>36</sup> Iran institutionalizes clerical supremacy through constitutional theocracy<sup>37</sup>, while northern Nigeria's Hisbah system illustrates how grassroots-driven Sharia enforcement can reinforce exclusionary practices.<sup>38</sup> Bangladesh, by contrast, employs Islamic symbolism within a formally secular constitutional framework.<sup>39</sup> Aceh occupies a distinctive position among these cases: its post-conflict Sharia institutionalization represents bottom-up moral demands articulated through top-down administrative mechanisms, fusing religious legitimacy with bureaucratic governance.

Aceh's model thus exemplifies what Imad and Khairullin describe as "post-Islamist pragmatism"—a mode of politics in which formerly ideological movements adapt to state structures without relinquishing their religious core.<sup>40</sup> Within this framework, Qanun Jinayat functions simultaneously as a moral project and an assertion of regional sovereignty. Nonetheless, Indonesia's pluralist constitutional

<sup>36</sup> Jeffrey Adam Sachs, 'Seeing Like an Islamic State: Shari'a and Political Power in Sudan', *Law & Society Review*, 52.3 (2018), pp. 630–51.

<sup>37</sup> Keyvan Tabari, 'The Rule of Law and the Politics of Reform in Post-Revolutionary Iran', *International Sociology*, 18.1 (2003), pp. 96–113.

<sup>38</sup> Rasheed Olaniyi, 'Hisbah and Sharia Law Enforcement in Metropolitan Kano', *Africa Today*, 57.4 (2011), p. 71.

<sup>39</sup> Shafi Md Mostofa, 'Jama'at-e-Islami and Trust Building in Bangladesh', *Politics & Policy*, 49.3 (2021), pp. 708–39.

<sup>40</sup> Imad, 'Post-Islamism Ideological Delusions and Sociological Realities'; T. R. Khairullin, 'Trends in Political Islam: Transition towards Liberalization', *Herald of the Russian Academy of Sciences*, 92.2 (2022), pp. S100–04.



environment imposes firm constraints on the scope of legal Islamization. Overlapping jurisdictions, gendered interpretations of Sharia, and limited inclusion of minority voices reveal persistent fractures.<sup>41</sup> The central role of MPU as an arbiter of orthodoxy further narrows interpretive plurality, reinforcing what Césari conceptualizes as “Islamic governmentality”: governance exercised through moral regulation.<sup>42</sup>

In this sense, Qanun Jinayat operates not merely as a corpus of law but as an apparatus of moral governance. Judicial practices within the Mahkamah Syar’iyyah publicly reaffirm moral discipline, the MPU supplies theological legitimization, and Wilayatul Hisbah enforces behavioral conformity at the societal level. Together, these institutions constitute an integrated mechanism through which Islamic authority is produced, institutionalized, and reproduced in everyday practice.

The transition from ideological Islam to legal Islam in Aceh therefore reveals both achievement and paradox. It fulfills long-standing aspirations for moral autonomy and demonstrates the pragmatic adaptation of Islamic actors to operate within democratic frameworks. Simultaneously, it raises enduring questions concerning justice, gender equality, and pluralism. The bureaucratization of Sharia has transformed Islam from a revolutionary idiom into a state-managed enterprise in which morality is administered through law. Aceh’s experience thus captures both the promise and the perils of Islamic governance in a pluralist democracy, underscoring the need for continual negotiation between religious aspiration, human rights, and constitutional order.

### From Cultural Islam to Institutional Islamization: Bureaucratic Faith and Legal Authority in Aceh

The institutionalization of Islamic governance in Aceh marks a decisive shift from symbolic and cultural religiosity toward a state-embedded legal order. Islamic values are no longer confined to social norms but codified within administrative and judicial systems. Enabled initially by Aceh’s special autonomy under Law No. 18 of 2001 and further consolidated through the 2005 Helsinki Agreement, the provincial government has enacted a series of *qanun* that integrate Sharia principles directly into public policy. Among these, Qanun Jinayat constitutes the most comprehensive codification, regulating personal conduct such as adultery (*zina*), unmarried intimacy (*khahwat*), alcohol consumption, and gambling. This transformation from normative faith to enforceable law signals the consolidation of a localized Islamic governmentality in which morality is rendered a function of governance.

At the institutional core of this system operates a triadic configuration of power. Legislative authority resides in the Dewan Perwakilan Rakyat Aceh (DPRA), interpretive influence is exercised by the Majelis Permusyawaratan Ulama (MPU), and moral compliance is enforced by Wilayatul Hisbah. The Mahkamah Syar’iyyah functions as the judicial body that legitimizes and operationalizes *qanun* enforcement, translating religious precepts into binding jurisprudence. Within Césari’s framework of Islamic governmentality, this arrangement illustrates how authority in Aceh is exercised through normalization, surveillance, and discipline, recasting religious observance as both personal virtue and civic obligation.<sup>43</sup> Unlike Indonesia’s national model of civil Islam—which relies largely on moral persuasion through civil society organizations such as Nahdlatul Ulama and

<sup>41</sup> Yogi Febrandi, Muhammad Ansor, and Nursiti Nursiti, ‘Seeking Justice Through Qanun Jinayat: The Narratives of Female Victims of Sexual Violence in Aceh, Indonesia’, *QIJIS (Quodus International Journal of Islamic Studies)*, 9.1 (2021), p. 103.

<sup>42</sup> Cesari, ‘Political Islam: More than Islamism’.

<sup>43</sup> Cesari, ‘Political Islam: More than Islamism’.



Muhammadiyah—Aceh embeds Sharia directly within bureaucratic authority.<sup>44</sup>

State and religious institutions have jointly facilitated this transition from cultural to legal Islam. Officials from Aceh's Sharia Agency describe their mandate as “designing regulations and facilitating the formation of *qanun*,”<sup>45</sup> while representatives of the Mahkamah Syar'iyyah frame Sharia as “the aspiration of the Acehnese people,” legitimized through formal legislation.<sup>46</sup> The MPU asserts an authoritative role in shaping public policy, positioning itself alongside legislators in defining Islamic norms. Complementing these bodies, the Wali Nanggroe institution—established as a symbol of peace and unity—integrates customary law (*adat*) with Sharia within Aceh's post-conflict governance architecture. Together, these entities constitute an expansive Islamic bureaucracy that extends religious governance into education, public administration, and everyday social life.

The bureaucratization of religion thus permeates multiple dimensions of Acehnese society. Religious education is mandatory in public schools, Islamic symbols dominate state buildings, and civic ceremonies routinely incorporate religious rituals. Jahar characterizes this phenomenon as the “bureaucratization of Sharia,” whereby religious norms are absorbed into state management and transformed into instruments of governance. Notably, some non-Muslim residents articulate pragmatic acceptance of this system. A Protestant leader observed that “with the implementation of Islamic Sharia in Aceh, we feel more protected from personal temptations,”<sup>47</sup> while a Buddhist community leader remarked, “I agree with the *qanun*, it is not

a problem.”<sup>48</sup> Such acceptance is not rooted in theological commitment but in the perceived benefits of order and stability, illustrating how Sharia has been normalized as a public good rather than imposed as a sectarian doctrine.

This normalization, however, obscures significant structural contradictions. Legal pluralism under the *qanun* regime frequently collides with Indonesia's national legal framework, particularly in matters of gender and human rights. Victims of sexual violence may face prosecution under *zina* provisions when evidentiary standards derived from classical *fiqh* are applied, thereby undermining substantive justice for women.<sup>49</sup> Civil society organizations such as Flower Aceh and KontraS Aceh have consistently criticized procedural inconsistencies and discriminatory outcomes. A representative from Flower Aceh explained, “The real issue is Qanun Jinayat. We are advocating for revisions,”<sup>50</sup> pointing to definitional discrepancies whereby national law defines a child as under 18 years old, while the *qanun* sets the threshold at under 12. As a result, a 13-year-old rape survivor may be treated as an offender rather than recognized as a victim. KontraS Aceh further calls for the repeal of punitive provisions, arguing that corporal punishment neither deters crime nor respects human dignity.<sup>51</sup> These critiques reveal a profound ethical dilemma: while institutionalized Sharia enhances moral authority, it simultaneously constrains procedural fairness and gender equality.

These tensions are most visibly embodied in Wilayatul Hisbah. As the frontline enforcer of Sharia, it conducts surveillance, arrests, and public punishments. Reports by human rights

<sup>44</sup> Munhanif and Ihsan, ‘Ideas, Politics, and The Making of Muslim Democracy: An Historical Trajectory in Indonesia’.

<sup>45</sup> ‘Interview with an Official of Aceh's Sharia Agency’, August 2024.

<sup>46</sup> ‘Interview with an Official of MPU’, August 2024.

<sup>47</sup> ‘Interview with a Christian Community Leader’, August 2024.

<sup>48</sup> ‘August 2024 Interview with a Buddhist Religious Leader’, August 2024.

<sup>49</sup> Zul Anwar Ajim Harahap, Zulfan, and Muhammad Ridwan, ‘Analyzing the Offense of Juvenile Khalwat in Aceh: Evaluation of Qanun Number 14 of 2003 from an Islamic Legal Perspective’, *Al-Manahij: Jurnal Kajian Hukum Islam*, 18.1 (2024), pp. 79–94.

<sup>50</sup> ‘Interview with NGO Perkumpulan Flower Aceh’, 4 July 2024.

<sup>51</sup> ‘Interview with KontraS Aceh’, 11 July 2024.



organizations document instances of moral policing, arbitrary detention, and public humiliation, disproportionately affecting women and gender minorities.<sup>52</sup> Such practices often circumvent due process and cultivate a climate of fear. A Catholic community leader lamented that “community leaders must be Muslim and able to read the Qur'an; non-Muslims cannot access political rights.”<sup>53</sup> Structural barriers further impede the construction of non-Muslim houses of worship, while everyday administrative interactions impose informal conformity: “Even if someone is not Muslim, they must wear a headscarf when visiting government offices.” These patterns exemplify a form of symbolic dominance that pressures minorities to perform compliance as a condition of civic participation, amounting to a subtle form of bureaucratic assimilation.

The MPU's dual role as both theological authority and policy influencer further complicates governance in Aceh. Although formally consultative, its *fatwā* often exert decisive political influence, reinforcing conservative orthodoxy while marginalizing progressive interpretations.<sup>54</sup> In Césari's terms, this dynamic reflects state-centered “religious knowledge production,” whereby the definition of legitimate Islam is monopolized by institutional elites.<sup>55</sup> Financial patronage intensifies this consolidation: state funding, political alliances, and transnational Salafi donations sustain conservative networks,

<sup>52</sup> Dian Andi and others, ‘Examining Qanun in Aceh from a Human Rights Perspective: Status, Substance and Impact on Vulnerable Groups and Minorities’, *Ijtihad*, 23.1 (2023), pp. 37–56; Muslim Zainuddin and others, ‘Protection of Women and Children in the Perspective of Legal Pluralism: A Study in Aceh and West Nusa Tenggara’, *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8.3 (2024), p. 1948; Marina Mary Marpaung and Heru Susetyo, ‘Canning: Syariah Law Versus Human Rights in Aceh, Indonesia’, in *Challenges of Law and Governance in Indonesia in the Disruptive Era II* (Nova Science Publishers, Inc., 2021), pp. 117–28.

<sup>53</sup> ‘Interview with Catholic Community Leader’, August 2024.

<sup>54</sup> Qodir, ‘Post-Islamism And Reform Islamic Law: The Challenges And Future Of Political Islam In Indonesia’.

<sup>55</sup> Cesari, ‘Political Islam: More than Islamism’.

producing what may be understood as a political economy of Sharia. Religion thus functions simultaneously as a source of political legitimacy and as a mechanism of social control.

Nevertheless, institutional Islam in Aceh is neither uniform nor uncontested. Persistent tensions divide state-aligned Islamic actors and reformist organizations advocating more inclusive interpretations of Sharia. While some Islamic NGOs collaborate with government agencies to support *qanun* enforcement, others actively resist coercive measures that erode civil liberties.<sup>56</sup> This internal pluralism underscores the contested nature of Islamic institutionalization, as the boundaries between voluntary piety and state-imposed orthodoxy become increasingly blurred. As Césari suggests, Islamic governmentality transforms faith from a spiritual orientation into a disciplinary framework regulating behavior, identity, and belonging.<sup>57</sup>

Public support for Islamic governance in Aceh remains deeply intertwined with collective memory and post-conflict identity. For many Acehnese, the institutionalization of Sharia represents the realization of historical autonomy and religious authenticity. Aceh Party, inheriting the legacy of the Free Aceh Movement (GAM), has strategically mobilized these sentiments by embedding Islamic narratives within political rhetoric to consolidate authority.<sup>58</sup> Yet reliance on religious legitimacy also exposes governance to ideological rigidity and risks weakening democratic accountability. Institutional Islam thus functions simultaneously as a stabilizing force and a potential conduit for authoritarian tendencies.

Viewed through the lens of Islamic governmentality, Aceh's institutional design constitutes a sophisticated apparatus of moral regulation and subject formation. The Mahkamah Syar'iyyah stages judicial rituals that combine

<sup>56</sup> Jahar, ‘The Clash of Muslims and the State: Waqf and Zakat in Post Independence Indonesia’.

<sup>57</sup> Cesari, *What Is Political Islam?*

<sup>58</sup> Saputra, Nugroho, and Sujito, ‘Post-Conflict Aceh; Partai Aceh Versus Partai Nanggroe Aceh at the 2017 Election’.



punishment with pedagogy: public caning operates not only as deterrence but as moral spectacle. The MPU supplies theological rationales for governance, while Wilayatul Hisbah enforces behavioral conformity in everyday life. Collectively, these institutions cultivate the figure of the “pious citizen-subject,” disciplined through visibility and moral surveillance.<sup>59</sup> Beneath this apparent cohesion, however, social friction persists: youth movements, women’s groups, and urban professionals increasingly contest the rigidity of this system, demanding more inclusive and rights-based models of Islamic governance.<sup>60</sup>

In sum, Aceh’s progression from cultural Islam to institutional Islamization demonstrates both the efficacy and the strain of embedding religion within state institutions. Sharia has evolved from a symbolic marker of identity into a concrete system of governance, yet the mechanisms that secure its institutional strength simultaneously generate contestation over justice, equity, and representation. The Acehnese case thus illuminates a central paradox of Islamic governance in pluralist democracies: it stabilizes moral authority while challenging inclusive ideals of citizenship. The future trajectory of Islamic governance in Aceh will depend on its capacity to reconcile religious authenticity with democratic plurality and legal equality.

### **Institutional Evolution of Political Islam in Aceh: Negotiating Faith, Law, and Democracy**

The institutional evolution of political Islam in Aceh reflects a contextually grounded transformation shaped by historical legacies,

<sup>59</sup> Aspinall, ‘From Islamism to Nationalism in Aceh, Indonesia’; Ester Sigillò, ‘Understanding the Transformation of Political Islam beyond Party Politics: The Case of Tunisia’, *Third World Quarterly*, 44.1 (2023), pp. 152–69; Sigillò, ‘Islamism and the Rise of Islamic Charities in Post-Revolutionary Tunisia: Claiming Political Islam through Other Means?’

<sup>60</sup> Ahmad Fuad Fanani, ‘The Implementation of Sharia Bylaws and Its Negative Social Outcome for Indonesian Women’, *Indonesian Journal of Islam and Muslim Societies*, 7.2 (2017), pp. 153–153.

negotiated autonomy, and adaptive engagement with Indonesia’s pluralist democracy. Rather than unfolding linearly, this evolution has taken shape through three interrelated trajectories: the transition from rebellion to political participation, the shift from ideological Islam to legal Islam, and the movement from cultural religiosity to bureaucratized Sharia governance. Together, these trajectories demonstrate how Islamic authority in Aceh has been reconstituted within a decentralized framework that affirms religious identity while redefining its relationship with state power.

The first trajectory was catalyzed by the 2005 Helsinki Agreement, which formally ended nearly three decades of armed conflict between the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) and the Indonesian government. This accord transformed a secessionist struggle into a project of political reintegration<sup>61</sup>, enabling GAM to transition from an insurgent movement into a dominant regional political party, Aceh Party. This transformation aligns with Bayat’s notion of post-Islamism, in which Islamic actors shift from ideological confrontation toward pragmatic engagement within democratic institutions. Comparable to Tunisia’s Ennahda or the Bangsamoro Autonomous Region in Mindanao, Aceh Party illustrates how former insurgent movements recalibrate their religious and political visions to operate within democratic procedures without abandoning their Islamic ethos.

Yet this pragmatic adaptation remains deeply shaped by Aceh’s legacy of rebellion and moral struggle. The legitimacy of Aceh Party derives not only from electoral success but also from its symbolic claim to have delivered Islamic justice and regional autonomy. Control over legislative processes—particularly the formulation of *qanun*—illustrates how post-conflict peacebuilding fused religion with administration. Over time, however, revolutionary ideals gave way to bureaucratic conservatism. The institutional

<sup>61</sup> Saputra, Nugroho, and Sujito, ‘Post-Conflict Aceh; Partai Aceh Versus Partai Nanggroe Aceh at the 2017 Election’.



consolidation of Islamic authority through bodies such as the Majelis Permusyawaratan Ulama (MPU) and the Mahkamah Syar'iyyah has entrenched an elite-driven form of Islamization that privileges regulatory control over participatory inclusion.

The second trajectory—the shift from ideological Islam to legal Islam—marks a critical redefinition of how Islamic values operate within governance. Through the formal codification of Sharia, most notably via Qanun Jinayat, Aceh moved from abstract moral aspiration to concrete legal enforcement.<sup>62</sup> Offenses such as *zīnā*, *khawwat*, and alcohol consumption are regulated through judicial and enforcement mechanisms administered by the Mahkamah Syar'iyyah and Wilayatul Hisbah. This development aligns with Césari's concept of Islamic governmentality, wherein religious authority is reorganized through state techniques of normalization, discipline, and surveillance.<sup>63</sup> In Aceh, Islamic faith is translated into routine bureaucratic practice, rendering moral conduct an object of administrative governance.

Unlike Indonesia's national model of civil Islam—where religious life is mediated primarily through civil society organizations such as Nahdlatul Ulama and Muhammadiyah—Aceh's model integrates Islamic law directly into state institutions. The interpretive authority of the MPU, the legislative capacity of the Dewan Perwakilan Rakyat Aceh (DPRA), and the enforcement role of Wilayatul Hisbah form an interlocking regime that blurs the boundary between religious morality and political legality. Within this configuration, Sharia functions not merely as a symbolic framework but as a governing epistemology through which virtue, deviance, and legitimacy are defined.

This codification, however, has generated tensions characteristic of hybrid governance. Legal pluralism—the coexistence of national civil law and regional Sharia-based *qanun*—has

produced overlapping jurisdictions and inconsistencies, particularly in gender-related cases. The application of *zīnā* provisions in cases of sexual violence exposes systemic flaws, as evidentiary standards derived from classical *fīqh* may criminalize victims rather than protect them. Human rights organizations, including KontraS Aceh and Flower Aceh, have repeatedly highlighted these contradictions, calling for reforms that reconcile Islamic norms with constitutional and international standards. These frictions underscore the difficulty of reconciling moral absolutism with democratic proceduralism.

The third trajectory—the movement from cultural Islam to institutional Islamization—further illustrates the bureaucratization of faith within Aceh's post-conflict society. Islamic practices once embedded in communal life are now formalized through administrative and educational systems. Religious instruction is mandatory in public institutions, Islamic attire is normalized within government offices, and civic ceremonies routinely incorporate religious symbolism. Jahar describes this process as the bureaucratization of Sharia, whereby religion is transformed into an instrument of public administration. While many Acehnese perceive this shift as the restoration of moral order and historical authenticity, others—particularly minorities and urban youth—view it as a contraction of pluralism and personal autonomy.<sup>64</sup>

These tensions are most visible in the operations of Wilayatul Hisbah. As the frontline enforcer of Sharia, it extends moral regulation into everyday life through surveillance, arrests, and public sanctions. Reports of arbitrary detention, public shaming, and gender-biased enforcement reveal how moral governance may slide into authoritarian control, undermining human dignity and public trust. Critics argue that such practices privilege conformity over conviction, reducing faith to compliance. This

<sup>62</sup> Fanani, 'The Implementation of Sharia Bylaws and Its Negative Social Outcome for Indonesian Women'.

<sup>63</sup> Cesari, *What Is Political Islam?*

<sup>64</sup> Jahar, 'The Clash of Muslims and the State: Waqf and Zakat in Post-Independence Indonesia'; Zulfan, Ikramatoun, and Aminah, 'Aceh Local Political Party: The Rise, Victory, and Decline'.



dynamic captures the central paradox of Aceh's Islamic governance: institutionalizing morality risks bureaucratizing piety.

The expanding role of the MPU further accentuates this paradox. Although formally advisory, its *fatwā* frequently carry legislative and administrative weight, narrowing theological diversity and consolidating conservative orthodoxy. Through the lens of Césari's notion of religious knowledge production, this convergence illustrates how the state increasingly monopolizes the definition of legitimate Islam. Financial patronage, political alliances, and transnational religious networks reinforce this consolidation, producing a political economy of Sharia that privileges institutional authority over societal plurality.

Despite these challenges, Aceh's model cannot be reduced to an authoritarian imposition of religion. Rather, it represents a negotiated synthesis between Islamic authenticity and democratic accommodation. The institutionalization of Sharia functions as a locally grounded political compromise that allows religious norms to operate within constitutional governance. Institutions such as the Wali Nanggroe embody this negotiation by symbolizing both cultural sovereignty and post-conflict reconciliation. In this sense, the Sharia system constitutes a dynamic arena of contestation in which faith, law, and politics are continuously renegotiated.

Comparatively, Aceh occupies an intermediate position among global configurations of Islamic governance. Iran's constitutional theocracy centralizes clerical authority, Nigeria's Sharia revival reflects grassroots mobilization, and Tunisia's Ennahda exemplifies ideological moderation within electoral politics. Aceh, by contrast, emerges from negotiated autonomy within a secular state—neither imposed from above nor purely populist. Its experience demonstrates that Islamic governance can evolve through institutional compromise and local legitimacy, though its sustainability depends on continued reform.

Growing pressures from youth movements, gender advocates, and digital activism increasingly demand more inclusive, accountable, and rights-based interpretations of Sharia.

Ultimately, the institutional evolution of political Islam in Aceh highlights both the adaptability and vulnerability of Islamic governance in pluralist contexts. It challenges simplistic binaries that position Islam in opposition to democracy and illustrates how religious law may operate within constitutional limits. At the same time, this adaptability carries risks: the centralization of religious authority may ossify reform, while excessive bureaucratization can alienate constituencies seeking participatory expressions of faith. Aceh's experience thus underscores that the future of Islamic governance lies not in rigid codification, but in sustained negotiation between faith and freedom, identity and inclusion, divine aspiration and human dignity.

## Conclusion

This study has examined the institutional evolution of political Islam in Aceh by tracing three interrelated trajectories: the transformation of insurgent Islam into electoral politics, the reconfiguration of ideological Islam into codified legal authority, and the bureaucratization of cultural religiosity into state-managed Sharia governance. Empirically, the analysis shows that Aceh's post-conflict Islamic order is neither a residual by-product of insurgency nor a linear project of Islamization. Rather, it constituted a negotiated institutional compromise formed by decentralization, legal pluralism, and democratic constraint. Islamic authority has been reconstituted through *qanun* legislation, judicial practice, and administrative enforcement, embedding Sharia within routine governance while simultaneously delimiting its scope through Indonesia's national constitutional frameworks.

The results show that this process of institutionalization has produced a durable form of Islamic governmentality. Bodies such as the Mahkamah Syar'iyyah, the Majelis



Permusyawaratan Ulama, and Wilayatul Hisbah function collectively as an apparatus of moral regulation that translates religious norms into law, policy, and everyday discipline. While this configuration has enhanced post-conflict legitimacy and affirmed Acehnese identity, it has also generated structural tensions surrounding gender justice, minority inclusion, and democratic accountability. The bureaucratization of Sharia stabilizes moral authority, yet risks diminishing religious commitment to compliance and narrowing interpretive plurality.

Conceptually, this article contributes to the literature on political Islam by shifting analytical attention from ideological moderation and electoral behavior toward the institutional and procedural means through which religious authority is normalized. It demonstrates that democratic incorporation does not dissolve Islamic politics but transforms it through law and bureaucracy. Subsequent studies might extend this analysis through comparative subnational studies, longitudinal assessments of judicial outcomes, and closer examination of how younger generations and civil society actors renegotiate Islamic governance within pluralist democracies.

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#### **Author Contribution Statement**

Yusli Effendi contributed to the study's conceptualization and design, theoretical framing, conducted fieldwork and data collection, performed data analysis and interpretation, and led the drafting of the manuscript. Reza Triarda contributed to the fieldwork and critical revision of the manuscript. Purkon Hidayat contributed to the substantive revision of the manuscript. All authors reviewed and approved the final version of the manuscript and take full responsibility for its content.

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The data generated and analyzed during this study are not publicly available due to confidentiality and ethical aspects related to interview participants and institutional sensitivities. Anonymized data may be made available from the corresponding author upon reasonable request and subject to virtuous approval.

#### **Declaration of Interests Statement**

The authors declare that they have no known competing financial or non-financial interests that could have influenced the work reported in this paper.

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During the preparation of this work, the authors used ChatGPT 5.2 and Grammarly to improve the clarity of the writing, visual design, and language editing. Following the use of this tool, the authors carefully reviewed and edited the content as required and take full responsibility for the soundness and precision of the published article.

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