

## DYNAMICS OF MARGINALIZED ROHINGYA REFUGEES' LIVES IN ACEH FROM AN ISLAMIC FAMILY LAW PERSPECTIVE

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### Abstract

This study explores the dynamics of marginalized Rohingya refugees' lives in Aceh from the perspective of Islamic family law. Using a qualitative approach with a case study design, the research integrates field observations, in-depth interviews, and normative legal analysis to understand the intersection between social marginalization and family law issues. The findings indicate that Rohingya refugees face multidimensional marginalization encompassing social exclusion, economic instability, and legal uncertainty in family matters such as marriage registration, guardianship, inheritance, and the protection of women and children. The Acehnese community's attitudes toward the refugees have transformed from initial humanitarian sympathy to social resistance, shaped by misinformation, cultural differences, and limited coordination between governmental and humanitarian institutions. These challenges have exacerbated the vulnerability of refugee families, particularly in gaining access to legal identity and family protection under Indonesian law. From an Islamic family law perspective, the study emphasizes that the principles of *ukhuwah Islamiyah*, justice (*al-'adl*), and public welfare (*maslahah 'ammah*) should guide the protection of refugee families as part of the broader Islamic humanitarian responsibility. The study concludes that strengthening the synergy between Sharia principles and Indonesian positive law is essential to create an inclusive legal framework that ensures dignity, justice, and protection for marginalized communities. Academically, this research contributes to contemporary discussions on Islamic family law by offering a normative and socio-legal framework for addressing refugee family issues within Muslim-majority societies.

### Abstrak

Penelitian ini mengkaji dinamika kehidupan pengungsi Rohingya yang termarginalkan di Aceh dalam perspektif hukum keluarga Islam. Pendekatan yang digunakan adalah kualitatif dengan desain studi kasus, mengintegrasikan observasi lapangan, wawancara mendalam, dan analisis hukum normatif untuk memahami keterkaitan antara marginalisasi sosial dan persoalan hukum keluarga. Hasil penelitian menunjukkan bahwa pengungsi Rohingya menghadapi marginalisasi multidimensi, mencakup keterasingan sosial, ketidakstabilan ekonomi, serta ketidakpastian hukum dalam urusan keluarga seperti pencatatan pernikahan, perwalian, waris, dan perlindungan terhadap perempuan serta anak-anak. Sikap masyarakat Aceh terhadap pengungsi mengalami perubahan dari simpati kemanusiaan di awal kedatangan menjadi resistensi sosial yang dipengaruhi oleh disinformasi, perbedaan budaya, serta keterbatasan koordinasi antara lembaga pemerintah dan kemanusiaan. Kondisi ini memperburuk kerentanan keluarga pengungsi, terutama dalam memperoleh identitas hukum dan perlindungan keluarga sesuai hukum positif Indonesia. Dalam perspektif hukum keluarga Islam, penelitian ini menegaskan pentingnya penerapan prinsip *ukhuwah Islamiyah*, keadilan (*al-'adl*), dan kemaslahatan umum (*maslahah 'ammah*) sebagai dasar perlindungan keluarga pengungsi dan penegakan martabat manusia. Penelitian ini menyimpulkan bahwa penguatan sinergi antara prinsip syariah dan hukum positif Indonesia menjadi kunci pembentukan kerangka hukum inklusif yang menjamin keadilan dan perlindungan bagi komunitas termarginalkan. Secara akademik, penelitian ini memberikan kontribusi terhadap pengembangan kajian hukum keluarga Islam kontemporer melalui

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*tawaran kerangka normatif dan sosio-yuridis dalam penyelesaian persoalan keluarga pengungsi di masyarakat Muslim.*

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## INTRDUCTION

The controversial issue of the Rohingya Ethnicity is indeed shaking the world, not only in the national arena (Maula, 2024), but also worldwide (Rahman et al., 2024). By the end of 2023, the sharp rejection of the arrival of the Rohingya ethnic group triggered tensions that spread to the global level. The highlight came when a student demonstration at the BMA office (Balai Meuseraya Aceh) where the Rohingya ethnic group lives, was dramatically manipulated on social media, resulting in a wave of anarchist actions. This issue caused local tensions and global conversations. In fact, previously the people of Aceh showed a significant level of enthusiasm in welcoming and providing a place for the arrival of the Rohingya ethnicity. However, events in 2023 show a paradigmatic shift in the response of the Acehnese people to the latest wave of Rohingya ethnic groups arriving in the region. These changes create complex dynamics in intercultural interactions and raise questions about the factors underlying these changes in attitudes.

Previous studies have presented various perspectives on the character of Acehnese society and the dynamics of their attitudes toward Rohingya refugees. First, the study by Darnela et al. (2025) explains that Aceh is known as a province synonymous with the warmth and friendliness of its people, reflected in their socially open culture toward outsiders (Darnela et al., 2025). Second, the findings of Callaghan et al. (2024) reinforce this view by showing that Aceh has become one of the most welcoming and hospitable destinations, often praised as a symbol of tolerance and coastal generosity (Callaghan et al., 2024). Third, the research conducted by Laoutides (2024) reveals a significant shift in this image when Rohingya immigrants landed in Bireuen and Pidie in 2023 (Laoutides, 2024). This study highlights the emergence of rejection attitudes from some local residents toward the refugees, indicating a sociocultural shift in the community's acceptance of outsiders. Fourth, the report by Gunawan et al. (2024) adds that this drastic change in the behavior of the Acehnese people toward the Rohingya ethnic group has sparked mixed reactions—some showing humanitarian support, while others expressed rejection based on social and economic considerations (Gunawan et al., 2024).

The evaluation of previous studies highlights that Aceh has long been recognized for its humanitarian response to Rohingya refugees, including large-scale rescues and community-based assistance. In May 2015, Acehnese fishermen rescued over 1,800 refugees stranded in the Andaman Sea despite a regional government impasse (Aldamen & Jaleel, 2024). The Acehnese initially responded positively, influenced by the Laot Customary Court, national policies, international organizations, and shared historical experiences fostering empathy (Mcnevin & Missbach, 2018). Local cultural wisdom and moral values support positive interactions and social cohesion (Berndsen et al., 2024), while Aceh also provides education and vocational training for refugee resettlement under UNHCR supervision (Malahayati et al., 2019). Despite these efforts, research has mainly focused on operational and humanitarian aspects, leaving gaps in understanding how social attitudes impact the legal protection of refugee families. Additionally, little attention has been given to the evolving Acehnese attitudes, which may shift due to fear, social tension, or occasional rejection.

The aim of this study is to examine how changes in the attitudes of the Acehnese people toward Rohingya refugees affect the protection of family rights under Islamic family law. It posits that shifts from initial empathy to ambivalence or rejection directly

influence refugees' access to family integrity, child custody, and household stability. Social attitudes and legal protections are closely interdependent, as community support is essential for effective implementation of rights. This study focuses on the intersection of social behavior and Islamic family law to identify obstacles and opportunities for strengthening family protection. It also considers how local cultural values, humanitarian principles, and religious teachings inform policy and practice in Aceh. The research aims to provide insights for policymakers, religious leaders, and humanitarian organizations to develop inclusive protection strategies. Furthermore, it explores ways to integrate social empathy with legal and Islamic frameworks to ensure refugee families' dignity and well-being. By addressing gaps in prior studies, this research contributes to understanding how community attitudes shape the implementation of family rights and informs culturally sensitive policy interventions.

## METHODS

The research method used in this study employs a qualitative approach with a descriptive–analytical design, chosen to explore the social dynamics of Acehnese attitudes toward Rohingya refugees and their implications for family rights under Islamic law. The study integrates empirical–sociological, normative–juridical, and social media perspectives. The empirical–sociological approach involved in–depth interviews with local residents, religious leaders, government officials, and refugees to understand experiences of acceptance and rejection. The normative–juridical approach examined Islamic law, national regulations, and customary norms in Aceh regarding refugee family protection. Social media analysis focused on public opinion, hate narratives, and sympathetic responses on YouTube, Instagram, and Facebook. This mixed approach was selected to capture both offline and online factors influencing social and legal dynamics. By combining these perspectives, the study aims to provide a comprehensive understanding of the issue.

The data sources include primary and secondary data, selected to ensure relevance and validity. Primary data were collected through semi–structured interviews, direct observations at refugee shelters in Bireuen, Pidie, and Aceh Besar, and group discussions with local communities. Secondary data were obtained from academic literature, UNHCR reports, legal documents, and media coverage. Data were analyzed using Miles and Huberman's interactive qualitative method, including data reduction, data presentation, and conclusion drawing. Relevant data were selected, presented through narratives and documentation, and then interpreted in relation to Islamic and national law. To ensure reliability, the study applied source triangulation by comparing interviews, documents, and social media, and method triangulation combining interviews, observations, and documentation. This approach allowed for a thorough understanding of both social attitudes and legal protections.

## RESULT AND DISCUSSION

### RESULT

#### The Phenomenon of Changing the Response of the Acehnese People to Rohingya Refugees

Aceh has recently witnessed a massive influx of Rohingya refugees fleeing atrocities in Myanmar (Kadir et al., 2024). UNHCR data shows that during 2023 (Hossain et al., 2024), there were 1,684 people who landed in Aceh, with 700 of them coming from November to December 2023 (Dasgupta et al., 2024). Although the arrival of Rohingya in

Aceh has occurred since 2015, their number has recently increased. These Rohingya refugees arrived by wooden boat, carrying men, women, the elderly, babies, and children, all from Cox's Bazar, Bangladesh (Irom, 2025). The conflict in Myanmar since the 1970s, with its peak in 2017 (Higuchi et al., 2025), has forced them to flee (Keeni & Takashino, 2025). Refugee conditions in Cox's Bazar (Abbas, 2024), Bangladesh, have also not improved over the past seven years (J. R. Mitra et al., 2025). Aslinar As a medical volunteer in the Jamtoli camp, Cox's Bazar, has heard the sad story of Rohingya refugees (Islam et al., 2024). Their lives in the camps are full of suffering (Ahammad et al., 2024), especially for children who do not get enough nutrition and do not have adequate access to education (Rumiarta & Jayantiari, 2023). Aceh has been known as a refugee – friendly place, but this time there has been a shift in attitude, with some people showing significant rejection. The reason for the refusal is related to the bad behavior of some of the Rohingya refugees who came before (Aslinar, 2024).

The people of Aceh are united to welcome the arrival of refugees by making donations in the form of suitable clothes (R. Mitra & Şahin – Mencetek, 2024), blankets, carpets (Ahammad et al., 2024), towels, and even food. Local volunteers are actively helping and raising donations on the roadside to be given to Rohingya refugees. In terms of basic welfare aspects, namely clothing, food, and board, it is known that the condition of Rohingya immigrants shows adequate fulfillment of these needs (Yasin et al., 2018). However, the phenomenon in 2023 seems to be reversed. As the rejection that occurred in Aceh Tamiang. The Aceh Tamiang Regency Government firmly rejects the arrival of Rohingya refugees from a number of districts and cities in Aceh. This rejection decision was announced through a zoom meeting with the participation of the Governor of Aceh, regents/mayors throughout Aceh, and heads of agencies (B. Yasin, Y. Q. Yusuf, 2018). The rejection is based on consideration of the risk of flood disasters, unsuitable conditions in densely populated areas, and potential friction in the community due to the behavior of refugees who are considered not to respect local wisdom. This decision affirms the commitment of the Aceh Tamiang Regency Government to prioritize safety, comfort, and local wisdom (tanyoeacehtamiang, 2023).

Likewise, the residents of Gampong Lamreh, Aceh Besar rejected the arrival of Rohingya refugees and asked UNHCR to move them to another place. Negotiations between residents and UNHCR were tough, with residents confirming their refusal. The Secretary of Lamreh gave until 16.00 WIB for refugees to be in the village, threatening forced eviction if the deadline was exceeded (Tanyoebandaaceh, 2023). As a result of the residents' refusal, UNHCR Aceh Representative, Munawaratul Makhya stated that the last refugees were taken to the TPI Class I Immigration Office in Banda Aceh (Sara Masroni, 2023). as well as rejections and demonstrations occurred in Sabang Aceh (langsakali, 2023b). rejection also occurred on the coast of Krueng Raya Beach, Aceh Besar, they compactly escorted the Rohingya to the Aceh Governor's Office (Tanyoelangsa, 2023b). and the tragedy again A total of 135 ethnic Rohingya people were taken to the Aceh Governor's Office in Banda Aceh by Lamreh residents, then left the refugees and left them on the office terrace (Nurul Hidayati, 2023).

Fika in the regional seminar workshop and also an Acehnese who have lived side by side with the Rohingya ethnicity, described that when the refugees arrived in Bayeun Aceh, people flocked to welcome and see their condition. Community solidarity looks strong, and assistance comes to the maximum from the residents themselves before help from outside arrives. In this initial phase, the lives of Rohingya refugees began to improve with the help of the people of Aceh. However, as time went by, there was a change in the

original behavior and disposition of some Rohingya refugees. They began to show unexpected behaviors, such as not representing Islamic identity well, freedom to enter and exit shelter locations without supervision, and other negative behaviors that disturbed the community (Fika Andriana, 2024).

Dilla stated that this condition seemed to be a past trauma for the people of Aceh. This incident triggered a shift in the response of the Acehnese people from enthusiasm to rejection of the Rohingya. This negative experience caused mistrust and made the people of Aceh reluctant to accept the Rohingya again in the future. (Dilla, 2024) So that there are many negative responses on social media which, when read, cause sympathy for human cruel actions against others. For example, on @OfficialiNews's YouTube account, there are comments such as "Dikasih hati ask for a heart" (@irqamwahzudi), "Deserves to be expelled from his country, just expel him from Indonesia" (@kispurba), "Refugees do not know themselves, have been helped without thanks, it is better to take care of the Indonesian people who still need help" (@ameliafancarani), "Just expel people like this, it only causes problems and becomes a burden on the budget" (@harrishail5229) (OfficialiNews, 2023), as well as a number of other hurtful comments expressed by thousands of netizens on various social media platforms.

Aslinar said that the bad comments came from irresponsible buzzer behavior who wanted to instill hatred in netizens (Aslinar, 2024), but Mimi added that people's responses on social media cannot be attributed solely to people or buzzer behavior. He emphasized that not all negative responses come from individuals who deliberately create adverse public opinion. Rather, the response is recognized as a manifestation of the traumatic experiences experienced by the community in the past. In other words, people's behavior on social media is the result of painful experiences they have had before (Mimi, 2024). This statement is similar to what was conveyed by Rosmawar, who once coexisted with Rohingya refugees. He stated the fact that what is widely spread on social media is mostly true. The experience of living close to them was revealed as something that greatly disturbed the comfort and safety of the community (Rosmawar, 2023).

These responses are very inversely proportional to what the Acehnese have done before as has been written in previous studies. In May 2015, Acehnese fishermen rescued more than 1,800 Rohingya refugees displaced in the Andaman Sea, overcoming a regional government impasse. Aceh can be used as an example in providing a lesson for international refugee regimes that often fail to provide basic protection to the most suffering refugees. He highlighted the common paradox of hospitality faced by all potential hosts, including countries that deny asylum seekers entry. The authors identify three main contributions from the Aceh example: evaluating the legal limitations of refugees as a solution to the refugee crisis, measuring the capacity to provide hospitality, and recognizing the value of contingency in creating a more hostile response to refugees (Mcnevin & Missbach, 2018).

The humanitarian assistance provided by the people of Aceh is important considering that many countries refuse to accept the Rohingya refugees. Mumtazinur in his article tries to review Aceh's assistance to Rohingya refugees and its correlation with the Indonesian Government's humanitarian diplomacy. The assistance provided by the people of Aceh to Rohingya refugees helped influence the diplomacy supported by the Indonesian government. The role of the Acehnese people in this context can be agreed upon as a responsible party given to the Indonesian government party at the regional and global levels as a supporter of world peace. The people of Aceh also position themselves as supporters of peace who are ready to support Indonesia's foreign policy and place diplomacy as a strategic step to create world peace (Mumtazinur, 2020).



Rahayu in his research found that the people of Aceh showed a positive response to the arrival of Rohingya ethnic refugees in Indonesia. Initially, Indonesia was not the main destination for this group of Rohingya refugees. However, conditions changed when the Acehnese people carried out an evacuation action after seeing the boat on which the refugees were riding was adrift in the waters near the Aceh sea. As a result, Indonesia, and especially Aceh, became a refuge for Rohingya refugees. Rahayu said that there are several reasons underlying the acceptance of Rohingya refugees by Indonesia, especially the Acehnese people, including: First, the *Hukom Adat Laot* in Aceh, the acceptance of Rohingya refugees is based on the principles of *hukom adat laot* that apply in Aceh. Local customary values play an important role in determining positive attitudes towards refugees (Kaney & Azman, 2025). Second, because of the Indonesian Government's Policy. Third, the involvement of international organizations, support from international institutions can strengthen efforts to accept and protect refugees. And finally, because of the similarity of historical backgrounds, the similarity of historical backgrounds between the Acehnese people and the Rohingya ethnic group also contributed to the positive response (Rahayu et al., 2023). There may be a shared understanding of suffering or historical experiences that make the Acehnese people more empathetic to the situation of Rohingya refugees (Mulaj, 2025).

Irwansyah in his research wrote about the different responses to the existence of Rohingya Muslims in the three regions investigated, namely Aceh, Medan, and Makassar. This response is influenced by cultural factors and strong religious ties in each region. In Aceh, the response to Rohingya Muslims was influenced by the strength of religious relations, with the concept of *ukhuwah Islamiyah* (Islamic brotherhood) being dominant. The presence of Rohingya Muslims in Aceh has received more responses based on Islamic *ukhuwah*, where religious brotherhood is the main factor in accepting and supporting refugees. In Medan and Makassar, cultural and religious backgrounds are more diverse, creating a different basis for responses. In both regions, the response to Rohingya Muslims is more likely to be influenced by the humanitarian aspects and the assertive identity of the state. This shows that factors such as humanitarian solidarity and state identity have become more significant than religious aspects in responding to the existence of refugees. The interaction of different responses in the three regions resulted in acculturation and stigmatization. In Aceh, acculturation may be more likely to occur through *ukhuwah Islamiyah*, while in Medan and Makassar, humanitarian responses and state identities can create different dynamics of interaction, which in turn can lead to stigmatization of Rohingya Muslims.

Rosyid discussed Indonesia's role in dealing with the Rohingya Muslim ethnic group in Myanmar. Indonesia, with its free and active political principles, shows its concern for global conditions, especially ethnic minorities who have experienced genocide and expulsion in Myanmar. Although Aung Sang Suu Kyi is unable to play herself as a peace leader, the role of world countries, especially ASEAN, needs to be optimized to address this issue without violating the principle of non-intervention. The sustainability of Indonesia's attention can be seen in providing humanitarian assistance and diplomacy to the Rohingya ethnic group. Civil society also plays a role in building basic infrastructure, such as schools, hospitals, and the needs of refugees. These efforts need to be sustained to ensure the welfare of the Rohingya ethnic group. In this context, the literature highlights the importance of Indonesia becoming a member of the 1951 Convention on Refugees as a further step in effectively addressing this issue (Rosyid, 2019).

Taken together, this perception data confirms that the Acehnese community's attitudes toward Rohingya refugees are shaped by a combination of historical kindness and evolving social concerns. The results show that the Acehnese have long demonstrated empathy and support through acts of solidarity, hospitality, and moral assistance (Mawardi & Hanum, 2023), yet recent experiences reveal a shift influenced by resource limitations, cultural misunderstandings, and social media narratives highlighting economic burdens and security fears. These dynamics illustrate how past interactions, perceived violations of local norms, and media amplification can transform communal perceptions, challenging the positive values of *ukhuwah Islamiyah* when social or legal expectations are perceived as breached. Understanding this interplay is essential for designing interventions that not only address immediate refugee needs but also foster long – term trust, social cohesion, and sustainable integration, showing that Acehnese generosity is resilient yet responsive to evolving social realities.

### **Factors Influencing the Change in Attitudes of Acehnese Residents Towards Rohingya Refugees**

Some people on social media denied the existence of the Rohingya because they feared a threat. They are worried that the Rohingya will become a burden on the state, behave badly, create a crime problem, and even create a new state in Indonesia and cause social inequality. A number of reasons put forward as the basis for the rejection include concerns about potential threats that are considered to have a negative impact on Indonesia. Commentators highlighted the potential for land grabbing that is considered similar to the Israeli – Palestinian case and expressed concern that it would become a burden on the state budget, especially in supporting the needs of refugees. Criticism was also directed at the demands of evacuation sites that were considered excessive, given the economic and infrastructure conditions that may be constrained. Arguments about cleanliness, bad behavior, and the issue of the identity of illegal immigrants were also the basis for the rejection, while some commentators voiced concerns about the potential for worsening social disparities in Indonesia. The general approach begins with the claim that they are not anti – refugees, but want to highlight a number of issues that are considered detrimental to the state. This signals an attempt to compromise a view that is actually multifaceted, and underscores the need for deeper understanding and inclusive solutions to refugee issues.

The rejection did not only occur directly in the field but the rejection *along with hate speech* from netizens was much more cruel. Every time there is an account that has a lot of followers reporting about the Rohingya ethnicity, there will be thousands of negative comments given. Surprisingly, the comments are almost certainly uniform and very massive day and night. Here are some netizens' comments that should be unethically spoken. For example, "just throw them back into the sea", "they must be expelled from Aceh immediately, otherwise they will seize the land of our ancestors", "they are no different from Israel", "they are the second Israel", "let them starve, do not be helped, later they will go home too", "let them rain and heat without tents, later they will get sick and go home", "why help them, Our people alone still have many who do not eat, many have no place to live", and so on. If anyone defends the Rohingya ethnic group, it will be invaded with the comment "let's just bring the Rohingya to your home/office" (Aslinar, 2024).

The response of netizens was coupled with a video that went viral on social media that revealed the complaints of Rohingya immigrants related to protests because officers

were late in providing rice (langsakali, 2023a) and small portions of food at their refugee camps (Havez et al., 2024). The angry reaction from Indonesian netizens arose due to the perception that Rohingya immigrants were fleeing to Aceh (Surya Aditiya, 2023), and then the complaints caused dissatisfaction among Acehnese citizens with the behavior of the Rohingya ethnicity. Another case was when the Pidie Resort Police detained a Bangladeshi citizen with the initials HM (70) on suspicion of human smuggling (Tanyoelangsa, 2023a). On Saturday, December 9, 2023, there was an incident of a case of rudapaksa against one of the Rohingya immigrant women at the shelter location, namely so that one of the Rohingya immigrants in Gampong Kulam was completely enraged by the mob (Aceh Online, 2023). Then dozens of Rohingya residents fled from temporary shelters at the former Punteuet Immigration Office, Blang Mangat District, Lhokseumawe City. According to information received by the people of Aceh, 30 Rohingya managed to escape in three waves. Respectively, on Sunday (26/11) 7 Rohingya people escaped, then, on Tuesday (5/12) 16 people escaped again and Wednesday (6/12) another 7 Rohingya immigrants escaped from a temporary shelter at the former Peunteut Immigration office. So far, the security forces, UNHCR officers and Lhokseumawe Immigration are not aware of the whereabouts of the 30 Rohingya who managed to escape (Harianrakyataceh, 2023).

The level of rejection of the Rohingya ethnic group is increasing, especially with the support of Prof. Hikmahanto Juwana's argument. He put forward two main arguments that strengthen this attitude of rejection. First, Hikmahanto Juwana stated that the arrival of the ship carrying the Rohingya ethnic group was allegedly carried out systematically with the help of mafia groups. This argument indicates that there is an allegation that the process of their arrival is organized and involves irresponsible parties. In addition, the second argument put forward is that some ethnic Rohingya residents who seek livelihood in Indonesia tend to trigger social conflicts with the people of Aceh and Indonesia in general. This point highlights the role of social conflicts that may arise due to interactions between the Rohingya ethnic group and the local community. With this argument, the rejection of the Rohingya ethnic group is gaining support, especially from those who tend to believe the views of Prof. Hikmahanto Juwana (Hikmahanto Juwana, 2023).

Hikmahanto also conveyed his statement in a podcast on the Kumparan YouTube account showing his firm stance regarding the arrival of the Rohingya ethnicity. He said he agreed to reject the arrival of the Rohingya, and considered that the Rohingya were not refugees. Hikmahanto expressed the view that the presence of the Rohingya is a burden for the government, and some Rohingya have even fled shelters in Bangladesh. Furthermore, Hikmahanto emphasized that Indonesia is no longer a transit country but a destination country for Rohingya. He argued that the Rohingya were not Indonesia's responsibility, and even expressed his view that the UNHCR (United Nations High Commissioner for Refugees) office be closed (Hikmahanto, 2023).

The responses above reflect various factors shaping the changing attitudes of the Acehnese people toward the Rohingya ethnic group. Key contributors include concerns about land security, state budgets, refugee site management, hygiene issues, and perceptions that the refugees' presence could worsen social inequalities. In addition, public discourse highlighting potential social conflicts and security risks has reinforced cautious or rejecting attitudes (Naufal Alfarizy, 2023). Media coverage, circulating information, and prevailing social dynamics further influence these perceptions, showing that community responses are fluid and shaped by both experience and broader narratives. This shift demonstrates that social attitudes are not static but can transform in response to perceived threats and challenges. Understanding these dynamics is crucial for



developing holistic policies that address humanitarian needs while maintaining social cohesion. The findings imply that effective interventions must integrate community engagement, cultural sensitivity, and risk management to rebuild trust and support sustainable refugee protection. Overall, these insights illustrate the transformative consequences of social perceptions on both community behavior and policy implementation.

### **Dynamics of Rohingya Refugee Marriages in Aceh**

In the midst of the complex Rohingya refugee issue in Indonesia (Johnson et al., 2024), a distinctive phenomenon has emerged involving serial marriages between Rohingya refugees and Indonesian national (Lubis & Peranan, 2014). Reports from 2014 indicate that ten Indonesian women married Rohingya refugees living in shelters at the Pelangi Hotel Medan City and similar marriages continued up to 2024. These marriages take various forms ranging from formal ceremonies with witnesses to informal unions without registration or documentation. The diversity of these marriages reflects both adherence to social customs and deviations from legal procedures. Such variations illustrate the challenges faced by refugees in balancing social integration and legal compliance (Azhari, 2024). Local communities often find it difficult to verify the legality of these unions which causes concern among residents. Ambiguities in marital status create uncertainty about social and religious obligations. These conditions show the intersection between cultural practices and administrative rules. The phenomenon has attracted attention from both authorities and scholars. Marriages that are unregistered can create conflicts regarding social norms. This situation highlights the complexity of refugee life in Indonesia.

Economic and social pressures influence refugees to seek marriage as a means of stability and support. Cultural and religious expectations shape how marriages are conducted even when they conflict with local administrative rules (Maya Citra Rosa, 2024). Limited enforcement of legal requirements such as KUA approval or official documentation allows informal marriages to occur. Refugees often prioritize social and emotional needs over formal legal compliance. Local communities may perceive these practices as irregular or inappropriate. The combination of social pressures, cultural norms, and weak enforcement creates an environment where such marriages continue. Understanding these factors provides insight into why refugees engage in unregistered marriages (Welch, 2024). These conditions also reveal challenges in harmonizing humanitarian support with legal frameworks (Touesnard et al., 2022). The persistence of this phenomenon highlights the need for policies that balance protection and regulation. Legal and social systems must account for refugee vulnerabilities. These factors demonstrate that informal marriages are shaped by multiple intertwined influences. Addressing these factors is essential for effective policy and social integration.

Cases in West Aceh in May 2024 show opposition from local leaders because the marriages did not meet administrative and legal requirements. Marriages conducted without KUA approval or proper documentation violate Indonesian law and Islamic principles in Aceh. Couples and their children risk lacking legal recognition which can affect family rights, inheritance, and citizenship. Unregistered marriages also challenge community perceptions of social order and morality. These cases demonstrate tensions between humanitarian realities and legal requirements. Legal recognition is critical for protecting vulnerable families from social and legal disadvantages. The lack of formal documentation can have long – term consequences for children born from these unions. Ensuring compliance with marriage regulations supports social cohesion. Enforcement of

these rules is essential for upholding the authority of local institutions. The phenomenon highlights the intersection of legal, social, and religious dimensions. Addressing unregistered marriages requires a holistic approach that considers both refugees and local norms.

Refugees often prioritize immediate social and emotional stability over formal compliance with regulations (Mieth et al., 2025). Local authorities aim to uphold administrative and religious norms while managing the challenges posed by these marriages (Mahfudin & Fitrotunnisa, 2019). The interaction between legal requirements and refugee practices requires careful policy consideration. Supporting refugees in meeting marriage requirements can prevent risks associated with unregistered unions (Moh. Sholeh, 2015). Policies should balance protection of refugee rights with respect for local laws and cultural practices (Zimmerman et al., 2025). Addressing both sides of this tension promotes social cohesion and integration (Zakaria et al., 2025). Understanding this dynamic is key to resolving conflicts between refugees and host communities (Taman et al., 2025). The complexity of applying law in humanitarian contexts (Scott, 2020). Legal frameworks must remain flexible yet firm to ensure fairness. Collaboration between communities and authorities can create solutions that uphold rights and norms. Such approaches strengthen social stability while protecting vulnerable populations.

Islamic law emphasizes the protection of fundamental family rights, which carries transformative implications for refugee communities. Muslim communities, including those in Aceh, have a moral and religious responsibility to ensure that families receive adequate housing (ElRayes et al., 2025), protection for women and children, and respect for rights such as cohabitation, child custody, guardianship, and inheritance. Applying these principles in practice safeguards the dignity and well-being of families facing crises, transforming vulnerable situations into opportunities for social and legal stability. Beyond providing basic needs (Powell et al., 2025), communities actively uphold family rights in accordance with Islamic teachings, reinforcing ethical responsibility and social cohesion (Edwin et al., 2025; Badri et al., 2024). This transformative approach demonstrates how religious and moral frameworks can shape both policy and community behavior (Rahmatullah, 2016), fostering sustainable protection for those most at risk.

### **Implications of Islamic Family Law on Rohingya Refugees in Aceh**

Islamic family law provides protection for the basic rights of every individual, including refugees, by emphasizing the principles of justice, family welfare, and social solidarity. In Aceh, the application of Islamic family law to refugees, especially Rohingya refugees, aims to ensure that their rights are protected. Principles such as *ukhuwah Islamiyah* (Islamic brotherhood) and *tamkin* (legally recognized existence) are the basis for the treatment of refugees, where they are recognized as brothers and sisters in need of protection. However, in the context of marriage and other family rights, there are legal procedures and requirements that must be followed by every individual, including refugees. One example is the obligation to comply with administrative provisions regulated by the Office of Religious Affairs (KUA). In the case of Rohingya refugees in Aceh, the right to marry under Islamic law is not ignored, but they are often unable to meet the requirements set by the KUA, which is the official institution that regulates marriage under Islamic and state law.

In order to have a valid marriage according to Islamic law and the state, each couple is required to meet several administrative and sharia requirements, including: A clear identity where each individual must have an official identity document such as an ID card

or a recognized refugee document. Second, Legal marital status, Couples who are about to get married must be able to prove their status, whether they are not married or are not in a marital bond with someone else. And finally, there must be legal procedures, the marriage must be held in accordance with the applicable law, including registration at the KUA. For Rohingya refugees, the main obstacles often faced are the lack of legal documents and the unclear status of previous marriages, due to their complex situation and uncertain refugee conditions. The absence of official documents or unclear status prevents them from legally marrying in the KUA, not because their marital rights are ignored, but because they cannot meet the requirements required by law.

The principle of *ukhuwah Islamiyah* emphasizes that every Muslim is a brother, and as brothers, they are obliged to protect and help each other, especially in crisis situations such as refugees. Aceh, as a region that applies sharia law, recognizes this principle in its treatment of Rohingya refugees. Refugees are considered guests who must be treated with respect and given assistance according to the capabilities of the local community. (Fahmi et al., 2024) However, the principle of *tamkin* (legally recognized existence) also plays an important role in the application of the law. Islamic law recognizes a person's rights when their legal status and identity are clear and valid. In this context, Rohingya refugees who do not have complete or clear documents often face difficulties in obtaining official recognition from local authorities, including the KUA. Without a valid recognition, the marriage process regulated by Islamic law cannot be carried out, because it will violate the applicable legal provisions.

This study recommends that in the case of Rohingya refugees in Aceh, although they have the right to marry in principle, they often cannot meet the established administrative requirements. The KUA, as an official institution, acknowledges their rights but must follow the legal framework governing marriage procedures. Refugees' lack of legal identity or documentation of previous marital status prevents them from marrying officially. In addition to marriage, other family rights such as child custody, inheritance, and protection from discrimination remain significant concerns. Many refugees live in camps with inadequate facilities, which complicates the exercise of parental rights and legal guardianship. Therefore, policies should be developed to provide legal assistance, facilitate identity registration, and improve access to official procedures. Conceptually, integrating the principles of *ukhuwah Islamiyah* and *tamkin* into legal and humanitarian interventions can strengthen the protection of refugee families. Methodologically, coordination among local authorities, international agencies, and community organizations is essential to implement effective solutions. Programs should balance humanitarian support with formal legal recognition to ensure that family rights are fully realized.

## CONCLUSION

The study finds that Rohingya refugees in Aceh are not denied their family rights; however, administrative barriers and non-compliance with KUA requirements prevent them from formalizing their marriages. The Acehnese community continues to uphold the principle of *ukhuwah Islamiyah* in providing support and assistance to refugees, demonstrating solidarity and compassion. Nevertheless, the principle of *tamkin*, which emphasizes legal recognition of a person's status and identity, remains essential as a foundation for legal protection. These findings reveal a complex tension between social solidarity and formal legal procedures, showing that community support alone is insufficient to secure the full rights of refugee families. Understanding this dynamic

highlights the importance of aligning humanitarian efforts with legal frameworks. Moreover, it illustrates how local cultural and religious values can interact with administrative systems to influence the realization of rights. The study underscores the need for interventions that consider both social and legal dimensions. Such an approach ensures that refugee families can access protection, recognition, and social support simultaneously. Without this integration, rights may remain unfulfilled despite strong community assistance. Therefore, effective policies must bridge the gap between humanitarian principles and legal requirements.

The significance of this study lies in its contribution to understanding how Islamic principles and local administrative systems intersect to affect the realization of refugee family rights. Conceptually, it integrates *ukhuwah Islamiyah* and *tamkin* into the discourse on refugee protection, offering insights into how moral and legal considerations can jointly shape outcomes for vulnerable populations. Methodologically, the study emphasizes the importance of multi-level cooperation among refugees, local authorities, and international institutions in addressing the complex challenges faced by refugee families. One limitation is its focus on Aceh, which may not reflect conditions in other regions hosting Rohingya refugees, potentially limiting the generalizability of the findings. Future research should expand to comparative studies across different contexts to better understand how legal recognition, social support, and administrative procedures collectively influence the fulfillment of refugee family rights. By doing so, scholars and policymakers can develop more effective frameworks to protect and empower refugee communities in diverse settings.

## DECLARATIONS

## AUTHOR CONTRIBUTION STATEMENT

Dessy Asnita contributed to the conceptualization and design of the study, conducted the literature review, and drafted the manuscript. Ladisa Oktari Matahari and Agustinar was responsible for data collection, empirical analysis, and interpretation of results. Both authors jointly provided critical revisions, methodological guidance, and supervision throughout the research process. All authors reviewed and approved the final version of the manuscript and take full responsibility for all aspects of the work to ensure accuracy and integrity in reporting.

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All data supporting the findings of this article are derived from publicly accessible legal documents, scholarly literature, and conceptual analysis. No proprietary or restricted data were used. The authors confirm that all relevant information is available for verification upon reasonable request.

## DECLARATION OF INTERESTS STATEMENT

The author declares that there are no known financial interests, institutional affiliations, or personal relationships that could have influenced the work reported in this article. The research was conducted objectively and free from any potential conflict of interest.

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