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The Role of the Mahkamah Syar'iyah within the Framework of the Integrated Justice System in Indonesia

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ABSTRACT

The shifting paradigm of Indonesia's judicial governance toward an Integrated Justice System (IJS) demands a systemic unification across all law enforcement subsystems to ensure legal certainty, justice, and social utility. While conventional IJS models primarily focus on mainstream institutions like the police, prosecutors, courts, and correctional facilities, the unique status of the Mahkamah Syar'iyah in Aceh Province introduces distinctive complexities due to its dual jurisdictional nature handling both Islamic civil matters and jinayat (Islamic criminal law). This study aims to analyze the legal standing and operational role of the Mahkamah Syar'iyah within the national IJS framework and to formulate a strategic strengthening model to foster an effective and equitable integrated judiciary. Using a normative legal research method with statute and conceptual approaches, this study examines primary legal materials, including the newly amended Aceh Qanun No. 12 of 2025. The results indicate that the Mahkamah Syar'iyah serves as a sui generis judicial anchor that integrates local lex specialis sharia regulations with national criminal justice principles, acting as a vital guardian of the due process model. To overcome institutional silos and modern procedural bottlenecks, this paper proposes the Holistic Systemic Integration Model (HSIM). This model advances three core strategies: codifying progressive evidentiary standards to align with national victim protection frameworks, establishing the Integrated Mahkamah Syar'iyah Coordination Forum (FKMST) to institutionalize multi-stakeholder networking, and deploying technological interoperability through data bridging between the judicial case tracking system (SIPP) and national law enforcement databases (SPPT-TI). Ultimately, this integrated framework reorients judicial outcomes from purely retributive punishments toward comprehensive, transformative-restorative justice.

Kata Kunci:
Mahkamah Syar'iyah,
Sistem Peradilan Terpadu,
Jinayat,
Qanun Aceh,
Integrasi Holistik.

ABSTRAK

Pergeseran paradigma tata kelola peradilan di Indonesia menuju Sistem Peradilan Terpadu (Integrated Justice System/IJS) menuntut adanya penyatuan sistemik di seluruh subsistem penegakan hukum guna menjamin kepastian hukum, keadilan, dan kemanfaatan sosial. Selama ini, model IJS konvensional lebih berfokus pada lembaga-lembaga utama seperti kepolisian, kejaksaan, pengadilan, dan lembaga pemasyarakatan, sementara status khusus Mahkamah Syar'iyah di Provinsi Aceh menghadirkan kompleksitas tersendiri akibat sifat kewenangannya yang ganda – menangani baik perkara perdata Islam maupun jinayat (hukum pidana Islam). Penelitian ini bertujuan untuk menganalisis kedudukan hukum dan peran operasional Mahkamah Syar'iyah dalam kerangka IJS nasional, serta merumuskan model penguatan strategis guna mewujudkan peradilan terpadu yang efektif dan berkeadilan. Dengan menggunakan metode penelitian hukum normatif melalui pendekatan perundang-undangan dan pendekatan konseptual, penelitian ini mengkaji bahan-bahan hukum primer, termasuk Qanun Aceh

Nomor 12 Tahun 2025 yang baru diubah. Hasil penelitian menunjukkan bahwa Mahkamah Syar'iyah berperan sebagai jangkar yudisial yang bersifat sui generis, yang mengintegrasikan regulasi syariah lokal (lex specialis) dengan prinsip-prinsip peradilan pidana nasional, sekaligus berfungsi sebagai penjaga penting bagi due process model. Untuk mengatasi sekat-sekat kelembagaan (institutional silos) dan hambatan prosedural di era modern, tulisan ini mengusulkan Model Integrasi Sistemik Holistik (Holistic Systemic Integration Model/HSIM). Model ini mengedepankan tiga strategi utama: kodifikasi standar pembuktian yang progresif agar selaras dengan kerangka perlindungan korban tingkat nasional, pembentukan Forum Koordinasi Mahkamah Syar'iyah Terpadu (FKMST) untuk melembagakan jejaring multipemangku kepentingan, serta penerapan interoperabilitas teknologi melalui jembatan data antara sistem pelacakan perkara peradilan (SIPP) dan basis data penegakan hukum nasio nal (SPPT-TI). Pada akhirnya, kerangka terpadu ini mengarahkan ulang capaian peradilan dari sekadar hukuman yang bersifat retributif menuju keadilan yang komprehensif, transformatif, dan restoratif

INTRODUCTION

Indonesia's judicial system is currently moving toward more integrated governance (an *integrated justice system*).[1] This concept unites all law enforcement subsystems so that they are interconnected in order to realize legal certainty, justice, and utility. Here, the focus is no longer merely ordinary coordination among institutions, but rather the synchronization of authority, the harmonization of rules, the utilization of technology, and even the integration of case data from investigation through to the execution of decisions. Referring to Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which affirms Indonesia as a state based on the rule of law, this integrated judiciary becomes key to guaranteeing effective law while also protecting the rights of the community.

Since the 1998 reforms, reform of the judicial sector has produced various strategic policies in the form of the implementation of a one-roof system (*one roof system*) under the Supreme Court, the modernization of administration through *e-Court* and *e-Litigation*, and the strengthening of coordination in handling both criminal and civil cases.[2] This system requires the police, prosecutors, courts,

[1] M. Syahbandir and dkk, "Integrasi Sistem Peradilan Pidana Terpadu (Integrated Criminal Justice System) Dalam Eksekusi Putusan Cambuk Di Aceh," *Kanun Jurnal Ilmu Hukum* 27, no. 2 (2025): 115–34.

[2] Mansari and Moriyanti, *Peradilan Khusus Dan Sistem Peradilan Pidana Terpadu Di Indonesia: Menakar Posisi Mahkamah Syar'iyah,* (Jakarta: PT RajaGrafindo Persada, 2023).

correctional institutions, and related agencies to work transparently, accountably, and with an orientation toward substantive justice.

However, the presence of the Mahkamah Syar'iyah in Aceh Province brings its own distinctive character and complexity to the national legal system. As a special court born of special autonomy through Law Number 11 of 2006 on the Governing of Aceh, the Mahkamah Syar'iyah has a unique mandate. Unlike religious courts in other regions, this institution not only handles Islamic civil cases (such as inheritance, zakat, or Islamic economics), but is also authorized to adjudicate Islamic criminal cases (*jinayat*) regulated under the Qanun of Aceh.[3]

The position of the Mahkamah Syar'iyah is distinctive because it carries out a dual function, namely as an Islamic civil court as well as a sharia criminal court within the bounds of national law. This dual authority clearly affects the pattern of coordination in the field. A *jinayat* case, for instance, cannot be resolved by the Mahkamah Syar'iyah alone. The process is intertwined with the Indonesian National Police, the Prosecutor's Office, civil servant investigators (PPNS), the Wilayatul Hisbah (WH, sharia enforcement unit), correctional institutions, and even the ranks of local government in Aceh.[4] If this coordination stalls, the risks are substantial: overlapping authority, uneven handling of cases, and legal uncertainty for the community.

This challenge becomes ever more apparent in the digital era. Although the Supreme Court has already launched *e-Court*, *e-Litigation*, and the Case Tracking Information System (SIPP), their implementation within the Mahkamah Syar'iyah has its own dynamics. The characteristics of *jinayat* procedural law, the large number of actors involved, and the Aceh regional government system demand an

[3] Mansari and Moriyanti. See to Mansari and Rizkal, "Enforcement of Jinayat Law for Non-Muslims in Aceh," *Jurnal Hukum Dan Peradilan* 11, no. 1 (2022): 21–41. A jinayat case, for instance, cannot

[4] Faisal and Syahrin, "The Dualism of Criminal Justice System in Aceh: Challenges for Integrated Justice Infrastructure," *Hasanuddin Law Review* 10, no. 2 (2024): 210–28. See to Syahbandir and dkk, "Integrasi Sistem Peradilan Pidana Terpadu (Integrated Criminal Justice System) Dalam Eksekusi Putusan Cambuk Di Aceh."

integration that is not merely an administrative matter, but one of data connectivity and adaptive standards of service.

This research addresses a gap (*Legal Research Gap*), because previous research has, to date, more often examined the Mahkamah Syar'iyah from the standpoint of absolute jurisdiction, human rights, or the clash between Islamic law and national law.[5] Research highlighting the positionMeanwhile, studies of the *integrated justice system* generally revolve only around the police, the prosecution service, district courts, and correctional institutions. Research highlighting the position of the Mahkamah Syar'iyah within the national integrated justice system remains very scarce.[6]

It is here that this research enters to fill that gap comprehensively. The success of an integrated judiciary is measured not only by the quality of its regulations, but by how consistently all subsystems are interconnected. Moreover, following the amendment of *jinayat* regulations under Aceh Qanun Number 12 of 2025, there are two crucial developments that urgently require analysis:

1. The Strengthening of Protection for Women and Children**:** Substantial changes within Qanun 12/2025 that align *jinayat* law with developments in national criminal law.
2. The Synchronization of Procedural Law**:** The alignment of national criminal procedural law (the new Criminal Procedure Code) with *jinayat* procedural law, which involves the police, the prosecution service, and correctional institutions. This strategic issue has even become a formal agenda in the dissemination efforts of the Mahkamah Syar'iyah Aceh.

RESEARCH QUESTIONS

1. What is the standing and role of the Mahkamah Syar'iyah within the framework of the *Integrated Justice System* in Indonesia?

[5] Mansari and Rizkal, "Enforcement of Jinayat Law for Non-Muslims in Aceh."

[6] Z. F. Zainuddin, M., Umar, M. N., Sumardi, D., Mansari, M., & Khalil, "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, no. 3 (2024): 1948–73.

2. What model for strengthening the role of the Mahkamah Syar'iyah would help realize an *Integrated Justice System* that is effective, integrated, and justice?

RESEARCH METHOD

This research used a normative legal research method, which views law as a unified body of norms comprising regulations, court decisions, principles, and doctrine. Peter Mahmud Marzuki states that normative research aims to discover legal rules, principles, and doctrines in order to properly answer a legal issue.[7] Johnny Ibrahim adds that this scholarly process operates on the basis of legal scholarly logic in order to test positive norms and doctrine.[8] Soerjono Soekanto and Sri Mamudji affirm that normative research relies heavily on library research, with legal materials as its primary source of data.[9]

This research applies two main approaches:

1. The Statute Approach (*Statute Approach*): Used to examine regulations relating to the Mahkamah Syar'iyah, judicial power, and national judicial governance.
2. The Conceptual Approach (*Conceptual Approach*): Used to examine the theory of the *Integrated Justice System*, judicial system theory, judicial independence, and institutional integration.

The data collected includes:

1. Primary Legal Materials: The 1945 Constitution of the Republic of Indonesia, the Judicial Power Law (Law 48/2009), the Religious Courts Law (Law 3/2006 in conjunction with Law 50/2009), the Aceh Governance Law (Law 11/2006), and Aceh Qanun No. 6/2014 as amended by Aceh Qanun No. 12/2025.

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[7] Peter Mahmud Marzuki, *Penelitian Hukum*, 9th ed. (Jakarta: Kencana Prenada Media Group, 2014).

[8] Johnny Ibrahim, *Teori Dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, n.d.).

[9] Soerjono dan Sri Mahmudji Soekanto, *Penelitian Hukum Normatif; Suatu Tinjauan Singkat* (Jakarta: Raja Grafindo Persada, 2003).

2. Secondary and Tertiary Legal Materials: Books, scholarly journals, expert opinions, and legal dictionaries and encyclopedias.

RESULT AND DISCUSSION

A. The Essence of the Integrated Justice System (IJS)

The concept of the *Integrated Justice System* (IJS) changes the way we view law enforcement. Whereas in the past each institution worked in an ego-sectoral manner, IJS affirms that law enforcement is a single unified system (*systemic unity*). The effectiveness of the judiciary is no longer assessed from the separate performance of the police, prosecutors, or judges, but from how their synergy produces a legal process that is efficient, transparent, and respectful of human rights.

Theoretically, IJS is rooted in the *General Systems Theory* of Ludwig von Bertalanffy. This theory states that a system is a collection of elements that mutually influence one another. If one element has a problem, the entire system will be disrupted.[10]

Within the world of the judiciary, this concept aligns with the *Criminal Justice System* theory of Herbert L. Packer, which maps law enforcement as a chain that must not be broken, from investigation through to correctional institutions. Packer introduces two models: the *Crime Control Model* (focused on the efficiency of law enforcement) and the *Due Process Model* (focused on the protection of individual rights).[11]

Modern judiciaries no longer set these two models rigidly against one another, but rather integrate them so that the law operates firmly while remaining humane. From the perspective of state administrative law, this integration is a real manifestation of *good* governance, in which law enforcement is treated as a form of accountable public service.

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[10] Ludwig von Bertalanffy, *General System Theory: Foundations, Development, Applications* (New York: George Braziller, 1968).

[11] Herbert L. Packer, "Two Models of the Criminal Process," *University of Pennsylvania Law Review* 113, no. 1 (1964): 1–68.

B. The Standing and Role of the Mahkamah Syar'iyah within the Structure of Indonesia's Integrated Justice System (IJS)

Determining the juridical standing of the Mahkamah Syar'iyah within the national *Integrated Justice System* (IJS) requires a deep understanding of the constitutional design of judicial power following the Amendment of the 1945 Constitution of the Republic of Indonesia. Normatively, Article 24 paragraph (2) of the 1945 Constitution affirms that judicial power is exercised by a Supreme Court and the judicial bodies beneath it, including the religious court system. In this context, Article 3A of Law Number 50 of 2009 on Religious Courts explicitly places the Mahkamah Syar'iyah in Aceh Province as a special court situated within the religious court system.

However, the IJS paradigm requires us to view the standing of the Mahkamah Syar'iyah not merely from the standpoint of organizational structuring (the *one roof system*) under the Supreme Court, but from the functional convergence of its absolute jurisdiction.

The Mahkamah Syar'iyah occupies a unique (*sui generis*) position namely, a duality of character within Indonesia's legal order;[12] it acts as an Islamic civil court while simultaneously carrying out the function of a special criminal court through its absolute jurisdiction to adjudicate *jinayat* cases.[13]

The juridical consequence of this *sui generis* position places the Mahkamah Syar'iyah as an anchor of regulatory integration (*regulatory integration*) between national positive law and local Islamic law (*lex specialis*).[14] The advent of Aceh Qanun Number 12 of 2025 further reinforces that role. The Mahkamah Syar'iyah no longer operates as an isolated judicial regime on the veranda of Mecca [Aceh's traditional epithet], but must serve as a catalyst that aligns *jinayat* law with the

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[12] Mansari and Moriyanti, *Peradilan Khusus Dan Sistem Peradilan Pidana Terpadu Di Indonesia: Menakar Posisi Mahkamah Syar'iyah,*.

[13] Mansari and Rizkal, "Enforcement of Jinayat Law for Non-Muslims in Aceh."

[14] Mansari and Moriyanti, *Peradilan Khusus Dan Sistem Peradilan Pidana Terpadu Di Indonesia: Menakar Posisi Mahkamah Syar'iyah,*. See to Zakiyah et al., "They Are Just the Same; Everyday Life of Terrorists' Families in East Java Indonesia," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 18, no. 1 (2023): 54–79, https://doi.org/10.19105/al-lhkam.v18i1.8343.

principles of national criminal law. This standing dispels any notion of legal fragmentation (dualism of systems), because the Mahkamah Syar'iyah is, in essence, an extension of the single judicial power of the Republic of Indonesia, given a special mandate to uphold justice grounded in Islamic shari'ah within the bounds of the constitution.

Within the dimension of institutional integration (*institutional integration*), the role of the Mahkamah Syar'iyah is transformed from being merely a case-adjudicating institution (*adjudication*) into a core node (*core node*) within Aceh's integrated law enforcement network. In handling *jinayat* cases, the Mahkamah Syar'iyah holds a central role in ensuring that the functions of the police, the prosecution service, the Wilayatul Hisbah (WH), civil servant investigators (PPNS), and correctional institutions operate in a single, harmonious rhythm (*systemic unity*).

Using the *Criminal Justice System* approach of Herbert L. Packer, the Mahkamah Syar'iyah functions as the gatekeeper of the *due process model*.[15] The Mahkamah Syar'iyah is obligated to test the validity of the results of investigation and prosecution carried out by upstream actors, so that the fulfillment of the rights of both suspects and victims is protected accountably, transparently, and measurably before an *uqubat* (sanction) is imposed.

Furthermore, the modern role of the Mahkamah Syar'iyah within the IJS framework is tested in the aspect of procedural and informational integration. The implementation of digital platforms such as *e-Court*, *e-Litigation*, and the interoperability of the Case Tracking Information System (SIPP) positions this institution as a driver of the modernization of judicial administration at the regional level. The Mahkamah Syar'iyah is not only tasked with resolving cases in the courtroom, but also plays an active role in building vertical data communication networks with the Supreme Court, as well as horizontal networks with sectoral law enforcement agencies in Aceh Province.

[15] Packer, "Two Models of the Criminal Process."

Through the five main pillars of IJS regulation, institutions, procedure, information, and unity of purpose it can be concluded that the standing of the Mahkamah Syar'iyah is that of a robust, integral subsystem within the national judiciary. Its role is no longer merely to independently exercise special autonomy, but to demonstrate that Islamic law, as embodied through *jinayat* law, can be upheld synergistically, in a modern manner, and in keeping with the ideals of Indonesia as a state based on the rule of law.

The following is a formal, in-depth academic narrative, employing normative-doctrinal legal register, to answer the second research question concerning the model for strengthening the role of the Mahkamah Syar'iyah in realizing an *Integrated Justice System* (IJS).

C. a Model for Strengthening the Role of the Mahkamah Syar'iyah in Realizing an Effective, Integrated, and Just Integrated Justice System (IJS)

Formulating a model for strengthening the Mahkamah Syar'iyah within the framework of the *Integrated Justice System* (IJS) cannot be done partially, but must touch upon the structural, substantive, and cultural repositioning of the judicial system itself. Based on an identification of normative and operational challenges following the enactment of Aceh Qanun Number 12 of 2025, as well as the reform of national criminal procedural law, the strengthening model proposed in this research rests on the Holistic Systemic Integration Model (HSIM). This model combines the five main pillars of IJS into three strategic strengthening pillars:

1. **Strengthening Contemporary Regulation and Synchronizing Procedural Law (*Substantive Strengthening*)**

The root of IJS's effectiveness lies in the elimination of ego-sectoralism and the dualism of norms. This model of substantive strengthening urgently calls for the creation of a Procedural Law Interoperability Regulation that bridges *jinayat* procedural law with updated national criminal procedural law.

a. Codification of Progressive Evidentiary Standards: The Mahkamah Syar'iyah must be given strong juridical legitimacy to fully adopt modern evidentiary instruments sensitive to vulnerable victims (women and

children), as mandated by the national Law on the Crime of Sexual Violence (UU TPKS).[16] This includes expanding the meaning of circumstantial evidence to include *electronic evidence* and clinical psychological reports.[17]

b. Doctrinal Harmonization: This model encourages the drafting of a Joint Guideline among the Supreme Court, the Attorney General's Office, and the Chief of the Indonesian National Police, specifically for the jurisdiction of Aceh, to ensure that the principles of *the best interests of the child* and *restorative justice* carry equal executory force, both under the Criminal Procedure Code and the *jinayat* Qanun.[18]

2. a Single-Partnership Networked Institutional Model (*Institutional Multi-Stakeholder Networking*)

Changing the pattern of inter-institutional relations from a bureaucratic-hierarchical one to a networked one (*networking governance*). The Mahkamah Syar'iyah must be positioned as a judicial *Command Center* in the enforcement of *jinayat* law in Aceh.

a. The Integrated Mahkamah Syar'iyah Coordination Forum (FKMST): This model offers the establishment of a permanent institutional forum that regularly brings together the Mahkamah Syar'iyah, the Police (the Women and Children's Protection Unit), the Prosecution Service, the Wilayatul Hisbah (WH), civil servant investigators (PPNS), the Social Affairs Office, and the UPTD PPA (Regional Technical Implementation Unit for Women and Children's Protection). This forum functions to align perceptions in handling cases at the upstream level, so as to prevent overlapping authority or the neglect of victims' rights.

b. Restructuring of the Function of the Wilayatul Hisbah (WH): Strengthening the role of the Mahkamah Syar'iyah as a judicial overseer

[16] T. Kamaruzzaman, "Rekonstruksi Hukum Acara Jinayat Aceh Menuju Keadilan Restoratif Bagi Korban Kekerasan Seksual Anak," *Mimbar Hukum* 37, no. 1 (2025): 89–108.

[17] Zainuddin, M., Umar, M. N., Sumardi, D., Mansari, M., & Khalil, "Protection of Women and Children in the Perspective of Legal Pluralism: A Study in Aceh and West Nusa Tenggara."

[18] Mutia Maduri and Heni Susanti, "Criminal Act of Assault Due To Excessive Self-Defense," *Jurnal Yudisial* 16, no. 2 (2023): 143–60, https://doi.org/10.29123/jy/v16i2.550.

(*judicial scrutiny*) of WH actions, such that the WH's function is purely focused on prevention (*preventive*), while the handover of the investigation of criminal/violent cases remains under the control of professional investigators (the Police/PPNS), in order to guarantee the principle of *due process of law*.

3. Digital Transformation Based on Data Ecosystem Interoperability (*Technological Interoperability Model*)

Technology-based strengthening is no longer merely a matter of internal document digitization, but of building a data ecosystem in which agencies can communicate with one another (*interoperability*).

a. Integration of SIPP with the National Integrated Law Enforcement System (SPPT-TI): This strengthening model requires a data bridge (*Application Programming Interface*/API) that connects the Mahkamah Syar'iyah's Case Tracking Information System (SIPP) with the police database (E-MP), the prosecution service's database (CMS), and that of the Directorate General of Corrections (SDP).
b. A Digital Identity Protection System for Victims: Within this integrated digital platform, a special encryption algorithm is embedded that automatically conceals the identities of child and female victims across all judicial subsystems, from the initial report at the police through to the decision at the Mahkamah Syar'iyah. This step is essential to realizing absolute privacy protection and preventing *social labeling*.

4. Reorientation of the Objective of Justice: An Integrative Adjudication Model (*Goal-Oriented Adjudication Model*)

The final strengthening model concerns the conceptual aspect of the justice produced by judges. The paradigm of justice within the Mahkamah Syar'iyah must transition from *retributive justice* toward *transformative-restorative justice*.

a. Comprehensively-Laden Decisions: In their rulings, judges of the Mahkamah Syar'iyah must no longer merely impose a single sanction in the form of *uqubat* whipping or imprisonment. This strengthening model encourages the formulation of integrative decisions, in which judges are obligated to include an executory restitution clause for victims, as well as an order for mental/social rehabilitation measures for child offenders and victims, which must be facilitated by the Aceh Regional Government.[19]

CONCLUSION

Based on the results of the research and discussion regarding the role of the Mahkamah Syar'iyah within the framework of the *Integrated Justice System* (IJS) in Indonesia, two main conclusions can be drawn:

1. Standing and Role as an Integral *Sui Generis* Subsystem The Mahkamah Syar'iyah occupies a highly strategic juridical position that is *sui generis* (unique) within the structure of judicial power in Indonesia. Constitutionally, this institution is an extension of the one-roof judicial system (*one roof system*) under the Supreme Court, yet it carries a dual mandate — namely, exercising both the function of an Islamic civil court and that of a special criminal court (*jinayat*).

Within the context of the *Integrated Justice System*, the Mahkamah Syar'iyah does not stand as an isolated legal regime in the name of regional autonomy, but acts as a core node (*core node*) connecting local Islamic law with national positive law. Through the enactment of Aceh Qanun Number 12 of 2025, the Mahkamah Syar'iyah actively serves as a guardian of justice (*judicial scrutiny*) that aligns *jinayat*

[19] N. Rahmi, "Efektivitas Pemenuhan Restitusi Bagi Korban Jarimah Pemerkosaan: Studi Putusan Mahkamah Syar'iyah Aceh," *Jurnal Dinamika Hukum* 25, no. 1 (2025): 34–52.

law with universal human rights protection standards, particularly for vulnerable groups such as women and children.

2. Recommendation of a Strengthening Model through Holistic Systemic Integration (HSIM) To address the fragmentation of authority, overlapping regulation, and ego-sectoralism among law enforcement officials in Aceh, the role of the Mahkamah Syar'iyah must be strengthened through the Holistic Systemic Integration Model (HSIM), which encompasses four pillars of strengthening
    a. Substantive: The synchronization of *jinayat* procedural law with national criminal procedural law (the reform of the Criminal Procedure Code and the Law on the Crime of Sexual Violence) through the expansion of modern evidentiary instruments.
    b. Institutional: The establishment of the Integrated Mahkamah Syar'iyah Coordination Forum (FKMST), as well as the repositioning of the function of the Wilayatul Hisbah under judicial oversight, in order to guarantee *due process of law*.
    c. Technological: Realizing data interoperability by connecting the Mahkamah Syar'iyah's SIPP to the National Integrated Law Enforcement System (SPPT-TI), equipped with encryption to protect victims' identities.
    d. Orientation of Justice: Shifting the paradigm of judicial decisions from a punitive orientation (*retributive*) to an integrative-rehabilitative one (*restorative-transformative*), requiring restitution as well as the recovery of victims.

Through this Holistic Systemic Integration Model (HSIM), the Mahkamah Syar'iyah is no longer viewed as an exclusive, standalone judicial institution existing solely in the name of regional autonomy. On the contrary, this model transforms the Mahkamah Syar'iyah into a modern, adaptive, and responsive subsystem. This strengthening guarantees that the enforcement of Islamic law in Aceh does not proceed in a piecemeal fashion, but is woven into the harmony of a

national judicial system that is effective, efficient, accountable, and substantively just, in order to protect the full constitutional rights of citizens.

REFERENCES

Faisal, and Syahrin. "The Dualism of Criminal Justice System in Aceh: Challenges for Integrated Justice Infrastructure." *Hasanuddin Law Review* 10, no. 2 (2024): 210–28.

Ibrahim, Johnny. *Teori Dan Metodologi Penelitian Hukum Normatif*. Malang: Bayumedia Publishing, n.d.

Kamaruzzaman, T. "Rekonstruksi Hukum Acara Jinayat Aceh Menuju Keadilan Restoratif Bagi Korban Kekerasan Seksual Anak." *Mimbar Hukum* 37, no. 1 (2025): 89–108.

Ludwig von Bertalanffy. *General System Theory: Foundations, Development, Applications*. New York: George Braziller, 1968.

Maduri, Mutia, and Heni Susanti. "Criminal Act of Assault Due To Excessive Self-Defense." *Jurnal Yudisial* 16, no. 2 (2023): 143–60. https://doi.org/10.29123/jy/v16i2.550.

Mansari, and Moriyanti. *Peradilan Khusus Dan Sistem Peradilan Pidana Terpadu Di Indonesia: Menakar Posisi Mahkamah Syar'iyah,*. Jakarta: PT RajaGrafindo Persada, 2023.

Mansari, and Rizkal. "Enforcement of Jinayat Law for Non-Muslims in Aceh." *Jurnal Hukum Dan Peradilan* 11, no. 1 (2022): 21–41.

Marzuki, Peter Mahmud. *Penelitian Hukum*. 9th ed. Jakarta: Kencana Prenada Media Group, 2014.

Packer, Herbert L. "Two Models of the Criminal Process." *University of Pennsylvania Law Review* 113, no. 1 (1964): 1–68.

Rahmi, N. "Efektivitas Pemenuhan Restitusi Bagi Korban Jarimah Pemerkosaan: Studi Putusan Mahkamah Syar'iyah Aceh." *Jurnal Dinamika Hukum* 25, no. 1 (2025): 34–52.

Soekanto, Soerjono dan Sri Mahmudji. *Penelitian Hukum Normatif; Suatu Tinjauan Singkat*. Jakarta: Raja Grafindo Persada, 2003.

Syahbandir, M., and dkk. "Integrasi Sistem Peradilan Pidana Terpadu (Integrated Criminal Justice System) Dalam Eksekusi Putusan Cambuk Di Aceh." *Kanun Jurnal Ilmu Hukum* 27, no. 2 (2025): 115–34.

Zainuddin, M., Umar, M. N., Sumardi, D., Mansari, M., & Khalil, Z. F. "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, no. 3 (2024): 1948–73.

Zakiyah, Koeswinarno, Anik Farida, and Wahab. "They Are Just the Same; Everyday Life of Terrorists' Families in East Java Indonesia." *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 18, no. 1 (2023): 54–79. https://doi.org/10.19105/al-lhkam.v18i1.8343.