



Maqashid Sharia as the Foundation of Religious Moderation and Resilience in Aceh's Border Communities

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Abstract

The implementation of Islamic law in Aceh over the past two decades has not only reflected the enforcement of Sharia but also illustrated the cultural and political dynamics of Acehnese society. As a region rich in customary law traditions and social pluralism, the response of Acehnese communities, particularly in multicultural border areas, to violations of Islamic law and its existence varies widely. Islamic law in Aceh is often interpreted through the lens of political identity and local culture, while the maqashid sharia values, such as the protection of life, property, and security have yet to be fully integrated into daily practices. This study employs an anthropological approach with qualitative methods. Data collection was conducted through participatory observation, in-depth interviews, and narrative analysis of the experiences and perspectives of local communities. The study focuses on how communities construct, understand, and respond to Sharia as part of their social lives. The findings reveal that border communities in Aceh perceive Islamic law not only as a religious rule but also as a political identity symbol to reinforce their social standing, including in rejecting the construction of non-Muslim places of worship. However, the study also highlights a gap in understanding and applying maqashid sharia, attributed to limited socialization and cross-cultural dialogue. Nevertheless, Islamic law remains respected as a crucial element of the social structure, although its interpretation is often situational and contextual.

Keywords: *Maqashid* Sharia, Religious Moderation, Aceh's Border, Multicultural

Abstrak

Penerapan hukum Islam di Aceh selama dua dekade terakhir tidak hanya mencerminkan implementasi Syariat, tetapi juga menggambarkan dinamika budaya dan politik masyarakat Aceh. Sebagai wilayah yang kaya tradisi hukum adat dan pluralisme sosial, respons masyarakat Aceh, khususnya di kawasan perbatasan yang multikultural, terhadap pelanggaran hukum Islam dan eksistensinya sangat beragam. Syariat Islam di Aceh sering kali diinterpretasikan melalui lensa identitas politik dan budaya lokal, sementara nilai-nilai maqashid syariah, seperti perlindungan jiwa, harta, dan rasa aman, belum sepenuhnya diintegrasikan dalam praktik sehari-hari. Penelitian ini menggunakan pendekatan antropologis dengan metode kualitatif. Pengumpulan data dilakukan melalui observasi partisipatif, wawancara mendalam, dan analisis naratif terhadap pengalaman dan



pandangan masyarakat setempat. Fokus penelitian adalah pola masyarakat dalam mengonstruksi, memahami, dan merespons Syariat Islam sebagai bagian dari kehidupan sosial mereka. Hasil penelitian mengungkapkan bahwa masyarakat perbatasan Aceh melihat hukum Islam tidak hanya sebagai aturan agama, tetapi juga sebagai simbol identitas politik untuk memperkuat posisi sosial mereka, termasuk dalam menolak pembangunan tempat ibadah non-Muslim. Namun, temuan ini juga menunjukkan adanya kesenjangan dalam pemahaman dan penerapan maqashid syariah, yang disebabkan oleh minimnya sosialisasi dan dialog lintas budaya. Meskipun demikian, Syariat Islam tetap dihormati sebagai elemen penting dalam struktur sosial masyarakat, meski interpretasinya sering kali bersifat situasional dan kontekstual.

Keywords: *Maqashid* Syariah, Moderasi Beragama, Perbatasan Aceh, Multikultural

Introduction

The border areas of Aceh differ significantly from the broader Aceh region, which is predominantly homogeneous in terms of Acehnese ethnicity and Islamic beliefs. In contrast, Aceh's border communities exhibit a diverse range of identities, encompassing variations in ethnicity and religion. The concept of "Aceh border studies" is frequently employed by social researchers to explore the unique characteristics and dynamics of communities residing along the Aceh-North Sumatra border, including regions such as Singkil and Subulussalam.¹

This diversity has encouraged the birth of social dynamics, although, on the one hand, they are also well integrated within the same district. Cases of friction due to beliefs due to permits for the construction of houses of worship (churches) and rejection of certain ethnicities have occurred in Singkil and Subulussalam.² Previous studies have tended to place this area in the potential for social identity friction. The contestation of the identity of border communities such as Singkil seems to be deconstructed by the structural influence of power and state intervention that is too widespread.³

The crisis of religious identity in Singkil has begun since the outbreak of the DI/TII incident in Aceh in 1953. Since then, Aceh has intensively voiced Islamic Sharia throughout its territory and continued with the formalization of Islamic Sharia in 2002 which continues to this day. Identity politics is increasingly acute with the emergence of dichotomies through terms that are commonly heard among the population of Singkil, namely "they" for non-

¹ Muhajir Al Fairusy, "Pengaruh Identitas Pesisir Bagi Masyarakat Singkil Dan Barus," *Indonesian Journal of Islamic History and Culture* 1, no. 1 (2020): 32–50, <https://doi.org/http://dx.doi.org/10.22373/ijihc.v1i1.584>; Muhajir Al-Fairusy and Irwan Abdullah, "'Enda Kalak Singkel' Strengthening Consciousness of Community Identity of Aceh'S Border; Ethnic Contestation and Religion in Singkil," *Jurnal Ilmiah Islam Futura* 20, no. 2 (2020): 196, <https://doi.org/10.22373/jiif.v0i0.6862>; Muhajir Al Fairusy, *Singkel : Sejarah, Etnisitas Dan Dinamika Sosial*, 2016. 27.

² Al-Fairusy and Abdullah, "'Enda Kalak Singkel' Strengthening Consciousness of Community Identity of Aceh'S Border; Ethnic Contestation and Religion in Singkil"; Muhammad Ansor, "We Are From the Same Ancestors': Christian-Muslim Relations in Contemporay Aceh Singkil," *Al Albab, Borneo Journal of Religious Studies* 3, no. No. 1 Juni (2014): 13–24, <https://doi.org/https://doi.org/10.24260/alalbab.v3i1.47>; Al Fairusy, *Singkel : Sejarah, Etnisitas Dan Dinamika Sosial*; 29. Moch Nur Ichwan, Arskal Salim, and Eka Srimulyani, "Islam and Dormant Citizenship: Soft Religious Ethno-Nationalism and Minorities in Aceh, Indonesia," *Islam and Christian-Muslim Relations* 31, no. 2 (2020): 215–40, <https://doi.org/10.1080/09596410.2020.1780407>.

³ Muhajir Al Fairusy, "Menjadi Singkel Menjadi Aceh, Menjadi Aceh Menjadi Islam," *Jurnal Sosiologi USK* Vol.9, No., no. 9 (2016): 20–27, <https://jurnal.usk.ac.id/JSU/article/view/9258/7243>.

Muslims and "us" for Muslims.⁴ The excesses of this thickening of religious identity have encouraged the emergence of gaps and mutual suspicion between communities of different faiths. Conflicts over houses of worship are inevitable in Singkil. The records of Muhajir Al-Fairusy, describe the Singkil conflict that has existed since the 50s and peaked in 2015, when a church was burned by locals.⁵ This tension has hurt the social integration of the community. Moreover, when the gong of religious moderation was hoisted in Indonesia by the Ministry of Religious Affairs. Aceh is also promoting the implementation of Islamic Sharia. There is a possibility if referred to the concept of Islam, the attitude of not being able to appreciate differences is caused by the weak understanding of *maqasid al-Shari'ah*, a major concept in Islam. *Maqasid al-Syariah*, it contains elements of efforts to protect religion and the human soul.

Starting from the background of these assumptions, the selection of the study of the Aceh border area due to plurality which will be seen from the perspective of religious moderation and *maqashid al-Sharia*, was chosen based on assumptions; *First*, the study of Aceh's border communities is important to be carried out as information enrichment. *Second*, the study of pluralistic societies can be part of social development in the context of socio-religious studies, and finally, the socio-religious studies of the Aceh border communities are still very limited and not encouraging. This means that the interest of researchers in the social dynamics of the population on the Aceh border can be counted on the finger compared to the study of Acehan in general which tends to be of interest to social researchers.

The socio-religious study of the Acehnese border community (in this context - Singkil) is still not encouraging, except for the post-conflict that dragged down religious identity in 2015. From the search of previous studies, the study of conflict dynamics is dominant and consecutively born later. Nevertheless, several studies on the Singkel conflict can be used as the main source for reading about the social changes in the Singkel community, including the position and meaning of the family in the future there which has an interfaith model.⁶

Regarding the study of the Singkel community in the historical, cultural, and social context, there are at least some studies that can be used as a foothold to see the existence of families there. *First*, a study was conducted by Muhajir Al-Fairusy. So, several of Singkel's writings have been published by Al-Fairusy in the form of books, journals, and essays, including; *Singkel; Sejarah, Etnisitas dan Dinamika Sosial* (2016),⁷ *Menjadi Singkel Menjadi Aceh, Menjadi Aceh Menjadi Islam (Membaca Identitas Majemuk dan Refleksi Konflik Agama di Wilayah*

⁴ Al-Fairusy and Abdullah, "'Enda Kalak Singkel' Strengthening Consciousness of Community Identity of Aceh's Border; Ethnic Contestation and Religion in Singkil."

⁵ Al Fairusy, *Singkel : Sejarah, Etnisitas Dan Dinamika Sosial*. 41.

⁶ Hanna Dewi Aritonang, "Korban Kekerasan Agama, Memori Kolektif Dan Rekonsiliasi Diri (Kontruksi Teologi Rekonsiliasi Diri Pasca Perusakan Gereja-Gereja Di Aceh Singkil)" (2020); Raihan Nusyur, "Jurnalisme Damai Dalam Pemberitaan Pembakaran Gereja Di Aceh Singkil Pada Harian Waspada," *Jurnal Komunikasi Global* 6, no. 1 (2017): 26-38, <https://doi.org/https://jurnal.usk.ac.id/JKG/article/view/9183/10486>; T. Lembong Misbah, "Interaksi Sosial Keagamaan Masyarakat Singkil Pasca Perjanjian Tahun 1979 (Upaya Konstruktif Dalam Merekat Hubungan Antarumat Beragama Yang Kondusif)" (Institut Agama Islam Negeri Ar-Raniry Banda Aceh, 2009): 76.

⁷ Al Fairusy, *Singkel : Sejarah, Etnisitas Dan Dinamika Sosial*. 82.

Perbatasan Aceh- Singkel) (2016),⁸ *Sistem Patronase (Tauke-Palawik) dalam Dunia Ekonomi Perikanan (Studi Hubungan Kerja Nelayan Pulau Banyak, Aceh Singkil)* (2012),⁹ *Enda Kalak Singkel; Strengthening Consciousness of Community Identity of Aceh's Border; Ethnic Contestation and Religion in Singkil* (2020),¹⁰ *Ambo Muhammadiyah, Munak Pesantren; The Moderate Islamic Characters of The Coastal Community at Kepulauan Banyak, Aceh Singkil* (2020).¹¹

A series of studies conducted by Al-Fairusy focused on ethnography concerning history, ethnicity, social change and the study of religious life in Singkel. However, Al-Fairusy has not conducted an in-depth study of the existence of interfaith families in Singkel, and how the boundaries and contestation of power relations between families of different faiths take place and can survive the onslaught of increasingly strict Islamic identity.

Second, the study T. Lembong Misbah, *Interaksi Sosial Keagamaan Masyarakat Singkil Pasca Perjanjian Tahun 1979 (Upaya Konstruktif dalam Merekat Hubungan Antar-umat Beragama yang Kondusif)* (2009).¹² In his study, Misbah highlighted the relationships and interactions of the Singkel community who are still living side by side after the friction of the conflict that occurred there. According to Misbah, a series of conflicts with nuances of religious identity each allowed for the knitting of communication between the residents of Singkel. The reason put forward by Misbah is almost the same as Muhammad Anzor's study because the existence of clan social capital and ethnic awareness is the same. To encourage the birth of tolerance attitudes in the future. However, Misbah also did not touch on the issue of plural family life in Singapore in particular, and how families of different faiths can maintain social interaction there.

Third, the study Muhammad Anzor yang berjudul "*We Are From The Same Ancestor's; Christian-Muslim Relations in Contemporary Aceh in Singkil*" (2014).¹³ In his study, which tries to highlight the life of the Singkel community after religious conflicts, Anzor focuses on looking at a map of conflicts between religious communities there. Nevertheless, Anzor has tried to mention the kinship system in Singkel which is bound by the consciousness of clans and one *ancestor*, which is the social capital of kinship and family relations of different faiths there. From Anzor's findings, the awareness of the same clan and ancestor has become the social capital for the continuation of relations between Singkel communities of different

⁸ Muhajir Al Fairusy, "'Menjadi Singkel Menjadi Aceh, Menjadi Aceh Menjadi Islam' (Membaca Identitas Masyarakat Majemuk Dan Refleksi Konflik Agama Di Wilayah Perbatasan Aceh Singkel)," *Sociologi USK* 9, no. 1 (2016): 17-33, <https://jurnal.usk.ac.id/JSU/article/view/9258/7243>.

⁹ Muhajir Al Fairusy, "Sistem Patronase (Tauke-Palawik) Dalam Dunia Ekonomi Perikanan (Studi Hubungan Kerja Nelayan Pulau Banyak, Aceh Singkil)" (Universitas Gadjah Mada Yogyakarta, 2012). 112.

¹⁰ Al-Fairusy and Abdullah, "'Enda Kalak Singkel' Strengthening Consciousness of Community Identity of Aceh's Border; Ethnic Contestation and Religion in Singkil."

¹¹ Muhajir Al-Fairusy, Irwan Abdullah, and Muslim Zainuddin, "Ambo Muhammadiyah, Munak Pesantren: The Moderate Islam Characteristics of the Coastal Community in Kepulauan Banyak , Aceh Singkil," *Al-Tahrir* 20, no. 1 (n.d.): 143-65, <https://doi.org/https://doi.org/10.21154/altahrir.v20i1.2009>.

¹² T. Lembong Misbah, "Interaksi Sosial Keagamaan Masyarakat Singkil Pasca Perjanjian Tahun 1979 (Upaya Konstruktif Dalam Merekat Hubungan Antarumat Beragama Yang Kondusif)."

¹³ Anzor, "We Are From the Same Ancestors': Christian-Muslim Relations in Contemporary Aceh Singkil."

religions. Even so, Ansor has not seen the existence and meaning of plural families with different beliefs to interpret themselves (emic) and live life in Singkel deeply.

Fourth, Sadri Ondang Jaya's study of the History of Singkel in his book *Singkel dalam Konstelasi Sejarah Aceh* (2015).¹⁴ Sadri's writings focus only on Singkel's history, especially the stories that try to elevate Singkel in Aceh's historical thought and have not touched at all on Singkel's social and cultural life in the context of contemporary and social change, including family life in Singkel.

Starting from a series of studies on the life of the Singkel people that have begun to grow in the last decade, as I have mentioned above. Therefore, this study will try to place and make in-depth observations on the meaning of family on the border of Aceh Singkel. However, the existence of families in Singkel which is plural is a social reality that exists on the border of Aceh and is rarely found in the context of Acehnese society in general. The selection of the plural family study is expected to be able to map how border communities in Singkel see themselves as families with different beliefs, and why friction and conflict with religious spices often arise there, considering that they are an ethnic unit and have the same clan social capital.

Regarding the meaning and existence of the family in social studies, there are several definitions and explanations of this smallest social institution in social studies. In many studies, families are categorized as a group of people who are genetically related, married, or have life choices to share material, emotional, and economic resources. As a social institution, the family is certainly different from formal government and religious organizations (antropediakawanundip.wordpress.com). In KBBI online, the family is defined as a mother, a father and her children, a householder, a family member who is a dependent, a relative, a relative, and a very basic kinship unit in society.¹⁵

Family is different from household. Both get a cultural definition. A household is a task-oriented unit of residence, while a family is a grouping of relatives and does not have to live in the same place (*localized*). Household members can be helpers because they live together, while relatives who live far away and are not together are from other households. Specifically, the household is a functional economic activity of production, consumption, and distribution as an effort to meet needs. The family emphasizes the importance of symbols, values, and meanings.

Levinson in the *Family Violence in Cross-Cultural Perspective* can be used as a reference to understand the definition of family and some of the family models it offers through family typology; *types of families* or *the human family comes in five forms*. However, Levinson only mentioned a few family models based on marital ties. As for the plural family pattern, certain different identities such as on the Aceh border, interfaith marriage, and the kinship system of different religions have not been explained.

The study of *maqasid al-Syariah* can be seen in the book written by Anton Jamal, *Maqasid al-Syariah in the Dynamics of Islamic Legal Thought*. Anton sees that the definition of *maqasid al-Syariah* has long been subjected to discourse in the development of the Islamic community. In

¹⁴ Sadri Ondang Jaya, *Singkel Dalam Konstelasi Sejarah Aceh* (Kediri: FAM Publishing, 2015). 203.

¹⁵ Kemdikbud, *Kamus Besar Bahasa Indonesia, Kamus Besar Bahasa Indonesia, III* (Jakarta: Balai Pustaka, 2021), <https://www.kbbi.web.id/>.

the study of history and traditional anthropology, *maqasid al-Syariah* also underwent a genealogical journey, in which the reconstruction of Islamic history, starting from the time of the Prophet, the companions until now, *the movement of maqasid al-Syariah* has undergone periodization. Nevertheless, the function and role of *maqasid al-Sharia* is a matter of protection and development. In the context of global warming, for example, it is not enough to condemn humans who destroy forests, but efforts are needed to protect and preserve them. That is the role of *maqasid al-Syariah*.¹⁶

This research employs a descriptive-analytical approach, incorporating grounded research methodology to provide a detailed depiction of the studied phenomena. As Abdurrahman explains in *Penelitian Agama: Masalah dan Pemikiran*, grounded research is a qualitative approach that enables researchers to test the validity of existing theories proposed by experts.¹⁷ Qualitative research prioritizes the participants' perceptions and experiences, focusing on their interpretations of life. Accordingly, informants are positioned as emic subjects, serving as key sources of knowledge.¹⁸ According to Abdurrahman, in the implementation of *grounded research*, there is a technique known as *constant comparison*, which is the researcher's efforts while in the field to grow field categories and concepts based on the reality obtained as an analysis building. Thus, this method does not use the random sampling *instructions* commonly used in quantitative structural research, reminding many analytical developments that have emerged in the field.

Data collection begins with engaged observation as an effort to understand the events that are the focus of the research, as Jorgensen says "...*direct observation is the primary method of gathering information*."¹⁹ Then it was followed by an interview, either without a plan (*unstandardized interview*) or leading (*focused interview*). This effort is expected to provide data, information, and views on families in the Singkel community. As a form of research consistency, the researcher stays with the community for several months to dive into the real situation. Researchers are outsiders and new people in society. So, the first step is to find some *key informants*. Informants are the main subject of knowledge sources in qualitative research. Spradley gave two considerations in selecting *key informants*; locals who understood and had mature experience. Furthermore, it can provide analysis and interpretation from the perspective of *folk theory*.²⁰ In this case, the key informant refers to community leaders at the research site.

In addition, in collecting data, literature studies are an integral part of research. Before conducting research and while diving into events in the community, researchers continue to read, especially the culture of the area to be studied. From the literature study, researchers can gain an understanding of the local culture and the meaning of family for the people on the

¹⁶ Anton Jamal, *Maqasid Al-Syari'ah Dalam Dinamika Pemikiran Hukum Islam*, ed. Marzi Afriko (Banda Aceh: Lhee Sagoe Press, 2021). 151.

¹⁷ Mulyanto Sumardi and Dkk, *Penelitian Agama : Masalah Dan Pemikiran* (Jakarta: PT. Sinar Agape Press, 1982). 93.

¹⁸ John W. Creswell, *Research Design ; Pendekatan Kualitatif, Kuantitatif, Dan Mixed (Edisi Ketiga)*, Ketiga (Yogyakarta: Pustaka Pelajar, 2010). 187.

¹⁹ Danny L. Jorgensen, *Participant Observation ; A Methodology for Human Studies* (London, United Kingdom, New Delhi: SAGE Publications, 1989); Robert Prus and Danny L. Jorgensen, *Participant Observation: A Methodology for Human Studies, Canadian Journal of Sociology / Cahiers Canadiens de Sociologie*, vol. 15 (London: United Kingdom, 1990), <https://doi.org/10.2307/3340930>.

²⁰ James P Spradley, *Metode Etnografi (Terjemahan)* (Jakarta: PT. Gramedia, 1997). 54.

Aceh border. This study also uses a historical methodology, as expressed by Koentowijoyo, that the development of historical science sometimes has to be parallel with other interdisciplinary sciences.²¹ The importance of historical sources, sorting out data that can be used, and how to describe it in written form is a good method of writing history, so that it is not imaginative, let alone fantasy. Historical writing always needs methodology, and research as a reconstruction of scientific evidence, so that its existence does not become a myth and just a legend one day.

The last stage is data analysis based on qualitative methods to answer research problems. Data analysis must be done with seriousness, foresight, and caution. In qualitative research, data collection and analysis must take place *simultaneously*.²² Data analysis has started since the research process took place, where researchers must be clever, creative, and sensitive in choosing and sorting out which data is important or not.

Singkel as the Border of Aceh

The Singkil community is a multicultural society ethnically and religiously. In many studies, it has been explained. Studies conducted by Muhajir Al-Fairusy have provided a full picture of Singkil's ethnography. In addition, several other studies help this research in the context of mapping the condition of the Singkil community. Demographically, the majority of Singkil-Hulu residents are compared to coastal residents and transmigration community groups. In the context of local identity, the Singkil-Hulu people often position themselves as Singkil indigenous people. The people of Singkil-Hulu mostly live and settle along the two major rivers of Singkil to the interior. They call it their origin, the indigenous people with a river-based macrocosm culture.

This reason strengthens their perception of Singkil natives. Daily, they speak in a "village language" which has many similarities with the Pakpak language. However, they refused to be included in the Pakpak clan (Batak) because the majority of them were Muslims. However, some studies on the Batak refer to and accompany them as part of the Pakpak ethnicity.²³ During the New Order period, transmigration groups (from Central Java and West Java) were brought in and then settled in the middle of the Singkil-hulu community.²⁴

Some settlements of the Singkil-Hulu community have experienced blending with migrants through a strict assimilation process. In its development, the existence of these two ethnic groups influenced and melted each other. The transmigrant community group then integrated themselves as Singkil people by relying on the identity of Singkil district, As for the Singkil-coastal residents, they are entities of assimilation and amalgamation of several ethnic groups (Sibolga, Minang, Aceh and Nias), who have long had social contact

²¹ Kuntowijoyo, *Metodologi Sejarah*, I (Yogyakarta: Tiara Wacana Yogya, 1994). 84.

²² C Marshall and G B Rossman, "Designing Qualitative Research. 3rd Edition," *Thousand Oaks*, 1999; 156. Creswell, *Research Design ; Pendekatan Kualitatif, Kuantitatif, Dan Mixed (Edisi Ketiga)*. 138.

²³ Budi Agustono, "Rekonstruksi Identitas Etnik ; Sejarah Sosial-Politik Orang Pakpak Di Sumatera Utara 1958-2003" (Universitas Gadjah Mada, Yogyakarta, 2010); Andaya Leonard Y., *The Trans-Sumatra Trade and the Ethnicization of the "Batak"* (Bijdragen tot de Taal-Land- en Volkenkunde, 2002); Stanley Kaplan and B. John Garrick, "On The Quantitative Definition of Risk," *Risk Analysis* 1, no. 1 (1981), <https://doi.org/10.1111/j.1539-6924.1981.tb01350.x>.

²⁴ Swasono Sri Edi and Singarimbun Masri, *Transmigrasi Di Indonesia 1905-1985* (Jakarta: Universitas Indonesia, 1986). 44.

through trade in the region since the pre-colonial era, then chose to settle by building settlements along the coastal area of Singkil.

In their development, they built a group identity as coastal Singkil people who use the Malay-Minang communication language. This language is known by the community as *baapo* language and is easy to learn and speak because it is a Malay language. In its development, this language is used by some Singkil residents from various ethnic groups in making social contacts. The existence of this coastal Singkil community seems to have trapped Melalatoa (1995) defining the Singkil people as a separate ethnic group in the context of the ethnic groups living in Aceh, "... Basically, Singkel is one of the ethnic groups in Aceh Province.

Singkel refers to four South Aceh Regency sub-districts: Simpang Kiri District, Singkel District, Simpang Kanan District, and Pulau Besar District. The Singkil people are thought to result from mixing or assimilation between elements of Mandailing, Aceh, Minangkabau, and Nias. People's knowledge about the origin of the Singkil people is obtained through fairy tales that are told from generation to generation, for example, the fairy tale of *Sitagandera*. The movement of the tribes to the Singkil area is thought to have occurred since the time of the Aceh Sultanate, namely when the pepper trade with the outside world developed rapidly. At that time, several potential areas for pepper plants were conquered. The conquest had a double meaning, in addition to the monopoly of the pepper trade, as well as to obtain cheap labor in 1930 the population of Singkil was recorded based on the (colonial) population census of 15,448 people."²⁵

The definition explained by Melalatoa regarding the Singkil tribe connotes the Singkil-pesisir which is a mixture of Minang, Acehese, and Nias ethnicities. In reality, so far the claims of the indigenous and ethnic groups of Singkil have been hegemonized by the people of Singkil-hulu who also name themselves *Kalak Julu* as the oldest community group there. They view the Singkil-pesisir not as indigenous like them but as immigrants. This condition has raised the question of identity as to who is a "Singkil person," and it has become a debate that continues to this day. In addition to the differences in ethnic groups, the Singkil people adhere to three religions; Islam, Christianity, and *Pambi* (animation).

Followers of Islam are the majority in Singkil. Religious reasons are also what encourage the Singkil-hulu people not to be called Pakpak. The presence of Christianity went hand in hand with the entry of the Pakpak ethnic group to Singkil from Central Tapanuli during the Dutch colonial era. According to a priest there, in the past, their ancestors came from Central Tapanuli looking for *ombil* oil which was only found in Singkil to be traded. Furthermore, some of them chose to settle in Singkil. In addition, during the Dutch colonial era, they also brought in workers to be employed in their oil palm plantations. Most of the workers brought by the Dutch were also still ethnic Pakpak and adhered to the local religion (*Pambi*). Then, in its development, some of them embraced Christianity. The

²⁵ Junus M Melalatoa, *Ensiklopedi Suku Bangsa Di Indonesia ; Jilid L-Z* (Jakarta: Departemen Pendidikan dan Kebudayaan, 1995). 215

migration wave of the Central Tapanuli Pakpak people continued to increase until Indonesia became independent and chose to settle in Singkil, due to livelihood factors.²⁶

Even so, in coastal areas, the majority of the population is Muslim (Muhammadiyah), except for Kampung Ujung Siariit, Pulau Many Barat District, and Spring Settlement in Pulau Many District, which is inhabited by Nias Christians. The arrival of the Nias people in the Many Islands is suspected since the colonial era and ahead of Indonesia's independence. Initially, some of them were brought in as laborers to take care of the clove plantations of the residents, which are spread across the mainland of the Many Islands based on the stories of the local people. The Many Islands are indeed adjacent to the Nias Islands. The location of this territory caused many Nias people to choose to live and settle there. Moreover, the Many Islands, in addition to having a large and potential landmass, also have abundant marine resources, so they are very promising economically.²⁷

The fusion of the Christian population coming from Pakpak and Nias further enriched the diversity of the Singkil population. The plurality of identities of the Singkil people became inevitable, which was then controlled by the consciousness of people living in the same district (Singkil Regency), and seeing themselves collectively as "Singkil people." The collective identity as the "Singkil people" determined by the district administration at first glance has created an integration for ethnic and religious groups that is more fluid, elastic, and mutually integrated. Based on community recognition, the presence of the Pakpak and Nias people of non-Muslim religions initially ran in harmony with the local population. It is not uncommon for them to recognize one ancestor.²⁸ Moreover, in terms of language, they have many similarities and similarities, coupled with the condition that many Pakpak immigrants from Central Tapanuli then choose to become Muslims.

However, the status of Singkil in Aceh Province, which has often voiced Islamic Sharia since DI/TII erupted in 1953 and continued with the implementation of Islamic Sharia in 2002 in Aceh, has had an impact on the pluralistic order of life of the Singkil community. The awareness of Singkil Muslim identity arose and began to build distance and distinguish themselves from the Singkil-Non-Muslim community. Suspicion of the non-Muslim Singkil community began to grow until the prohibition of the establishment of houses of worship appeared. Here, the identity of the Singkil people seems to be deconstructed by the structural influence of Acehese power.

In the context of distinguishing identities between community groups, satire is also raised, such as "kampung" for the residents of Singkil-hulu. The connotation of "kampung" is interpreted as a backward and underdeveloped community by the residents of Singkil-pesisir. Because of this, some upstream residents refuse to be called "villagers" and prefer to call themselves "upstreamers." The residents of Singkil-hulu build stereotypes of the residents of Singkil-pesisir, with the satire of the "*gadang hantak*" (big

²⁶ T. Lembong Misbah, "Interaksi Sosial Keagamaan Masyarakat Singkil Pasca Perjanjian Tahun 1979 (Upaya Konstruktif Dalam Merekat Hubungan Antarumat Beragama Yang Kondusif)"; Al Fairusy, *Singkil: Sejarah, Etnisitas Dan Dinamika Sosial*. 18

²⁷ Fairusy, "Sistem Patronase (Tauke-Palawik) Dalam Dunia Ekonomi Perikanan (Studi Hubungan Kerja Nelayan Pulau Banyak, Aceh Singkil)." 49.

²⁸ Ansor, "We Are From the Same Ancestors': Christian-Muslim Relations in Contemporary Aceh Singkil." 21.

talk) community. On the other hand, a traditional leader from the Singkil-hulu group once threw an expression to show their differences with the Singkil-pesisir people likened to "Indians and Americans." This satire is intended to satirize the Singkil-pesisir people as non-indigenous immigrants. However, they controlled the economic pockets in Singkil, and hegemonized them linguistically and culturally. As for the context of religious identity, a dichotomy emerges through terms that are commonly heard among the population of Singkil, namely "they" for non-Muslims and "we" for Muslims.

The entirety of a series of social conditions during the Singkil community leads to a "politics of difference," which is suspected to have strengthened and emerged in several places in Indonesia since the collapse of the New Order.²⁹ In addition, the series of events and phenomena that appear in the Singkil community shows that identity is greatly influenced by the perspective of social construction. Here, identity is understood as a form of meaning and experience that is subjective and intersubjective, not just a marker in a primordial (*given*) perspective.³⁰ This means that the construction of ethnic and religious identity in Singkil shows a response to certain political conditions, which leads to the involvement of members in the group to give birth to a perception that distinguishes itself from other groups as a binder in their group. Most importantly, identity works to produce active awareness of ethnic and religious groups in Singkil.

Maqashid Sharia on the Aceh Border

This study places *maqasid al-Syariah* and religious moderation as an effort to see the resilience of the diversity of the Aceh Border community, as one of the areas that has a diverse population composition. Even so, friction over ethnic and religious issues often arises there because of identity issues. The whole series of social conditions during the Singkil community led to a "politics of difference," which is suspected to have strengthened and emerged in several places in Indonesia since the collapse of the New Order.³¹

In addition, the series of events and phenomena that appear during the Singkil community shows that identity is greatly influenced by the perspective of social construction. Here, identity is understood as a form of meaning and experience that is subjective and intersubjective, not just a marker in a primordial (*given*) perspective.³² That is, the construction of ethnic and religious identity in Singapore is a response to certain political conditions, which causes the perception of distinguishing oneself from other groups as a binder within one's group (us and them). Here, identity works to produce the active consciousness of ethnic and religious groups in Singkil.

²⁹ Manggal Ismanto, "Penguatan Identitas Lokal Dan Penolakan Vigilantisme Atas Nama Agama," *Masyarakat, Kebudayaan Dan Politik*, Vol. 30, No.3 30, no. 3 (2017): 237-47, <https://doi.org/https://doi.org/10.20473/mkp.V30I32017.237-247>.

³⁰ Gustiana A. Kambo, "Memahami Politik Identitas Pemikiran Tentang Pencarian IdentitKambo, G. A. (2009). Memahami Politik Identitas Pemikiran Tentang Pencarian Identitas Etnik ; Sebuah Kajian Dalam Pembentukan Provinsi Sulawesi Barat. Renai, Kajian Politik Lokal & Sosio Humani," *Renai, Kajian Politik Lokal & Sosio Humaniora*. Tahun IX No. 2., 2009. 72.

³¹ Ismanto, "Penguatan Identitas Lokal Dan Penolakan Vigilantisme Atas Nama Agama." 28.

³² Kambo, "Memahami Politik Identitas Pemikiran Tentang Pencarian IdentitKambo, G. A. (2009). Memahami Politik Identitas Pemikiran Tentang Pencarian Identitas Etnik ; Sebuah Kajian Dalam Pembentukan Provinsi Sulawesi Barat. Renai, Kajian Politik Lokal & Sosio Humani." 75.

In Singkil, religious friction has often occurred since the post-independence of Indonesia, especially since the influence of DI/TII came. The narrative of Islamic exclusivism continues to be inherited until now. However, there have been no social events that have resulted in riots that threaten human lives in large numbers, like several other events in Indonesia. Indeed, in 2015, there was a physical commotion that killed one Muslim in a clash because of the problem of houses of worship.

However, Islamic Sharia also penetrated and spread to Singkel, as one of the areas in the administration of Aceh Province. Although, it is located on the border. However, how should Sharia be accompanied by *maqasid* which aims to protect human life and provide a humanist civilization? From several questions asked to the informant and the implementation of the FGD three times, in the context of collecting research data, it shows the lack of public understanding of *Maqasid Sharia*. The narrative of *Maqasid Syariah* is only understood by a handful of religious figures, especially those who had been educated in college.

Jalaluddin (25 years old), a law scholar who now often moves the discourse of better governance in Singkel, admitted that *Maqasid Syariah* has not been fully understood by the people of Singkil. Even so, the value of *Maqasid Syariah* has been practiced by the community, especially how to protect the soul and create a peaceful environment. In Singkil, crime cases do tend to be low, according to data from the local Police. The same thing was also conveyed by Mustafa Naibaho (40 years old). He is also active in FKUB in Aceh Singkil, according to Mustafa, *Maqasid Syariah* as a term so far tends not to be understood, because of the lack of socialization. However, the value and substance of *Maqasid Syariah* have been practiced by the people of Singkil. Indeed, he admitted that in the context of religious harmony, there is one problem that has not been solved until now, namely the issue of houses of worship and there is no consensus.

Several FGDs held in Singkil also showed that the understanding of *Maqasid Syariah* was still limited by the participants. Participants only understand the meaning and regulations of Islamic Sharia administratively. Islamic sharia is also further used by the people of Singkil to anticipate the growth of the church which is read as a form of threat to their identity.

Local Wisdom as a Buffer for Maqashid Sharia

The Aceh border is known as an area that has various values and cultures that are practiced by various tribes living there for generations. Coastal and upstream communities are the dominant identity in Singkil. The implementation of local wisdom values as an important part of the value of *Maqasid Syariah* in the community seems to have been running in Singkil as a border area of Aceh, although they have not understood the definition of *Maqasid Syariah* theologically and theoretically. Such as the capacity of human resources (HR) of traditional leaders, both in terms of quantity and quality in Singkil have practiced *Maqasid Sharia*.

This condition is supported by the still strong local wisdom and customs that place the issue of *Maqasid Syariah* to grow there. However, customary institutions that handle customs have not fully become a locomotive in the development of *Maqasid Syariah*. This condition is influenced by aspects of increasing the role and function of customary

institutions as well as from the aspects of programs and budgets and has not been properly integrated into the Islamic Sharia regulation program in Singkel, according to one of the Singkil traditional leaders who gave his views when the FGD was held.

In practice, adat must be understood as a system of social order that is formulated in the norms of language and thought of the people on the border of Aceh to regulate their every movement and speech. Acehese customs as an unwritten legal rule of society are generally derived from Islamic teachings (Al-Qur'an and Hadith of the Prophet) so that customs do not contradict Islamic laws, this condition is also linear with the spirit of the Acehese people in practicing their customs. In several studies, the customs in Aceh, which are included in supporting the existence of *Maqasid Syariah* as understood by the border communities of Aceh, in the sociological reality of the life of the Acehese people grow into two forms, namely as follows:

First, "custom" is "custom." In this context, customs such as *reusam* give birth to various appreciation/creations, rituals/ceremonies, various dance arts, ethics, aesthetics, modification of clothes and food as well as monumental physical beauty products, cultural heritage, and other specific ornaments that generally contain commercial values to be marketed.

Second, "Custom" as "legal norms/rules". Here, adat is interpreted as a legal norm/rule actualized in the system of resolving various disputes in society through customary law enforcement institutions/customary courts/peace institutions that contain sanctions in gampongs and mukim (the principle of speed, cheapness, and simplicity). These two traditional meanings are developed in the context of local wisdom. All components of society are expected to maintain and strengthen social security as part of *Maqasid Syariah* in each place.

In the context of local wisdom, if searched in the Indonesian dictionary, the term arif appears, which means policy and intellectualism. Local means place and wide space. Local wisdom can be interpreted as something that appears in the context of wisdom in a place. Wisdom comes from knowledge and values that develop in a local community. Local wisdom is also contained in Law No. 32 of 2009, concerning the protection and management of the living environment. Local wisdom is interpreted as noble values that apply in the community's life system to, among other things, protect and manage the environment sustainably.

Acehese customs and culture are always in line with Islamic Sharia, therefore they must be cultivated as a legal institution in regulating all personal movements of Muslims. Islamic law has become an inseparable belief as a living culture of the Acehese people and has even become a very valuable historical heritage since Islam was first grounded in Aceh. In a study conducted by PKPM *Peumat Jaroe; The Mediation Process Towards Harmony in Acehese Society*.³³ Explained that the concept of adat has been known for a long time, long before the emergence of Law No. 5 of 1979 concerning Village Government. This law is suspected by many parties to have weakened customs in the local context, and tends to lead

³³ M Ridha and Dkk (Ed), *Peumat Jaroe; Proses Mediasi Menuju Harmoni Dalam Masyarakat Aceh* (Lhee Sagoe Press, 2017). 51.

to rules (laws). In the colonial context, customs were also used for colonial political interests at that time. The Dutch call adat with the term *adatrecht* which refers to customary law.³⁴

In the context of the Acehnese people themselves, there are at least four sources that are the basis for the formation of customary law; *adatullah*, *adattunnah*, *adat muhakamah*, and *adat jahiliyah*. The concept of *pageue gampong* in this study leads to *adatunnah* and *muhamakamah* customs. Mukim is an important and extensive customary institution.

Customs are not only meaningful to customs, but also norms, and methods that contain legal values. For indigenous peoples, it is difficult to separate the legal definition of customary law from the traditional meaning of fixed behavior. However, that clarity will be seen in solving problems if there are customary cases that occur in the community. Custom/customary law is a norm that contains the nature and values of law in the order of people's life behavior, followed and obeyed for order, harmony and community welfare.

Anyone who violates customary law will be given legal sanctions. Punishments imposed by customary leaders/traditional leaders, based on the results of deliberations, are based on the values of propriety, eligibility and balance by prioritizing the principles of peace as a foundation of justice. For example, in the case of property disputes (civil field), or murder, persecution and quarrels (criminal field) can be resolved by peaceful means through customary courts, which are found in Gampong-gampong and Mukim.

Regarding the application of *Maqasid Syariah* in the context of Acehnese society, Acehnese people know narit maja "...*Kiwing ateung beuneung peuteupat, kiwing ureug adat peutupat*". Some mention "*kiwing ureung peudeung peudeung pecloseupat*" in the meaning of "*peudeung* is a metaphor for "power" which is meant by "customary law" Aceh customs sourced from four customary classification formulations, namely:

1. *Adatullah*, which is customary law that is derived almost entirely (*muthlak*) from the law of Allah (al Qur'an and al Hadith)
2. *Tunnah* customs, which are customs as a manifestation of the *Kanun* and *Reusam* that govern people's lives.
3. *Muhakamah* custom, which is customary law that is manifested in the principle of deliberation and consensus.
4. *Jahiliyah* customs, namely customs and habits of the community that are sometimes not under the teachings of Islam, but there are still those that are favored by the community.

One of the Acehnese customary institutions that is present to maintain Acehnese customs in the context of the government structure is LAKA (Aceh Customary Cultural Institution). This institution also established a Decree on *Hadih Maja/Narit Maja* Aceh Traditional Cultural Identity through a Plenary Working Meeting that took place in Banda Aceh on October 8 to 11, 1990 with the following formulation:

1. Aceh's Traditional and Cultural Identity is Islam. All systems and societies in Aceh are united with Islamic teachings as long as they do not contradict Pancasila and the 1945 Constitution. In Acehnese society, Islamic Customs and Law are substances with properties.

³⁴ Ridha and (Ed). 58.

2. Acehese customs and culture are dynamic, and can change and develop according to the changing times and the needs of society. However, the change of a custom is not arbitrary.
3. Acehese Customs and Culture reflect the close relationship between Ulama and Umara.
4. The Islamic identity of Acehese Customs and Culture is reflected in the various nicknames given to this region: Aceh Serambi Mekkah, Aceh Tanah Rencong, and Aceh Daerah Modal.
5. Islamic Acehese Customs and Culture need to be improved in implementation to support National Development.

In supporting *Maqasid Syariah*, the existence of Aceh has various customary institutions that take care of people's lives from the perspective of local wisdom, both those who have the status of area managers and the management of natural resources and the community's economy are social capital. If the existence of this customary institution can be strengthened and synergized properly with government programs, it will be able to make Aceh a region that is based on local wisdom as one of the very strong social capital in sustainable development.

It must be admitted that so far, the Aceh government has made various breakthroughs to strengthen human resources and the capacity of customary institutions which are realized through the Aceh Customary Assembly (MAA) institution which plays an important role in strengthening customs and other local wisdom. However, these efforts have not been running optimally, there needs to be increased concern from the Aceh Government both in terms of program policies and budgets, so that in the future the MAA institution can carry out its role and function better.

On the other hand, it needs to be emphasized that the existence of customs in Aceh has not been neatly packaged as one of the tourist destinations that can attract tourists to Aceh to improve the community's economy so that Aceh is more widely known, not only at the national level but also at the international level. In this context, Aceh has a variety of customs that can be used as an attraction for tourists, such as the implementation of peusijek activities, *makmeugang*, *suloh* (peace), marriage customs, *seumeulang raja daya* (glorifying kings), and others. Some of these customs certainly have nuances and regional specifics that are quite thick and can be packaged properly to make one of the tourist visits to Aceh.

Seeing the various challenges mentioned above, in the future, Aceh needs to develop a new strategy to make customs one of the development capitals. This strategy can be outlined in the master plan/roadmap for the development of customs so that Aceh has a clear and directed reference in various customary programs, implemented by the government, customary institutions, donor institutions, and other organizations.

The need for a sense of security as one of the spirits of *Maqasid Syariah* which includes aspects of security, order, protection, stability, and others is one of the basic needs of human beings living in all parts of the world. Abraham Maslow, a psychologist from the United States, in The Hierarchy of Needs Theory (Maslow's Theory), places the need for security in the second position of the hierarchy of human needs after physiological needs or primary needs such as the need for food, drink, clothing, and shelter.

From the perspective of maqashid shariah (the objectives of Islamic law), the need for security, both physical and psychological, is a fundamental aspect of safeguarding life (hifz al-nafs). In multicultural, ethnic, and religious societies, ensuring security requires an inclusive approach that respects diversity and upholds justice. Physical security encompasses protection from external threats such as crime, conflict, or disaster, which aligns with the maqashid's emphasis on stability and the preservation of life. Similarly, psychological security—freedom from fear, anxiety, or humiliation—reflects the maqashid's goal of ensuring dignity (hifz al-'ird) and mental well-being.

In diverse societies, achieving this sense of security, order, and peace necessitates mechanisms that recognize and integrate cultural, ethnic, and religious differences. Systems of governance, law enforcement, and community relations must be designed to ensure that no group feels marginalized or threatened. For instance, fostering interfaith dialogue, promoting social justice, and addressing inequalities are strategies that align with maqashid shariah. By prioritizing these measures, societies can create an environment where coexistence thrives, and the universal goals of security and harmony are achieved.

Ultimately, the maqashid shariah framework offers a holistic foundation for addressing the complexities of multicultural, ethnic, and religious dynamics. It emphasizes the importance of safeguarding life, dignity, and peace while promoting inclusivity and mutual respect as essential components of societal well-being.

Conclusion

In a multicultural life such as the border community of Aceh, it is necessary to understand and be aware of religious moderation that respects differences, plurality, and at the same time the willingness to interact with anyone fairly. Facing diversity, a moderation attitude is needed, this form of moderation can differ from place to place. Moderation in the form of acknowledging the existence of other parties, possessing a tolerant attitude, respect for differences of opinion, and not imposing the will utilizing violence is a form of Maqashid Sharia.

Efforts to form an attitude of religious moderation in the interaction between communities on the Aceh border need to involve all components of society, especially to understand the purpose of Islamic Sharia itself; first, the community is given an understanding of the purpose of Maqashid Sharia which is an Islamic value to know the actual limits and rules; second, through the socialization of religious moderation which is substantially directed at shaping the character of border communities moderate ones; third, the opening of a discussion room on hot issues related to religious moderation, radicalism, anarchism by providing true understanding if mistakes and deviant attitudes of the community are found; Fifth, curriculum adjustment, and sixth evaluation.

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