

Problems of Implementation of Islamic Criminal Law (Qanun Jinayah) In Aceh Darussalam Province.

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- **Abstract:** There are three qanuns related to Islamic jinayat (criminal) law which have been promulgated by the Aceh Government during the implementation of Islamic law, which is: Qanun Khalwat, Qanun Maysir and Qanun Khamar. From 2004 to 2008, many cases associated with jinayat were resolved through the Syar'iyah Court with sanctions in the form of caning or fines. However, since 2009 until now, many jinayat cases have been resolved through customary courts. The results of this study indicate that there are at least 6 factors which hinder the implementation of the jinayat law in Aceh, which are: the substance of the jinayah qanun that is too weak; the absence of political will from Aceh government to seriously implement the jinayat law; various perceptions around the qanun jinayah among Acehnese and students; weak integrity and morality of law enforcement officers; prohibited and limited public pressure; and the low budget for the enforcement of Islamic law in Aceh. All of these have implications for the absence of legal certainty; increasing symptoms of radicalism as a conflict over the qanun jinayah, to endless debates about the ideal pattern of enforcing the qanun jinayah. Until now, the handling of the law for the issue of khalwat is subject to the customary law system, while the issue of gambling and alcohol is subject to the court of the Syar'iyah Court.
- **Keywords:** Islamic jinayat, gambling, alcohol, Qanun Khalwat