

# Analysis of the Relevance of Hudud Punishment in the Context of Law Enforcement in Indonesia

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**Abstract:** This research explores the relevance and implications of implementing Hudud punishment within the framework of Indonesia's legal system. Hudud, as prescribed in Islamic law, refers to fixed punishments for specific crimes such as theft, adultery, and apostasy, derived from the Quran and Hadith. While Hudud holds strong theological foundations and historical precedence in various Islamic countries, its application in Indonesia a nation characterized by religious pluralism, constitutional democracy, and adherence to international human rights norms presents a complex legal and sociopolitical challenge. Through normative legal research methods and qualitative analysis, this study examines the compatibility of Hudud with Indonesia's constitutional principles, national criminal law, and the broader societal context. The study also analyzes the partial implementation of Sharia in Aceh province as a case study, alongside public opinion and academic debates surrounding the issue. Findings reveal significant constitutional, procedural, and human rights concerns that limit the viability of Hudud punishments at the national level. While religious sentiments may support its moral intent, the legal, social, and political landscape of Indonesia suggests that Hudud punishment is not practically or ethically aligned with the nation's current legal and democratic framework. This research contributes to the ongoing discourse on Islamic law, legal reform, and religious pluralism in Indonesia, highlighting the need for balanced, inclusive approaches to lawmaking that respect both religious values and constitutional commitments.

## Research Highlights:

- Explores the concept and origins of Hudud punishment within Islamic criminal law and its theological basis in the Qur'an and Hadith.
- Analyzes the compatibility of Hudud with Indonesia's legal and constitutional framework, particularly in relation to human rights, Pancasila, and the 1945 Constitution.
- Examines the partial implementation of Sharia law in Aceh Province as a case study to understand the legal, social, and political implications of regional autonomy and religious law.
- Investigates public opinion and academic discourse to identify diverse perspectives on the relevance and controversy of Hudud in a pluralistic society.
- Concludes that while Hudud holds religious significance for some communities, its implementation at the national level faces substantial legal, ethical, and socio-political challenges in Indonesia.

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## INTRODUCTION

Indonesia is a pluralistic nation composed of diverse ethnic, cultural, and religious groups. As the country with the largest Muslim population in the world, Islam plays a significant role in shaping the values and norms of Indonesian society (Kersten, 2015). Nevertheless, Indonesia adopts Pancasila as its ideological foundation and a civil law system that accommodates a blend of customary law (adat), religious principles, and modern legal concepts derived from colonial and international influences.

Hudud punishment, derived from Islamic criminal law (fiqh jinayah), refers to fixed punishments for specific offenses considered to be against the rights of God, such as theft (sariqah), adultery (zina), false accusation (qadzf), consumption of alcohol (shurb al-khamr), robbery (hirabah), and apostasy (riddah). These penalties are viewed as divinely ordained and are believed to serve as both a deterrent and a mechanism for moral and social order in Islamic jurisprudence.

In Indonesia, the implementation of Hudud punishments has been a subject of ongoing debate. While Aceh, as a province with special autonomy, has partially adopted Islamic criminal law including punishments resembling Hudud most regions in Indonesia continue to apply the national criminal code (KUHP) based on secular principles (Siregar, 2008). This situation raises important legal, constitutional, and societal questions about the compatibility and relevance of Hudud within the broader context of Indonesian law enforcement.

The implementation of Hudud punishments has a long and complex history within the Islamic world. These fixed penalties, derived from the Qur'an and Hadith, were established in the early days of Islam during the Prophethood of Muhammad (peace be upon him) and were subsequently institutionalized during the era of the Rashidun Caliphate (632–661 CE). During this period, the application of Hudud was carried out with strict evidentiary standards, and great emphasis was placed on justice, prevention of harm, and giving the benefit of the doubt to the accused (Korbatieh, 2019).

In the centuries that followed, the enforcement of Hudud varied significantly across different Islamic empires and regions. Under the Umayyad and Abbasid dynasties, Hudud remained a part of Islamic criminal law but was not always consistently enforced due to political considerations, judicial discretion, and the high evidentiary thresholds required by classical jurists (Lippman, 2017). Instead, rulers often preferred to apply ta'zir (discretionary punishments) for criminal offenses, which provided more flexibility.

Throughout the medieval period, Islamic jurists across various madhhabs (schools of Islamic jurisprudence) preserved the theoretical framework of Hudud in legal manuals, but practical implementation remained limited. Judges (qadis) and rulers were often reluctant to impose Hudud penalties because of their irreversible nature and the emphasis on avoiding miscarriage of justice (Zubaida, 2003). This principle is reflected in the famous saying of the Prophet Muhammad: "Avoid Hudud punishments when you can, for it is better for the ruler to err in forgiveness than to err in punishment."

With the advent of colonialism in the 19th and 20th centuries, most Islamic countries came under the influence of Western legal systems, particularly civil and common law traditions (Benton, 2002). As a result, Islamic criminal law, including Hudud punishments, was largely replaced or sidelined by modern legal codes introduced by colonial powers. After gaining independence, many Muslim-majority countries retained these secular or hybrid legal systems.

However, in the late 20th century, there was a revival of interest in the implementation of Sharia, including Hudud punishments, as part of broader Islamic reform and political movements. Countries such as Pakistan, Iran, Saudi Arabia, Sudan, and Nigeria (in some northern states) introduced or reintroduced elements of Hudud into their national legal systems (Lau, 2016). These implementations, however, have faced criticism and challenges both internally and internationally particularly concerning human rights, gender justice, and legal fairness.

In contrast, some Muslim countries have maintained secular or dual legal systems, such as Egypt, Jordan, Turkey, and Indonesia, where Hudud is either not implemented or applied only in limited jurisdictions (Salim, 2008). For example, Aceh province in Indonesia, under special autonomy, has enacted Sharia-based regulations that include punishments inspired by Hudud, though these are adapted within a modern legal framework.

Scholarly interest in the implementation and relevance of Hudud punishments within Indonesia's legal system has grown, reflecting the nation's ongoing discourse on harmonizing Islamic principles with national laws. Suciyani's 2022 study examines the compatibility of Hudud punishments with Indonesia's

foundational philosophy, Pancasila. The research highlights the challenges in aligning the fixed nature of Hudud penalties with the dynamic and pluralistic values enshrined in Pancasila, suggesting that a rigid application of Hudud may conflict with the nation's commitment to justice and human rights.

Effendi's 2024 article delves into the contentious debate surrounding the death penalty and Hudud sanctions in Muslim-majority countries, including Indonesia. The study contrasts conservative views, which uphold Hudud as divine mandates, with progressive perspectives advocating for human rights and the abolition of such punishments. This dichotomy underscores the tension between traditional Islamic jurisprudence and contemporary human rights standards.

Nasution and Ramadani's research offers a comparative study between Indonesia's national laws and Islamic criminal law concerning severe offenses like child rape. The study assesses the effectiveness of existing legal sanctions and explores the potential integration of Islamic principles, particularly Hudud and Ta'zir, in addressing such crimes. The findings suggest that while Islamic criminal law provides stringent measures, their implementation must consider the broader legal and societal context of Indonesia.

Hannani's 2023 article compares traditional (Turas) and modern (New Fiqh) interpretations of Hudud penalties. The study reveals a shift among contemporary scholars towards reinterpreting Hudud laws to align with current societal values and human rights considerations, indicating a move away from literalist applications towards more contextual understandings.

Aceh province remains the only region in Indonesia where Sharia law, including Hudud-like punishments, is officially implemented (Derichs & Fleschenberg, 2010). Recent reports highlight cases where individuals have been subjected to public caning for moral offenses, drawing criticism from human rights organizations. These instances underscore the complexities and controversies surrounding the enforcement of Hudud punishments within a pluralistic society.

The discourse on implementing Hudud punishments touches upon sensitive intersections between religion, human rights, constitutional law, and regional autonomy (Baderin, 2003). On one hand, some argue that recognizing Hudud laws could strengthen moral discipline and reflect the aspirations of Muslim communities. On the other hand, concerns persist about the potential conflict with constitutional guarantees, such as the protection of human rights, equality before the law, and freedom of religion and belief (Neuman, 2002).

Given these dynamics, this research aims to explore the relevance of Hudud punishment in Indonesia's current legal framework by analyzing its philosophical foundations, legal feasibility, societal acceptance, and potential implications for law enforcement and national unity. Understanding this relevance is essential for informing future legal harmonization, preserving religious tolerance, and promoting a just legal system that reflects the values of Indonesia's diverse society.

## METHOD

This research employs a qualitative approach to comprehensively analyze the relevance of Hudud punishments within the context of law enforcement in Indonesia. The qualitative method is chosen because it allows an in-depth exploration of complex legal, religious, and sociocultural dimensions that cannot be adequately captured through purely quantitative data (Van Esch & Van Esch, 2013).

The study primarily relies on library research (desk research) and document analysis (White et al., 2006). This involves a systematic review of existing literature, including legal texts, Islamic jurisprudence sources, government regulations, previous academic studies, and reports from human rights organizations. The objective is to understand the theological foundations, historical background, and contemporary debates regarding Hudud punishments, as well as their practical application and challenges in Indonesia.

In addition, the research includes case studies of specific instances where Hudud-inspired regulations have been implemented, particularly focusing on the Aceh province, where Sharia law is officially enforced. These case studies provide concrete examples that help illustrate the real-world implications and controversies surrounding Hudud in Indonesia's pluralistic society.

To further enrich the analysis, this study incorporates interviews with legal experts, religious scholars, and law enforcement officials (McKenna et al., 2016). These semi-structured interviews aim to gather diverse perspectives on the compatibility of Hudud with Indonesian national law, societal values, and human rights standards. The purposive sampling technique is applied to select knowledgeable respondents who have direct experience or scholarly insight into the topic.

Data collected through literature, case studies, and interviews are then analyzed using thematic analysis, identifying key themes such as legal compatibility, human rights considerations, societal acceptance, and practical enforcement challenges (Alam, 2021). This analytical framework facilitates a nuanced understanding of how Hudud punishments relate to Indonesia's legal system and the broader socio-political environment.

Throughout the research, ethical considerations are observed by ensuring the confidentiality of interview participants and respecting differing viewpoints (Petrova et al., 2016). The study acknowledges the sensitivity of the topic and strives for an objective and balanced discussion. This methodology enables a holistic examination of Hudud punishments in Indonesia, providing both theoretical insights and empirical evidence that contribute to informed discussions on law enforcement and legal pluralism in the country.

## RESULTS AND DISCUSSION

### Results

The research reveals several important findings regarding the relevance and application of Hudud punishments within Indonesia's law enforcement framework. Firstly, the study confirms that Hudud punishments hold significant religious and cultural value for many Muslim communities in Indonesia. Theological analysis shows that Hudud is viewed by its proponents as divinely mandated and immutable, representing justice as ordained in Islamic law. However, the findings also indicate substantial diversity in interpretation and acceptance, with a growing number of Islamic scholars advocating for contextualized and reformative approaches rather than literal enforcement.

Secondly, the legal review identifies a fundamental tension between Hudud punishments and Indonesia's national legal system, which is based on Pancasila and the 1945 Constitution. Indonesia's legal framework prioritizes pluralism, human rights, and democracy, which often conflicts with the fixed and harsh penalties prescribed by Hudud. Consequently, Hudud is not part of the formal national criminal code, limiting its official applicability to special autonomous regions like Aceh.

Thirdly, the case studies of Hudud enforcement in Aceh provide concrete evidence of both the implementation and challenges of such punishments. While Aceh's application of Hudud laws, including public caning for moral offenses, reflects an effort to align local governance with Islamic values, it has also sparked national and international debate. Issues raised include concerns over human rights, legal fairness, and the potential for social division within Indonesia's diverse population.

Furthermore, interviews with legal experts and religious leaders reveal divergent opinions on Hudud's role in contemporary Indonesia. Some argue that Hudud can coexist with national law if implemented with strict procedural safeguards and judicial discretion. Others emphasize that Indonesia's pluralistic society requires alternative approaches that prioritize rehabilitation over corporal punishment.

Lastly, the thematic analysis highlights that any future consideration of Hudud's broader implementation must carefully address societal acceptance, legal compatibility, and adherence to international human rights standards. The study underscores the importance of dialogue among lawmakers, religious scholars, and civil society to find a balanced and context-sensitive approach to law enforcement.

In summary, the results of this research illustrate that while Hudud punishments remain religiously significant, their relevance and feasibility within Indonesia's legal system are constrained by constitutional, social, and human rights factors. The enforcement of Hudud in Indonesia is therefore limited and contentious, requiring nuanced understanding and cautious policy considerations.

### **Compatibility and Conflict Between Hudud Punishments and Indonesia's Legal Principles**

On one hand, Hudud punishments are prescribed in Islamic law as fixed penalties for specific offenses, including theft, adultery, apostasy, and consumption of intoxicants. For many Muslim Indonesians, Hudud represents divine justice and moral order, reflecting a legal ideal that aligns with their religious beliefs. The cultural and religious significance of Hudud fosters a desire among certain groups to see its implementation within Indonesia's legal system, particularly in regions with strong Islamic identities like Aceh.

However, significant conflicts arise when these religiously mandated punishments are examined in light of Indonesia's secular constitutional framework. Indonesia's legal system guarantees the protection of fundamental human rights, such as the right to life, dignity, and fair trial, as enshrined in the constitution

and supported by international agreements to which Indonesia is a party. Hudud punishments, which often involve corporal penalties like amputation or caning, raise serious concerns about their compatibility with these human rights protections.

Furthermore, Indonesia's commitment to legal pluralism which recognizes the coexistence of multiple religious and customary laws within a single national framework means that no single religious legal system can unilaterally dictate criminal law nationwide. This pluralism aims to respect the country's vast ethnic and religious diversity, ensuring that minority groups are not subjected to laws rooted in a religion they do not follow (Bader, 2003). As such, while Aceh has been granted special autonomy to implement Sharia-based regulations, including Hudud-like punishments, this exception highlights the general incompatibility of Hudud with the national criminal code.

The principles of democracy and justice further complicate the integration of Hudud. The fixed and severe nature of Hudud penalties leaves little room for judicial discretion, rehabilitation, or consideration of mitigating circumstances concepts that are central to modern Indonesian criminal justice. The Indonesian legal system emphasizes proportionality in sentencing and the protection of defendants' rights, which often contrasts with the rigid and punitive character of Hudud.

While Hudud punishments resonate deeply with certain Islamic legal and moral values, their application within Indonesia's legal system presents significant conflicts. These conflicts arise from Indonesia's foundational commitment to human rights, pluralism, and democratic legal principles, which prioritize inclusivity and the protection of individual freedoms (Hainsworth, 2007). Therefore, Hudud and Indonesia's legal principles coexist in a complex and often contentious relationship, necessitating careful balancing to respect religious sentiments without undermining constitutional values.

#### **Case Analysis: Aceh Province's Partial Implementation of Sharia Law**

Aceh province stands as a unique example within Indonesia due to its special autonomy status, which allows it to implement Islamic Sharia law alongside the national legal system. This autonomy was granted through the 2006 Law on the Governing of Aceh (UUPA), as part of a peace agreement to resolve long-standing conflicts between the Indonesian government and the Free Aceh Movement (GAM). As a result, Aceh has become the only region in Indonesia where elements of Islamic criminal law, including Hudud punishments, are officially enforced.

The implementation of Sharia in Aceh covers a range of moral and criminal offenses, such as gambling, alcohol consumption, adultery, and *khalwat* (close proximity between unmarried couples) (Cammack, 2015). The Hudud punishments applied include caning (public whipping) for these offenses, reflecting traditional Islamic penalties that aim to uphold religious morality and social order.

This partial enforcement of Sharia has generated both support and controversy (Kendhammer, 2013). Supporters argue that Sharia law in Aceh respects the religious values of the majority Muslim population and strengthens local identity. It is seen as a way to promote morality, reduce social problems, and provide a sense of justice aligned with Islamic teachings. For many in Aceh, Sharia law is not only a religious mandate but also a symbol of regional autonomy and cultural pride.

However, the application of Hudud punishments in Aceh has also drawn significant criticism domestically and internationally. Human rights organizations have raised concerns about the severity and public nature of corporal punishments such as caning, questioning their compliance with international human rights standards. Critics argue that these punishments may violate rights to bodily integrity, fair trial, and protection from cruel or degrading treatment.

Furthermore, the enforcement of Sharia law in Aceh sometimes clashes with Indonesia's national legal principles, particularly regarding pluralism and equal protection under the law. Indonesia's diverse population includes religious minorities and those who do not subscribe to Islamic law, creating tensions over the imposition of Sharia-based punishments in a pluralistic society. There have also been reports of inconsistent enforcement and legal ambiguities, with some cases raising questions about due process and judicial fairness.

The Aceh case illustrates the complex balancing act between respecting regional autonomy and Islamic legal traditions on one hand, and upholding national legal standards and human rights on the other (McGibbon, 2004). While the province's partial Sharia implementation demonstrates the possibility of localized legal pluralism, it also underscores the challenges and limitations of applying Hudud punishments in a modern, multicultural nation-state.

Aceh's experience with Sharia law offers valuable insights into the practical realities of integrating Islamic criminal law within Indonesia's broader legal framework. It highlights both the cultural significance of Hudud punishments for some communities and the ongoing debates regarding legal compatibility, human rights, and social cohesion in Indonesia.

### **Legal and Constitutional Analysis**

The integration of Hudud punishments within Indonesia's legal framework presents a complex challenge that requires careful legal and constitutional scrutiny. Indonesia's legal system is grounded in the 1945 Constitution (Undang-Undang Dasar 1945), which serves as the supreme law and establishes the foundation for governance, legal principles, and human rights protections. Analyzing Hudud from this constitutional perspective reveals significant tensions and potential conflicts.

First and foremost, Indonesia's constitution guarantees fundamental human rights, including the right to life, personal dignity, freedom from torture or cruel, inhuman, or degrading treatment, and the right to a fair trial. Articles such as Article 28I emphasize the protection of human rights as an inseparable part of the nation's legal order. Hudud punishments, which prescribe fixed corporal penalties such as amputation or public flogging, arguably conflict with these constitutional protections (Alsoufi, 2012). Such punishments raise questions about the proportionality, humanity, and modernity of criminal sanctions within Indonesia's legal context.

Moreover, Indonesia adheres to a pluralistic legal system that accommodates diverse religious, customary, and national laws, but within constitutional limits. Article 29 of the Constitution guarantees freedom of religion, and the state recognizes the coexistence of multiple religions and cultures. While this pluralism permits regional autonomy and local regulations to incorporate Islamic principles – as is the case in Aceh the application of Hudud punishments nationwide faces constitutional constraints. The national penal code (KUHP) does not incorporate Hudud, underscoring the primacy of secular criminal law throughout most of Indonesia.

Aceh's special autonomy, granted by Law No. 11 of 2006 on the Governing of Aceh, legally allows for the implementation of Sharia-based regulations, including Hudud. However, even within Aceh, the enforcement of Hudud laws must comply with the national constitution and international human rights treaties to which Indonesia is a party. This duality creates a legal gray area where regional Islamic law and national constitutional law intersect, sometimes leading to legal ambiguities and controversies regarding due process and rights protection.

From a legal theory perspective, Hudud's fixed punishments limit judicial discretion, which contrasts with Indonesia's criminal justice principles emphasizing proportionality and rehabilitation. Indonesian criminal law permits judges to consider circumstances and individual factors when sentencing, a flexibility absent in Hudud's rigid framework. This difference further complicates the compatibility of Hudud with the principles of justice enshrined in the constitution.

In addition, Indonesia's ratification of international human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR), reinforces commitments that may be at odds with the punitive nature of Hudud punishments. These treaties require states to uphold protections against torture and cruel punishment, placing additional legal constraints on implementing corporal sanctions.

The legal and constitutional analysis underscores a fundamental tension between Hudud punishments and Indonesia's national legal order. While respecting religious values and regional autonomy, Indonesia's constitutional framework prioritizes human rights, pluralism, and the rule of law. Any attempts to integrate Hudud into Indonesia's broader legal system must therefore navigate these constitutional boundaries carefully, ensuring compliance with fundamental rights and legal principles to maintain social harmony and legal legitimacy.

### **Social and Political Considerations**

Socially, Indonesia is the world's largest Muslim-majority nation, but it is also home to diverse ethnic, religious, and cultural groups (Hefner, 2017). The country's founding philosophy, Pancasila, emphasizes unity in diversity and pluralism, fostering a social environment where multiple belief systems coexist. This diversity shapes public attitudes toward Hudud, generating a spectrum of opinions from strong support among conservative Muslim communities to opposition or skepticism from religious minorities and secular groups. The varied social landscape means that the introduction or expansion of Hudud punishments risks exacerbating intercommunal tensions, potentially threatening social cohesion and harmony.

Political dynamics also play a crucial role in shaping the Hudud debate. Various political parties and Islamic organizations have used the issue to galvanize support, often framing Hudud as a symbol of Islamic identity and moral governance. In some regions, political elites promote Hudud to appeal to conservative constituents, strengthening their electoral base. Conversely, national political leaders and institutions often approach Hudud cautiously to maintain national unity and prevent alienation of minority groups. This balancing act reflects the broader challenge of accommodating regional autonomy such as that granted to Aceh while preserving the integrity of Indonesia's unitary state.

The case of Aceh province exemplifies these social and political dynamics. Following decades of conflict, the government granted Aceh special autonomy partly in recognition of its distinct Islamic identity. The local implementation of Sharia law, including Hudud punishments, serves as both a political concession and a means of asserting cultural self-determination (Abou El Fadl, 2016). However, this localized application also raises questions about equity and the reach of regional religious laws in a secular national system.

Internationally, Indonesia's political leadership must navigate pressures from human rights organizations and foreign governments concerned about the compatibility of Hudud with international norms. These external considerations affect Indonesia's diplomatic relations and its global image as a moderate Muslim-majority democracy.

In summary, the social and political landscape in Indonesia profoundly affects the discussion and implementation of Hudud punishments. The interplay between religious identity, cultural diversity, political interests, and international commitments creates a complex environment where legal decisions about Hudud extend beyond the courtroom into the realm of societal values and state governance. Understanding these dimensions is essential for any meaningful analysis of Hudud's relevance and future in Indonesia.

### **Challenges and Controversies**

One of the foremost challenges is constitutional compatibility. Hudud punishments, which include amputations for theft or stoning for adultery, are seen by many as incompatible with Indonesia's 1945 Constitution, particularly provisions that protect human dignity, the right to life, and freedom from cruel or degrading punishment. The rigidity and severity of Hudud laws also conflict with Indonesia's criminal justice principles, which emphasize proportionality, rehabilitation, and judicial discretion.

Another significant controversy stems from human rights concerns. National and international human rights organizations argue that Hudud punishments violate international conventions to which Indonesia is a party, such as the International Covenant on Civil and Political Rights (ICCPR) (Gabriel, 2016). The application of such punishments especially in cases involving minors, women, or under procedural flaws has raised alarms over due process and the right to a fair trial.

The social challenge is equally pressing. Indonesia's population is not only religiously diverse but also varies widely in interpretations of Islamic teachings. While conservative communities may view Hudud as a divine mandate, others including progressive Muslims and religious minorities perceive it as a threat to Indonesia's tradition of religious moderation (*wasatiyyah*) and interfaith harmony. The implementation of Hudud could deepen societal divisions, particularly if perceived as enforcing one group's religious norms over others.

Regional disparities add another layer of complexity. Aceh's special autonomy allows it to implement Sharia-based regulations, including elements of Hudud, but this creates uneven legal standards across the country (Huis, 2015). Critics argue that this fragmented legal landscape can result in legal uncertainty and unequal treatment of citizens, undermining the principle of equality before the law.

Furthermore, politicization of Hudud-related issues has fueled controversy. Some political actors have used the topic to gain religious credibility or electoral advantage, turning it into a tool for identity politics rather than sincere legal reform. This politicization often sidesteps necessary legal analysis and public consultation, reducing Hudud to a symbol rather than a functional legal mechanism.

Finally, there is the challenge of enforcement. Even in Aceh, where partial Sharia has been adopted, the implementation of Hudud-style punishments is fraught with procedural difficulties, lack of trained personnel, and public resistance. Questions about evidentiary standards, judicial integrity, and the risk of misuse or miscarriage of justice remain significant concerns.

While Hudud punishments are supported by some as a means of moral and legal enforcement grounded in Islamic law, they raise serious challenges and controversies in Indonesia's constitutional democracy. Balancing religious aspirations with human rights, legal consistency, and national unity remains a formidable task, requiring cautious deliberation and inclusive dialogue (Sachedina, 2009).

## CONCLUSION

The relevance of Hudud punishment in the context of law enforcement in Indonesia is a deeply nuanced and multifaceted issue. This research has examined the theological, legal, social, and political dimensions that shape the discourse around Hudud's applicability within Indonesia's pluralistic and democratic legal framework. Originating from Islamic jurisprudence, Hudud encompasses fixed penalties meant to uphold moral and legal order in a Muslim society. While these laws hold significant religious value for many, their implementation in Indonesia particularly at a national level faces substantial legal, constitutional, and societal obstacles. The Indonesian Constitution emphasizes human rights, legal equality, and religious freedom, all of which may be at odds with the rigid and corporal nature of Hudud punishments. Although Aceh province, under its special autonomy status, has partially implemented elements of Sharia law, including some punishments inspired by Hudud, the experience reveals the practical and ethical challenges involved, including concerns about due process, legal consistency, and public reception. Moreover, this study highlights how public opinion is deeply divided, with support often aligned with conservative Islamic views and opposition rooted in concerns over human rights and national legal coherence. Academic debates further underscore the importance of aligning legal reforms with democratic principles and the rule of law. While Hudud punishments may reflect the aspirations of certain segments of the Muslim population in Indonesia, their relevance in the broader national legal system remains limited and controversial. Any future consideration of their implementation must be approached with great caution, ensuring compliance with constitutional values, human rights standards, and Indonesia's foundational commitment to religious tolerance and national unity. Constructive dialogue, inclusive policy-making, and legal clarity are essential in addressing this sensitive and complex issue.

## AUTHORS' DECLARATION

### Authors' Contributions and Responsibilities

The authors collectively contributed to the conceptualization, research design, data collection, and analysis of this study on the relevance of Hudud punishment in Indonesia.

### Competing Interests

The authors declare that there are no competing interests or conflicts of interest related to the content, conduct, or publication of this research. This study was conducted independently and was not influenced by any financial, institutional, political, or religious affiliations.

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