

RINGKASAN

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**Implementasi Penyelesaian Perselisihan Antar
Warga Oleh Peradilan Adat Gampong
Menurut Qanun Nomor 9 Tahun 2008 Tentang
Pembinaan Kehidupan Adat Dan Adat Istiadat
(Studi Penelitian Di Gampong Matang
Kumbang, Kec. Baktiya, Kab. Aceh Utara)
(Fauzah Nur Aksa, S.Ag., M.H. dan Fatahillah,
S.H., M.Hum.)**

Pada tahun 2023, terjadi sengketa batas tanah antara dua keluarga di Gampong Matang Kumbang yang memicu ketegangan sosial hingga nyaris berujung pada konflik fisik. Permasalahan ini diselesaikan melalui peradilan adat yang dipimpin oleh Geuchik, dibantu Tuha Peut dan tokoh adat, dengan mengedepankan musyawarah sesuai kebiasaan masyarakat Gampong Matang Kumbang. Penyelesaian tersebut berlandaskan Qanun Aceh Nomor 9 Tahun 2008 tentang Pembinaan Adat dan Adat Istiadat serta Undang-Undang Nomor 11 Tahun 2006 tentang Pemerintahan Aceh, yang menunjukkan bahwa lembaga adat masih memegang peranan penting dalam menjaga kerukunan masyarakat.

Penelitian ini bertujuan untuk mengetahui penyelesaian perselisihan antar warga dilakukan melalui peradilan adat di Gampong Matang Kumbang. Mengidentifikasi kendala dan hambatan yang dihadapi dalam proses tersebut, serta menggambarkan upaya yang dilakukan oleh peradilan adat setempat dalam mengatasi berbagai kendala.

Metode penelitian ini adalah yuridis empiris. Data diperoleh melalui wawancara dengan informan dan responden seperti *Geuchik*, *Tuha Peut*, warga, serta pihak berselisih. Analisis dilakukan secara sistematis untuk memahami pelaksanaan, kendala, dan upaya peradilan adat berdasarkan Qanun Nomor 9 Tahun 2008.

Hasil penelitian ini menunjukkan bahwa proses penyelesaian sengketa perselisihan di Gampong Matang Kumbang dilakukan melalui musyawarah di meunasah yang melibatkan tokoh adat seperti Geuchik, Tuha Peut, dan Kepala Dusun, yang mencerminkan nilai kekeluargaan, dan kebersamaan. Terdapat berbagai hambatan seperti ketiadaan aturan tertulis, kapasitas tokoh adat yang masih terbatas, minimnya anggaran, rendahnya partisipasi para pihak, tidak hadirnya saksi, serta pengaruh relasi kekeluargaan, namun, peradilan adat tetap berupaya adaptif dan solutif. Upaya dilakukan dengan penyusunan aturan tertulis, pelatihan tokoh adat, peningkatan partisipasi masyarakat secara swadaya, perlindungan saksi, penegakan etika netralitas, penguatan sanksi sosial, serta koordinasi dengan aparat hukum negara.

Peradilan adat di Gampong Matang Kumbang perlu memperkuat musyawarah berbasis kekeluargaan, serta forum koordinasi rutin dengan aparat dan penegak hukum agar penyelesaian sengketa tetap efektif, objektif, dan berkelanjutan dalam menjaga keharmonisan masyarakat.

Kata Kunci : Implementasi, Penyelesaian, Perselisihan, Peradilan Adat, Qanun.

SUMMARY

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Implementation of Dispute Resolution Between Citizens Through Gampong Customary Court Based on Qanun Number 9 of 2008 Concerning the Development of Customary Life and Traditions (A Case Study in Gampong Matang Kumbang, Baktiya Subdistrict, North Aceh Regency)
(Fauzah Nur Aksa, S.Ag., M.H. and Fatahillah, S.H., M.Hum.)

In 2023, a land boundary dispute occurred between two families in Gampong Matang Kumbang, triggering social tensions that nearly escalated into physical conflict. The dispute was resolved through customary court proceedings led by the Geuchik, assisted by the Tuha Peut and traditional leaders, prioritizing deliberation in accordance with the customs of the Gampong Matang Kumbang community. The resolution was based on Aceh Qanun Number 9 of 2008 on the Development of Custom and Customary Practices and Law Number 11 of 2006 on the Governance of Aceh, demonstrating that customary institutions still play a vital role in maintaining community harmony.

This research aims to examine the resolution of disputes between residents through the customary court in Gampong Matang Kumbang, identify the obstacles and challenges faced in the process, and describe the efforts made by the local customary court to overcome these challenges.

The research method used is empirical juridical. Data were collected through interviews with informants and respondents such as the Geuchik, Tuha Peut, residents, and the disputing parties. The analysis was conducted systematically to understand the implementation, obstacles, and efforts of the customary court based on Qanun Number 9 of 2008.

The findings show that the dispute resolution process in Gampong Matang Kumbang is carried out through deliberations held in the meunasah, involving traditional leaders such as the Geuchik, Tuha Peut, and the Hamlet Head, reflecting values of kinship and togetherness. Several obstacles were identified, including the absence of written regulations, limited capacity of traditional leaders, insufficient budget, low participation of the parties, absence of witnesses, and the influence of family relations. Nevertheless, the customary court continues to adapt and find solutions. Efforts include drafting written regulations, training traditional leaders, increasing community participation through self-initiative, providing witness protection, enforcing ethical neutrality, strengthening social sanctions, and coordinating with state law enforcement officers.

The customary court in Gampong Matang Kumbang needs to strengthen kinship-based deliberations and establish regular coordination forums with authorities and law enforcement to ensure dispute resolution remains effective, objective, and sustainable in maintaining community harmony.

Keywords: Implementation, Resolution, Dispute, Customary Court, Qanun.