

# **Role of Community and Communal Law of Aceh in the Great Sumatra Earthquake and Tsunami Recovery: A Case Study in Lambada Lhok Village, Aceh Besar District, Aceh, Indonesia<sup>1</sup>**

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## **Abstract**

The devastation caused by the December 26, 2004 earthquake and tsunami disaster resulted in the collapse of gampong (village) government in most of the impacted areas. Gampong government is on the lowest hierarchy of the government system based on a communal law applicable to Aceh. The gampong community is allowed to adopt its communal law as a standard for social interaction within the community and in running its government. In the Communal Law of Aceh, common interests of the people should be prioritized over those of personal nature. Mutual aid (Gotong Royong) principle that is deep rooted in the Communal Law of Aceh was widely practiced during the tsunami emergency response. Victims helped each other finding their missing family members and salvaging their usable belongings. In order to accelerate the recovery process, the revitalization and strengthening of gampong government system should be prioritized.

## **Aceh Community and Gampong Government**

This case study was conducted in Lambada Lhok, Baitussalam Sub-District, Aceh

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Besar District, Aceh Province. It is one of the 13 villages within the area of Baitussalam Sub-District. Lambada Lhok is located approximately 53 km from the capital of Aceh Besar District (Jantho) and approximately 15 km from the center of the capital of Aceh Province (Banda Aceh). The village occupies an area of 150 hectares along the coastline, and in the 2004 tsunami disaster, the village was completely destroyed and nearly no structures remained. The total population of Lambada Lhok village before tsunami was 2,200 people. However, only 661 people or about 30% remained after the disaster. Most of the village members are of Acehnese ethnic background and nearly all of them are fishermen.

Gampong government is on the lowest hierarchy of government structure in Aceh. In Article 2 Law 11/2006 of Indonesia regarding the Government of Aceh (UUPA), it is clearly defined that:

1. Aceh Province consists of Districts and Municipalities,
2. Districts and Municipalities consist of Sub-Districts,
3. Sub-Districts consist of Associated Villages/Residencies (Mukims), and
4. Mukims consist of gampongs (Villages).

Based on the above definition, the government and territorial systems of Aceh consist of:

- 1) Aceh Province led by Aceh Government, i.e., the Governor of Aceh;
- 2) District/Municipality led by District/Municipality Government, i.e., Head of District/ Mayor;
- 3) Sub-District led by Sub-District Government, i.e., Head of Sub-District;
- 4) Mukim led by Mukim Government, i.e., Imelum Mukim; and
- 5) Gampong led by Gampong Government, i.e., Keuchik (Head of Village)

Gampong government is the lowest government system unique to Aceh and is not found in other areas of Indonesia. A gampong is a territory that covers several neighborhoods (*dusun*) and typically has a population of 1000 up to 2000 people. Gampong governments adopt the Communal Law of Aceh. Gampong governments are led by *keuchik* as head of the executive branch. *Keuchik* is a position elected by the entire

gampong adult community members. Procedures for *keuchik* election are described in Qanun (Provincial Legislation) of Aceh 4/2009 regarding the Mechanism for the Election and Termination of *Keuchik* in Aceh. The term of office for *keuchik* is 6 years that can be re-elected for a second term. A *keuchik* is assisted by a village secretary, treasurer, and several neighborhood (*dusun*) leaders (*ulee juroeng*).

Other communal law leaders that must exist in a gampong government include *imeum meunasah* (religious leader of the village) and *tuha peut* (legislative council). *Imeum meunasah* is in charge of religious affairs in the gampong. He oversees the implementation of Islamic laws and the management of *meunasah* (prayer hall) or masjid (mosque) which serves as the center for all religious activities in the gampong.

A *meunasah* or *masjid* also serves as the center for gampong government. In this case, other than for congregational prayer purposes, it is used as an office for *keuchik*, the secretariat for *tuha peut*, a venue for community discussion and deliberation, Islamic boarding school/Quran reading training center, and other social events of gampong.

Historically, *keuchik* and *imeum meunasah* maintains a very close professional and personal relationship. While *keuchik* focuses on daily official affairs, *imeum meunasah* directs his attention to leading the community toward piety and the life of the hereafter.<sup>2</sup>

Beside *keuchik* and *imeum meunasah*, *tuha peut* is a very important body in a gampong structure. It is a representative body of the village and serves as *keuchik's* counterpart in conducting gampong administration. *Tuha peut* consists of several important figures in the community that typically possess four qualities of “*tuha* (The Respected)”, i.e., *tuha*, *tuho*, *teupeu*, and *teupat*.

- *Tuha* means they are old and wise enough to know detailed aspects and all occurrences in the village.
- *Tuho* means they are well versed in all issues in the village, particularly those that pertain to the property transactions in the village. Typically, those who possess *tuho* quality have resided in the village for a long time (*Asoe Lhok*) and served in the village leadership previously, either as *keuchik*, *tuha peut*, or *imeum meunasah*.
- *Teupeu* means they are well educated, knowledgeable, wise, and very sociable with gampong community and beyond.

- *Teupat* means they are honest/trustworthy, reliable, and sincere. Typically, those who have *teupat* quality show their objectivity and fairness when expressing their opinions and giving their recommendations for solving the problems in the village.

Membership in the legislative council of gampong (*tuha peut*) is by election conducted through a special consultation among villagers held at the *meunasah*. Normally, the number of *tuha peut* members is 5 to 7 persons including a chairman. The main roles of *tuha peut* are to gather people's aspiration and feedback that will be conveyed to keuchik; to cooperate with keuchik in designing all activity plans for gampong government that include among others, development plan, community strengthening, etc.; to cooperate with keuchik in terms of discussing and adopting the budget of gampong; and to monitor and advise keuchik in the implementation of gampong government.

The above-described structure of gampong government has traditionally existed in Aceh community since the old days<sup>3</sup> and is still in effect today. However, during the Suharto's New Order regime (1966-1998) that imposed a rigid unified law policy, the gampong government system was made similar to other villages throughout Indonesia, despite the fact that the structure and essence of gampong government is completely different from the widely known village government.

### **Communal Law and Local Wisdoms of Aceh**

Communal law is a customary law adopted and observed by a certain community. This type of law was developed from traditions considered to contain local wisdoms by the community and the indigenous jurisprudence developed by the indigenous leader that is still enforced to this day.<sup>4</sup> Stipulations for Aceh traditions were not recorded as those with the commonly known laws and regulations, but were expressed in the form of poems with rhymes. In Acehnese language, wise expressions that contain indigenous norms are known as *hadih maja*. *Hadih maja* contains philosophical elements that are used as a guidance for advices, warnings, clarifications, or constructive criticisms in daily life.<sup>5</sup>

Hadih maja that contains indigenous legal norms related to the delegation of authority at the sultanate level is expressed as follows:

*Adat bak poe teumeurehom; (Traditions refer to poe teumeurehom a.k.a. Sultan Iskandar Muda);  
Hukom bak Syiah Kuala; (Syariah legal aspects refer to Syiah Kuala a.k.a. Syekh Abdur Rauf);  
Qanun bak Putro Phang; (Supporting legislations refer to Putro Phang a.k.a. the wife of Sultan Iskandar Muda); Reusam bak Laksamana. (Procedures/protocols refer to Laksamana a.k.a. Madam Malahayati, a warship Commander who previously served as the Chief of Staff of Aceh Kingdom);*

Aceh traditional norms require community members to have appropriate conducts in their daily social interaction as stated in the following hadih maja:

*Ta jak ubee lot tapak; (You walk as your path lets you);  
Ta duk ubee lot punggong; (You sit as the space fits you);  
Tapajoh belaku tuboh; (You eat to fulfill your physical needs);  
Tangui belaku atra. (You dress up with what you can afford).*

In terms of protecting the forest environment in order to prevent floods and landslides, it is prohibited to cut down trees and construct buildings in the forest within the specified areas of:

About 500 m from lakeside and reservoirs,  
About 200 m from spring water and both sides of river banks in swampy areas,  
About 100 m from both sides of river banks,  
About 50 m from both sides of stream banks (*alue*), and  
About twice the depth of a ravine from stream banks.

Prohibitions in building a structure at certain locations in the forest are expressed in the following poem that suggests potential harms if not obliged:<sup>6</sup>

*Bak ujong gunöng roet antue burue, (Prohibition in building a structure on a cliff)  
bak ikue alue roet burong rimba, (Prohibition in building a structure on a forest streambank)  
bak tanöh geunteng peuneulueng rimueng, (Prohibition in building a structure on a slope)  
timang ateuh rueng roet pawang tuha, (Prohibition in building a structure on mountain top)*

In regard to taking precautions in all aspect of life and preventing disasters, hadih maja of Aceh states:

*Ta meu hemat yoh mantong na; (Save for later while you still have the resource); Beu teugoh that yoh goh cilaka. (Be prepared before disaster strikes).*

For the people of Aceh, *gampong* serves as an *indigenous community* that is accommodated by relevant laws and regulations such as *qanuns* (supporting legislations) drafted at district and provincial levels. There are specific qanuns that regulate gampong and other indigenous institution.<sup>7</sup> These qanuns confirm a legal justification of *gampong* as an *indigenous community* and government entity.<sup>8</sup>

From the perspective of the communal law, Teuku Djuned described the characteristics of an *indigenous community* as follows:<sup>9</sup>

1. They conduct an autonomous government;
2. They control and manage natural resources for the benefits of their people;
3. Internally, they organize community members and the environment. Externally, they represent the community as a legal entity;
4. They have the right to be involved in any environmental issues and/or transactions within their territory;
5. They have the right to establish traditions;
6. They conduct a form of judicial mechanism.

Referring to Teuku Djuned's definition, it is clear that a *gampong* in Aceh context is an *indigenous community* because all of its criteria are met.

In the context of regional legislations,<sup>10</sup> the substance of qanuns in Aceh incorporates national laws and regulations as well as communal and religious norms. Communal and religious laws may not contradict each other. In Aceh community, both laws are to complement each other, just as various important components of an eye function in human body.<sup>11</sup>

According to Chapter 3 Qanun of Aceh 5/2003 regarding gampong government, it is stated that gampong government has 4 tasks to carry out:

1. to conduct government affairs,
2. to execute development programs,

3. to develop the community, and
4. to implement Islamic (Syariah) law.

In order to implement the above tasks, gampong covers the following functions:

1. Conducting the government affairs based on decentralization and deconcentration principles and other supporting roles in gampong;
2. the implementation of development programs such as infrastructures, environmental protection, and spiritual enhancement in the gampong;
3. community development in education, traditions, socio-cultural elements, peace building, and safety and security in the gampong;
4. enhancement of Islamic (Syariah) law implementation;
5. improvement of public services;
6. legal conflict resolution concerning indigenous or traditional conflict cases in the gampong.

A gampong has the following authorities:

1. existing authority based on the original rights of the gampong and indigenous regulations and traditions;
2. authority granted by the law and regulations;
3. authority based on the law and regulations to be implemented by the government at the national, provincial, district/municipality, sub-district, or mukim (associated villages) level;
4. authority to perform supporting roles assigned by the government at the national, provincial, district/municipality, sub-district, or mukim levels.<sup>12</sup>

With regard to disasters that may occur in the gampong, gampong government has the tasks, functions, and authorities to implement disaster mitigation and management efforts. These efforts in essence, are the implementation of the above-mentioned functions of gampong government as stipulated in the Qanun on Gampong Government and Communal Law of Aceh.

When the great earthquake and tsunami hit Aceh on December 26, 2004, the responsibility of gampong government to implement disaster management had not referred to any law that is similar to the later enacted the National Disaster Management Law 24/2007. Instead, it referred to the communal law and local wisdoms as well as the Qanun of Aceh 5/2003 on Gampong Government. It was only natural that the great earthquake and tsunami of Aceh inspired the government of Indonesia to draft the National Disaster Management Law.

One of the local wisdoms found in the community of Simeulue Island (215 km Southeast of Banda Aceh, the Capital of Aceh Province) in mitigating the risk of tsunami disaster is called *Smong*. Basically, it is a warning for the potentially destructive tsunami in a form of a poem serenaded by parents to their small children at bed time.

The poem, in its local Simeulue language is as follows:

*“engel mon sao surito,*

(Let me tell you an old story)

*inang maso semon manoknop sao fano.*

(Long ago, a village was entirely submerged by water)

*Unen ne alek linon, fesang bakat ne mali.*

(It started with an earthquake and followed by receding sea water)

*Manoknop sao hampung tibo-tibo mawi.*

(Suddenly, the entire village was submerged)

*Ede smong kahane, turiang de nenekta.*

(That is Smong, as our forefathers called it)

*Miredem teher ere fesan nafi-nafi da.*

(Remember this advice)

*Smong dumek-dumek mo. Linon uwak-uwakmo.*

(Smong is your bath. Earthquake is your swing)

*Elaik keudang-keudangmo. Kilek suluh-suluhmo.*

(Thunders are your drums. Lightning is your light)

*Angelinon ne mali oleh suruk sauli.*

(When a strong earthquake hits and followed by receding sea water)

*Mihaya mihawali fano metinggi.”*



(Run quickly to higher grounds, that you be saved).”<sup>13</sup>

A good sign of an approaching tsunami according to the local wisdom Simeulue is sea water receding suddenly, a strong salt-marsh smell coming from the sea, cool wind blowing from the sea, fish washed ashore, visible giant waves, and thundering sound.

Besides using communal law and local wisdoms in tsunami disaster mitigation, Acehnese have customary mutual aid (*gotong royong*) that is practiced in times of disaster and emergency.

Community members who live along the coast and rivers have traditions to mitigate tidal waves, river bank erosion, and floods by planting mangroves in the coastal areas and jaloh (*Salix tetrasperma Roxb*) trees along the river. Both plants are known to have strong abilities to significantly reduce water hazards and provide habitat for various aquatic biota. Through mutual aid tradition, the community members plant and maintain these trees to protect themselves from potential disasters.

The National Disaster Management Law 24/2007 adequately described the rights, obligations, roles, and responsibilities of community members in disaster management. However, the law does not explicitly recognize communal laws and local wisdoms that practically exist in each indigenous community.

## **Recovery Status of Lambada Lhok Village**

### **Condition of Gampong Government before the Tsunami**

Before the tsunami, Gampong Lambada Lhok had a great economic potential within Baitussalam Sub-District. The strategic position of Lambada Lhok offers a convenient access to Ujong Batee, one of the most popular recreation spots around Banda Aceh toward Malahayati seaport, and a number of government offices and public services in the area such as, Sub-District Police (Polsek), Sub-District Army (Koramil), Community Health Clinic (*Puskesmas*), schools, and mosque. Its position is strategic in another way, in that there is a fish auction center (TPI) located nearby, which functions as a place to moor fishing boats and also as a fish market. The location of the TPI brings positive economic impacts to the district, particularly to the village and people of Lambada Lhok. A convenient access to this village also affords its members frequent interactions

with visitors from other communities.

Before the tsunami, public services provided by gampong Lambada Lhok government and other government offices located in this village ran well. However, during the military intervention period (DOM) (2003-2005) related to the conflict between the rebels of Free Aceh Movement (GAM) and the Indonesian National Military (TNI), the implementation of gampong government was significantly ineffective as it used to be.

While the martial law was in effect Aceh (2003-2004), harsh treatment by military officers against community members accused of being associated with GAM was common. Likewise, GAM rebels showed similar conduct against community members accused of facilitating the military operation. This resulted in the community having to live in constant fear.<sup>14</sup> This fearful atmosphere seriously affected the daily routines and livelihood of the community members which subsequently degraded their socio-economic condition.

### **Condition of Gampong Government during the Tsunami Emergency Response**

The 2004 earthquake and tsunami disaster of Aceh caused most of the gampong governments in this province to collapse. This had a lot to do with the fact that the twin-disaster caused 128,803 fatalities, 92,000 persons missing, and 556,638 persons internally displaced.<sup>15</sup>

The devastation was also observed in gampong Lambada Lhok which called for a significant recovery effort to return the condition of this village to some degree of normalcy. This clearly was not an easy task because the human resources were very limited with most community members still focusing on finding their missing families and relatives who were victims of the tsunami.<sup>16</sup>

Although most of the gampong government leaders were killed in the tsunami, the gap in government operation did not last long. Within less than two months, supported by the “mutual aid” tradition, public services from the gampong government had already begun again. This process was conducted with limited services, although efforts were beginning to solve administrative problems.

Aside from the community support through the mutual aid tradition, the recovery

of Lambada Lhok was made possible by the swift response of the higher government levels, i.e., the then Section Head and Acting Head of Baitussalam Sub-District (Teuku Iskandar) and the Head of Aceh Besar District (Rusli Muhammad), who verbally appointed one of the community leaders to serve as interim *keuchik* (head of gampong). In this case, election of the keuchik was not carried out based on the standard protocols otherwise implemented in a normal circumstance.

From the time of his appointment as interim *keuchik*, Mr. Chairul Amri was active in coordinating and mobilizing all remaining resources in Lambada Lhok to maintain safety and begin the recovery process.<sup>17</sup> Gampong governance was implemented in an emergency mode with the minimum standard of administration and the main agenda of drafting the Medium to Long Term Development Plan for Gampong Lambada Lhok.<sup>18</sup> Compared to the devastation that occurred in the area of Lambada Lhok, the process of re-establishing services was very quick. This was also influenced by the mutual aid principle and the effort made by the keuchik who convinced the community not to dwell in sadness and that they should stand up and strive for a better socio-economic condition. This goes well with the principle encouraged by Aceh traditions and Islamic teachings that, *“people’s well-being of tomorrow should be better than that of today”*.

Because of the strong leadership exhibited by the keuchik of this village, gampong Lambada Lhok was one of the fastest villages to revitalize the gampong government, improve the socio-economic conditions, and adopt disaster management measures.

### **Cash for Work Program**

One aspect that also influenced the speed of the recovery process in Gampong Lambada Lhok was a “cash for work” program introduced by foreign aid organizations for tsunami victims.<sup>19</sup>

*“Cash for work”* was a program designed for tsunami victims, both men and women, encouraging them to clean their villages and their own yards from all of the debris left by the tsunami. The tsunami victims were coordinated by the village head (*keuchik*) to work the whole day in a mutual aid approach to clean up the village. Basically, the members of the village worked primarily for their own benefit. Lunch and a daily wage were given to the workers. Workers in this mutual aid scheme were also brought from other villages.

Workers were picked up from their temporary shelters by truck and taken to the village cleaning sites. These trucks, in addition to functioning as vehicles to transport workers (tsunami displaced persons) to the village, were also used to take tsunami debris to the disposal site. In the meantime, lunch was prepared by women from the village at the temporary shelter locations, and delivered to workers in the village.

After each day's work, workers were paid their daily wages by cash for work organizers supported by foreign donors. For this reason, the program was named "cash for work," explained Chairul, the interim *keuchik* and also Coordinator of Gampong Lambada Lhok cash for work program. The amount of the daily wage was IDR 40,000 for the *keuchik*-cum-coordinator, IDR 37,500 for group leaders, and IDR 35,000 for workers. In 2005, the wage applied to cash for work program was above the minimum wage for Aceh region.

Cash for work program is deemed to have been highly beneficial for tsunami victims because, besides receiving a daily wage, the most important part of their work was keeping busy and happy, consoling them and reducing their grief.

During the first few months after the tsunami disaster, the cash-for-work program was monitored by foreign donors. The concern of the world community extended through various forms of aid was the main reason for the speed of Aceh's post tsunami recovery. The program was subsequently integrated into the livelihood programs in the recovery phase. This program was designed to help the tsunami victims revitalize and improve their economic potentials that bring better income. Among the organizations that supported the recovery of gampong Lambada Lhok include Mercy Corps, Elsaka, PMI (Indonesian Red Cross), World Food Programme, Word Vision, Islamic Relief, SOS Children Village, Secour Populaire Francais (SPF), AUSCARE, Japan International Cooperation Agency, Asian Development Bank, JICS (Japan), International Labor Organization , and Pugar Foundation. The sympathy and outpouring support of the world community were instrumental in the post-tsunami speedy recovery of Aceh.

### **Village Government Today**

Lambada Lhok gampong government is back to normal now. In some ways, the socio-economic condition of the village is a lot better than it was before the tsunami. All

village leaders who died in the tsunami have been replaced by newly elected officials.

All families in Gampong Lambada Lhok now have permanent housing with nearly the same design and size built by various donor agencies.

The relatively fast completion of housing construction and other reconstruction activities in this village was mainly due to the effectiveness of both national and international NGOs in handling the construction works, ease of access to the village from Banda Aceh, the Capital of the province, and the enthusiasm and commitment shown by the village leaders and the community members alike in support of the rehabilitation and reconstruction programs.

Results of a study conducted in this village indicated that except for the lack of human resource and to a lesser extent, the facilities and networking, practically no other significant constraints were found on the part of the gampong community during the reconstruction process. Other little constraint that occurred only occasionally was associated with delayed shipments of concrete cement, reinforce steel, and other construction materials.<sup>20</sup>

Today, almost all public facilities needed by the community and village government of Lambada Lhok have been rebuilt. Funding sources and management were almost entirely handled by donors. Aid was given directly by foreign governments, national and international NGOs, and private businesses. All infrastructure projects were planned and completed by various aid agencies. Practically, the community members were barely involved in executing various projects in the village. Almost all of the workers on reconstruction projects in Gampong Lambada Lhok were brought in from other places, particularly from North Sumatra region. In this case, the role of the community and government of Gampong Lambada Lhok was to give moral support and protection to the workers.

## **Conclusion and Lessons Learnt**

Important lessons learnt from the post disaster gampong recovery of Aceh are as follows:

### **1) Gampong government Recovery during Emergency Response**

The first steps taken by gampong government in rebuilding Gampong Lambada Lhok

includes creating a database for the village population and organizing the return of the village residents/tsunami survivors from temporary shelters back to the village. A few challenges faced by village leaders in this phase include identifying the village residents who survived the tsunami, locating the survivors, and reuniting them with their family members or relatives. The function of the gampong government was affected by the magnitude of the devastation and loss of village residents.

## 2) Cash for work.

This program was intended for the tsunami victims/survivors to help them use their time and be involved in mutual aid activities. This activity was important because it gave the tsunami survivors an opportunity to work together, console each other, and strengthen their social ties and camaraderie while earning an income. The typical work they did was clearing their own homes and village of tsunami debris. Thus, the work done was not for other people but for themselves. While the benefits of this program were obvious, it has been partly criticized because of its excesses and influence on future development activities, which has resulted in a trend that all work must be compensated. However, it can also be contended that at the time after the tsunami, people found it difficult to produce income so the initiative to pay anyone who worked to clean their homes and villages was an effective option. We must consider the atmosphere at that time, rather than the current environment.

## 3) Livelihood

Besides cleaning their homes and village, the tsunami survivors needed to restart their means of living. In this regard, international aid agencies and NGOs were instrumental in providing financing, materials, infrastructures, and facilities that would help generate more stable income and revive the local economy such as fishing boats, mini ice factory, cold storage, fish market, and technical trainings for fishermen.

## 4) Gender Issues

The smooth post tsunami recovery of Aceh, to some extent, can also be attributed to the active role and function of women in various aspects of rehabilitation and reconstruction activities which include the planning, implementation, and monitoring

and evaluation stages. This was also important in gampong Lambada Lhok where the involvement of women in the reconstruction process actually helped them heal their trauma after losing their families in the tsunami.

## 5) Spiritual Resilience in Disaster

One important factor that contributed to the fast post tsunami recovery of Aceh is the strong spiritual state of the Acehnese community in facing hardships and calamities. When inflicted with calamities, Acehnese often regard them as a test of patience given by God Almighty, and that patience and perseverance will be greatly rewarded. This spiritual resilience really helped the tsunami-impacted community heal fast from their grief and move on with their life.

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## Laws and Supporting Legislations

Law 11/2006 on the Government of Aceh

Law 24/2007 on Disaster Management

Qanun (Provincial Legislation) of Aceh 5/003 on Gampong Government

Qanun (Provincial Legislation) of Aceh 9/2008 on Communal Law Strengthening Qanun (Provincial Legislation) of Aceh 10/2008 Communal Law Institutions

## Notes

- 1 Paper presented at The 2013 Law and Society Association Annual Conference ([www.lawandsociety.org](http://www.lawandsociety.org)): Power, Privilege, and the Pursuit of Justice: Legal Challenges in Precarious Times, Boston, Massachusetts, USA, May 30 through June 2, 2013.
- 2 Teuku Djuned et al. A Compilation of the Communal Law and Tradition of Aceh. A Research Report. Cooperation between the Faculty of Law, Syiah Kuala University and Aceh Provincial Government. 2001.
- 3 Zainuddin, *Tarikh Aceh dan Nusantara*, Pustaka Iskandar Muda, Medan, 1961.
- 4 Taqwaddin, *Capita Selecta in Aceh Communal Law and Qanun Wali Nanggroe*, Bandar Publishing, Banda Aceh, 2013.
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- 6 Taqwaddin, *Forest Concession by Indigenous Community of Aceh*. Doctoral Dissertation, Faculty of Law, North Sumatra University, Medan, 2009.
- 7 Refer to: Qanun Aceh 5/2003 regarding Gampong Government, Qanun Aceh 9/2008 regarding Communal Law Strengthening, Qanun Aceh 10/2008 regarding Indigenous Institutions.
- 8 This formal legal confirmation is a manifestation of the shift of paradigm from a centralized system to a decentralized approach recognizing regional autonomy. This shift in paradigm took effect after Suharto's New Order regime collapsed in 1998. When this regime was still in power, all the lowest government systems were made to adopt a village system practiced in Java.
- 9 Teuku Djuned, Availability of Mukim Resources in the Implementation of Law 18/2001 (A special autonomy of Aceh Province). A paper presented at a multi-stakeholder discussion on Mukim Institution: A past, present, and future context, hosted by PUGAR Foundation, Banda Aceh, 3 May 2003.
- 10 A provincial legislation is a law that is drafted by the executive and legislative bodies of a province. Such a law is called a provincial regulation which, in Aceh is known as a qanun.
- 11 Taqwaddin, "PLURALISM in LAW: Its Ability to Uphold and Protect the Right of the Indigenous Community to their property an natural resources in Pidie District, Aceh," in: *What is the Purpose of Pluralism in Law? Regulation, Negotiation, and Contest in an Agrarian Conflict in Indonesia*. Epistema Institute, Jakarta, 2011.
- 12 Refer to Chapter 4 and Chapter 5 of Qanun Aceh 5/2003 regarding Gampong Government.
- 13 Ken Miryam Vivekananda Fadlil. 2010. Smong. <http://www.lenteratimur.com/smong/> "Smong disaster first occurred in Simeulue in 1833 and again in 1907 which was more destructive. In the Encyclopedia of the Dutch East Indies, edited by DG Stibbet in 1909 it was described that the entire west coastal region of Simeulue Island was hit by destructive waves that caused many casualties."
- 14 Tim Aceh Kita. People's Memories of the Martial Law. <http://www.acehkita.com/berita/kenangan-mereka-pada-darurat-militer/>. 20 May 2012.
- 15 Taqwaddin dan Teuku Alvisyahrin, *Aceh Post 2004 Tsunami Recovery: Accomplishment and Lessons Learned*, Paper Presented at Miyako City, Japan – 23 December 2012.
- 16 At the time, all tsunami survivors in the village had to be taken to a safer place at various locations away from the coastal areas, i.e. open spaces or usable public facilities such as mosques, schools, government offices, sport fields, etc. This effort was initiated by the gampong leaders who survived the tsunami, but at some point later, it was continued by the government of Indonesia and foreign government and NGOs by providing temporary shelters and barracks for the survivors.
- 17 Chairul Amri is a man in his 30s who at the time tsunami disaster occurred was working in Malaysia. After getting the news that his village had been destroyed by the tsunami, he rushed home to help rebuild the village and he was subsequently entrusted to be the head (keuchik)



of the village.

- 18 The Drafting of the Profile of Gampong Lambada Lhok, Medium and Long Term Development Plans supported by Australia – Indonesia Partnership for Reconstruction and Development (AIRPD), Local Governance and Infrastructure for Communitites in Aceh (LOGICA) Project, an Australian Government and AusAid Initiative. 2006.
- 19 This program was funded by USAID and UNDP in 2005. The program was implemented in gampong Lambada Lhok by Panglima Laoet Foundation of Aceh Province.
- 20 Insa Ansari, Coordination between the Government and Non-Government Organizations in the Post-Tsunami Recovery Process of the Coastal Areas of Aceh: A Case Study in Baitussalam Sub-District, Aceh Besar District. TDMRC Syiah Kuala University, Banda Aceh, 2010.