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## #15381 Summary

- SUMMARY REVIEW EDITING HISTORY REFERENCES

### Submission

Authors	Efendi Efendi, M Zuhri, Tarmizi Tarmizi, Ainal Hadi, Rizki Yunanda		
Title	Animal Protection in the Perspective of Positive Law and Islamic Law: A Study of Elephant-Human Conflict in Aceh, Indonesia		
Original file	15381-43680-1-SM.DOCX 2022-10-24		
Supp. files	None <a href="#">ADD A SUPPLEMENTARY FILE</a>		
Submitter	Efendi Efendi		
Date submitted	2022-10-24		
Section	Articles	Change to	<input type="button" value="Articles"/> <input type="button" value="Record"/>
Abstract Views	447		

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		REVIEW	EDITING	REQUEST	ACTION
Editor	Asmaul Husna	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2023-02-07	DELETE

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### Submission Metadata

EDIT METADATA

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**Affiliation** Universitas Malikussaleh, Aceh Utara  
**Country** Indonesia  
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**Title and Abstract**

**Title** Animal Protection in the Perspective of Positive Law and Islamic Law: A Study of Elephant-Human Conflict in Aceh, Indonesia

**Abstract** This article talks about protecting animals from the point of view of positive law and Islamic law. It focuses on elephants and their conflicts with people. Cases of conflict between elephants and humans have continued to increase from 2015 to 2021, reaching 582 cases. This research is a normative legal study, while the approach used is the approach of legislation and Islamic law. The data studied are literature and legal norms related to positive legal rules and Islamic law. This study concludes that the government has made efforts to protect elephants by issuing various laws and regulations, both at the central and regional levels. Positional law regulates and strives for the protection of elephants, such as the prohibition of catching, injuring, killing, possessing, keeping, and even trading them. In addition, the government has taken various steps, including having mutual coordination between related agencies, involving non-governmental organizations and the community, and enforcing the law. Furthermore, to overcome conflicts between elephants and humans in the future, it is necessary to immediately implement policies related to the prohibition of land use around elephant crossings and policies to relocate people close to elephant crossing areas and provide compensation to those who are affected. From the perspective of Islamic law, the protection of animals, including elephants, is part of the benefit based on the Qur'an, hadith, and fatwas of ulemas to preserve nature, which has an impact on human survival.

**Indexing**

**Academic discipline and sub-disciplines** Islamic Law; Customary Law; Social Science (miscellaneous)  
**Keywords** Animal protection, elephant conflict with humans, positive law, Islamic law  
**Language** en

**Supporting Agencies**

**Agencies** —

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Editor  
2023-03-07 09:52 AM

Subject: [SJHK] Editor Decision

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Dear  
Efendi Efendi  
M Zuhri  
Tarmizi Tarmizi

Assalamu alaikum wr.wb.

We have reached a decision regarding your submission to Samarah: Jurnal Hukum Keluarga dan Hukum Islam, "Human-Elephant Conflict in Aceh: A Study on Animal Protection in the Perspective of Positive Law and Islamic Law".

Our decision is to: revision required

Please ensure that your article is corrected according to both of 2 Reviewers

Please make sure that the similarity check of your article is no more than 20%

Please make sure that your article uses a new template of Samarah below:  
<https://drive.google.com/file/d/1kqjblnS7rGOjynFxDtTxSeriek0OVvZ/view>

Please ensure your article is corrected within 2 weeks.

Thank you so much for your quick response.

Wassalamu alaikum wr.wb.  
Best Regard,

Asmaul Husna  
Universitas Islam Negeri Ar-Raniry Banda Aceh  
[jurnal.samarah@ar-raniry.ac.id](mailto:jurnal.samarah@ar-raniry.ac.id)

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Reviewer A:

Title

Title reflects the essence of the content of the article (content, method, novelty)

:  
the substance, method and findings of the study in the article are in line with the focus of the samarah journal, namely Islamic law which is linked to national law. let alone examine the conflict between humans and elephants. in Indonesia and especially in Asian countries such as India, Thailand and several other countries that have elephant populations where there are many conflicts between elephants and humans. This study found (novelty) that the destruction of elephant habitat in the forest causes conflicts to occur because forest conservation and protection of elephants is absolutely necessary as emphasized in Islamic law and positive law in Indonesia.

Abstract

Abstract contains problem of research, method, and result

:  
State the research method and theory used.

Originality

The originality of the subject matter, and the manuscript would be of interest to the the scholar of Islamic countries in general and specifically in Indonesia

:  
studies on elephant-human conflicts from the aspect of protecting animals and the environment have been carried out in several writings. but studies that use Islamic law and national law at the same time are rarely or not widely carried out, therefore this study will attract the attention of legal scholars both at the national and international levels. because in the context of Islamic law providing protection to elephants on the one hand and not endangering humans on the other hand is a benefit (maslahat).

The Depth of Literature

Whether the article draws on an appropriate range and depth of literature (if not please  
to discuss the literature sources of the research should be included in the article. (maslahat)

indicate which sources of literature should be included by the author in future)  
 :  
 please add international journal articles (SCOPUS).

Finding Presentation

Whether the findings presented are subjected to suitable analysis and sound conclusions drawn  
 :  
 In the research method, in addition to using national law (positive), Islamic law is also used as an approach in analyzing cases of conflict between elephants and humans.

Implications for understanding the study of Islamic family law and Islamic law in Islamic in Islamic countries in general and specifically in Indonesia  
 :  
 The arguments put forward in this article are interesting because they raise aspects of protecting animals, protecting the environment associated with elephant-human conflict. as well as the analytical perspective used, namely national law and Islamic law at the same time so that it is enriched by analysis and legal perspective. Thus this study will be of interest to scholars at the national and international levels, especially if it is published in the Samarah journal with international reputation

Technical writing

Articles must be in accordance with the surrounding style and journal template  
 :  
 1. need adjustments to the samarah template, for example, in the introduction (method), footnotes, and references that need to be added to international journals.  
 2. please analyze further about the legal basis of the Koran, hadith, and qanun as well as the fatwas of the council of scholars (Ulama).

Additional comment for the author:  
 the focus of the study is interesting, it can be considered for publication with some minor improvements

Is the article qualified for publication?

Please indicate your suggestion whether this article is qualified for Samarah  
 :  
 Minor Revision

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Reviewer B:

Title

Title reflects the essence of the content of the article (content, method, novelty)  
 :  
 1. the title corresponds to the focus of samarah.  
 2. the methods and approaches used meet samarah journal standards, namely the approach to national law and Islamic law.  
 3. This study contains novelty (findings) seen from the aspect of the problem (animal protection, conflict between elephants and humans), approaches and data used such as the Aceh qanun and fatwas of scholars.

Abstract

Abstract contains problem of research, method, and result  
 :  
 the abstract already contains problems, methods and research results

Originality

The originality of the subject matter, and the manuscript would be of interest to the the scholar of Islamic countries in general and specifically in Indonesia  
 :  
 This study contains authenticity because it uses specific materials such as Aceh qanuns and fatwas of ulema both at the national level (MUI, Jakarta) and ulemas at the Aceh level (MPU,

Aceh deliberative assembly or ulama).

The Depth of Literature

Whether the article draws on an appropriate range and depth of literature (if not please indicate which sources of literature should be included by the author in future)  
:  
add international journal articles that are in accordance with the focus of the study,

Finding Presentation

Whether the findings presented are subjected to suitable analysis and sound conclusions drawn  
:  
1. The introduction to this article still needs to be sharpened so that it emphasizes that research is important to be carried out as part of an academic effort in protecting animals.  
2.

Implications for understanding the study of Islamic family law and Islamic law in Islamic in Islamic countries in general and specifically in Indonesia  
:  
this study will have implications for understanding; 1. National law in Indonesia and Islamic law contain the same values, namely protection of animals (elephants).  
2. there is harmony between national law and Islamic law (quran, hadith, and the fatwa of the ulama)

Technical writing

Articles must be in accordance with the surrounding style and journal template  
:  
1. please adjust the format of the samarah journal, especially the style of the enclosure and footnotes and references.  
2. research methods, approaches, data collection techniques and data analysis are still too long so they need to be shortened.

Additional comment for the author:  
published with corrections.

Is the article qualified for publication?

Please indicate your suggestion whether this article is qualified for Samarah  
:  
Minor Revision

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Samarah: Jurnal Hukum Keluarga dan Hukum Islam  
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Subject: Animal Protection in the Perspective of Positive Law and Islamic Law: A Study of Elephant-Human Conflict in Aceh, Indonesia

Author  
2023-03-26 02:04 PM

Dear editor in Chief Jurnal Samarah

our journal article has been corrected according to suggestions from the reveiwer of the Samarah journal, its substance, adding Scopus journal references and template improvements as well as plagiarism checks.

Efendi  
Banda Aceh

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Samarah: Jurnal Hukum Keluarga dan Hukum Islam  
<http://jurnal.ar-raniry.ac.id/index.php/samarah>  
Subject: [SJHK] Editor Decision

Editor  
2023-03-28 02:52 PM

Dear  
Efendi Efendi  
Efendi Efendi  
M Zuhri  
Tarmizi Tarmizi  
Ainal Hadi

Rizki Yunanda

Assalamu alaikum warahmatullah wabarakatuh

We have reached a decision regarding your submission to Samarah: Jurnal Hukum Keluarga dan Hukum Islam, "Animal Protection in the Perspective of Positive Law and Islamic Law: A Study of Elephant-Human Conflict in Aceh, Indonesia".

We have decided to accept your article for publication in Samarah on Vol. 7, No. 1, March 2023

Finally, The team of Samarah congratulates you on accepting your article to be published in Samarah.

Thank you for considering this journal as a venue for your work.

Wassalamu alaikum warahmatullah wabarakatuh  
Best regards,

Asmaul Husna  
Universitas Islam Negeri Ar-Raniry Banda Aceh  
jurnal.samarah@ar-raniry.ac.id

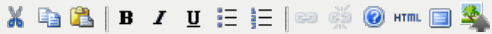
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