



**Samarah:** Jurnal Hukum Keluarga dan Hukum Islam  
Volume 6 No. 1. January-June 2022  
ISSN: 2549 – 3132; E-ISSN: 2549 – 3167  
DOI: 10.22373/sjhk.v6i1.12401

## **Legal Protection and Family Resilience of Women Victims of Post-Peace Conflict in Aceh: A Study of Gender Approach**

Munawiah Abdullah

Universitas Islam Negeri Ar-Raniry Banda Aceh

Miftahul Jannah

Universitas Islam Negeri Ar-Raniry Banda Aceh

Siti Rozaina Kamsani

University Utara Malaysia, Sintok Kedah Malaysia

Nor Azlah Sham Binti Rambely

Universiti Utara Malaysia, Sintok Kedah Malaysia

Rashidah Binti Mamat

Universiti Utara Malaysia, Sintok Kedah Malaysia

Nurhazlina Mohd. Ariffin

Universiti Utara Malaysia, Sintok Kedah Malaysia

Email: [munawiah@ar-raniry.ac.id](mailto:munawiah@ar-raniry.ac.id)

**Abstract:** This study seeks to examine the legal protection and resiliency of the families of Aceh's female victims of post-peace conflict. Since the outbreak of war to the end of hostilities, women have been the most affected group. This study is qualitative research employing an ethnographic methodology and analyzing the data from a gender perspective. The ethnography was conducted in three different locations: Nagan Raya, Pidie, and North Aceh. Utilized data collection methods include interviews, observation, and literature review. According to the findings of the study, the government has given legal protection for female victims of armed conflict in a variety of ways, including the establishment of a legal umbrella, the creation of special institutions, the provision of support, and thorough rehabilitation. Even though this is not evenly divided, it is vital for institutions, particularly those that care for orphans, to engage in gender-sensitive, sustainable management and collaboration. The struggle has a significant impact on the psychological, physical, economic, social, and cultural demands of women, as well as the future of their children. Despite the fact that the conflict impacts family resilience owing to the death of family members and economic hardship, from a gender perspective, families can survive and even thrive in the face of life's difficulties. The majority of them come to accept the catastrophe, and their psychological pain is exacerbated by their religious beliefs. Although others have not been able to accept and find it difficult to forget the trauma of the conflict that has occurred.

**Keywords:** Legal protection, family resilience, women victims of conflict and gender.

|| Submitted: February 2, 2002

|| Accepted: June 13, 2022

|| Published: June 13, 2022

**Abstrak:** *Kajian ini bertujuan untuk membahas tentang perlindungan hukum dan ketahanan keluarga perempuan korban konflik pasca perdamaian di Aceh. Konflik telah menjadikan perempuan sebagai kelompok yang paling menderita sejak perang terjadi sampai pasca perdamaian. Kajian ini merupakan penelitian kualitatif dengan menggunakan metode etnografi yang dianalisis dengan pendekatan gender. Etnografi dilakukan pada tiga lokasi yaitu Nagan Raya, Pidie dan Aceh Utara. Teknik pengumpulan data yang dilakukan adalah wawancara, observasi dan studi literatur. Hasil penelitian menunjukkan bahwa perlindungan hukum terhadap perempuan korban konflik telah dilakukan oleh pemerintah dengan berbagai cara; payung hukum, membentuk lembaga khusus, pemberian bantuan dan rehabilitasi secara menyeluruh. Meskipun hal tersebut belum merata, karena itu perlu penanganan secara berkesinambungan yang responsif gender dan kerja sama antar lembaga terutama perempuan yang menanggung anak yatim piatu. Dampak konflik terhadap perempuan cukup mendalam yang berimbas pada tekanan psikologis, fisik, ekonomi, sosial, budaya bahkan juga berpengaruh pada masa depan anaknya. Namun demikian meskipun konflik berpengaruh terhadap ketahanan keluarga karena hilangnya anggota keluarga dan tekanan ekonomi, namun dari perspektif gender mereka dapat bertahan bahkan bangkit untuk menghadapi tantangan hidup. Sebagian besar mereka mulai dapat menerima tragedi tersebut dan agama menjadi faktor yang membesarkan trauma psikologis mereka. Meskipun sebagian lainnya belum dapat menerima dan sulit melupakan trauma konflik yang telah terjadi.*

**Kata Kunci:** *Perlindungan hukum, ketahanan keluarga, perempuan korban konflik dan gender.*

## Introduction

War and conflict damage the basis of family resilience, with women and children as the sufferers. According to the United Nations (UN) and the United States Agency for International Development (USAID), conflict zones such as Yugoslavia, Rwanda, Sierra Leone, and Bangladesh have become hubs for violence against women.<sup>1</sup> These violent crimes include homicide, confiscation of property, rape, kidnapping, and several other forms of violence.

During the colonial period in Indonesia, women who were victims of World War II also endured brutality. During the Dutch colonial period, physical, psychological, social, economic, and cultural abuse were plainly experienced by women. During the Japanese occupation, women were used as *Jugun Ianfu*, or

---

<sup>1</sup> Elisabeth Kvitashvili, *Women and Conflict: An Introductory Guide for Programming*, United States Agency for International Development, (USIAD), 2007. Lisa Sharlach, "Rape as Genocide: Bangladesh, the Former Yugoslavia, and Rwanda", *New Political Science* 22, No. 1 (2000), p. 89-102.

comfort women. At that time, both women from the nobles and women from the locals were utilized as sexual slaves. The woman was abducted by force and placed in Camp Ianjo by the Japanese military.<sup>2</sup>

In addition, hostilities that occurred horizontally in Aceh might be said to have occurred in three waves following the Dutch and Japanese colonial wars. First, the *Combuk* Fight between the Uleebalang faction and the Aceh Ulama Association (*Persatuan Ulama Se-Aceh/PUSA*) (2 December 1945 to 16 January 1946); second, the war between Darul Islam/Indonesian Islamic Army (*Darul Islam/Tentara Islam Indonesia/DI/TII* and the government (1953-1963); and third, the Free Aceh Movement with the Government of the Republic of Indonesia from 1976 to 2004.<sup>3</sup> The later dispute was facilitated by NGOs (Non Government Organizations) in Finland by The Crisis Management Initiative (CMI), chaired by President of Finland Martti Ahtisaari, who signed the Memorandum of Understanding (MoU) in Helsinki, Finland in 2005 as a win-win solution and as a form of soft power. During the Presidency of Susilo Bambang Yudoyono and Vice President Jusuf Kalla.<sup>4</sup>

On August 15, 2005, the Free Aceh Movement (*Gerakan Aceh Merdeka/GAM*) and the Government of the Republic of Indonesia signed the Helsinki Memorandum of Understanding, which signified the end of hostilities. It remains the obligation of all leaders in Aceh to fight for the rights of the Acehnese people and maintain a balance between the government of the Republic of Indonesia and Aceh for the economic and social growth of Aceh.<sup>5</sup>

Approximately 1,500 persons were affected by the humanitarian crisis that rocked Aceh during the *Cumbok* War. The DI/TII event had approximately 4000 attendees. Between GAM and the Republic of Indonesia, around 35,000 people perished.<sup>6</sup> The most recent conflict is the longest and has the most

---

<sup>2</sup> Ghina Elmira, "Jugun Ianfu: The Drakest of Histori of Human Right Violation, The Indonesian Journal of International Clinical Education 2, No. 4 (2020), p. 481-490. Anna Mariana, *Perbudakan Seksual: Perbandingan antara Masa Fasisme Jepang dan Neofasisme Orde Baru*, Serpong: Tangerang Selatan, 2015. Khairul Fahmi and Ahmad Yazid, "Konflik Aceh: Studi Pemafaan pada Aktivitas Perempuan Aceh," *Raheema: Jurnal Gender dan Anak* 8, No. 1 (2021), p. 92-110.

<sup>3</sup> Nazaruddin Sjamsuddin, *The Republican Revolt A Study of Achehnese Rebellion*, Singapore: Institute of Souteast Asian Studies, 1985. Khairul Amin, "Pengaruh Konflik terhadap Pembangunan Pendidikan di Aceh," *Nazruna: Jurnal Pendidikan Islam* 1, No. 2 (2018), p. 159-176.

<sup>4</sup> Djumala Darmansyah, *Soft Power Untuk Aceh: Resolusi Konflik dan Politik Desentralisasi*, Jakarta: Gramedia Pustaka Utama, 2013. Hamid Awaluddin, *Damai di Aceh: Catatan Perdamaian RI-GAM*, Jakarta: Centre for Strategic and International Studies, 2008.

<sup>5</sup> Suadi Zainal, "Transformasi Konflik Aceh dan Relasi Sosial-Politik di Era Desentralisasi," *Jurnal Masyarakat* 21, no. 80 (2016), p. 81-108.

<sup>6</sup> Syamsu Rizal Panggabean, *Manajemen Konflik Berbasis Sekolah: Dari Sekolah Sukma Bangsa Untuk Indonesia*, Ciputat: Alvabet, 2015.

victims; 120 women were raped, 3,000 women were widowed, and 20,000 children were left without parents.<sup>7</sup>

This fact demonstrates that the conflict in Aceh leaves psychological difficulties and family resiliency, since children in incomplete homes grow up with a variety of challenges. The Aceh Truth and Reconciliation Commission (*Komisi Kebenaran dan Rekonsiliasi/KKR*) has documented 4,500 conflict casualties, including 2,000 women and 2,500 males. This data indicates that there are still a significant number of conflict victims who have not received aid, particularly in outlying locations. As a result of this struggle, Aceh has a low quality of education and is among the poorest districts, despite having received the Special Autonomy Fund for over two decades since 2000. Consequently, Aceh has not been able to regain its position as a leading province in several respects.<sup>8</sup>

Humans typically engage in conflict when they disagree on a particular issue.<sup>9</sup> Also possible are horizontal conflicts between a particular community and other community, the community and the company, and the community and the government. However, conflict is an inevitable part of human existence that cannot be avoided. Nonetheless, if the issue is not settled soon, it will continue to harm and deprive the future of humanity and future generations. To this end, there are a number of strategies to prevent and anticipate disputes and, more crucially, to ensure that all elements may be restored and rehabilitated after a conflict has occurred.

Various studies on the Aceh conflict have been conducted, such as Sjasuddin's research on conflict and peace during the revolution and the DI/TII incident.<sup>10</sup> Mieke emphasized the role of women and led the agency to provide post-conflict education with a positive effect on society.<sup>11</sup> Sahlan analyzes the responsibilities of religious leaders and ulama in Aceh during times of conflict

---

<sup>7</sup> Kimberly Svea Clair, "Los Angeles The Art of Resistance : Trauma, Gender and Traditional Performance in Acehnese Communities, 1976-2011 A Dissertation Submitted in Partial Satisfaction of the Requirements for the Degree Doctor of Philosophy in Women's Studies by" (University of California Los Angeles, 2012).

<sup>8</sup> Shabri Abdul Majid, "Analisis Tingkat Pendidikan dan Kemiskinan di Aceh", *Jurnal Pencerahan* 8, no. 26 (2014) p.15–37.

<sup>9</sup> Sangeeta Sahu and Avinash Pathardikar, "Managing Conflict through Transformational Leadership: Is Collaborative Style a Solution?," *Delhi Business Review* 23, No 2 (2015), p. 1-17

<sup>10</sup> Nazaruddin Sjamsuddin, *The Republican Revolt A Study of Achehnese Rebellion*, Singapore: Institute of Southeast Asian Studies, 1985.

<sup>11</sup> Mieke T.A et.al., Analysing the Spectrum of Female education Leder's agency in Islamic Boarding Schools in Post-Conflict Aceh, Indonesia, *Gender and Education* 33, No. 7 (2021).

and in the pursuit of peace and reconciliation.<sup>12</sup> Mursyid underlined the importance of utilizing legal institutions, customs, and social mechanisms in Aceh to establish peace and prevent violence.<sup>13</sup> This involves supporting with their education, empowering them, and providing social and psychological support.<sup>14</sup> Similarly, comparisons of political disputes, such as those that happened in Aceh and Maluku, with those in other regions, such as Indonesia's Maluku.<sup>15</sup>

Then, in relation to conflict studies involving women, among others: Ahmad noted that women were the most victimized group of conflict victims in Aceh due to their fragility and incapacity to move freely. Due to the threat of violence, they are unable to safeguard themselves, their children, and their families and possessions.<sup>16</sup> Fahmi and Yazid observed that women who were victims of armed conflict were traumatized notwithstanding their willingness to forgive the perpetrators in order to have a more peaceful life in the now and the future.<sup>17</sup> Ariefka relates that women who are victims of conflict, particularly those who have experienced sexual abuse, tend to be unwilling to forgive, hurt, retain grudges, get furious, and face the demands of life after a disagreement.<sup>18</sup>

The central government and the government of Aceh have made attempts to aid conflict victims by offering legal protection, assistance with business capital, jobs, and education expenditures for children.<sup>19</sup> Efforts to construct and implement post-conflict rehabilitation and reconciliation in a comprehensive way using a gender-based approach and placing women in a position of dignity are crucial.<sup>20</sup>

---

<sup>12</sup> Muhammad Sahlan et al., "The Roles of Ulama in the Process of Post-Conflict Reconciliation in Aceh," *Society* 7, No. 2 (2019), p. 271–288.

<sup>13</sup> Mursyid Djawas and Sri Astuti A. Samad, "Conflict, Traditional, and Family Resistance: The Pattern of Dispute Resolution in Acehnese Community According to Islamic Law," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 4, no. 1 (2016), p. 1-23.

<sup>14</sup> Miftahul Jannah, "Trauma & Tazkiyatun Nufus (Pada Santri Korban Konflik Di Markaz Al-Aziziyah Lueng Bata Banda Aceh)," *Gender Equality* 2, no. 2 (2016), p.69–80.

<sup>15</sup> Wawan Ichwanuddin and Louis Kriesberg, "Analisis Terhadap Studi Kekerasan Pada Kasus Aceh dan Ambon," *LIPi* 8, No 1 (2011), p. 95-108.

<sup>16</sup> Muhammad Yunus Ahmad, "Menjadi Janda di Kampung Janda: Historis Perempuan Korban Konflik di Pidie Jaya," *Adabiya* 23, No. 2 (2021), p. 177-207.

<sup>17</sup> Khairul Fahmi and Ahmad Yazid, *Konflik Aceh...*, p. 92-110.

<sup>18</sup> Yuandini Ariefka, et.al., "Memaafkan Pelaku Perkosaan di Masa Konflik: Perjalanan Panjang Korban Konflik di Aceh," *Seurune: Jurnal Psikologi Unsyiah* 1, No. 2 (2018), p. 58-83.

<sup>19</sup> Mukhlis and Abdul Manan, "Peran Pemerintah terhadap Masyarakat Korban Konflik dan Kondisi kehidupan sosial Paska Damai," *Al-Ijtima'i: International Journal of Government and Social Science* 6, No. (2021), p. 115-126.

<sup>20</sup> Eka Srimulyani, "Perempuan dan Program Micro Finance (Keuangan Mikro) di Aceh: Dampak dan Tantangan Program Pasca Tsunami dan Konflik," *Takammul: Jurnal Studi Gender dan Islam serta Perlindungan Anak*, Vol. 7 No. 1 (2018), p. 1-18. Yeni Sri Lestari,

Despite the fact that the fight ended peacefully, many people were murdered and were left with severe psychological trauma, poverty, and educational backwardness, which led to illiteracy. Similarly, Governor of Aceh Syamsuddin Mahmud's (1993-2000) efforts to resolve the conflict by finding a peace solution and rescinding the Military Operations Area.

Therefore, it appears that no research has ever been conducted on women victims of post-peace violence in Aceh in relation to family resilience, particularly using a gender approach. This conversation is crucial as input for all parties, including the local government, the federal government, the international community, and the community institutions.<sup>21</sup>

This is a qualitative descriptive study employing an ethnographic methodology and a gender perspective. The ethnography was conducted in three different locations: Nagan Raya, Pidie, and North Aceh. This location was chosen because of the high level of conflict escalation in this area, leaving many victims of conflict, including women. There are three methods for collecting data: interviews, observations, and literature reviews. In accordance with the sensitivity of the community and local community issues, qualitative data was generated via direct interviews at the scene of the incident.<sup>22</sup>

### Legal Protection for Conflict-Affected Women in Aceh

In reality, the horizontal conflict began during the era of the old order, when President Soekarno was in power. The Military Governor of Aceh, Langkat, and Tanah Karo, Teungku Muhammad Daud Bereueuh, urged the government to adopt Islamic law. Even though Aceh was amalgamated and absorbed into North Sumatra, the proposal was denied. As previously described, the Governor and people of Aceh were ultimately dissatisfied with the government, battled against it, and founded their own government, known as DI/TII.<sup>23</sup>

Occasionally, the battle persists as the Acehnese become increasingly dissatisfied with the economic division, because Aceh is a region wealthy in natural resources, but its social and economic life lags behind other places. This was one of the causes for the founding of the Free Aceh Movement (GAM) on December 4, 1976 in Tiro, Pidie, led by Dr. Teungku Mohammad Hasan Di

---

"Gender dan Pembangunan Perempuan di Aceh Pasca Konflik dan Tsunami: Pembahasan Teoritis," *Community: Pengawas Dinamika Sosial* 3, No. 1 (2017), p. 59-75.

<sup>21</sup> Sugyono MP, *Biografi Seorang Guru Di Aceh: Kisah Prof Syamsuddin Mahmud Kepada Sugyono MP*, Ed V, Banda Aceh Indonesia: Syiah Kuala University, 2014.

<sup>22</sup> John W. Creswell, *Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research*, ed. PEARSON, *Educational Research*, Fourth Ed, Vol. 4 (University of Nebraska-Lincoln, 2012).

<sup>23</sup> Suadi Zainal, *Transformasi Konflik Aceh...*, p. 81-108.



Tiro.<sup>24</sup> As Aceh was formerly the center of culture in Southeast Asia, GAM battled against the government in an effort to realize an affluent, just society and restore Aceh's past splendor.

The government's approach in the midst of the war was to grant Aceh special status, despite the fact that it existed only on paper and could not be implemented efficiently, particularly at the start of Soeharto's New Order administration. As a type of Aceh's privilege, regional management autonomy is more symbolic than substantive. GAM continues to struggle against the Indonesian government in an effort to achieve independence from the Unitary State of the Republic of Indonesia. However, the Indonesian government labels GAM as Movement for Security Disruption (*Gerakan Pengacau Keamanan/GPK*) because they view it as a rebel organization or a movement that disrupts security stability.<sup>25</sup>

Under General Recommendation No. 19, each UN member state is expected to establish legislation to address gender-based violence. Moreover, UN Security Council Resolution 1325 of 2000 mandates women's safety (Security Council). Resolution 1325 underlines the government's acknowledgement of women's role in conflict resolution and management, notably in negotiation and decision-making. In this context, P3A-PK is attempting to establish a resolution in accordance with Resolution 1325. Within the context of regulating its bureaucratic operations, Indonesia has a gender mainstreaming policy based on Presidential Instruction Number 9 of the Republic of Indonesia concerning Gender Mainstreaming in National Development. Gender mainstreaming is a principle that emphasizes the necessity of incorporating pro-gender policies into state operations and, naturally, government policies. These remarks demonstrate that municipal governments should also be responsible for gender mainstreaming programs.<sup>26</sup>

The formation of the Aceh Truth and Reconciliation Commission (TRC or KKR) is one of the mandates of Aceh peace contained in the 2005 Helsinki MoU and subsequently enhanced by Aceh Government Law Number 11 of 2006 (UUPA). In Aceh, a local TRC has been established in accordance with Qanun No. 17 of 2013 on the Aceh Truth and Reconciliation Commission. Article 29 paragraph on UUPA specifies that the Aceh Truth and Reconciliation Commission was established in order to seek the truth and reconciliation. The government of Aceh then nominated seven Aceh TRC commissioners, two of

---

<sup>24</sup> Suadi Zainal, *Transformasi Konflik Aceh...*, p. 81-108 .

<sup>25</sup> Ahmad Farhan Hamid, *Jalan Damai Nanggroe Endatu: Catatan Seorang Wakil Rakyat Aceh*, Jakarta: Suara Bebas, 2006.

<sup>26</sup> Sentiela Octaviana, et. al., "Peran-Peran Perempuan di Wilayah Konflik: Antara Korban, Penyintas, dan Agen Perdamaian," *Jurnal Masyarakat dan Budaya* 16 , No. 3 (2014), p. 387.

whom were women, for a five-year term. TRC is a legal umbrella for conflict victims in the framework of reconciliation and peace, including women, recovery, the right to the truth, and numerous initiatives to achieve peace in Aceh. The Aceh Truth and Reconciliation Commission aims to (a) strengthen peace by revealing the truth about past human rights violations, (b) facilitate reconciliation between perpetrators of human rights violations, both individuals and institutions, and victims, and (c) recommend comprehensive reparations for victims of human rights violations in accordance with universal standards relating to the rights of victims.

Similarly, Article 231 of Law Number 11 of 2006 emphasizes: (1) The Government, Aceh Government, and Regency/City, along with the Acehnese people, are obligated to promote and defend the rights of women and children and to work to empower them with dignity. Several policies, including the Aceh Qanun Number 17 of 2013 pertaining to the Aceh Truth and Reconciliation Commission, followed this norm of law (KKR).<sup>27</sup>

Then Aceh Qanun No. 6 of 2015 with regards to the Aceh Reintegration Agency (*Badan Reintegrasi Aceh/BRA*). The purpose of Article 12 of the BRA is to empower conflict victims through economic and social empowerment, rehabilitation of physical, mental, and behavioral health, provision of agricultural land, restoration of civil, economic, social, and cultural rights, and restitution. In the meantime, Article 13 outlines BRA's responsibilities, which include implementing coordination plans for strengthening Aceh's peace, reintegration and reconciliation, economic improvement, social assistance, health rehabilitation, providing land and employment opportunities, restoring victims' rights, and socializing and facilitating the mainstreaming of peace in Aceh.<sup>28</sup>

Through Governor's Decree Number 330/1209/2020 regarding Determination of Recipients of Reparations Urging the Recovery of Victims' Rights, the government of Aceh establishes even more implementable legal regulations. A total of 245 victims, including 58 female victims of the conflict, were accounted for and allotted funds in accordance with the BRA rules. However, this will not be implemented until 2022. It is also believed that the BRA gave greater attention to former political prisoners and soldiers than to civilians or those indirectly touched by the conflict.<sup>29</sup>

Therefore, the legal protection provided by the government of Aceh is intended to provide economic assistance and empowerment to conflict-affected

---

<sup>27</sup> Undang-Undang Nomor 11 Tahun 2006 tentang Pemerintahan Aceh.

<sup>28</sup> Qanun Aceh Nomor 6 Tahun 2015 tentang Badan Reintegrasi Aceh.

<sup>29</sup> Komnas Perempuan, *Menguatkan Mekanisme Pemulihan Korban Konflik Aceh Sebagai Bentuk Tanggung Jawab Negara untuk Pemenuhan Hak Korban*, *Siaran Pers Komnas Perempuan 16 Nota Kesepahaman Helsinki*, Jakarta, 15 Agustus 2015.



women. For instance, at the beginning of the reintegration period in South Aceh, various parties provided household and cooking utensils to conflict-affected communities in order to assist conflict victims. Similarly, direct assistance is provided in the form of monetary compensation; specifically, the death fund in two stages, annual cash, goat farming assistance, construction assistance, house rehabilitation (cash, cement, sand), fences for conflict victims' graves, and education expenses for conflict victims.<sup>30</sup>

Meanwhile, in Aceh Besar, Pidie, and Pidie Jaya, the Aceh Government provided aid in the form of implementation and legal protection via the Baitul Mal. As many as sixty destitute families of conflict victims, including seventeen receivers from Aceh Besar, twenty-two recipients from Pidie, and twenty-two recipients from Pidie Jaya. This aid is distributed to the recipients of *zakat*, *infaq*, and *shadaqah*, which are coordinated by the Aceh Province Baitul Mal in partnership with the Aceh KKR.<sup>31</sup>

The government's role in conflict-affected communities consisted of reconciling in partnership with BRR, giving legal protection, housing help, business capital, and funding the elementary, secondary, and university education of the children of victims in Aceh. The victim's family is still traumatized by the tragedy, despite the fact that the victim's community's social status has improved since the end of the conflict. The victim's community has engaged in activities such as creating a small company, sewing, gardening, and selling goods at the market. Prior to 17 years ago, there was a vacuum in delivering aid to the victims, since they only received cash twice throughout the post-peace period. The following one from the Regional, Regency, District, and *Keuchik* Governments of the village never occurred again.<sup>32</sup>

As an institution that regularly fights for women's rights, particularly those of victims of the conflict in Aceh, the National Commission for Women welcomes the government's support through Baitul Mal, NGOs, victims' communities, and civil society. It is prudent for Baitul Mal to provide incidental aid to the poor and vulnerable populations, particularly women. Similarly, the victim community organization reconstructed the Geudong House in Pidie as a memorial and reminder of the brutality of the struggle, as well as an effort to prevent its recurrence in the future.<sup>33</sup>

---

<sup>30</sup> Mukhlis and Abdul Manan, *Peran Pemerintah terhadap Masyarakat Korban Konflik....*, p. 115-126.

<sup>31</sup><https://baitulmal.acehprov.go.id/post/60-korban-konflik-terima-bantuan-baitul-mal-aceh>, diakses 29 Mei 2022.

<sup>32</sup> Mukhlis and Abdul Manan, *Peran Pemerintah terhadap Masyarakat Korban Konflik...*, p. 125.

<sup>33</sup> Komnas Perempuan, *Menguatkan Mekanisme Pemulihan Korban Konflik Aceh Sebagai Bentuk Tanggung Jawab Negara untuk Pemenuhan Hak Korban*, *Siaran Pers Komnas*

However, the post-war rehabilitation and reconstruction process in this world will leave items to be improved, including sustainable rehabilitation and an ongoing agenda for women who have been affected by warfare. What the government, Aceh government, local government, NGOs, and national and local communities are doing, however, is a different matter. Even the use of customary mechanisms will have a dignified effect on attempts to defend the law for conflict-affected women. Legally, socially, educationally, economically, and culturally, as mandated by law and law, the fulfillment of civil rights for anything with dignity.<sup>34</sup>

### **Impact of Conflict on Women and Family Resilience**

According to Law 52 of 2009, the family is the smallest social unit, consisting of a husband and wife, or a husband, wife, and children, or a father and a child, or a mother and a child. Family resilience is a family state characterized by tenacity and resiliency, as well as material and physical capabilities to live independently and develop themselves and their families in order to live in peace and enhance physical and spiritual health. According to the Ministry of Women and Child Protection in 2016, the family is the smallest social unit in society, consisting of a group of people who reside in the same house due to marriage, blood ties, or adoption. According to PPPA Regulation No. 6 of 2013, the concept of family resilience and welfare comprises: (1) Legality and Family Integrity, (2) Physical Resilience, (3) Economic Resilience, (4) Psychological Social Resilience, and (5) Socio-Cultural Resilience. On the basis of the five criteria of family resilience, families are categorized into entire families and single families. A complete family is one in which both partners are still living, regardless of whether they have children or parents. A single family consists of one surviving spouse, regardless of whether or not that spouse has children or parents. Among the five principles of family resilience discussed previously, sustaining social and psychological resilience is part of safeguarding the family so that it becomes strong, with indicators of parental and child attachment.

Conflict has many detrimental effects on women and their families, especially on children. In terms of psychology, health, society, and culture, for instance. As a result of defensive avoidance trauma, conflict victims endure significant psychological and mental health repercussions. This study was undertaken with 19 boys and girls whose parents were victims of conflict and who still recall the events of their childhood conflict when they were 5 or 6

---

*Perempuan 16 Nota Kesepahaman Helsinki*, Jakarta, 15 Agustus 2015.

<sup>34</sup> Dahlia Darida et.al., "Legal Protection fot Disputing Through the Aceh Customary Court," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 5, No. 1 (2020), p. 31-49.

years old. Based on this study employing the defensive avoidance scale, this element of trauma is 10.11 percent more dominant than others. This means that children born to conflict victims are more likely to develop Post-Traumatic Stress Disorder (PTSD), which includes post-traumatic disorders such as feeling uneasy (disturbed), avoiding social life, experiencing emotions of alienation, and even wanting to injure oneself or others. This psychological illness is caused by a person's recollection of a harrowing or traumatic experience. The results of the study indicate that orphans who do not have parents will grow and develop into mentally immature youngsters, hence hindering their psychological development, if they are not appropriately led by their family and environment.<sup>35</sup>

Conflict also has a negative effect on women's physical and social wellbeing. Reproductive abnormalities, as well as enlarged and infected body parts, are a few of the physical health effects. Similarly, conflict victims who have endured successful harassment and even rape have received unfavorable treatment and perception from society; they are frequently besieged with demeaning comments and societal stigma.<sup>36</sup>

Additionally, the violence has caused the collapse of Aceh's traditional and cultural order. The dispute between GAM and RI resulted in the gradual disappearance of the traditional and social structure, beginning with the replacement of the Gampong institution with the village system by the New Order government. Consequently, the *Keuchik* administration, *Tuha Peut*, and *Teungku Imum* were marginalized. Not to mention related to customary norms and values such as mutual help and cooperation, which have also been undermined as a result of a high level of mistrust of foreigners entering Aceh.<sup>37</sup>

As it is known that the future of family resilience is heavily influenced by social, political, and cultural circumstances, specifically when the community is safe and at peace, the family will also survive. In addition, family resilience is affected by marital disagreement that leads to divorce, which negatively affects women and children. In this setting, however, family resilience is mostly a result of the battle between GAM and the Indonesian government. The impact of this

---

<sup>35</sup> Siti Rozaina Kamsani, "Religious Identity, Self Concept, and Resilience Among Female Orphan Adolescents in Malaysia: An Evidence-Based Group Intervention," *ProQuest Dissertations Publishing* (Southern Illinois University at Carbondale, 2014).

<sup>36</sup> Yuanda Ariefka, et.al., *Memaafkan Pelaku Perkosaan di masa Konflik...*, p. 60-65.

<sup>37</sup> Eriyen Hertiana and Kian Amboro, "Pengaruh Konflik GAM-RI di Bidang Politik dan Sosial terhadap Kehidupan Masyarakat Aceh Tahun 1976-2012," *Jurnal Swarnadwipa* 1, No. 1 (2017), p. 40-66.

conflict on women and the families of conflict victims is more profound and enduring.<sup>38</sup>

In a subsequent scenario, psychological pressure becomes significantly more influential than other factors. The religious element is responsible for fostering the psychological trauma. Because it is considered that religion can provide answers and be a remedy for trauma, particularly if they can accept it truly while placing their trust in Allah. In addition, the neighborhood has a reputation as a place where religious principles are heavily practiced.<sup>39</sup>

### Family Resilience of Women Victims of Gender Perspective Conflict in Aceh

In general, recognizing gender-based violence is vital as a lens to examine the underlying causes of violence. Gender-based violence is aimed against women exclusively on the basis of their gender or because of circumstances that disproportionately affect women. This encompasses acts that cause bodily, mental or sexual injury or suffering, as well as threats of harm or suffering, such as coercion and other forms of loss of liberty. As stressed in General Recommendation No. 19 on Violence against Women, an additional interpretation of Article 1 of The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>40</sup>

Violence against women from a gender context that is related with family resilience is vital to be explored further. This is because women who are victims of war have the ability to survive even in harsh and stressful situations.<sup>41</sup> There is something interesting about women's ability to endure post-war life, notably the component of religious knowledge, especially the conviction that human destiny has been determined by God to be an efficient tool to recover the trauma faced by Acehese women during the conflict. Faith and tenacity in religion make them able to accept the death of their husbands even though it is painful, the attitude of *tawakkal* makes them more able to accept reality as a fact of life.<sup>42</sup>

---

<sup>38</sup> Hotnida Nasution and Ahmad Rifqi Muchtar, "Access to Justice for Women and Children in Divorce Cases in The Indonesian Religious Courts," *Ahkam: Jurnal Ilmu Syariah* 20, No. 2 (2020), p. 361-384. Analiansyah and Ali Abubakar, "Children and Handling Procedur in Islamic Criminal Offense in Aceh," *Ahkam: Jurnal Ilmu Syariah* 21, No. 1 (2021), p. 111-140.

<sup>39</sup> Field observation in Nagan Raya and Pidie dated November 2020 and January 2021.

<sup>40</sup> Sentiela Octaviana, et. al., *Peran-Peran Perempuan di Wilayah Konflik...*, p. 385.

<sup>41</sup> Clair K, *The Art of Resistance: Trauma, Gender, and Traditional Performance in Acehese Communities, 1976-2011*, ProQuest: UMI Dissertation Publishing; California Los Angeles, 2012.

<sup>42</sup> Muhammad Yunus Ahmad, *Menjadi Janda di Kampung Janda....*, p. 204.

The resilience of the family played by the woman can be witnessed at Pidie Jaya, Nagan Raya, Beutong Ateuh Blanggalang Nagan Raya when the Teungku Bantaqiyah tragedy occurred on July 23, 1999. He was accused of being part of the GAM group and possessing weapons to fight against the government at that time, although he disputed that that's not true. Teungku Bantaqiyah became a victim of war together with his family and students. They have lost their future education is wrecked, our economy is very low, our health is horrible, and Alhamdulillah we can still generate money with the natural resources around us and there is absolutely no support to us.<sup>43</sup>

The incident involving Tengku Bantaqiyah and his students in Beutong Ateuh gained national and worldwide attention in the future. A member of the Aceh government's Fact-Finding Team (TPF), Azhary Basyar, stated that there was "unilateral fire" and no indication of "resistance from Teungku Bantaqiyah and his companions." Munir Said Thalib, the creator of the Commission for Disappeared Persons and Victims of Violence (KontraS), is one of the most tenacious advocates for victims' families. He protected their rights and advocated for a just resolution to the conflict. Munir frequently visited Beutong Ateuh to speak with Bantaqah's families and victims.

The results of interviews with as many as 25 women who witnessed the tragedy on July 23, 1999 in Dayah Babul Ala Nurillah indicate that, despite the passage of 20 years, they still experience deep trauma and sadness on average. Some are sincere and others are not about this tragedy, but they are happy because of Allah SWT's will.<sup>44</sup> Participant M stated that we felt very sad because nothing was done to help the community<sup>45</sup>, participant NH felt irritable, had trouble sleeping, a rapid heart rate, a tendency to be moody, and high blood pressure, and,<sup>46</sup> participant SA stated that we have not received any assistance and no one has assisted us to date. In spite of the fact that we want the government to be accountable, we continue to seek our rights.<sup>47</sup>

Then, a lady, a housewife in Pidie whose husband is a victim of the fight, assumes the role of the resilient family. Her spouse was abducted, and she was unaware of his whereabouts. He reared eight children on his own despite poor financial circumstances. The government accommodated this woman's kid as a civil servant (*Aparatur Sipil Negara/ASN*) in a post-conflict government institution despite her insistence. A boy who was about 6 years old when she had her final child is now a professor at a university in Banda Aceh. On behalf

---

<sup>43</sup> Interviewed with SR, the daughter of Tgk Bantaqiyah di Nagan Raya, November 20, 2020.

<sup>44</sup> Interviewed with R, a victim of the conflict in Nagan Raya, November 20, 2020.

<sup>45</sup> Interviewed with M, a public figure in Nagan Raya, November 20, 2020.

<sup>46</sup> Interviewed with NH, a villager living in Nagan Raya, November 20, 2020.

<sup>47</sup> Interview with NK, the son of Tgk. Bantaqiyah in Nagan Raya, November 20, 2020.

of conflict victims, the final child earned a scholarship from the Aceh government through the Aceh and Nias Reconstruction and Rehabilitation Agency (*Badan Rekonstruksi dan Rehabilitasi/BRR*) during secondary school (*Sekolah Menengah Atas/SMA*). At the time he completed his undergraduate and graduate studies, an NGO in Banda Aceh arranged a scholarship from an international institution. He appears unaffected by the conflict's background, save for the freedom he has achieved thus far. Now he lives happily with his wife and one child in a little family.<sup>48</sup>

Similarly, a mom who lost her son in North Aceh's neighborhood. Prior to this, she had lost her husband, who died of illness during the war. He raises his four children alone with the assistance of his extended family because his income as a farmer is insufficient to support the family. Due to limited funds, one of his sons completed only junior high school. His kid was so distraught about the death of his sibling as a result of the fighting that he nearly joined the GAM to fight against the Indonesian government. However, he continues to ponder deeply because his mother is aging. Now he earns his life as a mason in Banda Aceh.<sup>49</sup>

There is something interesting about the ability of women to survive as victims of conflict. That is the factor of religious belief, that all events in humans are destiny and provisions from God, because wise humans must be able to accept it while putting their trust in God. This was experienced by women victims of conflicts in Pidie Jaya, Nagan Raya, Pidie and North Aceh. The ability of women from this religion is the same as when the Acehnese faced the 2004 tsunami tragedy. In the context of the tsunami, the Acehnese could accept it as a destiny based on their strong mitigation and preparation for disasters, resulting in a reduction in the loss of life or property; recovery speed in the sense of an attempt to return to normal conditions does not take long.<sup>50</sup> Although in the conflict it takes a long time to recover psychological conditions and accept the reality of the loss of family members and various other terrors. However, the factor of religious values is a strong basis in realizing community resilience in facing and getting out of conflict.

From the above reality, women and families of conflict victims can be explained that the resilience to conflict is quite strong. From a gender perspective, women who play the role of single parents who care for, raise, educate and even become the backbone of the family's economy deserve appreciation. In a broader perspective that in the midst of psychological

---

<sup>48</sup> Interview with SM, the daughter of the conflict victim in Pidie, November 22, 2020.

<sup>49</sup> Interview with DR, the daughter of the conflict victim in North Aceh, January 12, 2021.

<sup>50</sup> Fajri M. Kasim et.al., "Agama, Modal Sosial dan Ketahanan Masyarakat dalam Menghadapi Bencana di Kota Banda Aceh," *Jurnal Antropologi: Isu-Isu Sosial Budaya* 23, No. 1 (2021), p. 66-73.



pressure, economic fragility, and loss of social and cultural orientation, the women victims of the conflict were able to survive and help their children to achieve a better future. However, the events and impacts of the conflict have become a dark historical record as well as an episode of Acehese life that can be used as a very valuable lesson for the world community.

### Conclusion

The lengthy humanitarian struggle in Aceh has resulted in loss of life, destruction of the future, and a life of dread and violence. As is the case with every battle that occurs everywhere in the world, the women are the most affected group. This conflict concluded amicably, and different reconstruction and rehabilitation measures have been taken. Since the MoU Helsinki, UUPA, KKR, BRA, and various mechanisms of assistance and recovery, legal protection for women who have been victims of armed conflict has been provided through the creation of a legal umbrella. This protection extends to the victims' psychological, economic, health, educational, and cultural well-being. Although it must also be emphasized that the rehabilitation process has not been divided equitably and requires a cross-sectoral approach, particularly for the care of orphaned women. The true objective must also include the empowerment of women who are victims of war in a gender-sensitive manner. It must be acknowledged that the dispute has caused harm to the family structure, psychological stress, economic constraints, and negative social stigma, all of which have a detrimental impact on life, children, and families. From a gender viewpoint, however, the majority of these women are resilient in the face of and recovery from psychological trauma. The religious values they received from the ulama gave them the strength to escape the conflict's effects. Some of them have not been able to recover from the trauma of the war, and it appears that it will take a considerable amount of time. This is distinct from the tragedy of the tsunami, which the majority of Acehese accept as a fact of life.

### Reference

#### Journals and Books

- Ahmad, Muhammad Yunus. "Menjadi Janda di Kampung Janda: Historis Perempuan Korban Konflik di Pidie Jaya." *Adabiya* 23, no. 2 (2021).
- Analiansyah and Ali Abubakar, "Children and Handling Procedure in Islamic Criminal Offense in Aceh," *Ahkam: Jurnal Ilmu Syariah* 21, No. 1 (2021).
- Amin, Khairul, "Pengaruh Konflik terhadap Pembangunan Pendidikan di Aceh," *Nazruna: Jurnal Pendidikan Islam* 1, No. 2 (2018).
- Ariefka, Yuandini, et.al., "Memaafkan Pelaku Perkosaan di Masa Konflik: Perjalanan Panjang Korban Konflik di Aceh," *Seurune: Jurnal Psikologi Unsyiah* 1, No. 2 (2018).

- Clair, Kimberly Svea. "Los Angeles The Art of Resistance : Trauma, Gender, and Traditional Performance in Acehnese Communities, 1976-2011 A Dissertation Submitted in Partial Satisfaction of the Requirements for the Degree Doctor of Philosophy in Women's Studies by." University of California Los Angeles, 2012.
- Creswell, John W. *Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research*. Edited by Pearson. *Educational Research*. Fourth Edi. Vol. 4. University of Nebraska-Lincoln, 2012.
- Darmansyah, Djumala, *Soft Power Untuk Aceh: Resolusi Konflik dan Politik Desentralisasi*, Jakarta: Gramedia Pustaka Utama, 2013.
- Darida, Dahlia, et.al., "Legal Protection fot Disputing Through the Aceh Customary Court," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 5, No. 1 (2020).
- Djawas, Mursyid and Sri Astuti A. Samad. "Conflict, Traditional, and Family Resistance: The Pattern of Dispute Resolution in Acehnese Community According to Islamic Law." *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 4, no. 1 (2016).
- Ghina Elmira, "*Jugun Ianfu: The Drakest of Histori of Human Right Violation, The Indonesian Journal of International Clinical Education* 2, No. 4 (2020).
- Fahmi, Khairul and Ahmad Yazid, "Konflik Aceh: Studi Pemafaan pada Aktivitas Perempuan Aceh," *Raheema: Jurnal Gender dan Anak* 8, No. 1 (2021).
- Hamid, Ahmad Farhan, *Jalan Damai Nanggroe Endatu: Catatan Seorang Wakil Rakyat Aceh*, Jakarta: Suara Bebas, 2006.
- Awaluddin, Hamid. *Damai di Aceh: Catatan Perdamaian RI-GAM*, Jakarta: Centre for Strategic and International Studies, 2008.
- Hertiana, Eriyen and Kian Amboro, Pengaruh Konflik GAM-RI di Bidang Politik dan Sosial terhadap Kehidupan Masyarakat Aceh Tahun 1976-2012, *Jurnal Swarnadwipa* 1, No. 1 (2017).
- <https://baitulmal.acehprov.go.id/post/60-korban-konflik-terima-bantuan-baitul-mal-aceh>, diakses 29 Mei 2022.
- Ichwanuddin, Wawan, and Louis Kriesberg, "Analisis Terhadap Studi Kekerasan Pada Kasus Aceh Dan Ambon ," *LIPi* 8, No 1 (2011).
- Jannah, Miftah, "Trauma & Tazkiyatun Nufus (Pada Santri Korban Konflik Di Markaz Al-Aziziyah Lueng Bata Banda Aceh)." *Gender Equality* 2, no. 2 (2016).
- Kvitashvilli, Elisabeth, *Women and Conflict: An Introductory Guide for Programming*, *United States Agency for International Development*, (USIAD), 2007.

- Kasim, M. Fajri, et.al., "Agama, Modal Sosial dan Ketahanan Masyarakat dalam Menghadapi Bencana di Kota Banda Aceh," *Jurnal Antropologi: Isu-Isu Sosial Budaya* 23, No. 1 (2021).
- Kamsani, Siti Rozaina. "Religious Identity, Self Concept, and Resilience Among Female Orphan Adolescents in Malaysia: An Evidence-Based Group Intervention." *ProQuest Dissertations Publishing*. Southern Illinois University at Carbondale, 2014.
- Komnas Perempuan, *Menguatkan Mekanisme Pemulihan Korban Konflik Aceh Sebagai Bentuk Tanggung Jawab Negara untuk Pemenuhan Hak Korban*, *Siaran Pers Komnas Perempuan 16 Nota Kesepahaman Helsinki*, Jakarta, 15 Agustus 2015.
- Lestari, Yeni Sri, "Gender dan Pembangunan Perempuan di Aceh Pasca Konflik dan Tsunami: Pembahasan Teoritis," *Community: Pengawas Dinamika Sosial* 3, No. 1 (2017).
- Majid, Shabri Abdul, "Analisis Tingkat Pendidikan Dan Kemiskinan Di Aceh", *Jurnal Pencerahan* 8, no. 26 (2014).
- Mariana, Anna, *Perbudakan Seksual: Perbandingan antara Masa Fasisme Jepang dan Neofasisme Orde Baru*, Serpong: Tangerang Selatan, 2015.
- Mieke T.A et.al., "Analysing the Spectrum of Female education Leder's agency in Islamic Boarding Schools in Post-Conflict Aceh, Indonesia," *Gender and Education* 33, No. 7 (2021).
- Mukhlis and Abdul Manan, "Peran Pemerintah terhadap Masyarakat Korban Konflik dan Kondisi kehidupan sosial Paska Damai," *Al-Ijtima'i: International Journal of Government and Social Science* 6, No. (2021).
- Nasution, Hotnida and Ahmad Rifqi Muchtar, "Access to Justice for Women and Children in Divorce Cases in The Indonesian Religious Courts," *Ahkam: Jurnal Ilmu Syariah* 20, No. 2 (2020).
- Panggabean, Syamsu Rizal, *Manajemen Konflik Berbasis Sekolah: Dari Sekolah Sukma Bangsa Untuk Indonesia*, Ciputat: Alfabeta, 2015.
- Putri, Lily Husni and Maya Permatasari, "Implementasi Pemenuhan Hak Atas Reparasi Bagi Perempuan Korban Konflik Aceh Ditinjau dari Hukum Internasional," *Syiah Kuala Law Journal* 2, No. 3 (2018).
- Sahlan, Muhammad, et al., "The Roles of Ulama in the Process of Post-Conflict Reconciliation in Aceh," *Society* 7, No. 2 (2019).
- Sahu, Sangeeta, and Avinash Pathardikar. "Managing Conflict through Transformational Leadership: Is Collaborative Style a Solution?" *Delhi Business Review* 16, no. 1 (2015).
- Sharlach, Lisa, "Rape as Genocide: Bangladesh, the Former Yugoslavia, and Rwanda", *New Political Science* 22, No. 1 (2000).
- Sjamsuddin, Nazaruddin, *The Republican Revolt A Study of Achehnese Rebellion*, Singapore: Institute of Southeast Asian Studies, 1985.

- Srimulyani, Eka, "Perempuan dan Program Micro Finance (Keuangan Mikro) di Aceh: Dampak dan Tantangan Program Pasca Tsunami dan Konflik," *Takammul: Jurnal Studi Gender dan Islam serta Perlindungan Anak*, Vol. 7 No. 1 (2018).
- Sugyono. MP. *Biografi Seorang Guru Di Aceh: Kisah Prof Syamsuddin Mahmud Kepada Sugyono MP*, Banda Aceh Indonesia: Syiah Kuala University Press, 2014.
- Zainal, Suadi, "Transformasi Konflik Aceh Dan Relasi Sosial- Politik di Era Desentralisasi." *Jurnal Masyarakat* 21, no. 80 (2016).

### **Rules of Law**

- Instruksi Presiden RI Nomor 9 Tahun 2000 tentang Pengarusutamaan Gender dalam Pembangunan Nasional.
- Kementerian Pemberdayaan Perempuan dan Perlindungan Anak 2016, *Pembangunan Ketahanan Keluarga*, 2016.
- Kementerian Pemberdayaan Perempuan dan Perlindungan Anak. "Undang-Undang Republik Indonesia No. 52 Tahun 2009, Tentang Perkembangan Kependudukan Dan Pembangunan Keluarga," 2009.
- Keputusan Gubernur Nomor 330/1209/2020 tentang Penetapan Penerimaan Reparasi Mendesak Pemulihan Hak Korban.
- Undang-Undang Nomor 11 Tahun 2006 tentang Pemerintahan Aceh.
- Qanun Aceh Nomor 6 Tahun 2015 tentang Badan Reintegrasi Aceh.
- Qanun Nomor 17 Tahun 2013 tentang Komisi Kebenaran dan Rekonsiliasi Aceh.

### **Interviews**

- Interview with SR, the daughter of Tgk Bantaqiah in Nagan Raya, November 20, 2020.
- Interview with R, a victim of the conflict in Nagan Raya, November 20, 2020.
- Interview with M, a public figure in Nagan Raya, November 20, 2020.
- Interview with NH, a villager living in Nagan Raya, November 20, 2020.
- Interview with NK, the son of Tgk. Bantaqiyah in Nagan Raya, November 20, 2020.
- Interview with SM, the daughter of the conflict victim in Pidie, November 22, 2020.
- Interview with DR, the daughter of the conflict victim in North Aceh, January 12, 2021.