



The Relationship between “Hikayat Malem Dagang” and Aceh’s Qanun: A Comparative Philological Study

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Abstract. This study investigates the nexus between “Hikayat Malem Dagang”, a classic Acehnese literary work, and two key provincial regulations in Aceh: Qanun Aceh No. 6 of 2014 on Jinayat (Islamic criminal law) and Qanun Aceh No. 9 of 2008 on the Guidance of Custom and Tradition. Employing a comparative philological approach integrated with hermeneutic and intertextual analysis, the research identifies eight substantive indicators that evidence continuity of cultural, social, moral, and religious values from the hikayat into contemporary legal frameworks. With respect to the Jinayat Qanun, convergences are observed in the primacy of Islamic principles, the maintenance of public order grounded in sharia, the protection of justice and communal welfare, and the institutional integration of *adat* (custom) with sharia in governance. Regarding the Custom and Tradition Qanun, the Hikayat reinforces an Islamic and customary Acehnese identity, supports intergenerational transmission of cultural heritage, cultivates solidarity and mutual assistance, and underscores the preservation of literary and cultural traditions. The findings position “Hikayat Malem Dagang” not merely as literary patrimony but as a normative reservoir informing qanun formation, demonstrating the durability of local cultural capital within a modern legal order shaped by Islamic values. The study addresses a persistent fragmentation in scholarship across literature, law, and Acehnese ethnonational politics by offering a holistic, integrative perspective. It recommends future multidisciplinary inquiries that combine comparative philology and hermeneutics, extend to other hikayat–qanun pairings, and incorporate field-based empirical data to assess implementation and the regulative influence of literary values, thereby enriching understandings of literature’s role in contemporary socio-legal dynamics and supporting sustainable cultural preservation in Aceh.

Keywords: Comparative Philology, Hikayat Malem Dagang, Qanun Aceh

1 Introduction

Acehnese classical literature, particularly the Hikayat genre, constitutes a foundational repository of cultural memory that has long shaped identity formation, moral reasoning, and social imaginaries in Aceh. “Hikayat Malem Dagang”, for example, functions not merely as narrative entertainment but as a vehicle for transmitting social, ethical, and religious values that reflect the leadership ethos of Sultan Iskandar Muda and the

broader historical milieu of Aceh (1). In contemporary governance, these value systems remain salient to the province's legal architecture, especially the *Qanun* regional by-laws that regulate the implementation of Islamic law and customary norms, thereby situating literary heritage within ongoing debates on legal modernity in Aceh(2).

As a legal instrument crafted under Indonesia's asymmetric decentralization, *Qanun* Aceh confers distinctive authority to operationalize Islamic law as positive law across *ahwal al-shakhsiyyah* (family law), *muamalah* (civil transactions), and *jinayat* (criminal law). This regime distinguishes Aceh's regulatory landscape from that of other Indonesian provinces, where comparable bylaws do not incorporate Islamic legal domains to the same extent. Nonetheless, the enforcement of these *Qanun* has prompted enduring controversies ranging from questions of constitutional harmony and statutory hierarchy to concerns about human rights, thus foregrounding the tension between localized normative orders and national legal standards (3).

Beyond jurisprudence, Aceh's literary corpus has been deeply implicated in cultural and political mobilization. *Hikayat Prang Sabi* (HPS) famously animated ideals of jihad and Acehnese ethnonationalism across shifting historical conjunctures, from anti-colonial resistance to the dynamics surrounding the Free Aceh Movement (GAM), before its post-Helsinki 2005 peace settlement reframed it as a song of reconciliation. In this trajectory, HPS exemplifies how textual and musical forms can bind commitments, educate publics, aid recruitment, and mobilize collective action, mirroring functions theorized in scholarship on music and social movements (4). Yet systematic analyses of *Hikayat* as cultural media that both construct ethnonational identity and undergo semantic transformation within Aceh's socio-political field remain limited(5).

This state of the literature reveals a clear gap: few studies integrate, within a single analytic frame, (1) classical Acehnese literary studies, (2) the legal scholarship on *Qanun* Aceh, and (3) research on ethnonational identity and its political effects. Existing work tends to proceed in disciplinary silos, treating *Qanun* jurisprudence, literary tradition, and ethnonational politics as parallel rather than intersecting domains. What is needed is a comprehensive account of how literary heritage embodied in *Hikayat* informs the conceptualization, legitimacy, and social reception of *Qanun*; and, reciprocally, how those legal forms shape the symbolic work by which *Hikayat* articulate and recalibrate collective identity amid contemporary change.

Against this background, the present study examines the substantive correlations between the value structures embedded in Acehnese *Hikayat* with particular attention to *Hikayat Malem Dagang* and the normative content and public meaning of Aceh's *Qanun*. It also interrogates the role of *Hikayat* in animating and transforming Acehnese ethnonationalism across historical and post-conflict contexts. By combining comparative philology with hermeneutic and intertextual analysis, the study seeks to contribute theoretically and practically to debates on integrating local cultural values, Islamic legal principles, and regional identity(6). The findings aim to guide scholars, policymakers, and cultural practitioners in preserving Acehnese heritage while promoting equitable, context-sensitive regional legal development.

2. Method

This study adopts a qualitative design that foregrounds a comparative philological strategy, complemented by hermeneutic and intertextual analyses. The choice of comparative philology reflects the project’s aim to juxtapose and relate a classical Acehnese narrative, *Hikayat Malem Dagang* (HMD), to contemporary legal texts (the Qanun Aceh)(7). Philological procedures were used to secure textual authenticity, trace variant readings and lines of transmission, and reconstruct historical horizons, thereby illuminating the formation of cultural and legal values embedded in the corpus (8). Concretely, the workflow entailed (1) collation of all extant manuscripts and/or editions, (2) selection and explicit justification of a base text, and (3) limited orthographic normalization and transliteration to enable cross-source comparability without effacing historically significant features(9). The primary corpus comprised HMD in original and authoritative translated forms alongside the officially promulgated legal corpus, Qanun No. 6/2014 on Jinayat and Qanun No. 9/2008 on the Guidance of Custom and Tradition. Data were collected through library research and document analysis, with priority given to primary sources and peer-reviewed secondary commentary. Inclusion criteria privileged literary editions with clear provenance and robust scholarly apparatus, while legal materials were restricted to official texts and certified consolidations. A document matrix catalogued textual loci in HMD (episodes, motifs, normative statements) and their corresponding Qanun provisions (articles, chapters), pre-grouped into provisional value domains (e.g., Islamic principles; public order grounded in syariat; justice and communal welfare; adat syariat integration; Islamic-customary identity; intergenerational heritage; solidarity and mutual aid; preservation of literature and tradition).

Analytically, the study integrated hermeneutic and intertextual techniques. Guided by hermeneutic principles, it conducted iterative, historically situated readings to elicit both explicit and latent meanings related to Islamic, adat, and social values within Aceh’s socio-cultural horizon (10). Intertextual analysis then mapped dialogic relations between *Hikayat* passages and Qanun provisions, attending to resonance, reinforcement, and transformation of normative content. The coding procedure combined open coding of value expressions in HMD with axial coding that linked emergent categories to legal classifications in the Qanun, culminating in an audit-trail codebook(11). To bolster trustworthiness, a subset of data underwent double-coding with adjudication; analytic memos and chain-of-evidence tables documented interpretive decisions. The synthesis phase consolidated codes into correlation indicators that specify how classical literary values intersect with, and potentially inform the normative architecture of Aceh’s contemporary legal regulations.

3 Results and Discussion

This study identified eight substantive indicators of correlation between the normative content of *Hikayat Malem Dagang* and two principal provincial regulations in Aceh, Qanun Aceh No. 6 of 2014 on Jinayat (Islamic criminal law) and Qanun Aceh No. 9 of

2008 on the Guidance of Custom and Tradition. Collectively, these indicators demonstrate the continuity of cultural, social, moral, and religious values articulated in classical Acehnese literature with those codified in contemporary positive law.

3.1 Analytical Correlations between Hikayat Malem Dagang and Qanun Aceh No. 6/2014 on Jinayat

Table 1. Analytical correlation table: HMD and Qanun Aceh No. 6/2014 on Jinayat(12)

No	Value Indicators	Operational Definition	Quote from Hikayat Malem Dagang	Relevance between HMD and Qanun Aceh no. 6/2014 on Jinayat
1	Shared Islamic Foundation	The presence of explicitly Islamic theological and ethical premises that ground legitimate authority, social conduct, and norm production in the text.	p. 47, verse 5: <i>Kujak pakeh di meunasah Teungoh neupeurintah hukom raya Oh sare troh u meunasah Teungku siah neuseumapa</i> (The authorities summon a <i>faqih</i> to the meunasah; the general law (sharia) is being enforced. All matters are directed to the meunasah, where the Teungku performs the formal ratification.)(1)	Islam provides an important foundation in both HMD and the Qanun Jinayat. The hikayat begins with the <i>basmalah</i> and often refers to Allah, prayer, and Islamic teachings. A similar foundation appears in Qanun Aceh no. 6 of 2014. Its pramble states that the Qur'an and Hadith are the main sources of Islamic life in Aceh, while article 2 (a) places Islamic values among the basic principles of Jinayat law(12). Therefore, the two texts share a similar Islamic moral foundation. However, the hikayat presents it through stories and characters, whereas the Qanun expresses it through formal legal rules(13).
2	Justice and Communal Welfare	The depiction of just leadership and distributive/communitarian outcomes, security, prosperity, and protection of the vulnerable.	p. 23, verse 1: <i>Meung sajan lheueh adoe geungadab Teuma geupeurab dumgeu rata Lheueh nyan geujok ngon minuman Ngon makanan Nyang catirasa</i> (Once all proceedings conclude in accordance with	Hikayat Malem Dagang describes Sultan Iskandar Muda as a ruler who is concerned with justice and the welfare of his people. He protects the community, distributes assistance, and pays attention to people who are in difficult situations. This action show that a ruler is expected to use power for the benefit of society. This idea is also found in Articles 2 © and 2 (d) of the Qanun Jinayat,

			proper adab (protocol), affairs are duly arranged and apportioned equitably. Refreshments are then served, accompanied by tasteful dishes.)(1)	which emphasise justice, balance, and public welfare of <i>kemaslahatan</i> (12). Thus, both texts view justice as an important part of governance. The difference is that the hikayat shows justice through the actions of an ideal ruler, while the Qanun establishes it as a legal principle that must guide the implementation of Jinayat law.
3	Integration of Adat and Sharia in Governance	The principled accommodation of local customary institutions (adat) within an explicitly Islamic normative frame.	p. 23, verse 5: <i>Beungoh seupot kasukat keueh Sang ureueng wakeueh nibak raja Padum adoe katamong gampong Adat po neuteueng han soe sangga</i> (By tomorrow, a letter/mandate will be promulgated; numerous envoys will arrive on behalf of the ruler. Resolve the disputes arising within the Gampong (village); customary law must be upheld and not obstructed.)(1)	In HMD, <i>adat</i> is used to organise community life, settle local problems, and maintain order in the <i>gampong</i> . The ruler, community leaders, and <i>ulama</i> work together in dealing with social and religious matters. A similar relationship is recognised in the Qanun Jinayat. Its general explanation refers to the Acehnese expression “ <i>hukom ngon adat lagee zat ngon sifeut</i> ”(12), which means that Islamic law and <i>adat</i> are closely connected. Article 24 also states that certain cases of <i>khalwat</i> may be handled through customary institutions when they fall within the authority of <i>adat</i> justice. Therefore, both texts recognise the role of local customs, but they place those customs within the broader framework of Islamic law.

- a. Shared Islamic Foundation. Islam is an important foundation in both “Hikayat Malem Dagang” and the Qanun Jinayat. In the hikayat, this can be seen from the use of the *basmalah*, references to Allah, prayers, and religious advice. Ja Pakeh also plays an important role as an *ulama* who advises the ruler and guides the community. A similar idea appears in Qanun Aceh No. 6 of 2014. Its preamble refers to the Qur’an and Hadith as the main sources of Islamic

life in Aceh, while Article 2(a) places Islamic values among the main principles of Jinayat law. The difference is in the way these values are presented. The hikayat explains them through characters and events, while the Qanun presents them as formal legal rules.

- b. Justice and Communal Welfare (Maslahah). Justice and public welfare are central ideas in both texts. “Hikayat Malem Dagang” describes Sultan Iskandar Muda as a ruler who protects his people, maintains peace, helps those in need, and manages public affairs properly. His leadership is considered good because it brings benefits to the community. This idea is also found in Articles 2(c) and 2(d) of the Qanun Jinayat, which emphasise justice, balance, and public welfare or *kemaslahatan*. These principles are related to the broader aims of Islamic law, such as protecting religion, life, intellect, family, and property. In the hikayat, justice is shown through the actions of the ruler. In the Qanun, it is written as a legal principle that guides the application of Jinayat law.
- c. Integration of Adat and Sharia in Governance. “Hikayat Malem Dagang” shows that *adat* and Islamic teachings work together in Acehnese society. Customary practices are used to organise community life, settle local problems, and maintain order in the *gampong*. These practices, however, remain connected to Islamic values through the roles of the ruler, local leaders, and ulama. This relationship is reflected in the Acehnese saying “hukom ngon adat lagee zat ngon sifeut”, which means that Islamic law and adat cannot be separated. The same idea appears in the Qanun Jinayat. Article 24 allows certain *khalwat* cases to be settled through customary institutions when they fall under adat authority. This shows that both texts recognise local customs while keeping Sharia as the main moral and legal foundation.

3.2 Alignment of Hikayat Malem Dagang with Qanun Aceh No. 9/2008 on the Fostering of Customary Life and Traditions

Table 2. Alignment Matrix: HMD with Qanun Aceh No. 9/2008 on the Fostering of Customary Life and Traditions (14)

No	Value Indicators	Operational Definition	Quote from Hikayat Malem Dagang	Relevant Qanun Fostering of Customary Life and Traditions (Adat Istiadat)
1	Islamic Customary Identity as Foundational Orientation	The presence of explicitly Islamic theological and ethical premises that ground legitimate authority, social conduct, and norm production in the text.	p. 48, verse 3: <i>Leubeh di droe nyan neupham adat</i> <i>Hukom Allah that kee kuraja</i> <i>Kon meung raja nyoe di kee kungadab</i>	Article 2(2): The guidance, development, preservation, and protection of <i>adat</i> and customary traditions, as referred to in paragraph (1), shall be

			(The deeper our understanding of adat (custom), the more evident it is that God’s law governs. Authority rests not merely with the ruler, but with <i>adab</i> , the moral-procedural order.)(1)	grounded in Islamic values.(14)
2	Intergenerational Cultural Transmission	The articulation and enforcement of public order via Islamic moral-legal categories.	p. 48, verse 2: <i>Di kee keusukaan lueng agama</i> <i>Leubeh di droe nyan neupham adat</i> <i>Hukom Allah that kee kuraja</i> <i>Kon meung raja nyoe di kee kungadab</i> (In the ruler there is a pronounced inclination toward religion; his grasp of <i>adat</i> deepens. It is God’s law that holds sovereign sway, not because of this ruler alone, but by virtue of <i>adab</i> (moral discipline and propriety).)(1)	Article 13(4): Deliberative sessions for the settlement of disputes shall be convened at the <i>meunasah</i> (or its local equivalent) at the <i>gampong</i> (village) level, and at the mosque at the <i>mukim</i> level, or at other venues designated by the <i>Keuchik</i> (village head, or local equivalent) and the <i>Imeum Mukim</i> (sub-district imam/leader, or local equivalent).(14)
3	Solidarity and Mutual Aid	The depiction of just leadership and distributive/communitarian outcomes, security, prosperity, and protection of the vulnerable.	p. 54, verse 2: <i>Ureueng Samalangan habeh ka jitron</i> <i>Ho neusuron neuseuraya</i> (The people of Samalangan assemble in full; the command to undertake communal labor (<i>gotong</i>	Article 11: Customary institutions are obliged to cooperate with all relevant stakeholders to recover and further articulate the norms of <i>adat</i> and customary traditions(14).

			royong) is affirmed.) p. 58, verse 6: <i>Ureueng Peusangan kahabeh jitron</i> <i>Ho neusuron neuseuraya</i> (The residents of Peusangan likewise gather; they cooperate in accordance with the directive.)(1)	
4	Preservation of Literary and Cultural Traditions	The principled accommodation of local customary institutions (adat) within an explicitly Islamic normative frame.	p. 23, verse 5: <i>Padum adoe katamong gampong</i> <i>Adat po neutueng han soe sangga</i> <i>Hana beungeh ureueng gampong</i> <i>Keureuna lurong nibak raja.</i> (All affairs are regulated at the level of the Gampong (village); the established <i>adat</i> may not be transgressed. No inhabitant is left in uncertainty, for the norms derive from the ruler's ordinance.)(1)	Article 6(1): The Wali Nanggroe bears responsibility for maintaining, developing, protecting, and preserving the <i>adat</i> life, customary traditions, and cultural heritage of the community(14).

- a. Islamic Customary Identity as Foundational Orientation. The hikayat depicts Acehese society as constituted by an organic synthesis of Islamic norms and *adat*, aligning with the Qanun’s aim to preserve this composite identity as a moral-legal compass for everyday life.
- b. Intergenerational Cultural Transmission. As a repository of philosophical and ethical instruction, the hikayat functions as a cultural and spiritual heritage that binds present generations to ancestral values. This role coheres with the Qanun’s mandate to ensure the continuity of *adat* across time.

- c. Solidarity and Mutual Aid. The hikayat embeds messages of unity and *gotong royong* (cooperation) that reinforce social cohesion. These themes resonate with the Qanun’s social provisions that cultivate communal bonds and shared responsibility.
- d. Preservation of Literary and Cultural Traditions. The Qanun establishes a legal basis for protecting cultural works and practices. The continued circulation of *Hikayat Malem Dagang* in manuscript and print exemplifies such preservation and can reanimate public engagement with Aceh’s literary traditions.

Taken together, the analysis suggests that *Hikayat Malem Dagang* operates not merely as a classical text but as a normative reservoir whose value structures parallel, and plausibly inform, the formulation and social resonance of Aceh’s Qanun. The results underscore a durable alignment between local cultural heritage and a modern legal system explicitly shaped by Islamic and Acehnese customary values.

4 Conclusion

This study demonstrates that *Hikayat Malem Dagang* functions not only as a canonical Acehnese literary text but also as a repository of moral, social, and religious norms that align with the positive law articulated in the Qanun Aceh. Through a comparative philological design coupled with hermeneutic and intertextual analyses, the research identifies eight core indicators that link the hikayat’s value structure to two key regulations, Qanun Aceh No. 6/2014 on Jinayat and Qanun Aceh No. 9/2008 on the Guidance of Custom and Tradition. The correlations with the Jinayat Qanun are evident in the shared Islamic foundations, the sharia-based maintenance of public order, the protection of justice and communal welfare consistent with the *maqāṣid al-sharī‘ah*, and the governance model that integrates *adat* and sharia. Parallel correspondences with the Custom and Tradition Qanun include the consolidation of an Islamic–customary Acehnese identity, intergenerational cultural transmission, the cultivation of solidarity and *gotong royong*, and the normative imperative to preserve literary and cultural heritage. Future work should build on this integrative framework by expanding the corpus to additional Hikayat and Qanun, and by combining close textual analysis with empirical inquiry to illuminate implementation and contemporary reception (e.g., interviews with legal and cultural practitioners, case studies of enforcement, and community-based reception analyses).

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