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Legal Justice in Aceh's Gala Agreement for Local Economic Empowerment

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Abstract

The gala concept is a traditional agreement practiced by the Acehnese community to support economic empowerment based on local wisdom. Despite its continued use, limited research has examined the gala agreement in relation to Aceh's special autonomy under Act No. 11 of 2006 concerning the Government of Aceh and its compatibility with Islamic economic principles. This study aims to analyze the form and implementation of the gala agreement within the framework of Islamic economics as a socio-economic practice that continues to operate in Acehnese society. This research adopts a socio-legal approach by drawing on both primary and secondary data. The analysis is carried out normatively to evaluate the consistency of gala practices with the principles of contract law, and sociologically to examine the evolving notions of justice within society. The results indicate that the implementation of economic empowerment through the gala model reflects the philosophical principles of Islamic economics, particularly mutual assistance (taʿāwun) and social solidarity. However, in practice, the gala system still contains elements resembling interest due to the use of collateral and certain benefit arrangements by the gala provider, which creates inconsistencies with Shariah economic principles. Nevertheless, gala practices embody important social values such as justice, welfare, equality, trust, and religiosity within Acehnese society, while community leaders play a crucial role in maintaining their legitimacy. The novelty of this study lies in its reinterpretation of the gala agreement as a community-based financial model that integrates local wisdom, Islamic economic values, and Aceh's special autonomy framework, while proposing its conceptual development toward a more structured and Shariah-compliant contract system.

Keywords: Economic Empowerment; Gala Agreement; Islamic Economics; Local Wisdom.

1. INTRODUCTION

The economic landscape in Aceh is witnessing a unique phenomenon through the implementation of the *Gala* Agreement, a distinctive model deeply rooted in local wisdom.[1] This concept of economic empowerment, grounded in the principles of local traditions and Islamic values, navigates the complex intersection of informal financial assistance and the ethical framework of Sharia economics.[2] Despite its ostensibly altruistic nature, the *Gala* Agreement, a form

[1] Yofiendi Indah Indainanto et al., "Islamic Communication in Voicing Religious Moderation as an Effort to Prevent Conflicts of Differences in Beliefs," *Pharos Journal of Theology* 104, no. 4 (2023), https://doi.org/10.46222/pharosjot.104.415.

[2] A Yahya, "Legal Study of Building Sharia-Based Investment in Aceh: The Challenges After the Enactment of the Qanun of Sharia Financial Institution," *Samarah* 7, no. 2 (2023): 959–77, https://doi.org/10.22373/sjhk.v7i2.17653.

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of pawn or pledge arrangement, raises critical questions about the potential presence of usury and the alignment with Sharia principles.[3]

The *Gala* Agreement, locally known as "*gala*," reflects a centuries-old economic practice in Aceh.[4] Functionally analogous to a pawnbroking system in Western societies,[5] this economic mechanism enables individuals to pawn valuable assets such as land, gold, or other precious items, typically to address immediate consumptive expenditures. Over time, this practice has evolved from informal, unwritten agreements to structured, written contracts with indefinite durations.[6]

This article explores the multifaceted dimensions of the *Gala* Agreement within the economic fabric of Aceh, intertwining local wisdom with Islamic economic principles. It delves into the historical evolution of *Gala*, alongside its socio-economic and philosophical underpinnings, and analyzes the contemporary challenges posed by its practice, especially concerning potential usury.

By examining the economic activities and social principles inherent in the *Gala* Agreement, this study seeks to elucidate its role in fostering community economic empowerment Aceh's local wisdom. The analysis specifically investigates the core principles of justice, mutual assistance, equality, and trust embedded in the *Gala* practice, evaluating their significance within the broader framework of Islamic economic principles.

As we navigate through the intricacies of *Gala* in Aceh, it becomes essential to understand its cultural and religious dimensions. This research, therefore, not only analyzes the existing framework but also proposes a refined conceptualization of the *Gala* Agreement to ensure closer alignment with Sharia-compliant economic principles. The perspectives of community leaders, religious figures, and local influencers are crucial in preserving and strengthening this unique economic model, which harmonizes both local traditions and Islamic principles. In this context, the work of Ahmed Aref is relevant, as it discusses the tension between legacy systems, rooted in family values and local traditions, and a more inclusive, humane approach that transcends regional boundaries to address universal human needs.[7] Agus Widana et al. highlight the knowledge and preservation of the environment in an Islamic perspective, which is influenced by local ancestral traditions.[8] This aligns with the argument of Mustafa Helvacıoğlu et al. that the three core dimensions of sustainable development are inherently embedded within Islamic economic principles.[9] Further strengthening this nexus, Asnita Frida Sebayang et al. demonstrate the critical influence of Islamic leadership and managerial capacity on

[3] Armia, Muhammad Siddiq. "Question Career Path Aceh Sharia Police." Dusturiyah: Jurnal Hukum Islam, Perundang-undangan dan Pranata Sosial 13, no. 1 (2023): 28-48. https://doi.org/10.22373/dusturiyah.v13i1.17766.

[4] Sulaiman Sulaiman and Faisal Faisal, "Conception of Implementing the Law of Selling in Aceh (Research Study in Lhokseumawe City and Central Aceh)," *Proceedings of Malikussaleh International Conference on Law, Legal Studies and Social Science (MICoLLS)* 2 (2023), https://doi.org/10.29103/micolls.v2i.239.

[5] A Ibrahim, "Gala Dan Rahn: Analisis Korelasi Dari Perspektif Ekonomi Islam (Gala and Rahn: A Correlative Analysis from Islamic Standpoint)," *SHARE Jurnal Ekonomi Dan Keuangan Islam*, 2012.

[6] Rahayu Subekti, Purwono Sungkowo Rahardjo, and Alya Maya Khonsa Rahayu, "The Agro-Finance Governance Of Land Pawning Institutionalism In An Asian Emerging Economy," *Corporate Governance and Organizational Behavior Review* 6, no. 4 (2022), https://doi.org/10.22495/cgobrv6i4p14.

[7] Ahmed Aref, "Methodologies And Smart Techniques Recommended In Analyzing Qur"Anic Principles For Islamic Economics And Finance," in *Teaching and Research Methods for Islamic Economics and Finance*, 2021, https://doi.org/10.4324/9781003252764-19.

[8] Agus Widana et al., "Islam, Local Knowledge and Preservation of Land (A Case Study in Cijambu Village, Tanjungsari-Sumedang)," 2018, https://doi.org/10.2991/icie-18.2018.31.

[9] Mustafa Helvacıoğlu et al., "A Critical Analysis of The Economic Dimensions of SDGs Based on Islamic Economics Perspective," in *International Conference on Sustainable Development Goals*, vol. 1, 2021.

local economic development.[10] Ultimately, the foundation of this system rests on ethical opposition to detrimental practices, as Dedi Riswandi et al. Emphasize, the Islamic economic system fundamentally contests principles such as usury (*riba*), gambling (*maysir*), and excessive uncertainty (*gharar*), which are prevalent in the conventional economic system.[11]

Despite being grounded in the philosophy of Islamic economics and conducted based on mutual consent (*rida*), the implementation of the gala model reveals a critical inconsistency. The practice of *Gala* (pawn) indicates usury due to the gala recipient's use of the pledged goods. In principle, this model aims to enrich the local economy through mutual assistance; however, it is not legitimate to derive advantage from the act of helping itself.

This study employs a socio-legal approach, which examines law not only as a set of written norms but also as a social practice that lives and develops within society.[12] This approach aims to understand the legal dimensions of *Gala* agreements as well as their implementation within the context of local wisdom in Aceh. The research is qualitative in nature with a descriptive-analytical character, thereby integrating normative and empirical analyses to examine the relationship between contract law in the formal legal system and the practice of *Gala* in society.

The data sources consist of primary and secondary data. Primary data are obtained through in-depth interviews with parties involved in *Gala* agreements, customary leaders, and other relevant stakeholders, supported by field observations. Secondary data include primary legal materials such as statutory regulations and Aceh qanuns, as well as academic literature. Data collection techniques include semi-structured interviews, participatory observation, and documentation studies. The collected data are then analyzed qualitatively through data reduction, data presentation, and conclusion drawing, employing a normative approach to assess the conformity of *Gala* practices with contract law, and a sociological approach to understand the values of justice that develop within society.

The *Gala* is a loan agreement between the *Gala* lender and the *gala* recipient, conceptualized as a form of assistance to meet urgent financial needs. However, its current implementation within Acehnese customary society reveals an inconsistency with the stipulation of Article 2 (two) paragraph (2) Qanun Number 9 of 2008 on Customs and Customary life. This study is therefore significant in identifying the extent to which usurious elements persist within the gala practice and in re-conceptualizing the model to better reflect both Sharia objectives and local wisdom. Ultimately, the research aims not only to safeguard Aceh's cultural identity but also to contribute to the development of an equitable and Sharia-compliant framework for community economic empowerment.

The novelty of this research lies in its critical examination of the *Gala* Agreement as a customary economic practice in Aceh, highlighting the latent presence of usury and its misalignment with Sharia principles. Unlike previous studies that have focused broadly on Islamic economics or leadership in development, this study specifically reinterprets a

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[10] Asnita Frida Sebayang, Ria Haryatiningsih, and Fitroh Hayati, "Local Economic Development Strategy through Mosque's Islamic Leadership and Managerial Capacity," in *Proceedings of the 4th Social and Humanities Research Symposium (SoRes 2021)*, vol. 658, 2022, https://doi.org/10.2991/assehr.k.220407.028.

[11] Dedi Riswandi, Mashur Mashur, and Ahmad Sibawai, "Sistem Ekonomi Islam Dalam Persepsi Tokoh Agama Desa Pagutan Kecamatan Batukliang Kabupaten Lombok Tengah," *JURNAL SOSIAL EKONOMI DAN HUMANIORA* 9, no. 1 (2023), https://doi.org/10.29303/jseh.v9i1.227.

[12] Samza Fatima, "Employability of a Research Method and Methodology in a Socio-Legal Study," *Global Social Sciences Review* 8.1 (2023): 341-351. https://doi.org/10.31703/gssr.2023.

local tradition through both cultural and religious lenses, proposing a reconceptualized framework that safeguards Aceh's cultural heritage while ensuring compliance with Islamic economic ethics.

2. ANALYSIS AND DISCUSSION

2.1. The History and Transformation of *Gala* in Acehnese Society

The origins of the *Gala* Agreement can be traced back to the era of the Sultanate of Aceh Darussalam in the 16th to 17th centuries. Historical records indicate that the Acehnese people were already familiar with systems of cooperation and strong social bonds in both trade and agricultural activities. In the absence of formal financial institutions, the community developed internal mechanisms to meet the needs of capital, resource distribution, and trade networks.[13]

During this period, *Gala* was practiced among traders, fishermen, and shipowners, or farmers and landowners. For instance, a pepper trader in Aceh Besar could borrow trading capital from a major merchant in Banda Aceh through a *Gala* Agreement. This agreement was sustained by principles of trust and reputation, as violating the terms of the *gala* would lead to a loss of valuable social trust, which was essential for economic and social survival.[14]

The gala agreement underwent a significant transformation during Aceh's colonial and modern periods. The influence of the Dutch capitalist economic system, the emergence of formal financial institutions, and evolving social structures gradually shifted its role. Despite these changes, *gala* has persisted in rural Aceh, particularly within agriculture, fisheries, and small-scale trade. This continuity demonstrates that gala is not merely a cultural heritage but also an adaptive solution to constraints in accessing formal economic resources.

The *gala* agreement constitutes a customary institution in Aceh that functions as a key socio-economic mechanism. In the Acehnese language, the term *Gala* denotes a bond or agreement based on principles of trust (*amanah*) and collective responsibility.[15] Unlike modern contracts, which are grounded in written documentation and formal legal protection, the *Gala* agreement relies more on moral authority, customary law, as well as social as well asand religious legitimacy.[16]

Within the Acehnese customary legal system, *Gala* is not merely an economic instrument but a social bond imbued with spiritual significance. It regulates relationships between individuals and groups in areas such as capital loans, land management, profit-sharing, and production cooperation. The essence of gala is to foster balance and justice, rather than the mere pursuit of profit. For this reason, the *Gala* is often regarded as a form of "moral economy" that distinguishes itself from the capitalist market economy.

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[13] Henri Chambert-Loir, "Islamic Law in 17th Century Aceh," *Archipel. Études Interdisciplinaires sur le Monde Insulindien* 94 (2017): 51-96. https://doi.org/10.4000/archipel.444.

[14] Sudarman. et.all., "Local Trade in the Kingdom of Inderapura in the 17th-18th Century Ce," *JOURNAL TSAQAFAH* 16.1 (2020). https://doi.org/10.21111/TSAQAFAH.V16I1.3889.

[15] Ahmad Sholihin Siregar, Ainiah Ainiah, and Zakiul Fuady Muhammad Daud. "Towards Usury-Free Finance in Land Pawning: Evaluating Carter and Angkat-Bloe Contracts," *Share: Jurnal Ekonomi dan Keuangan Islam* 13.2 (2024): 686-702. https://doi.org/10.22373/share.v13i2.23642.

[16] Muhammad Iqbal, et al. "Reconceptualization of Gala Agreement (Custom pledge) in Aceh Society Based on Sharia," *Opción: Revista de Ciencias Humanas Sociales* 27 (2020): 129. https://produccioncientificaluz.org/index.php/opcion/article/view/32539.

Aceh's distinctive character as a region implementing Islamic law further informs the practice of *Gala*. This is underpinned by the Acehnese legal principle *hukom ngon adat lagee zat ngon sifeut* (law and custom are like substance and attribute), indicating their inseparability. As a customary institution, a *Gala* is thus understood as never contradicting Sharia; indeed, it is often formalized through religiously nuanced oaths or pledges.[17]

In practice, a *Gala* agreement is usually established through a deliberative process witnessed by customary or religious leaders. The inclusion of Prayers or Qur'anic recitations often serves to solemnize the bond. Consequently, the *gala* agreement entails both social and religious obligations. A Violation is therefore regarded not simply as an economic transgression, but also a breach of religious norms.

From the perspective of *fiqh mu'āmalah*, *Gala* may be seen as consistent with the principles of *shirkah* (partnership), *qardh* (loan), or *muḍārabah* (profit-sharing). This reflects the harmony between Acehnese customary law and Islamic economic principles. Therefore, *Gala* possesses a dual legitimacy: as customary law recognized by the community, and as a practice in alignment with religious teachings.[18]

In the view of the Acehnese people, justice is the most important element that must be present in all aspects of life, both in social, cultural, religious, and economic spheres. Accordingly, the principle of justice is fundamental to the Gala practice. However, observed deviations, where participants disregard this principle, create a dissonance with the concept of traditional *Gala* purity.[19]

In Acehnese socio-economic life, the principle of mutual assistance is fundamental; without it, business will be highly vulnerable, as no enterprise can succeed in isolation. This principle is embodied in the traditional *Gala* concept within the manggeng community, where it serves as a mechanism for capital provision to the underprivileged. Through this practice, the *Gala* system has, perhaps unconsciously, integrated the principle of justice found in the Islamic financial concept of *rahn* (collateral-based pledge).

Within the Islamic economic system, equality is a foundational principle for all business activities. In the *Gala* practice, this principle of equality is essential to ensure a mutually beneficial arrangement for all parties. Guided by this spirit, the people of Aceh demonstrate that gala activities maintain a fundamental parity, where both wealthy and poor participants engage on a level footing.[20]

In the practice of *Gala*, all humans are at the same point, both the *gala* actors and those who receive *gala,* where equality will be one of the keywords in their activities. Mutual trust (*amanah*) is a behavior that is very easy to find in Acehnese inland community leaders. This behavior seems to give the impression that Acehnese community leaders

[17] Duhriah, et al., "Institutionalization of Islam and Adat: The Legal System of Hak Langgeih in Aceh," *JURIS (Jurnal Ilmiah Syariah)* 23.1 (2024): 41-53. https://dx.doi.org/10.31958/juris.v23i1.7482.

[18] Muhammad Yusran Hadi, and Utari Silvia Roja, " The Application of Hybrid Contract System in Gala Bank Financing According to Fiqh Muamalah: A Study on KSPPS Baitul Qiradh Abdya," *Al-Mudharabah: Jurnal Ekonomi dan Keuangan Syariah* 6.1 (2025): 45-61. https://doi.org/10.22373/al-mudharabah.v6i1.7659.

[19] Chaterine Yolandika, "Social Concepts of Traditional Tustice and Methods of Settlement of Traditional Law in Aceh, Indonesia," *Economic Management and Social Sciences Journal* (2022): 15-20. https://doi.org/10.56787/ecomans.v1i1.8.

[20] Nurdiana, Rahmawati Muin, and Abdul Wahab, "Fundamental Principles of Islamic Economic System: Justice, Equity, and Moral Conduct," *Formosa Journal of Multidisciplinary Research* 4.6 (2025): 2627-2646. https://doi.org/10.55927/fjmr.v4i6.271.

have high religious values in carrying out various activities, both economic, social, and cultural.[21]

A decline in communal trust in the people living in the area was due to the implementation of a risk-based surveillance system for *Gala* practices. This occurs when certain actors engage in non-transparent *Gala* activities, such as involving third-party monitors without the knowledge of the asset owner.[22] To rectify this, reinforcing the religious and ethical foundations of the *Gala* is critical for rebuilding a trustworthy socio-economic system. In the future, we hope that the government will be serious and trustworthy in realizing the ideals of implementing the kaffah Islamic Sharia in Aceh.[23]

This highlights that the implementation of Islamic Sharia should extend beyond aspects like khalwat, maisir, and zina alone. It is imperative to cultivate an Islamic-based economy founded on the principle of trustworthiness within Aceh's economic system to foster positive societal development. In general, the Sharia economy in Indonesia has been developed through Sharia businesses and the establishment of educational institutions, focusing on Sharia economic teaching and the legislation within the national legal system (ius constitutum).[24] upholding the four core principles previously described. This religious principle is an element that must be born in all Muslim communities, as it is the foundation for realizing justice, Mutual assistance, equality, and mutual trust (trustworthiness). The principle shapes human character towards trustworthiness, thereby fostering a virtuous society. When this occurs, planned business activities become more achievable because individuals comprehend the intrinsic connection between worldly endeavours and spiritual worship within the Islamic economic system.[25]

Islam views property as a trust from God, to be managed with the principle of trust and distributed evenly.[26] This religious principle, if embraced by every Muslim in Aceh and the world, can lead to aspects of equality and trustworthiness being addressed. Islam recognizes both private and state property, with private property rights considered the foundation of economic growth. Ownership in Islam is seen as temporary, with humans acting as trustees of God's property.[27] Islamic inheritance law plays a role in ensuring the right to property ownership, with ownership rights transferred through inheritance based on Allah's decree.[28] The Islamic concept of property is intrinsically linked to the principles of justice, togetherness, and the devotional purpose.[29] Ultimately, property ownership in Islam is seen to facilitate well-being in both this world and the

[21] Indainanto et al., "Islamic Communication in Voicing Religious Moderation as an Effort to Prevent Conflicts of Differences in Beliefs."

[22] Nancy Glass et al., "Effectiveness of the Communities Care Programme on Change in Social Norms Associated with Gender-Based Violence (GBV) with Residents in Intervention Compared with Control Districts in Mogadishu, Somalia," *BMJ Open* 9, no. 3 (2019), https://doi.org/10.1136/bmjopen-2018-023819.

[23] Yahya, "Legal Study of Building Sharia-Based Investment in Aceh: The Challenges After the Enactment of the Qanun of Sharia Financial Institution."

[24] Erie Hariyanto et al., "In Search of Ummah Welfare Model: The Revitalisation of Sharia Economic Law in Indonesia," *Sriwijaya Law Review* 7, no. 2 (2023), https://doi.org/10.28946/slrev.Vol7.Iss2.1080.pp244-261.

[25] Mohammed Veqar Ashraf-Khan and Mohammad Shahadat Hossain, "Governance: Exploring the Islamic Approach and Its Relevance for the Modern Context," *International Journal of Islamic Khazanah* 11, no. 1 (2021), https://doi.org/10.15575/ijik.v11i1.10433.

[26] Ari Asriadi, M. Yasir Nasution, and Sugianto Sugianto, "The Characteristics Of Property And Ownership In The Islamic Economy," *Academy of Education Journal* 14, no. 2 (2023), https://doi.org/10.47200/aoej.v14i2.1547.

[27] Asriadi, Nasution, and Sugianto.

[28] Hafidz Taqiyuddin, Mus'Idul Millah, and Hikmatul Luthfi, "Instruments of Property Ownership in Islam: The Study of Inheritance Law," *Journal of Islamic Thought and Civilization* 13, no. 1 (2023), https://doi.org/10.32350/jitc.131.11.

[29] Fitra Analia, Achmad Abubakar, and Halimah Basri, "Konsep Pemeliharaan Harta Dalam Perspektif Maqasyid Syariah ," *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam* 4, no. 5 (2023), https://doi.org/10.47467/elmal.v4i5.3161.

hereafter. When this religious principle is fully realized, the attendant values of equality and trustworthiness naturally manifest within the individual and the community.

2.2. The Concept of *Gala* Agreement in Empowering Community Economy Based on Local Wisdom in Aceh

The *gala* agreement constitutes an important instrument in the traditional economic system of Acehnese society. Etymologically, the term *gala* in the context of Acehnese customary law refers to a form of contractual bond based on principles of trust, mutual assistance, and collective responsibility. This agreement does not merely function as a formal economic contract as defined in modern positive law, but rather as a social institution deeply embedded within the value system and local wisdom of the Acehnese people.[30]

The existence of the *gala* agreement cannot be separated from the broader framework of Acehnese customary law, which is founded upon the philosophy *adat bak poe teumeureuhom, hukom bak Syiah Kuala, qanun bak Putroe Phang, reusam bak Laksamana*. This philosophy illustrates the integration of custom, religion, and traditional governance within Acehnese society. Within this context, the *gala* agreement is regarded as a concrete manifestation of the integration of *adat* (custom) and *syariat* (Islamic law), as it not only regulates interpersonal relations but also safeguards social balance while upholding the values of justice and divine blessing.

The implementation of the *gala* in the economic life of the Acehnese is evident across various sectors. In agriculture, for instance, *gala* is often employed to regulate sharecropping arrangements between landowners and cultivators. These agreements are typically oral, witnessed by community elders or religious leaders, which lends them a stronger moral force compared to written contracts. This facilitates the development of mutual trust among parties involved and minimizes potential disputes.[31]

In the commercial sector, *gala* functions as a mechanism to strengthen community-based trading networks. Small-scale traders who lack access to formal capital often utilize *gala* agreements to secure financial support from fellow traders or relatives. This practice demonstrates that Acehnese society has long developed an alternative financial system—one that is autonomous, trust-based, and not solely oriented toward financial gain.

Moreover, a *gala* also serves as a means of dispute resolution in a peaceful and dignified manner. When conflicts arise in the implementation of these agreements, resolutions are carried out through customary mechanisms involving the *Tuha Peut* (council of elders) or *Imum Mukim* (local leader).[32] This process prioritizes deliberation, balance, and the restoration of social relations, rather than punitive measures alone. Consequently, *gala* contributes to the preservation of social harmony while delivering a substantive sense of justice within the community.

From the perspective of economic empowerment, *gala* may be viewed as an instrument for strengthening social capital. It nurtures trust, builds social networks,

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[30] Ikhsan Fajri, Eddy Gunawan, and Teuku Meldi Kesuma, "Gala (Ar-Rahnu) as Micro Financing Instruments in Islamic Financial Institution in Aceh," *Journal of Islamic Finance* 8.2 (2019): 43-49. https://doi.org/10.31436/jif.v8i2.299.

[31] Hermita Arif, Asharin Juwita Purisamya, and Mohammad Mahbubi Ali. "Islamic Sharecropping Practices: Evidence from Indonesian Local Communities," *Riset: Jurnal Aplikasi Ekonomi Akuntansi dan Bisnis* 7.1 (2025): 045-060. https://doi.org/10.37641/riset.v7i1.2589.

[32] Sitti Mawar, and Muhammad Iqbal, "Multicultural Dispute Resolution System in Aceh Before and After the Issuance of the Customary Institution Qanun," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 9.1 (2025): 560-574. https://doi.org/10.22373/sjhk.v9i1.19767.

and reinforces collective norms that underpin economic activity. These three aspects are highly relevant to the promotion of sustainable economic development, particularly in regions with limited access to infrastructure and formal institutions.[33]

Nevertheless, revitalizing the *Gala* in the modern context presents significant challenges. Globalization and modernization have driven Acehnese society into greater capitalist economic systems characterized by individualism, which can erode the communal values of solidarity that are essential to *gala*. Furthermore, formal regulatory frameworks that do not fully recognize the role of customary law present a structural barrier to its reinforcement. Therefore, synergistic collaboration among government, customary institutions, and the local communities is essential to successfully integrate *gala* into contemporary regional economic systems.

In terms of future potential, *Gala* offers a significant opportunity to be developed as a model for a community-based, inclusive, and sustainable economy. For example, its integration with Islamic cooperatives or *Baitul Mal* could strengthen the local economic foundation while preserving customary values. Thus, *gala* should be regarded not merely as cultural heritage, but as a strategic instrument for achieving economic empowerment rooted in Acehnese local wisdom.

The concept of a *gala* agreement constitutes a valuable asset of Acehnese legal culture in the field of muamalah. Its preservation is a form of substantive support for the implementation of Islamic law, as mandated by the special autonomy Law Number 11 of 2006 concerning the Aceh Government, Law Number 44 of 1999 concerning the Implementation of the Specialty of the Special Region of Aceh.[34]

The concept of the *gala* agreement, practiced by the community in Pidie Jaya Regency, represents a significant aspect of the Acehnese legal culture. As a form of customary law, it emerges from societal interaction and is shaped by local social values, cultural norms, and structural factors of society.

Field research conducted in three sub-districts of Pidie Jaya Regency, involving interviews with community leaders, confirms their pivotal role in supporting the concept of *Gala* agreements for local wisdom-based community economic empowerment in Aceh. The findings indicate strong community trust in the *gala* agreement using Islamic law, which increases its practice. This living local wisdom is a vital asset and a source of regional potential.

According to Syukrimadi, Head of Meurudu Sub-district, Pidie Jaya Regency, community leaders hold a significant role in safeguarding regional potential, including the practice of gala agreements as a manifestation of local wisdom in community-based economic empowerment in Aceh, especially in Pidie Jaya Regency. He further argued that this form of local wisdom, which has long been embedded in Acehnese society, requires reinforcement through formal legal frameworks, particularly in the form of qanun regulations.[35] Furthermore, Tgk. H. A. Gani, Head of MAA Pidie Jaya Regency, explained, Aceh, as a region with sharia and rich in customs, is appropriate, arguing that the Islamic and customary legal elements in the practice of *Gala* agreements must be strengthened through formal regulation, so that these legal elements can be

[33] Robertson James, "The Role of Local Communities in Social-Based Economic Empowerment," *Journal of Social, Culture & Humanitarian Research* 1.1 (2025): 28-36. https://pub.muzulab.com/index.php/SocioCult/article/view/58.

[34] Sulaiman, Romi Asmara, and Yusrizal, "Model Harmonization of Islamic Law, Customary Law And Western Civil Law In Purchase Agreement," *IOSR Journal of Humanities And Social Science (IOSR-JHSS)*, Volume 21, Issue 11, Ver. 2 (November. 2016) PP 49-56. https://doi.org/10.9790/0837-2111024956.

[35] Interview with Syukrimadi, who serves as the Subdistrict Head of Meurudu Subdistrict, Pidie Jaya Regency, conducted on August 12, 2025.

recognized and preserved by future generations. Local wisdom, such as the concept of *Gala* agreements in local wisdom-based community economic empowerment in Aceh, especially in Pidie Jaya Regency.[36]

Interviews with members of the Ulama Consultative Assembly of Pidie Jaya Regency, Chairman of the Aceh Customary Assembly (MAA), affirmed that the gala agreement's foundations in both Islamic and customary law provide a robust framework that ensures order, comfort, and legal certainty. The *Gala* agreement in Acehnese society must be more dominant in orienting towards the legal rules that have been regulated in Islamic law, because it is a special area where Islamic law applies. Then, also in the *gala* agreement in the community must pay attention to elements of customary law that are inherent and still alive in the midst of society, because customary law and Islamic law in Aceh cannot be separated; customary laws that conflict with religious law will not be used as legal guidelines in Acehnese society.

There is a strong consensus among stakeholders, including the Ulema Consultative Assembly, the Aceh Customary Council, the Head of the village (*Keuchik gampong*), community leaders, and academics,[37] that the *Gala* contract must be firmly grounded in Islamic law, as it is fundamentally based on the principle of mutual consent. They assert that all legal elements in the practice of *Gala* agreements, as a cornerstone of the Acehnese legal culture, must be preserved. This is especially critical given Aceh's unique legal authority to implement Islamic law comprehensively (*kaffah*).[38]

The economic development of rural communities, the *gala* agreement began to shift in the form of a "contract" *gala*. A *Gala* contract is a form of a *gala* agreement that has shifted from the basic form of the Gala agreement itself. The basic form (construction) of the *Gala* agreement is that the paddy field, which is the object of the *Gala,* is handed over to the *Gala* recipient, and the *gala* giver receives a sum of money in cash in accordance with the agreement.[39] Critically, the agreement imposes no time limit for redemption. The provider may redeem the land by repaying the original sum, at which point the recipient is obligated to return it. In essence, the land remains under the control of the *gala* recipient until the full amount is repaid.

The contract *Gala* agreement, the *Gala* giver no longer needs to penetrate; in other words, the *Gala* money does not need to be returned to the *gala* receiver because it has been agreed upon before. In the contract *Gala* agreement, a time limit has been determined, for example, 6 (six) harvests, or 10 (ten) harvests. Upon the expiration of this term, the *Gala* object land is automatically returned to its original owner, with no further financial obligation.

The validity and termination of an agreement are fundamental to its legal enforceability. In a pawned land transaction, the validity of an agreement becomes legally binding upon the simultaneous exchange of the pledged land by the provider and the mutually

[36] Interview with Tgk. H. A. Gani, who serves as the Head of the Aceh Adat Council (MAA) of Pidie Jaya Regency, conducted on August 12, 2025.

[37] Tengku Muhammad Jamil, "Overcoming the Social Problems Faced by Contemporary Acehnese through the Social Political Role of Acehnese Clerics (Muslim Scholars)," *Journal of Islamic Marketing* 11.1 (2020): 213-233. https://doi.org/10.1108/JIMA-03-2018-0047.

[38] Suhaimi, Suhaimi, Abdurrahman Abdurrahman, and Ishak Ishak. "Eksistensi Mawah (Bagi Hasil) Tanah Pertanian Dalam Masyarakat Hukum Adat Di Kecamatan Kuta Cot Glie, Kabupaten Aceh Besar." *Jurnal IUS Kajian Hukum dan Keadilan* 9.1 (2021): 139-154. https://doi.org/10.29303/ius.v9i1.843.

[39] Juliana Putri, "New Movement Local Wisdomnomic: Studi of Mawah as a Model of Community Economic Empowerment," *Jurnal Ekonomi Syariah, Akuntansi dan Perbankan (JESKaPe)* 7.1 (2023): 49-66. https://doi.org/10.52490/jeskape.v7i1.1265.

agreed-upon sum of money by the recipient. This act of exchange establishes the *gala* rights, creating reciprocal rights and obligations for both parties. In principle, the *Gala* of land will end if the landowner has redeemed the land object by returning the amount of money he received before.[40]

The redemption of the *Gala* object can be done by the *gala* giver at any time, as long as it has passed at least 1 harvest and is in a state where the crop is ready to be harvested. If there is an agreement not to be redeemed in several harvests, then the redemption can be done after the time has passed. Redemption is usually carried out without involving other parties, such as witnesses and customary leaders (village heads), but simply by making a receipt of redemption money signed by the *Gala* recipient, as well as the landowner withdrawing evidence of *Gala* transactions that were previously made, either in the form of receipts or other certificates (if any).[41]

A defining characteristic of the traditional gala agreement is the absence of a fixed term; the landowner holds the unrestricted right to redeem the land at any time, while the recipient holds no right to force redemption. The amount of redemption money that must be returned by the *Gala* giver to the *gala* recipient is the same as the money he received before, with no reduction at all. If the pawn agreement regarding the pawn money is determined in the form of "gold", then the gold is returned.

The above analysis affirms that the *Gala* agreement is a unique socio-economic institution in Aceh, fundamentally grounded in the inseparable integration between *adat* and *syariat*. Far beyond the framework of a conventional economic contract, *gala* reflects a social order shaped by solidarity, trust, reciprocity, justice, and spirituality. Its historical continuity not only highlights its adaptive capacity but also signals its enduring relevance as a mechanism for strengthening community-based economic development.

Gala occupies an interesting position within this pluralistic legal landscape. As a purely customary arrangement, traditional *Gala* practices might lack formal recognition and enforcement mechanisms within the state court system. However, the reconceptualized Sharia-compliant *Gala* potentially bridges customary and national legal systems by aligning with principles recognized in both legal frameworks.

Table: Key Dimensions of the Gala Agreement in Acehnese Society

Aspect	Description	Examples/Evidence	Implications
Definition & Nature	A contractual bond rooted in trust, mutual assistance, and collective responsibility, different from modern legal contracts.	Oral agreements, moral obligation stronger than written law.	Reinforces social cohesion; prioritizes community over individualism.

[40] Liky Faizal, and Fristia Berdian Tamza, "The Practice of Transferring Land Ownership to a Pawn Agreement from the Perspective of Sharia Economic Law," *ASAS: Jurnal Hukum Ekonomi Syariah* 15.2 (2023): 47-57.

[41] Muhammad Maulana, and Aulil Amri, "Polarization of Profit Sharing of Paddy Cultivation in the Acehnese Community as an Attempt to Alleviate Poverty: A Study of Fiqh Muamalah," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 5.1 (2021): 297-316. https://doi.org/10.22373/sjhk.v5i1.8774.

Philosophical Foundation	Based on adat bak poe teumeureuhom, hukom bak Syiah Kuala, qanun bak Putroe Phang, reusam bak Laksamana – integration of adat, syariat, governance.	Gala reflects the fusion of Islamic law and adat.	Strengthens the legitimacy of law through religion + custom.
Agriculture Sector	Used in sharecropping between landowners and cultivators.	Small traders access capital through gala when banks are inaccessible.	Creates an alternative, inclusive financial system.
Trade & Finance	Functions as a community-based financing mechanism.	Small traders access capital through gala when banks are inaccessible.	Creates an alternative, inclusive financial system.
Dispute Resolution	Conflicts are solved through customary institutions (Tuha Peut, Imum Mukim).	Emphasis on deliberation, not punishment.	Promotes reconciliation, strengthens community ties.
Social Capital Role	Builds trust, networks, and collective norms.	Enhances cooperation in low-infrastructure areas.	Contributes to sustainable development.

2.3. Obstacles to the *Gala* Agreement in Acehnese Society

In the context of Acehnese society, the *Gala* agreement represents a customary institution that historically emerged from the community's need to construct a just system of cooperation in managing economic resources. In the literature of legal anthropology, *Gala* is often regarded as a manifestation of Acehnese customary law, one that not only regulates socio-economic relations but also reinforces the community's cultural and spiritual identity. At its core, it is a binding agreement between parties, grounded in trust (*amanah*) and oriented toward collective well-being. Unsurprisingly, *gala* is frequently viewed as an embodiment of local wisdom, permeated with religious, social, and moral values. However, like other customary institutions, the continuity of the *gala* is not immune to obstacles, both internal and external. If these obstacles are not critically analyzed and addressed, they may erode the role of the *Gala* as an important mechanism for economic empowerment in Acehnese society.[42]

Understanding these challenges requires situating G*ala* within a context of rapid social, economic, and political transformation. As a region defined by its implementation of Islamic law and preservation of *adat*, Aceh faces a particularly complex dynamic. Modernization, globalization, and the integration of national legal systems have presented formidable challenges to the continuity of customary law, including *Gala*. In this context, *gala* encounters not only technical issues but also structural, cultural, and even

[42] Kausar Yasmeen, "Framework for Islamic Social Entrepreneurship," *Journal of Islamic Accounting and Business Research* (2024). https://doi.org/10.1108/JIABR-08-2023-0256.

epistemological obstacles that shape societal perceptions of its relevance and utility.[43]

A fundamental challenge in the implementation of *Gala* lies in the weakening of social trust (*trust deficit*), which constitutes the very foundation of *Gala*. Traditionally, a *gala* was sustained by *amanah*, binding parties through moral commitment rather than written documents or material collateral. However, in an era of increasing social mobility and rising individualism, intercommunal trust has eroded. Several cases of breach—such as failure to return business capital or non-compliance in profit-sharing agreements- have fueled doubts regarding the effectiveness of *Gala*. This problem is further exacerbated by the absence of formal enforcement mechanisms, leaving dispute resolution dependent upon customary or religious leaders whose authority has weakened among certain segments of society.

A second significant obstacle is the lack of formal documentation and legal certainty. As a customary agreement, a *gala* is predominantly unwritten, relying on collective memory, customary witnesses, and moral legitimacy passed down through generations. In traditional homogeneous societies, this posed little difficulty. However, in today's increasingly heterogeneous context, the absence of written records creates problems. The absence of written records creates ambiguity, leading to a growing demand for formal legal certainty to avoid future disputes. When *Gala* cases are brought before state courts, their oral nature often renders them forensically weak, disproportionately disadvantaging parties who lack the protective framework of a written contract.

Another critical obstacle is the misalignment between *Gala's* customary mechanisms and the frameworks of national law and formal economic development policies. The modern state requires written contracts, administrative transparency, and regulatory compliance.[44] By its informal nature, a *Gala* is often not legally recognized. For example, in banking or microfinance contexts,[45] *Gala* agreements are seldom accepted as valid documentation. This diminishes the bargaining power of customary communities in accessing state-facilitated economic resources. Consequently, a gap emerges: on the one hand, communities wish to preserve their customary practices; on the other, they require access to the formal system. This tension constitutes a major barrier to the revitalization of *Gala*.

From a socio-economic perspective, another challenge lies in the cultural shift within Acehnese society from collectivist values toward more individualist orientations. Younger generations, increasingly connected to global culture, often regard *Gala* as outdated and irrelevant, favoring modern financial instruments with formal documentation and legal contracts. This orientation weakens the social reproduction of *gala*, marginalizing values of trust, solidarity, and mutual cooperation. Unless this trend is countered, G*ala* faces a gradual erosion of its socio-economic relevance.

The practice of *gala* is further constrained by inherent structural limitations within the modern economy. While historically, *gala* effectively served small-scale needs—such as farming or fishing—because the capital required was modest.[46] However, in

[43] Ayu Rahayu, "The Practice of Islamic Law in Nusantara Traditional Customs," *Maqsha: Journal of Islamic Jurisprudence* 2.1 (2025): 59-64. https://www.pdpijournals.org/index.php/jij/article/view/41.

[44] Nikolaos Gaitenidis, "Indigenous Peoples, Cultural Heritage, and Traditional Knowledge: Untying the Gordian Knot of Human Rights and Intellectual Property in International Law," *International Journal on Minority and Group Rights* 1.aop (2025): 1-45. https://brill.com/view/journals/ijgr/aop/article-10.1163-15718115-bja10226/article-10.1163-15718115-bja10226.xml.

[45] Tomisin Adefare, et al., "Empowering Women Agriculture Entrepreneurs: Banks' Role in Achieving Sustainable Development Goals," *International Journal of Bank Marketing* 42.4 (2024): 692-724. https://doi.org/10.1108/IJBM-03-2023-0128.

[46] Raimo Hakola, "The Production and Trade of Fish as Source of Economic Growth in the First Century CE Galilee: Galilean Economy Reexamined," *Novum Testamentum* 59.2 (2017): 111-130. https://brill.com/view/journals/

the modern economy, where larger-scale capital is necessary, *Gala* often fails to meet demand. Limited community resources mean the *Gala* now functions only at a micro scale, while broader economic development requires larger financial mechanisms.

External interventions from state and international actors present another significant challenge. These programs typically prioritize transparency, accountability, and modern administrative systems. This is because *gala* is oral and morally grounded; it struggles to meet such standards and is often sidelined in official programs. As a result, communities accustomed to *gala* may turn to other systems perceived as more beneficial, despite being less culturally compatible.

At an epistemological level, the scarcity of systematic academic research and comprehensive documentation on *gala* constitutes another obstacle. As a primarily oral tradition, it lacks a robust written corpus, which in turn limits the understanding of its mechanisms and socio-economic functions among policymakers and external stakeholders. This absence of documentation also hinders the standardization and modernization of *Gala*.

Compounding this issue is the pervasive stigmatization and marginalization of *adat*.[47] Customary practices, including *gala*, are sometimes dismissed as traditional, antiquated, or inefficient. Such views often come from bureaucrats, modernist academics, and younger generations influenced by Western education. This stigma reduces *Gala's* recognition as a cultural asset capable of contributing to sustainable development.

From the perspective of conflict theory, *Gala* also faces issues of power imbalance. In some cases, socially or economically dominant actors exploit *Gala* for unilateral advantage. For instance, landowners may impose terms that disproportionately favor themselves over cultivators. Since *Gala* agreements are informal, weaker parties lack bargaining power, thereby increasing the risk of structural injustice.[48]

Another obstacle is the declining authority of customary and religious leaders. Traditionally, the *gala* was upheld through the role of *Tuha Peut* (council of elders) and religious leaders (*Teungku* or *Imum Mukim*), who functioned as witnesses, mediators, and moral guarantors. Yet modernization and bureaucratic expansion have eroded their influence. Younger generations tend to place greater trust in formal institutions rather than customary authorities. As a result, *Gala* has lost one of its principal pillars of legitimacy.

The foregoing analysis demonstrates that obstacles to *gala* are multidimensional. They include weakened social trust, lack of legal certainty, cultural shifts, limited economic resources, external interventions, marginalization of *adat*, power imbalances, and the declining role of customary leaders. These interrelated factors reveal the complex challenges facing *Gala*.

Nonetheless, it is important to note that such challenges do not render *Gala* irrelevant. On the contrary, they open space for critical reflection on how the *gala* may be revitalized within a modern context. Scholarly analysis of these obstacles is essential for formulating strategies that enable the *gala* to endure as an adaptive and effective customary institution.

nt/59/2/article-p111_1.xml.

[47] Hasbi, Yusrizal, et al. "Criminalising Women, Silencing Victims: Human Rights and Sharia Enforcement in Aceh." *De Jure: Jurnal Hukum dan Syar'iah* 17.1 (2025): 175-203. https://doi.org/10.18860/j-fsh.v17i1.29635.

[48] Maksalmina, "Mawah Practices in Aceh: Syariah Legitimacy Based on Fatwas and Islamic Jurisprudence," *Al-Mustashfa: Jurnal Penelitian Hukum Ekonomi Syariah* 9.2 (2024): 172-190. https://badge.dimensions.ai/details/doi/10.24235/jm.v9i2.18816?domain=https://www.syekhnurjati.ac.id.

The inherent weakness of the *Gala* system resides in the absence of robust legal protection mechanisms for lenders, as the legal relationship is predominantly grounded in trust without formalized written agreements. Such a framework produces an asymmetry in bargaining positions and risks engendering injustice, particularly in instances of default or subsequent disputes.

From a theoretical standpoint, this issue may be examined through the lenses of distributive and commutative justice. Distributive justice requires a proportional allocation of rights and obligations based on each party's contribution, whereas commutative justice underscores reciprocity and equality in interpersonal exchanges. Within the *Gala* system, these principles remain insufficiently realized, given that lenders are not afforded safeguards proportionate to the risks assumed.

Accordingly, a reconceptualization of justice is imperative to reinforce the legal standing of lenders while preserving the indigenous values inherent in the *Gala* system. A practical manifestation of this effort is the institutionalization of written contracts as formal legal instruments delineating the rights and obligations of the parties. Such instruments serve not only evidentiary purposes but also function as preventive safeguards against disputes.

Furthermore, the principle of equilibrium between rights and obligations must be maintained to ensure equal legal protection for all parties. This objective may be achieved through formal legal recognition of *Gala* practices supported by adaptive regulatory frameworks that retain their traditional essence while ensuring legal certainty.

The implementation of this justice-oriented framework would result in a more credible, secure, and equitable *Gala* system. Lenders would be relieved from structural vulnerability, while borrowers would continue to benefit from access to financial resources under more transparent and accountable arrangements. In conclusion, reinforcing justice through both normative and practical dimensions constitutes a pivotal step toward reformulating the *Gala* system in alignment with contemporary legal principles without undermining its embedded socio-cultural values.

3. CONCLUSION

The Gala Agreement in Aceh is more than an economic arrangement; it is a cultural institution that unites local wisdom with Islamic values, reflecting the inseparability of adat and syariat in Acehnese society. Historically, it functioned as a community-based mechanism rooted in trust, justice, mutual assistance, and equality, serving as an adaptive solution in the absence of formal financial institutions. Its persistence into the present demonstrates both its resilience and its importance as a moral economy distinct from capitalist practices. Yet, this study also reveals critical contemporary challenges, including the potential presence of usury from the recipient's use of pawned assets, which questions its Sharia compliance. At the same time, the erosion of social trust, lack of legal certainty, shifting cultural orientations, declining authority of customary leaders, and the pressures of modernization and globalization weaken its position in society. These challenges not only threaten Gala's legitimacy but also risk marginalizing it in the face of modern financial systems. The novelty of this research lies in its critical reinterpretation of gala as both a cultural and religious practice, highlighting its misalignment with Sharia principles while offering ways to safeguard its relevance. To move forward, the institution must be reconceptualized in a manner that strengthens its legal and Sharia foundations, revitalizes the role of customary and religious leaders, and integrates gala with formal economic structures such as Baitul Mal and Islamic cooperatives. If refined along these lines, Gala holds the potential to remain a culturally rooted, Sharia-compliant model of economic empowerment that not only protects Aceh's cultural identity but also contributes to building a just, inclusive, and sustainable community-based economy.

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