

Permendikbudristek Number 30 of 2021: Reviewing Its Application and Relevance to Islamic Sharia Values in Aceh

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Abstract

This study analyzes the implementation of the national policy on the Prevention and Handling of Sexual Violence in Higher Education (Permendikbudristek 30/2021) and its relevance to Islamic *Sharia* values in Aceh, governed by the *Qanun Jinayat*. This duality presents a critical legal and practical challenge for state universities in the region. Using a qualitative method, this research investigated nine state universities in Aceh, collecting data from university leaders, Satgas teams, religious authorities, and students through interviews and documentation. The findings indicate that Permendikbudristek 30/2021 has been structurally implemented well, forming Satgas teams and improving student trust in reporting mechanisms. However, the core principle of consent in the regulation is a major point of contention, viewed by some groups as potentially conflicting with the *Qanun Jinayat*, which prohibits all extramarital sexual activity. To address this dilemma, several universities have adopted an adaptive approach by drafting derivative regulations involving scholars and community leaders to align the national policy with local Islamic law. This study emphasizes the complexity of integrating national protection policies with localized religious law. It recommends that policymakers and universities collaboratively develop contextual internal guidelines to strengthen victim protection while ensuring compliance with both national regulations and the Islamic *Sharia* prevailing in Aceh.

Keywords: *Permendikbudristek 30/2021, Sexual Violence, Higher Education, Islamic Sharia, Aceh*

Abstrak

Studi ini menganalisis implementasi kebijakan nasional tentang Pencegahan dan Penanganan Kekerasan Seksual di Perguruan Tinggi (Permendikbudristek 30/2021) dan relevansinya dengan nilai-nilai Syariah Islam di Aceh, yang diatur oleh *Qanun Jinayat*. Dualitas ini menimbulkan tantangan hukum dan praktis yang kritis bagi perguruan tinggi negeri di wilayah tersebut. Menggunakan metode kualitatif, penelitian ini meneliti sembilan universitas negeri di Aceh, mengumpulkan data dari pimpinan universitas, tim Satgas, otoritas agama, dan mahasiswa melalui wawancara

dan dokumentasi. Temuan menunjukkan bahwa Permendikbudristek 30/2021 telah diimplementasikan secara struktural dengan baik, membentuk tim Satgas dan meningkatkan kepercayaan mahasiswa terhadap mekanisme pelaporan. Namun, prinsip inti “persetujuan” dalam peraturan tersebut menjadi poin perdebatan utama, dianggap oleh beberapa kelompok berpotensi bertentangan dengan *Qanun Jinayat*, yang melarang semua aktivitas seksual di luar nikah. Untuk mengatasi dilema ini, beberapa universitas telah mengadopsi pendekatan adaptif dengan menyusun peraturan turunan yang melibatkan cendekiawan dan pemimpin masyarakat untuk menyelaraskan kebijakan nasional dengan hukum Islam lokal. Studi ini menekankan kompleksitas integrasi kebijakan perlindungan nasional dengan hukum agama yang diadaptasi secara lokal. Disarankan agar pembuat kebijakan dan universitas secara kolaboratif mengembangkan pedoman internal yang kontekstual untuk memperkuat perlindungan korban sambil memastikan kepatuhan terhadap peraturan nasional dan Syariah Islam yang berlaku di Aceh.

Kata Kunci: *Permendikbudristek 30/2021, Kekerasan Seksual, Perguruan Tinggi, Syariah Islam, Aceh*

INTRODUCTION

The number of acts of sexual harassment/violence that have been revealed in recent years has raised anxiety in the community to continue to be ready and vigilant. This anxiety is quite reasonable, considering that cases of sexual harassment/violence can occur at any time and can happen to anyone. Sexual harassment and gendered discrimination can affect anyone regardless of their age, gender, job title, or field of employment (Jenner et al., 2022). For this reason, it is appropriate for victims in this case, women who are often victims – to receive protection from various parties.

Sexual harassment is an act that degrades human dignity and is contrary to moral and legal values, including in Islamic teachings. Islamic Sharia places human honor as sacred and must be well maintained. In the Qur'an Surah An-Nur: 30-31, Allah SWT has commanded Muslims to refrain from looking at everything that can arouse orgasm, guard the genitals against various immoral acts, and ensure that the aurah is not visible to others because the obligation to cover the aurah is a form of maintaining honor and purity (Hidayatullah & Halim, 2024). In addition, Islam prohibits being alone in a quiet place with a non-mahram (*khalwat*), based on the hadith of the Prophet SAW, which reads, "A man should not be alone with a woman except with his mahram" (HR. Bukhari) (Ahmad & Arfan, 2019). The above recommendations

are not just prohibitions but preventive measures to protect safety and maintain the dignity of everyone.

Data released by Komnas Perempuan in the 2021 Annual Report shows that cases of sexual violence dominate reports of violence against women, covering 55% of the total cases with details of sexual violence that are not stated explicitly with the number of actions as many as 371 cases, rape cases which amounted to 229 cases, 166 cases of obscenity, 181 cases of sexual harassment, five instances of sexual intercourse, and another 10 cases were attempted rape (Perempuan, 2021).

Sexual harassment and violence also occur in the university environment, including in Aceh, which is an area with the implementation of Islamic Sharia. Universities, which are supposed to be safe places to study, actually occupy the third position as the location where sexual violence occurs most often in Indonesia (15%), after the streets (33%) and public transportation (19%) (Ajie & Romanti, 2021). In Aceh, several cases of sexual harassment in universities have been revealed, such as at Universitas Teuku Umar (UTU) Meulaboh.

The case of sexual harassment at Teuku Umar University was first revealed to the public when the victim made an official complaint to the Women's Empowerment, Child Protection and Family Planning Office (DP3AKB) of West Aceh Regency and the Criminal Investigation Unit of the Women and Children Protection Unit (PPA) of the West Aceh Police in April 2022 (Iskandar, 2022). As for universities in the North Aceh and Lhokseumawe areas, it is suspected that four female students are victims of sexual harassment in the campus environment (Masriadi, 2021). Data from other media even states that there are around 11 female students who are suspected of being victims of sexual harassment on campus in the North Aceh and Lhokseumawe regions (Sarina, 2021).

To deal with this problem, the central government issued Permendikbudristek Number 30 of 2021, which provides a regulatory framework for universities to prevent and handle sexual violence. In Aceh, the implementation of this policy must be harmonized with Islamic Sharia, which is the legal basis of the region. In Islamic law, preventive measures are highly emphasized, as the concept of *sadd al-dzari'ah* is to prevent evil before it occurs (Setiaji, 2023), so this policy is relevant to be implemented locally. In addition,

implementing *qanun* (local regulations) related to immoral violations, such as *Qanun Jinayat*, must also be integrated with this policy to make victim protection and law enforcement more comprehensive.

However, reality shows that social stigma, unequal power relations, and fear of the impact of reporting make most victims of sexual violence choose to remain silent. Therefore, strengthening a safe and justice-based complaint system is very important. Blake et al. (2024) explained that maintaining the system is crucial because it will provide 1) knowledge and confidence, 2) trust in the reporting system and process, 3) the establishment of communication, confidentiality, and protection, and 4) the existence of a priority for sexual harassment.

Various parties with various research have researched Permendikbudristek Number 30 of 2021 focuses and locations. Wulandari et al. (2022) highlight implementing policies at Universitas Pelita Bangsa by establishing complaint services and issuing pocketbooks as a form of socialization. This study emphasizes the growth of student solidarity in preventing sexual violence, although it has not yet studied its implications for student comfort. Pangestu et al. (2022) at the Universitas Muhammadiyah Magelang (Unimma) researched the effectiveness of restorative justice in resolving sexual violence cases. However, the study shows the need for more explicit derivative regulations to reduce the number of sexual violence cases.

Furthermore, Febrianti et al. (2022) at the Universitas Muhammadiyah Ponorogo emphasized the importance of policy socialization through education on the definition and types of sexual violence. However, this research is still limited to analyzing the content of policies without examining concrete implementation on campus. Suherman (2021) focuses more on analyzing policy functions philosophically, sociologically, and juridically, while Busyro et al. (2022) examine the suitability of the Permendikbudristek with the concept of progressive Islam.

Bondestam et al. (2020) highlight that sexual harassment in higher education remains a serious issue with widespread impacts on both victims and institutions. Unfortunately, many universities still lack policies that protect victims and prevent future cases. Furthermore, Kirkner et al. (2022) highlight the challenges faculty and staff face in reporting sexual harassment in higher education. Despite formal regulations, their implementation remains

ineffective, leaving many victims unprotected. Wood et al. (2018) mention that many victims are reluctant to report due to fears of retaliation and a lack of trust in the system.

Klein et al. (2021) examined the variations in students' experiences, knowledge, and perceptions of sexual harassment in higher education. The study found that many students lack awareness of the definitions, policies, and reporting procedures for sexual harassment, which hinders prevention and response efforts. Perceptions of policy effectiveness also vary, with some students feeling that existing policies are inadequate or inconsistently enforced.

Although various studies have discussed the implementation of Permendikbudristek Number 30 of 2021 in addressing sexual violence in higher education, there are still research gaps that need further exploration. One key aspect is its application in Aceh, which operates under Islamic Sharia law. Harmonizing national regulations with Islamic law poses a challenge, particularly ensuring victim protection without conflicting with local legal norms. Additionally, the integration of Permendikbudristek with *Qanun Jinayat* as Aceh's local legal framework has not received sufficient academic attention.

The effectiveness of this policy in two different types of higher education institutions, namely Perguruan Tinggi Negeri (PTN) and Perguruan Tinggi Keagamaan Islam Negeri (PTKIN), also remains underexplored, despite structural and academic cultural differences that may influence its implementation. Barriers to reporting, such as social stigma, power relations, and fear of consequences, have been identified in previous studies but have not been analyzed within Aceh's social and cultural context. Therefore, this study is crucial in filling the academic gap by examining the challenges of implementing this policy in Aceh and identifying the most effective approaches to creating a safe and comfortable academic environment for students.

This article is expected to make a new contribution to the development of policies for the protection of victims of sexual violence, especially in areas that implement Islamic Sharia, as well as provide recommendations to create a safe and fair educational environment for all students.

RESEARCH METHOD

This study uses a qualitative method with a descriptive approach, which aims to understand the phenomenon that occurs naturally by conducting

an in-depth communication interaction related to the phenomenon studied between the researcher and the respondent (Herdiansyah, 2010). The researcher deeply examines the implementation of Permendikbudristek Number 30 of 2021 concerning the Prevention and Handling of Sexual Violence in the University Environment in Aceh. The research was conducted on nine state universities in Aceh, which include 4 (four) public universities and 5 (five) State Islamic Religious Universities. The subjects in this study are university leaders, such as the Rector or vice chancellor in charge of student affairs, and a Satgas for Prevention and Handling of Sexual Violence, abbreviated in Bahasa as the SATGAS, which has been formed specifically to handle this issue. In addition, lecturers, education staff, students, representatives of the Women's Empowerment and Child Protection Office, religious leaders or scholars who understand the implementation of Islamic Sharia in Aceh, and activists of non-governmental organizations (NGOs) engaged in protecting women and children. It is also an essential source of information.

Data collection in this study was carried out through in-depth interviews, direct observation, and documentation studies. The data analysis technique is carried out continuously through data reduction activities. Then, the data that has been reduced is presented in the form of descriptive narratives, tables, or matrices. The final step is drawing conclusions and verification, where conclusions are made based on patterns of findings and relationships between data. Verification is done through data triangulation by comparing information obtained from interviews, observations, and documentation to ensure the findings' validity and improve the accuracy of the research results. According to Moleong (2012), "Triangulation is a method of checking the validity of data by using data other than that data as a comparison between data".

RESEARCH FINDINGS AND DISCUSSION

Research Findings

Prevention of Sexual Violence in the Higher Education Environment

Sexual violence is still the most frequent crime anywhere and to anyone. The problem of sexual violence is now back in the news in various mass media because it often occurs among young people who are increasing. One of the things that is very in the spotlight is sexual violence that occurs in the

university environment, where cases of violence and sexual harassment that tarnish the world of education are not only a local issue in Indonesia but also a global issue.

Permendikbudristek Number 30 of 2021 concerning the Prevention and Handling of Sexual Violence in Higher Education, issued by the Minister of Education Nadiem Makarim, is one of the answers to the above questions. In this case, this regulation is a strong legal umbrella for universities to continue to try to prevent and handle sexual violence that occurs.

Regarding the forms of sexual violence prevention that State Universities in Aceh have carried out, the author will describe them in the following points:

Establishment of the SATGAS for the Prevention and Handling of Sexual Violence

All state public universities in Aceh, such as Universitas Syiah Kuala (Unsyiah), Universitas Teuku Umar (UTU) Meulaboh, Universitas Malikussaleh (Unimal), and Universitas Samudra (Unsam), have formed a SATGAS. The formation is carried out through an open selection involving a selection committee to ensure competent personnel. The Satgas is tasked with preventing and handling cases and socializing policies for students and the academic community.

The interview results with the Vice Chancellor for Student Affairs of Unimal emphasized that the formation of the Satgas was carried out transparently by prioritizing the credibility of prospective members. "We ensure that each member of the Satgas has adequate capacity, both in terms of professionalism and their understanding of the issue of sexual violence," he said.

At state Islamic religious universities, a similar policy is regulated by the Regulation of the Minister of Religion Number 72 of 2022. State Islamic Religious Universities, such as Universitas Islam Negeri (UIN) Ar-Raniry, have formed an Integrated Service Unit, which in Bahasa is abbreviated as ULT, under the Center for Gender and Child Studies, abbreviated in Bahasa to PSGA. However, other State Islamic Religious Universities such as Institut Agama Islam Negeri (IAIN) Lhokseumawe and IAIN Langsa still use PSGA as a unit that handles sexual violence without having an officially structured ULT.

According to the Head of PSGA UIN Ar-Raniry, establishing the ULT at the end of 2023 is a strategic step to increase the effectiveness of sexual violence prevention. "Through ULT, we can provide more focused assistance and increase student confidence in the reporting mechanism," he explained.

Based on the research results in the field, here we attach data on the existence of Satgas and ULTs in universities in Aceh.

Table 1. The Existence of the Satgas in State Universities in Aceh

| It | College Name | The Existence of the SATGAS | Date of Formation of the Satgas |
|----|--------------------------|-----------------------------|---------------------------------|
| 1. | Universitas Syiah Kuala | Already | September 26, 2022 |
| 2. | Universitas Samudra | Already | 2021 |
| 3. | Universitas Malikussaleh | Already | September 5, 2022 |
| 4. | Universitas Teuku Umar | Already | December 1, 2022 |
| 5. | UIN Ar-Raniry Banda Aceh | Already | October 13, 2023 |
| 6. | IAIN Langsa | Not yet | PSGA |
| 7. | IAIN Lhokseumawe | Not yet | PSGA |
| 8. | STAIN Meulaboh | Not yet | PSGA |
| 9. | IAIN Takengon | Not yet | PSGA |

1. Policy Socialization

Socialization is an important step in the implementation of Permendikbudristek Number 30 of 2021 related to the prevention and handling of sexual violence in the university environment. Based on research in the field, socialization carried out by universities in Aceh includes the following methods:

a. Socialization through New Student Orientation

Universities in Aceh include the prevention and handling of sexual violence materials in new student orientation activities. The Satgas team was given a special time to provide an understanding of sexual violence, how to prevent it, and the reporting mechanism. Some campuses also invite students to sign the Integrity Pact as a commitment to create a safe campus environment.

The Chairman of the UTU Satgas stated, "The orientation of new students is a strategic moment for the Satgas to convey important information. Despite the limited time allotted, we make sure that all new students know that the campus should be free from sexual violence." The

same thing was conveyed by the Chairman of the UNIMAL Satgas: "In addition to special sessions in orientation for new students, we also conduct socialization at the faculty level. We even invite students to sign the Integrity Pact as a joint commitment to create a safe and comfortable campus."

b. Socialization in Leadership Meetings

In addition to students, socialization is also intended for leaders, lecturers, and education staff through leadership meetings. The goal is to ensure full support for the prevention and handling of sexual violence programs and prevent interventions that can hinder the performance of the Satgas. As the UNSYIAH Satgas Team explained, "We want to ensure that the Satgas receives full support from the leadership and units under it. We do not want anyone to ask us to be silent just to maintain the good name of the campus."

On the UIN Ar-Raniry campus, the Rector formed the Wilayatul Hisbah campus as part of the program to implement Islamic Sharia in the university environment. This certainly has an impact on the prevention and handling of sexual violence programs, where Wilayatul Hisbah will also be able to synergize with ULTs to create a higher education environment that is free from acts of harassment and sexual violence. UIN Ar-Raniry and IAIN Lhokseumawe even initiated special programs, such as the formation of gender ambassadors to support the socialization and implementation of the prevention and handling of sexual violence

c. Socialization through Social Media

Realizing the significant role of social media in student life, various campuses in Aceh use digital platforms such as Instagram, TikTok, and WhatsApp as a means of education and reporting on sexual violence cases. In addition to being more accessible to students, social media allows for faster and wider dissemination of information. The Chairman of the UNIMAL Satgas explained that: "Instagram is very effective as a socialization medium. We routinely share the prevention and handling of sexual violence information, including how to prevent sexual violence, reporting steps, and victim testimonials. Students can also report cases through the @satgaspksunimal Instagram account."

Support for the use of social media also comes from external parties. This is conveyed by a representative from the Aceh Women's Empowerment and Child Protection Office, who stated, "The younger generation is more responsive to campaigns on digital platforms. This is an effective way to reach students, especially in providing education and raising awareness of the importance of preventing sexual violence in the campus environment."

Observations in the field show that several universities, such as UNSYIAH, UNIMAL, UNSAM, UTU, UIN Ar-Raniry, IAIN Langsa, and IAIN Lhokseumawe, actively use social media to disseminate the prevention and handling of sexual violence programs and activities. The Instagram accounts of the UTU and UNIMAL Satgas look quite active, with periodic uploads that discuss various aspects of sexual violence, ranging from definitions and forms of violence to reporting mechanisms.

d. Socialization through Print Media

In addition to digital media, universities continue to use banners, brochures, and flyers installed in campus public spaces. This media contains information related to the prevention and handling of sexual violence, including reporting links and Satgas contacts that are available 24 hours a day.

e. Scheduled Socialization at the Faculty

Socialization is carried out during orientation and scheduled in each faculty. The Satgas visited various faculties and student dormitories to provide direct education. Several campuses, such as UNSAM and UTU, socialize within a specific time with a predetermined schedule.

2. Meeting Restrictions

As part of efforts to prevent sexual violence, several universities in Aceh have implemented policies to restrict student activities at night and encourage the implementation of academic guidance in open spaces during working hours. This policy is designed to minimize the chance of sexual violence in the campus environment by ensuring that interactions between students and lecturers take place in a safer and monitored situation. One of the lecturers from Unimal said: "This policy aims to create a safer academic space. With this rule, students no longer need to worry when doing thesis or

final project guidance. In addition, guidance in open spaces allows other students to witness academic interactions, so transparency is maintained."

In addition, some campuses have set time limits for academic activities and student organizations at night, except for official events and obtaining permission from the campus. This is done to reduce the risk of vulnerability to sexual violence, especially for students who have to go home late at night.

Handling Sexual Violence in Higher Education

Based on data in the field, it is known that not all universities in Aceh have received reports related to sexual violence that occurred in their university environment. However, several campuses have been met with reports of sexual violence cases, which have been handled well by the Satgas team. The following are the number of cases reported in the 2022-2023 period at state universities in Aceh and have been handled well by the Satgas team:

Table 2. Number of cases handled by Satgas

| No. | University Name | Number of Cases Handled |
|-----|--------------------------|---|
| 1. | Universitas Malikussaleh | 9 cases of violence: <ul style="list-style-type: none"> - 6 cases involving off-campus residents as perpetrators - 3 cases involving internal residents of the Campus |
| 2. | Universitas Teuku Umar | 2 cases of violence involving residents within the campus: <ul style="list-style-type: none"> - 1 proven case - 1 unproven case |

Based on the results of research in the field, it can be described that the flow of handling sexual violence is carried out in universities in Aceh by following the procedures regulated in Permendikbudristek Number 30 of 2021. The stages of handling cases can be explained as follows:

1. Receipt of Reports

The UTU Satgas encourages victims or witnesses to report cases of sexual violence through various channels, such as Google Forms, WhatsApp, phone, email, Instagram, or directly to the Satgas office. In addition to waiting for reports, the Satgas is proactive in seeking information if it hears of an alleged case. One of the three cases handled was

reported directly and found through an active approach to the Satgas. Some reports were withdrawn because they were resolved peacefully or considered minor issues. Unlike the UTU Satgas, the Unimal Satgas only receives incoming reports without taking an active approach to looking for victims.

2. Examination

After receiving the report, the Satgas collects evidence, interviews victims, witnesses, and reported persons separately, and prepares examination minutes. This process is carried out behind closed doors, paying attention to the victim's condition and following applicable procedures. The inspection is targeted to be completed within 30 working days. If the leadership decides that the case needs to be followed up, then the next process will be carried out by the Satgas. The campus also provides victim protection facilities, such as shelters and psychological services, if needed.

3. Conclusion and Recommendations

Based on the examination results, the Satgas compiled conclusions and categorized the case as a minor, moderate, or serious violation. They also recommend sanctions to leaders, which can aggravate punishment but should not reduce it. Meanwhile, the Unimal Satgas determines the level of violation based on the victim's perspective but does not recommend sanctions. The decision on punishment is left to the head of the perpetrator's work unit.

4. Victim Recovery

The Satgas offers assistance and recovery facilities for victims but does not impose it if the victim refuses. They continue to monitor the condition of the victims to ensure comfort and safety in the campus environment. To deal with sexual violence in the campus environment, universities in Aceh face several challenges in the implementation of Permendikbudristek Number 30 of 2021. One of the main obstacles is the limitation of human resources. Not all universities have enough experts in the field of handling sexual violence, psychology, law, or counseling. Many Satgass still rely on educators or staff who do not have special training, so the effectiveness of handling cases can be hampered. In addition, the high workload with a limited number of personnel makes case handling less than optimal.

In addition to the human resource factor, policy differences between ministries cause the implementation of the Satgas to be not uniform across universities. For example, universities under the Ministry of Education, Culture, Research, and Technology (Kemendikbudristek) must form a Satgas following Permendikbudristek No. 30 of 2021. However, universities under the Ministry of Religion (Kemenag) do not yet have rules that require the formation of a Satgas, so many institutions do not have a precise mechanism for handling sexual violence. This policy inconsistency can potentially create gaps in the protection of victims in various universities.

The Relevance of the Implementation of Permendikbudristek Number 30 of 2021 with Islamic Sharia Values

Universities in Aceh uniquely integrate Islamic Sharia values in the prevention and handling of sexual violence. This reflects the collaboration between national regulations and local values based on religion. One example is the establishment of the Wilayatul Hisbah campus at UIN Ar-Raniry, which not only supervises student behavior but also supports the implementation of *Qanun Jinayat*, which prohibits all forms of sexual violence. Wilayatul Hisbah synergizes with the Integrated Service Unit (ULT) to create a safe campus environment following Islamic values.

Support for the implementation of this policy also came from religious leaders who: "This step not only prevents acts of sexual violence but also creates a more conducive academic environment and is following the principle of prevention in Islam, namely *sadd al-dzari'ah* (preventing something before it happens). In Islam, any potentially harmful actions should be prevented from the outset, and this restriction is a tangible manifestation of this principle."

Although Permendikbudristek Number 30 of 2021 has been applied to State Universities in Aceh, data in the field shows that the implementation of Permendikbudristek Number 30 of 2021 has also caused various responses from various circles, especially related to its conformity with Islamic Sharia values that apply in Aceh. Some of the responses in question are as follows:

a. Basic Principle Differences

The interviews with scholars and academics show that the basic principle of the Permendikbudristek, which emphasizes the aspect of "victim consent, "is contrary to the principles of Islamic law that apply in Aceh. In

Islam, sexual activity outside of marriage is not only considered a moral offense but also a criminal act that can be punished, according to the *Qanun Jinayah*.

b. Potential for Legalization of Free Sex

Some policymakers in Aceh have expressed concern that the phrase "without the consent of the victim" in this regulation could lead to interpretations that favor the legalization of free sex. The people of Aceh, who have strong Islamic values, reject all forms of illegal sexual activity, so the implementation of this policy without local adaptation can trigger social resistance.

c. Impact on Moral and Ethical Standards

The study's findings also revealed that the people of Aceh are worried about the decline in moral and ethical standards if the Permendikbudristek is implemented without adjustment. Islamic Sharia emphasizes the enhancement of faith, piety, and noble morals, contrary to the possibility of a liberal interpretation of this policy. Interviews with students indicated that they were more supportive of an approach that is in line with Islamic values in efforts to prevent and handle sexual violence.

Discussion

Implementation of Permendikbudristek Number 30 of 2021

The implementation of this policy in Aceh universities has shown positive results, especially in increasing the awareness of students and academics about sexual violence. The formation of the Satgas and ULT is an important first step, although the implementation and monitoring of the program still need to be strengthened.

Rohima et al. (2023) In his research, he explained that this regulation provides stronger legal protection, thus encouraging students to have the courage to report previously considered taboo cases. In addition, an interview with the Vice Chancellor of Teuku Umar University showed that with the Satgas, students became more confident in submitting reports. "*This Satgas has become a safe space for students to speak. We have received more reports since this policy was implemented,*" he said.

The interviewed students also said that a more transparent reporting mechanism increased their trust in the institution. "I feel more comfortable with

Ashappens," said a student from Unimal. This shows that the presence of the Satgas and ULT is not only a formality but also has a real impact on building student trust.

Regulations have a positive impact on student comfort. Students better understand their rights and feel more confident to report cases of sexual violence. This Permendikbud was formed to counter and strengthen the handling of cases of sexual violence in higher education (Anggraeni, 2023). Furthermore, Khafsoh et al. (2021) said that the existence of a transparent reporting mechanism and psychological support can increase students' confidence in reporting cases of sexual violence.

Regulations have a crucial role in preventing violence by providing a clear legal basis, protection for victims, and sanctions for perpetrators. With clear and firm rules, campus residents understand the limits of behavior so that norms are formed to reject all forms of violence, both physical, verbal, and psychological. Regulations also protect individual rights and safety and prevent and reduce violence by providing a deterrent effect for perpetrators. Regulations also ensure a precise law enforcement mechanism, from investigations to providing justice for victims and support services such as rehabilitation centers and safe houses. The existence of regulations is important as a response to various problems of violence that occur and are experienced (Fauzi et al., 2024).

However, strengthening the implementation and monitoring of the program remains a major challenge. The Head of PSGA UIN Ar-Raniry emphasized that assistance to victims must be improved, especially in terms of psychological counseling. "The recovery of victims is a top priority, but we still need more experts in this field," he explained. This shows the need for closer cooperation with external institutions, such as NGOs or government agencies, to meet these needs. Cooperation between existing leaders and stakeholders is important to create a friendly and safe campus from sexual violence (Lailatul Musyafaah et al., 2022).

In a social context, Simanjuntak dan Isbah (2022) highlights the importance of educational campaigns to reduce the stigma against victims of sexual violence. Universities in Aceh have started this step through social media and in-person activities, but more consistent efforts are needed to create a culture change that supports victims.

Relevance of the Implementation of Permendikbudristek to Islamic Sharia in Aceh

The implementation of Permendikbudristek Number 30 of 2021 concerning the Prevention and Handling of Sexual Violence in the university environment has elicited various responses from various circles, especially related to its conformity with Islamic Sharia values that apply in Aceh. This regulation has the primary goal of creating an academic environment free from sexual violence by emphasizing the definition of forms of sexual violence, as well as its prevention and treatment mechanisms. However, one of the main aspects that has been highlighted is the use of the phrase "without the consent of the victim" in defining sexual violence. The phrase "without consent" makes the rules multi-interpreted for specific groups. This phrase raises concerns that sexual activity carried out with the consent of both parties does not fall into the category of sexual violence, so it can be interpreted as legalizing free sex. Meanwhile, free sex itself is contrary to religious values, so it overlaps with religious norms in society (Sylvani & Tan, 2022).

Aceh is the only province in Indonesia that formally implements Islamic Sharia, one of which is through *Qanun Jinayat* (Qotadah & Darmawan Achmad, 2020). This rule strictly regulates all forms of sexual behavior, where sexual activity outside of marriage is considered a violation of the law and is subject to strict sanctions. From an Islamic perspective, the concept of "consent" cannot be used as a justification for sexual activity outside the bond of marriage. Therefore, implementing the Permendikbudristek has caused a polemic in Aceh, considering that the regulation can potentially contradict the law that applies locally.

Criticism of Permendikbudristek Number 30 of 2021 comes from various parties, including religious organizations and political figures. The Council of Higher Education for Research and Development (Diktilitbang) of the Central Executive of Muhammadiyah, for example, considers that this regulation can degrade the substance of sexual violence because it focuses on the aspect of consent, so it is feared that it will blur moral and legal boundaries regarding immoral acts (Suara Muhammadiyah, 2021). Similar criticism was also conveyed by Member of Commission X of the House of Representatives of the Republic of Indonesia, Illiza Sa'aduddin Djamal, who stated that this

regulation has the potential to damage students' moral standards and open a gap for the practice of adultery and deviant sexual behavior that is contrary to the teachings of Islam and the culture of the Acehese people (ANTARA News Aceh, 2021). Religious leaders in Aceh also strongly rejected Permendikbudristek Number 30 of 2021. He stated that this policy is indirectly like legalizing adultery, which is very damaging to the nation's order.

In Aceh's implementation context, there are several fundamental challenges in adopting this Permendikbudristek. One of the main challenges is the difference in basic principles between national regulations and Islamic Sharia law applied in Aceh. Permendikbudristek emphasizes the aspect of "consent" as the main element in defining sexual violence. At the same time, Islamic law expressly prohibits all forms of sexual activity outside of marriage, regardless of whether or not there is consent from the parties involved. This paradigm difference can potentially confuse the implementation of regulations in universities in Aceh.

In addition, there are concerns that this Permendikbudristek can open up space for the legalization of free sex in the academic environment. The phrase "without the consent of the victim" in the definition of sexual violence can be interpreted to mean that as long as there is consent from both parties, then the sexual activity is not considered an offense. This phrase is not the basis for being allowed to commit immoral acts in the university environment (Alifa, 2022). This is contrary to *Qanun Jinayat*, which has stipulated that all forms of adultery are violations of the law that must be sanctioned, whether done voluntarily or not.

From the perspective of morality and ethics, Islamic Sharia in Aceh greatly emphasizes the formation of good morals, increasing piety, and enforcing Islamic norms in community life. Regulations that are contrary to these values are feared to damage the social and moral order that has been built in Acehese society. Therefore, further studies are needed to adjust this national policy to align with the Islamic law that applies in Aceh. Safriadi et al. (2023) emphasized the importance of aligning national policies with Islamic law in Aceh. They highlighted the dualism between positive law and Islamic law and the need for more intensive socialization to ensure that policies align with Islamic norms embraced by the Acehese people.

Responding to the controversy related to Permendikbudristek Number 30 of 2021, several universities in Aceh have taken proactive steps by formulating derivative regulations adjusted to Islamic Sharia values. This step aims to ensure that efforts to prevent and handle sexual violence in the campus environment remain in line with the Islamic law that applies in Aceh. Thus, universities in Aceh are committed to creating a safe and dignified academic environment without overriding the principles of Islamic Sharia.

The preparation of this derivative regulation is carried out through systematic stages and involves various stakeholders. The formulation process involves campuses, scholars, academics, community leaders, and Islamic Sharia law enforcement agencies such as the Majelis Permusyawaratan Ulama (MPU) and the Aceh Islamic Sharia Office. With this approach, the regulations are expected to not only be able to prevent and handle sexual violence effectively but also accommodate Islamic values that are the legal basis in Aceh.

In addition, in its preparation, universities in Aceh also consider aspects of socialization and implementation in the academic environment so that the entire academic community can understand and implement the regulation correctly. Dialogue between the campus and Islamic institutions continues to be carried out to ensure that this regulation can answer the challenges and needs without contradicting the moral and ethical principles of Islam that are upheld in Aceh.

CONCLUSION

The implementation of Permendikbudristek Number 30 of 2021 in Aceh universities has had a positive impact on increasing student awareness and trust in the mechanism for reporting sexual violence cases. Forming the Satgas and ULT is important in creating a safer academic environment.

On the other hand, this regulation has caused debate regarding its conformity with Islamic Sharia that applies in Aceh, especially regarding the concept of "consent" in the definition of sexual violence. This raises concerns that the regulation may conflict with the *Qanun Jinayat*, which prohibits all forms of sexual activity outside of marriage. Therefore, several Aceh universities have adjusted this national policy to Islamic values by preparing derivative regulations involving scholars, academics, and community leaders.

However, several challenges need to be considered, such as the limited human resources with psychological expertise, policy differences between universities managed by the Ministry of Religion and the Ministry of Education and Culture, and the social stigma against victims of sexual violence that still exists in the campus environment.

Recommendations

To strengthen the implementation of Permendikbudristek Number 30 of 2021 in Aceh universities, several strategic steps are needed to ensure the effectiveness of policies without ignoring Islamic Sharia values. First, universities need to strengthen the role of the Satgas and the Integrated Service Unit (ULT) in handling cases of sexual violence. This can be done by increasing the capacity of the Satgas through intensive training, adding experts such as psychologists and counselors, and strengthening cooperation with professional institutions that are competent in assisting victims.

Second, preparing more contextual derivative regulations is needed so that this national policy remains in line with the applicable laws in Aceh. In the formulation process, universities must involve various stakeholders, such as scholars, academics, community leaders, and Islamic institutions, to ensure the regulations do not contradict local religious and cultural norms.

In addition, continuous socialization and education is also a crucial aspect in increasing the awareness of students and the academic community related to the prevention of sexual violence. Educational campaigns can be carried out through seminars, social media, and discussion forums to make it clear that this regulation is not to legalize behavior that is contrary to religious values but aims to protect victims from various forms of sexual violence. Collaboration with external institutions such as NGOs, government agencies, and Islamic Sharia law enforcement agencies also needs to be strengthened to increase the effectiveness of handling cases of sexual violence on campus. This includes providing a rehabilitation system for victims and strict sanctions against perpetrators following applicable regulations.

Finally, periodic policy implementation evaluation and monitoring must be carried out systematically to assess its effectiveness and ensure that the protection mechanism runs optimally. Universities need to collect feedback

from students, lecturers, and education staff so that the policies implemented continue improving service quality.

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