

# Optimism to Face the Future among the Convicts of *Qanun Jinayah* Executed with Caning Punishment

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**Keywords:** Optimism Facing The Future, Convicts of Qanun Jinayah, Caning Punishment.

**Abstract:** Caning punishment is a form of punishment against perpetrators of violations of Islamic law. Caning punishment has implications for the psychological and social conditions of convicts which have an impact on low optimism. An attitude of optimism is one of the positive emotions associated with the future. This study aimed to find out future optimism among the qanun jinayah convicts who were subjected to caning punishment. This study used a qualitative method with a phenomenological approach. The sampling technique was purposive sampling with four respondents convicted of caning punishment. Data collection methods were interview and observation. The results found that three respondents showed optimism in facing the future but one did not because of not meeting an aspect of optimism – personalization - by assuming that the bad events that occurred to him were due to himself. The study also found that optimism to face the future among convicts of caning punishments was influenced by social support from parents, siblings and relatives.

## 1 INTRODUCTION

Aceh is the westernmost province in Sumatera Island implementing Sharia law. The sharia law is implemented and legalized because supported by social-cultural and history of Aceh which used to be recognized as the center of Islam spread in the archipelago (Bahri, 2012).

Aceh used to be a great kingdom possessing a sequence of laws to manage social life. Prior to the arrival of Dutch to the archipelago, Aceh people had implemented sharia law. The presence of regional regulations which are implemented today is not a new thing, it is rather to re-establish some values that has long been existing among Aceh people (Ali, 2014). The freedom to implement sharia law in Aceh makes Aceh unique in term of law enforcement (Surbakti, 2010).

The legalization by the national government to implement sharia law was responded by the regional government by issuing several regional regulations related to the implementation of sharia law. The regulations related to the procedures of the implementation of sharia law emerged *qanun Aceh* which could be implemented in *kaffah* way (comprehensive). The *kaffah* implementation is not

only on *ibadat* (prayer/ritual) but also on all scopes – from *muamalah* (commercial and civil acts) to *uqubah* (punishment) (Bahri, 2012). *Qanun* is defined on article 1 number 21 Law No. 11 Year 2006 on the government of Aceh. “*Qanun Aceh is a regional law regulating governance and civil acts*”.

Similarly, Law No. 6 Year 2006 on The Government of Aceh mentioned that Sharia law consists of all aspects including *Jinayah* (criminal law). Aceh province issued *Qanun* No. 6 Year 2014 on *Jinayah* regulating the sharia law implementation including *jarimah* (forbidden acts by sharia law), perpetrator of *jarimah* and *uqubat* (the punishment sentenced by judge to perpetrator of *Jarimah*). The acts of *Jarimah* include *khamar* (intoxicating drink), *maisir* (gambling), *khalwat* (two people are alone without marriage bond), *ikhtilath* (acts such as kissing between a man and a woman without marriage bond), adultery, sexual harassment, rape, *qadzaf* (Accusing other people of committing adultery without providing four witnesses), *liwath* (homosexual) and *musahaqah* (lesbian). *Qanun Aceh* No. 6 Year 2014 on *Jinayah* states that there are 3 forms of punishment to *Jinayah* convict i.e. caning, prison, and fine. A method mentioned above is caning punishment (Ulya, 2016).

The implementation of caning punishment in Aceh is part of the implementation of *qanun jinayah* (Aulianshah, 2017). The historical base of caning punishment is refer to what Rasulullah PBUH and his companions did. Caning punishment has religious value because it could repeal the perpetrator’s sin in afterlife (Danial, 2012). Article 4 of Governor’s Regulation No 10. Year 2005 on The Procedures of The Implementation of Caning Punishment mentions that caning punishment is executed in public area which can be witnessed by many people and attended by a prosecutor and a doctor. It is also stated at article 262 of *Qanun Aceh* No. 7 Year 2013 on the procedures of Jinayah that caning punishment is executed in public space and can be witnessed by people (in Heriansyah, 2017).

Table 1: Data of the convicts of caning punishment in Aceh (Monitoring Institute for Criminal Justice Reform, 2016).

| Violation         | The Convicts |        | Total |
|-------------------|--------------|--------|-------|
|                   | Male         | Female |       |
| <i>Maisir</i>     | 259          | 2      | 261   |
| <i>Khamar</i>     | 7            | 2      | 27    |
| <i>Khalwat</i>    | 11           | 9      | 20    |
| <i>Ikhtilath</i>  | 10           | 11     | 21    |
| Immoral behavior  | 7            | 7      | 14    |
| Adultery          | 6            | 6      | 12    |
| Sexual harrasment | 2            | 0      | 2     |
| Total             | 302          | 37     | 339   |

According to Institute for Criminal Justice Reform (2017), the data of the convicts of caning punishment showed that most of the convicts violated the articles on decency and social norm in society like *khalwat*, *ikhtilath*, immoral behavior, adultery, *maisir*, and *khamar*. The phenomenon is related to the social norm-violating behaviors (Faturochman, 1992).

Caning punishment is considered as the most embarrassing punishment by the convicts, therefore many the convicts planned and acted to leave their neighborhood after being executed in front of the public and returning to their family. That action was a response to the caning punishment they had undegone. The execution of the caning punishment in public also psychologically impacted on the convicts like being embarrassed, inferior and doubtful to act in front of society (Anshari, 2017).

In addition, the convicts tended to avoid the pressure by being over denial hence the emergence of negative emotions like being anxious, guilty, angry, sad and desperate which make them less

optimistic to live (Scheier, Carver & Weintraub, 1986). It occurred because the problems and difficulties that they faced were responded negatively (Ghufron & Risnawita, 2010). The presence of negative thought on the convicts emerged low optimism to live. The thought should be changed by the convicts to be able to well grow and be optimistic in facing the future.

According to Ablisar (2014), the implementation of caning punishment is to embarrass the convict on what they have violated. After undergoing the punishment, it is expected that the convict could return to society without worries and negative stigma. The caning punishment is expected to cause only temporary pain, not permanent injury on particularly the open body part and psychological condition of the convict due to public execution. Optimism is a future-related positive emotion. According to Snyder and Lopez (2002), every individual with negative thought could suffer from cognitive distortion on their mind like having unrealistic thought, being worried, anxious and stopping attempting to reach the goal.

According to Seligman (in Ghufron & Rini, 2010), optimism on the future is a comprehensive thought, seeing good things, positive thought, positive thinking, easily giving a meaning for oneself. According Scheier, Carver and Weintraub (1986), optimism on the future encourages an individual to accept the reality or stressing situation and attempt to see positive sides of and learn from what have been experienced.

Seligman (2006) defines optimism as a comprehensive view, seeing good things which can give a meaning for an individual and help one change oneself in the future as well as become confident to live. An optimistic individual will be better than one used to be, accepting the reality or stressing situation and keeping seeing positive sides and learning from what has happened. Myers (1996) explains that optimism is a direction to positive life goals, improves self-confidence to be more realistic and eradicate fear inside an individual. Optimism could determine an individual in living, solving problems and accepting changes in both success and life difficulties.

According to Seligman (2006), an individual with optimism can be seen with certain aspects, as follows:

- *Permanency* is related to time - permanent/constant or temporary. An optimistic individual thinks good event has permanent cause. An optimistic individual also

thinks that bad event happens to him is temporary.

- *Pervasiveness* is related to individual's specific and universal explanation about an event happening to one. An individual with universal explanation about failure will give up on the condition, while an individual with specific explanation becomes weak in a part of life, however one survives in other parts of life. An optimistic individual has specific explanation about a problem thus one only becomes weak at part where the problem is present.
- *Personalization* is related to cause of an event experienced by an individual namely internal (oneself) or external (other people). When bad things occur, an individual could blame oneself, others or conditions. A self-blaming individual during failure moment will suffer from low self-esteem as the consequence. An optimistic individual tends to blame bad event happens to oneself in external neighborhood. An external event-blaming individual does not lose self-esteem in oneself when bad events happen.

## 2 RESEARCH METHOD

This study was qualitative with phenomenological approach. Sampling technique was purposive sampling with 4 convicts who had been executed with caning punishment. Data collecting methods were interview and observation.

This study used credibility which can be done practically by documenting the data comprehensively and orderly. The researchers collected the interview recordings and observation document, and wrote the transcription completely. The researchers also documented the consent of the respondents to take part in this study in an informed consent letter, the researchers later underwent an expert review with three experts – three lecturers with psychology qualification – in order to be directed and guided in conducting the research. The researchers also checked and re-checked the data by testing the possibilities and the allegations. The researchers conducted data triangulation process to Sharia Court through online Aceh Sharia Court in order to obtain additional information related to caning punishment undergone by the respondents.

## 3 RESULT AND DISCUSSION

The respondents of this study were four convicts of *qanun jinayah* who were executed with caning punishment, they were MR, DS, AF and ZL. The four respondents were sentenced guilty because of violating Sharia law in Aceh namely *maisir* (gambling) and *ikhhtilath*. MR, AF and ZL violated *qanun* on *maisir*, while DS violated *qanun* on *ikhhtilath*. MR and DS were executed with 7 times caning while AF and ZL were executed with 6 times caning.

### • Respondent 1 (MR)

MR was 23-year-old. MR was a student in a university in Banda Aceh who was on doing his final assignment (mini thesis). MR told the chronology of his arrest after Eid Al-Fitr. MR was playing cards with 6 friends by betting some money. MR was not aware that his action was watched by the police. MR was arrested and taken to the police station. MR had been prisoned for a month before being punished.

Previously, MR had gambled several times by betting some money, MR said that he did small bet that made he think that he would not be caught by the police. MR was sentenced to violate *qanun jinayah* on *maisir* (gambling) and had to undergo caning punishment. He was executed 7 times caning after reducing a month in the prison.

It was a difficult time for MR because he felt embarrassed to the neighborhood and especially to his parents. His friends also made a joke about his punishment. After punishment, he should have stayed at home for a week without going outside because he was embarrassed that people know about his caning punishment. MR said that his action had been embarrassing his family. However, MR considered that the caning punishment made a deterrent effect on him to not do it again (gambling). MR also thought that caning punishment became a lesson for him to change himself in the future and realized that what he had done was wrong because of violating sharia law in Aceh.

### • Respondent 2 (DS)

DS was a student in a university in Banda Aceh. DS was 21-year-old and on her study. Besides being a student, she was also working part time in a restaurant in Banda Aceh. She lived together with her friend in a rented room

near by the campus. DS had a boyfriend who also was a student. DS said that she had had relationship with her boyfriend for 2 years. DS was punished with caning because of violating sharia law on *ikhtilat* in Aceh.

DS told about her case that at that Friday night, 01.00 WIB, her boyfriend came to her place to hand her a laptop. Later on, some people knocked the door and after being opened the people asked his boyfriend to get out, and then DS called out her boyfriend hiding at the back of the house and they were later carried to the mosque to interrogate. After being interrogated, DS and her boyfriend were brought to *keucik* (head of village) and *keucik* asked them to bring their parents to solve the problem. DS replied that their parents were impossible to come right away because they lived out of Banda Aceh city. Later on, DS and her boyfriend were picked by civil service and sharia police to responsible for their deed. After a month in Sharia police office, they were brought to the prison while waiting the court decision on what they had done.

Sharia court sentenced DS and her boyfriend guilty because of violating *qanun jinayah* on *ikhtilath* and punished 7 times caning. Previously, DS would be punished 30 times however it was finally reduced to 7 times after a court process because DS and her boyfriend did not commit adultery but *ikhtilath*, therefore DS did not get punished 30 times caning.

After being punished, DS was afraid of the punishment happened again and DS felt ashamed to her neighborhood. Moreover, DS said that she did not want to continue her study after being punished and she felt that she had made her parents disappointed because her parents first knew DS went to study not to have a relationship with a man until being punished that made them ashamed.

- Respondent 3 (AF)  
AF was 24-year-old man. He is the first child of three siblings. He worked as a farmer. AF told that he was at first time gambling when caught by the police. At the moment, AF just graduated from senior high school and hoped to continue his study to university. Previously, AF had not thought that he would be caught by the police on what he had done.

The incident occurred at 10.00, at the moment AF and his friends played cards by betting some money. AF and his friends violated *qanun jinayah* on *maisir* (gambling). AF explained that the police turned out as civilian in disguise which made AF and his friends unaware. After being arrested, AF and his friends were immediately brought to Police Resort to undergo punishment process.

After being arrested, AF and his friends were brought to the prison. Furthermore, they had been prisoned for 2 month before undergoing caning punishment. AF violated *qanun jinayah* on *maisir* (gambling). AF was caned for 6 times after reducing his prison time.

AF became so ashamed and inferior due to his behavior especially to his family and friends, so that AF did not want to go outside for several weeks, he even decided to go away from home for several months. AF thought that he had made his parents disappointed, previously he had been known as a good person and had not been exposed to negative influence. AF had ever hidden his punishment from his family in order to make his parents not know, however there were other people told about his punishment to his family. AF felt so guilty, sad and cried at that time because he had made his family embarrassed.

- Respondent 4 (ZL)  
At that time, ZL was 47-year-old. ZL was a farmer in his village. He was head of his family with a wife and two children. ZL told that he used to played cards by betting some money (gambling). ZL thought that the habit of gambling was his hobby because he did it almost every day. ZL said that he had done it since he was young, even he did that after getting married and having children. ZL felt happy by doing gambling.

His gambling habit made ZL arrested by the police and punished with caning. ZL told that at that moment he and his friends was gambling in football field. He and his friend was being observed by the police, and right after that, he got caught while gambling. Later on, ZL was brought to the police office and had been prisoned for about 2 and a half months before being sentenced to caning punishment. ZL was proven violating *qanun jinayah* on *maisir* (gambling) and sentenced to caning



punishment for 6 times after reducing his prison time.

After undergoing caning punishment, ZL felt ashamed to his neighborhood and family. ZL realized that what he had done was a mistake. So that he did not want to do it anymore. According to ZL, caning punishment affected him in a good way because he stopped gambling after the caning punishment. It also made him work harder to provide his wife and children. ZL thought that caning punishment make him better.

There were four respondents involved in this study, they were the convicts of *qanun jinayah* who were punished by caning. The general descriptions of the respondents as follows:

Table 2: General Descriptions of the Respondents.

| Description                | Respondents                     |                          |                                 |                                 |
|----------------------------|---------------------------------|--------------------------|---------------------------------|---------------------------------|
|                            | MR                              | DS                       | AF                              | ZL                              |
| Sex                        | Male                            | Female                   | Male                            | Male                            |
| Age                        | 23-<br>Year-<br>Old             | 21-<br>Year-<br>Old      | 24-<br>Year-<br>Old             | 47-<br>Year-<br>Old             |
| Occupation                 | Stude<br>nt                     | Student                  | Farme<br>r                      | Coffee<br>Farmer                |
| Education                  | Senior<br>High<br>Schoo<br>l    | Senior<br>High<br>School | Senior<br>High<br>Schoo<br>l    | Junior<br>High<br>School        |
| Marriage<br>Status         | Single                          | Single                   | Single                          | Married                         |
| Type of<br>Violation       | <i>Maisir</i><br>(gamb<br>ling) | <i>Ikhtilath</i>         | <i>Maisir</i><br>(Gam<br>bling) | <i>Maisir</i><br>(Gambli<br>ng) |
| Total<br>Caning<br>(times) | 7<br>Times                      | 7<br>Times               | 6<br>Times                      | 6<br>Times                      |

Several studies explain about the immediate reactions of the convicts after undergoing caning punishment, one of which is the study by Anshari (2017) stating that the convicts' observable behavior is embarrassment, inferiority and hesitation to make a decision in neighborhood. It should be changed by the convicts in order to re-develop healthily and be optimistic in facing the future. According to Seligman (2006), the optimistic individual produces

a better thing than what one did previously, accepts the reality or the situation that pressure one, tries to see positive thing and learns from what has been experienced.

The interview result showed that the four respondents - MR, DS, AF and ZL – considered the caning punishment as the consequence of what they did and as the lesson to fix themselves better. Shofia (2009) says that optimism will make an individual learn to be more realistic in seeing an event and the future and optimism helps an individual face the difficulty of life. It will direct an individual to be optimistic to face the future. MR thought that the caning punishment that he experienced was the lesson to fix himself and gave him a deterrent effect to not redo what he had done. DS saw the caning punishment as a consequence which emerged the extraordinary embarrassment. DS rose up and considered the caning punishment as the lesson to fix herself in the future. AF considered the caning punishment as the lesson to fix himself and became optimistic to live with hope to make his parents proud. ZL considered the caning punishment as a consequence of what he did and he focused on working to provide his wife and his children.

There are three aspects of future-facing optimism, permanency, pervasiveness and personalization. Permanency is related to time, permanent or temporary (Seligman, 2006). MR stated that after being punished with caning, he became ashamed and inferior, DS stated that after being punished with caning she was afraid, AF said that he became ashamed and inferior after being punished, and ZL also said that he was ashamed after being punished. According to Maulana and Handayani (2015), the convict wants a change to be better in one's life, has an optimism to achieve a goal and gets encouraged to live. MR thought that psychological effect of the caning punishment was temporary because at the present he lived as usual like before being punished, DS rose up and did not give up, AF felt optimistic in living, and ZL rose and more prioritized his future life. According to the interview of those four respondents, it showed that the caning punishment only caused the temporary effect and did not cause permanent effect either physically or psychologically like shame, inferiority, and fear. The effect of caning punishment occurs for several months after the punishment is conducted, and then the convict becomes normal as usual, and considers the punishment as the lesson to not repeat what one has done.

The second aspect is pervasiveness, the optimistic individual has a specific explanation

about a problem, so that one only becomes helpless in the matter of the problem (Seligman, 2006). MR explained that caning punishment was better than prison, DS thought that caning punishment was a lesson for her and other people to not do what she had done, AF thought that caning punishment as a bad experience to change himself, moreover ZL thought what he had done was a mistake and saw caning punishment as the consequence of his deed. Pratama and Permadi (2016) state that a convict has a hope and optimism to welcome a new life after undergoing a punishment. MR said that after undergoing the caning punishment he tried to fix himself, forgot what had occurred, determined to not redo his deed and not make his family ashamed for the second time. DS revealed that after being punished, she regretted her deed and considered her parents as the main reason to rise after undergoing the punishment. AF said that after undergoing caning punishment, he tried to fix himself and being encouraged to run his life. ZL decided to not redo his deed and thought that his children and wife were the reason for him to rise after being punished.

The third aspect of optimism is personalization, a cause of an event happening to an individual is internal "self" or external "other people" (Seligman, 2006). An optimistic individual tends to blame external "other people" for the bad event happening to one. According to LeMaistre (dalam, Cahyasari & Sakti, 2014) in this phase, an individual is emotionally strong so that one more easily rise without an excessive fear. During this phase, a convict perceives that oneself could function and become useful. Based on the interviews with the four respondents, MR showed that he blamed himself as the consequence of his mistake and blamed other people who reported what he had done thus he was punished. In addition, DS blamed other people on the caning punishment she suffered from because she thought she did not do it (adultery) like the people accused her, she rather did *ikhthilath*. AF blamed himself on violating *qanun jinayah* and also blamed others who reported his deed thus he was punished. ZL said that the caning punishment was caused by his mistake violating Sharia law.

Optimism in an individual is also influenced by several factors like social support, self-confidence, self-esteem and experience accumulation. According to Taylor, Peplau and Sears (dalam Anshari, 2017) state that social support is believed to be able to strengthen an individual in facing stress and trauma, to develop positive spirit to face the problem. The respondents of this research obtained the social support from their parents, brothers and relatives.

MR stated that he was socially supported by his family to have spirit in running his life and rise again after undergoing the caning punishment. DS also obtains social supports from her family, friends, and lecturers to have spirit to run her life and continue her study which was stopped because of the caning punishment. AF obtained social supports from his family and friends to keep optimistic in running his life. ZL obtained social supports from his family – his wife and his children – to keep strong in running his life because he was responsible to provide his wife and children.

According to a research by Ekasari and Susanti (2009), the convicts' optimism levels were high even though their status were the convicts, they kept thinking positively, having future target and attempting to fix themselves. MR conveyed that he tried to fix himself to be better after being punished. DS told that she regretted what she did because it made her family ashamed, she also made a promise to fix herself and not do it (*ikhthilath*) anymore. AF felt deterrent and regretful because he made his parents disappointed, he also considered the caning punishment as the lesson. ZL thought that the caning punishment made him fix himself and not do what he used to do before the punishment (gambling). According to Adilia (in Prayitno & Ayu, 2017) optimism on the future is a strong hope that everything related to life can be done in a good way.

Based on the aspects and the factors that influence optimism facing the future above, the four respondents stated that they felt embarrassed, inferior, and fear. Moreover, the respondents also mention about the rise of deterrence to redo their actions on violating *qanun jinayah*. The presence of social supports from family and neighborhood affected the respondents' spirit to rise again after being punished with caning and they promised to fix themselves as well as considered the caning punishment as the lesson for them to not do it anymore. The four respondents showed their desire to transform by accepting the caning punishment as the consequence and fix themselves.

According to Myers (1996), optimism as a direction and a positive life goal in running the life both in facing problems and having life difficulties. According to the analysis result and the discussion explained above, it can be seen that optimism in facing the future existed on three respondents - MR, DS and AF, while ZL was said not optimistic because he did not meet one aspect of optimism – personalization – by thinking that the bad event happening to him is caused by himself. According to Snyder and Lopez (2002), an individual with

optimism is one who wishes good things happen to him, while an individual with no optimism wishes bad things happen to him. MR said that psychological effect of the caning punishment was temporary (permanence), changed the mindset to not redo the action (pervasiveness), and blamed oneself and other people on the caning punishment he underwent (personalization). The caning punishment did not make DS give up to run her life (permanence), the caning punishment was a lesson for DS and other people to not do the same action (*ikhtilath*) (pervasiveness) and DS thought that other people were responsible for the caning punishment suffered by her (personalization). It could be seen that the effect of the caning punishment on AF was temporary (permanence), AF was optimistic in running his life (pervasiveness) and AF blamed himself and other people (personalization). ZL rose up and was encouraged after being punished (permanence), he prioritized his future life and focused on providing his family (pervasiveness). ZL blamed himself on the caning punishment he suffered (personalization).

Study about optimism to face the future among the convicts of *qanun jinayah* who were sentenced to the caning punishment was sensitive to be revealed, therefore for about three month the researcher conducted the study, the researcher experienced the difficulties in facing the respondents. The limitations of this study was the difficulty to find respondent, made the schedule and decided the place to meet respondent, besides the respondents were distant hence the need of more cost to see them out of area. In addition, the researcher was limited to collect the deeper data from the respondents, therefore the result needs to be completed in the future study.

#### 4 CONCLUSION

The result showed that MR, DS and AF were optimistic in facing the future, while ZL was not optimistic because he did not meet an aspect of optimism namely personalization, ZL thought the bad event happening to him was caused by himself. This study also found that optimism of the future among the convicts of the caning punishment was affected by social supports from parents, brothers and sisters, and relatives.

Based on the result, there are several matters that the researcher need to say, as follows:

- To the convicts of *qanun jinayah*

The researcher suggests that the convicts of *qanun jinayah* executed with the caning punishment must not repeat the action that violates *qanun jinayah*. This study showed there was psychological effect after being punished with caning like being embarrassed, fear and inferior in the neighborhood thus affecting the social interaction of the convicts either in front their friends or their family.

- To family and society

The researcher suggests that after the caning punishment, the *qanun jinayah* convicts' family and society pay attention on the convicts' social condition by guiding, educating and giving positive support in order to direct them keep away from the behavior of violating *qanun jinayah*. This study showed the social support by the family and the society to help the convicts rise up and have a spirit to run their life after the caning punishment.

- To the future research

It is expected to the future researchers who want to conduct the study on the *qanun jinayah* convicts executed with caning punishment to further explore the psychological condition of the convicts. If the data are expected to collect by interview, the location and the time should be well considered. If conducting the research with different variable, it is recommended to future researchers to describe psychological condition of the *qanun jinayah* convict executed with caning punishment.

#### REFERENCES

- Ablisar, M., (2014). Relevansi hukuman cambuk sebagai salah satu bentuk pembinaan dalam pembaharuan hukum pidana. *Jurnal Dinamika Hukum*, 14(2),1-12.
- Antariksa, B., (2017). Kedudukan qanun Aceh di tinjau dari aspek sejarah, pengaturan, fungsi dan materi muatan qanun. *Jurnal Ilmiah*, 5 (1), 1-17.
- Anshari, M. N. A., (2017). Dukungan sosial keluarga sebagai upaya pendidikan psikologis pada pelanggar qanun syariat Islam pasca hukuman cambuk di kota langsa provinsi Aceh. *Jurnal Analitika*, 9 (1),1-27.
- Aulianshah, K., (2017). Menengok kembali hukuman cambuk. Diakses pada tanggal 19 Oktober 2017 melalui <https://beritagar.id/artikel/editorial/menengok-kembali-hukuman-cambuk>.
- Bahri, S., (2012). Pelaksanaan Syariat Islam di Aceh sebagai bagian wilayah Negara Kesatuan Republik

- Indonesia (NKRI). *Jurnal Dinamika Hukum*, 12(2), 1-10.
- Baumgardner, S. R. & Crothers, M. K. (2010). *Positive psychology*. Upper Saddle River: Pearson Education, Inc.
- Bustami,. (2015). Penerapan qanun provinsi nangroe Aceh darussalam no 14 tahun 2003 tentang khalwat/mesum di kabupaten Aceh Timur. *Jurnal Hukum*, 10(2), 177-190.
- Cahyasari, S. M., & Sakti, H,. (2014). Optimisme kesembuhan pada penderita mioma uteri. *Jurnal Psikologi Undip*, 13(1), 21-33.
- Carr, A. (2014). *Positive psychology : The Science of happiness & human strengths*. Hove: Brunner-Routledge.
- Carver, C. S., & Scheirer, M. F. (2012). Optimism. In Snyder, C. R., & Lopez, S. J. (Eds), *Handbook of Positif Psychology*. New York: Oxford University Press.
- Creswell, J. W. (2007). *Qualitative inquiry and research design: choosing among five approaches*. (2<sup>nd</sup> ed): Sage Publications, Inc.
- Danial,. (2012). Qanun jinayah Aceh dan perlindungan HAM. *Jurnal Kajian Hukum Islam*, 6(1), 85-98.
- Djubaedah, N,. (2010). Perzinaan Dalam Peraturan Perundang-Undangan Di Indonesia DiTinjau Dari Hukum Islam. Jakarta : Kencana Prenada Media Group
- Ekasari, A., & Susanti, N. D,. (2009). Hubungan antara optimisme dan penyesuaian diri dengan stress pada narapidana kasus nafza di lapas kelas IIA bulak kapal bekas. *Jurnal Soul*. 2(2), 1-32.
- Faturochman,. (1992). Sikap dan perilaku seksual remaja di Bali. *Jurnal Psikologi*. 1 (2), 12-17.
- Ghufron, M. N., & Risnawati, S. R,. (2010). Teori- teori psikologi. Yogyakarta: Ar-ruz Media Group.
- Ghufron, M. N., & Rini, R. S. (2010). Teori- teori psikologi. Yogyakarta: Ar-ruz Media Group.
- Hartanto, D. A. (2016) Kontribusi hukum Islam dalam pembaharuan hukum pidana di Indonesia. *Jurnal Ilmu Syari'ah dan Hukum*, 1 (2), 1-22.
- Herdiansyah. (2010). *Metodologi penelitian kualitatif untuk ilmu-ilmu sosial*. Jakarta. Salemba Humanika.
- Heridansyah, H. (2015). *Metodologi penelitian kualitatif untuk ilmu psikologi*. Jakarta: Salemba Humanika.
- Heriansyah, M,. (2017). Tak lagi depan umum, hukuman cambuk diwacanakan di penjara. Diakses pada tanggal 14 februari 2018 melalui <http://www.ajnn.net/news/tak-lagi-depan-umum-hukuman-cambuk-diwacanakan-dilakukan-di-penjara/index.html>.
- Idaliyah, S,. (2014). Tindak pidana khalwat di Nanggroe Aceh Darussalam dalam perpektif hukum pidana Indonesia. *Al-Mazahib*, 1(2), 67-83.
- Idrus M. (2009). *Metode penelitian ilmu sosial pendekatan kualitatif dan kuantitatif* (2<sup>nd</sup> ed). Jakarta: Erlangga.
- Institute for Criminal Justice Reform,. (2017 Februari 06). Praktek hukuman cambuk di Aceh meningkat, evaluasi atas qanun jinayat harus dilakukan pemerintah. Diakses pada tanggal 20 Oktober 2017 <http://icjr.or.id/praktek-hukuman-cambuk-di-aceh-meningkat-evaluasi-atas-qanun-jinayat-harus-dilakukan-pemerintah/>
- Maulana, P., & Handayani, P, K,. (2015). Psychological well being narapidana lapas kelas II A Jember yang menjadi tahanan pendamping. *Jurnal Psikologi*, 1(2), 1-12.
- Meilana, R., Kamilah, E., & Hari, B. (2017, Mei 26). *Dua Korban Hukuman Cambuk di Aceh Alami Gangguan Psikologis*. Retrieved from:[http://kbr.id/berita/052017/dua\\_korban\\_hukuman\\_cambuk\\_diaceh\\_alami\\_gangguan\\_psikologis/90325.html](http://kbr.id/berita/052017/dua_korban_hukuman_cambuk_diaceh_alami_gangguan_psikologis/90325.html).
- Myers, D. G. (1996). The persuit of happiness. *Scientific American*, 1(1), 54-60
- Noviandi, Z,. (2017). Lakukan zina, 6 orang ini dihukum cambuk 100 kali, rotan algojo sempat patah. Retrieved from : <https://news.okezone.com/read/2017/11/17/340/1816059/lakukan-zina-6-orang-ini-dihukum-cambuk-100-kali-rotan-algojo-semat-patah> diakses pada : 29 Desember 2017.
- Nurindah, M., Afiatin, T., & Sulistyarini, I,. (2012). Meningkatkan optimisme remaja panti sosial dengan pelatihan berfikir positif. *Jurnal Intervensi Psikologi*, 4(1), 57-76.
- Pasal 4 Pelaturan Gubernur Aceh No 10 Tahun 2015 Tentang Teknis Pelaksanaan Hukuman Cambuk
- Poerwandari. E. K. (2009). *Pendekatan kualitatif*. Cetakan Ketiga. Depok: Lembaga pengembangan sarana pengukuran dan pendidikan psikologi Fakultas Psikologi UI.
- Pratama, F. A., & Permadi, A. S,. (2016). Kesejahteraan psikologis pada narapidana di lembaga permasayarakatan kelas II A Sragen. *Jurnal Psikologi*, 1(1), 1-20.
- Prayitno, S. H., & Ayu, S. M,. (2017). Hubungan optimisme masa depan dan motivasi berprestasi terhadap prestasi belajar mata ajar Bahasa Inggris mahasiswa semester 1 Prodi DIII Keperawatan Rustida. *Jurnal Insight Fakultas Psikologi Universitas Muhammadiyah Jember*, 13 (2), 80-95.
- Ridwan,. (2014). Positivisasi hukum pidana Islam. *Jurnal Hukum*, 1(2), 1-14.
- Ruby, A.C., & Purwandary, E,. (2015). Optimisme masa depan narapidana ditinjau dari dukungan sosial keluarga. *Jurnal Psikologi*, 1(2), 1-20.
- Scheier, M.F., Carver, C.S., & Weintraub, J. K,. (1986). Coping with stress: divergent strategies of optimists and pessimists. *Journal of Personality and Social Psychology*, 51(6), 1257-1264.



- Seligman, M. E. (2006). *Learned optimism: How to change your mind and your life*. New York: Pocked Books.
- Shofia, F., (2009). Optimisme masa depan narapidana. Skripsi thesis, Universitas Muhammadiyah Surakarta.
- Snyder, C.R., & Lopez, S. J., (2002). Positive psychology assessment: *Hanbook of positive psychology*. New York: Oxford University Press.
- Surbakti, N., (2010). Penegakan hukum pidana Islam (Jinayah) di provinsi Nangroe Aceh Darussalam. *Jurnal Media Hukum*, 17(2), 190-202.
- Surbakti, N., (2010). Pidana cambuk dalam perpektif keadilan hukum dan hak asasi manusia di provinsi Nangroe Aceh Darussaam. *Jurnal Hukum*, 3(17), 456-474.
- Wade, C. & Tavris, C. (2007). Psikologi. Jakarta: Penerbit Erlangga.
- Warsidi, A. (2017, Mei 23). *Pasangan Gay di Banda Aceh Jalani hukuman Cambuk 83 Kali*. Retrieved from: <https://nasional.tempo.co/read/news/2017/05/23/058878000/pasangan-gay-di-banda-aceh-jalani-hukuman-cambuk-83-kali>.
- Weinstein, N. D. (1980). Unrealistic optimism about future life events. *Journal of Personality and Social Psychology*. (64). 278-282.
- Yudha, D. P., (2016). Dilematika tumpang tindih definisi dalam qanun no 6 tahun 2014 tentang qanun jinayat. *Jurnal Perundang Undangan dan Hukum Pidana Islam*, 1 (1), 1-20.
- Yuliatwati., (2017). Pemerintah diminta evaluasi hukum cambuk di Aceh Diakses pada tanggal 19 Oktober 2017 melalui [www.cnnindonesia.com](http://www.cnnindonesia.com).
- Ubaedy, A. (2007). Optimis kunci meraih sukses. Jakarta: Perpektif Media Komunika.
- Ulya, Z., (2016). Dinamika penerapan hukum jinayat sebagai wujud rekonstruksi syariat Islam di Aceh. *Jurnal Rechts Vinding*, 5(1), 135-148.
- Undang-Undang, No 6 Tahun 2006 Tentang Pemerintahan Aceh.
- Undang-Undang, No 11 Tahun 2006 Tentang Pemerintahan Aceh.
- Undang-Undang, No 6 Tahun 2014 Tentang Hukum Jinayah.
- Zulkarnaen., (2016). Efektifitas qanun nomor 14 tahun 2003 tentang khalwat (mesum) di kota Banda Aceh. *Jurnal Politikologi*, 3 (1), 11-18.