

Prospects and Dynamics of Special Autonomy Post Aceh Government Law No. 11 of 2006 in Aceh

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ABSTRACT: After the birth of the Aceh Government Law a year ago, the prospect of Special Autonomy in implementing and implementing all government system tools in Nanggroe Aceh Darussalam requires high energy. On the other hand, we read that the Unitary State system is in accordance with scientific theory. This research uses qualitative methods to see how individual candidates can survive amidst the onslaught of local and national political parties in Aceh. From the research results, it was found that the existence of individual candidates had caused political tensions in Aceh after the formation of local political parties. The State is also usually called unitary, the form of government is a single structure. It is not composed of several countries like a federation. This means that as a unitary State, there is only one State. Thus, in a unitary state there is only one government, namely the central government which has the highest power or authority in all areas of government.

KEYWORDS: Prospects, Dynamics, Special Autonomy and Aceh Indonesia

INTRODUCTION

One of The Points in The Demands for Reform of Law No. 5 Of 1974 Is Closely Related to Public Dissatisfaction Regarding the Condition of Autonomy and The Implementation of Regional Government Under Law No. 5 Of 1974. From the Description of Special or Regional Autonomy and the Aceh Government Law No. 11 of 2006 There Are Many Authorities. Decisions Are Delegated to The Regions, While the Problem That Arises Is That the Delegation by The Central Government to Special Autonomous Regions Is Not Fully in Accordance with The Implementation of The Special Autonomy Law. From Existing Experience, The Results of Various Studies Conducted by Experts and Research Institutions Show That the Condition of Special Autonomy and The Administration of Regional Government Is Very Worrying. Regional Autonomy Is Classified as Very Small Seen from The Indicators of Small Regional Authority, Regional Original Income (Pad) And Regional Discretion as Well as Tight Central Supervision of Regions.

The Power Relationship Between the Central Government and The Regions Has Always Been Centralized, Almost Certainly from The New Order Regime Until Now. Indications of This Have Actually Been Visible Since the Beginning of The Reform Movement in The Country, Which Is Reflected in The Demands of Reformist Figures to Re-Arrange Central-Regional Relations as An Important Part of The Political Reform Agenda. Therefore, It Is Understandable to Honestly Take Fundamental Steps to Respond to These Demands. Through the New Regional Government Law, Law No. 25 Of 1999 And Law No. 18 Of 2001 Concerning Special Autonomy and Its Implementation Is Focused on Level Ii Regions.

The Province of The Special Region of Aceh Is Part of The Territory of The Unitary State of The Republic of Indonesia Which Has Been Inhabited from Generation to Generation by The Acehnese, Gayo, Alas, Aneuk Jameie, Kluet, Tamiang, Tribes in Various Islands and Other Tribes, Which in Subsequent Developments Were Also Inhabited By Immigrants. The 1999 General Session of The People's Consultative Assembly Confirmed in The People's Consultative Assembly Decree Number Iv/Mpr/1999, Among Other Things, Granting Special Autonomy to The Special Region of Aceh Province. The Long History of The Existence of The Acehnese People in The Archipelago Shows That Social, National and State Life in This Area Has Been Able to Organize A Unique, Egalitarian And Balanced Social Life In Preparing For Worldly And Spiritual Life. The Community Motto Is Often Said; Customs from The Sultan, Law from The Ulama, Qanun From the Princess of Pahang, Reusam From the Admiral. (Tradition Bak Po Teumeureuhom, Law Bak Syiah Kuala) (Uu Number 18 Of 2001).

THE REALITY OF ACEH GOVERNMENT LEGISLATION IN NANGGROE ACEH DARUSSALAM

After the enactment of Law No. 11 of 2006, at the end of 2006, the author conducted a study of implementation in the field. Different interpretations always emerged regarding the Governor's policy to realize the program for regents/cities to implement

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the policy, whether regarding the budget or financial distribution. One of the main objectives of this study is to understand and explain the characteristics of the implementation of decentralization and special autonomy policies that exist in Indonesia at the reality level. In general, the results of this study show that at the formal legal level the authority that has been handed over by the central government to the regional government of Nanggroe Aceh Darussalam is still largely limited in terms of understanding and implementing policies. Even though quantitatively a number of matters have been centralized, qualitatively the scope of each delegated authority is very narrow.

This phenomenon becomes even more transparent when the focus of the study is directed at regional authority in the budget sector, namely regarding the distribution of regional results between the center and the regions and asset management is also still intervention by the central government, in this case the regional government has been given autonomy to prepare regional plans regarding natural gas production. It has long been managed by the central government but in its implementation it still has to follow a number of implementation instructions set by the central government.

CENTRAL – REGIONAL RELATIONS IN A DEMOCRATIC FRAMEWORK

Relations that have so far emphasized more on centralistic imperatives, as a result of article 18 of the 1945 Constitution which divides Indonesia's regions hierarchically, namely large and small regions. So it needs to be adapted to the principles of democracy, in a centralistic imperative relationship the central government plays more of a role as the holder and controller of power. In this embodiment and relationship, the central government carries out more instructions, guidance, direction and control. Moreover, during the Old Order and New Order, regions were made objects or targets of power focused on the upper hierarchy or central government. It was during this reform period that regions were able to breathe a little from the waves of central government orders or policies.

The principle of democracy emphasizes the role of the people and that power is in the hands of the people, not in the hands of the authorities. Therefore, the division of power over authority in governing the state and government must be returned to the people. The division of regions in Indonesia as an institutional manifestation of the division of authority and power must also be returned to the people. Democratically, they can manifest their interests and aspirations into political parties. Thus political parties are a means of democracy. Law Number 18 of 2001, has made changes to the regional division system such as no longer following article 18 of the 1945 Constitution. Regional governments are no longer structured in a hierarchical manner, but only mention provincial regional governments and district and municipal regional governments. However, the realization of the relationship designed by the government does not seem to be able to go any further than centralized hierarchical relations. Even though the division of regions is no longer hierarchical, the draft government regulations implementing the division of authority do not follow democratic systems and principles.

If these democratic principles and systems are implemented consistently, then the relationship between the central government and regional governments can be developed independently and consultatively. A consultative relationship is a relationship of equals, balance and shows mutual independence. Regional governments are no longer subordinate to the provincial government or the central government. However, when a regional government experiences difficulties in organizing its government, the regional government can carry out consultative relations with other regional governments or with central orders. To ensure that the central government's authority within the framework of a unitary state still exists, this independent and consultative relationship does not eliminate that authority in any way.

RESEARCH METHODS

The type of research used is qualitative research, "qualitative research is a method to explore and understand the meaning that a number of individuals or groups of people consider to be derived from social or humanitarian problems". The consideration underlying the use of qualitative research is due to its characteristics as stated by [13], namely the natural environment (natural setting) qualitative researchers tend to collect field data in locations where participants experience issues or problems to be studied. Researchers as a key instrument (researcher as key instrument) qualitative researchers collect data themselves through documentation, behavioral observations, or interviews with participants

CENTRAL GOVERNMENT RELATIONS - REGIONAL GOVERNMENT IN THE FRAMEWORK OF THE NEW POLITICAL SYSTEM POST THE 2006 ELECTION

In the new political system in Indonesia, there are major changes that must be made in the relationship between the central and regional governments. In previous governments, our political system was characterized by the very prominent role of one winning party or the winner of independent (individual) candidates and the non-functioning of other parties. The central government is still controlled by the party that won the election, while in the Nanggroe Aceh Darussalam area almost 75% is controlled by independent or individual candidates, so the future Aceh government will absolutely control leaders who are not happy with the national party. This is the reality of what happened at the democratic party which took place on December 11 2006 peaceful regional elections in Nanggroe Aceh Darussalam. In the explanation of Law of the Republic of Indonesia Number 11 of 2006 concerning, the Government of Aceh. There are many roles that can be taken by individual candidates to control the Aceh

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government in the future because there is nothing absolute in negotiations or compromises to occupy strategic positions in the future Aceh government.

The political system so far is characterized by multi-party, which allows for democratic competition in winning elections. In governance, it is predicted that it will be difficult to win elections like in the past. So in this way, in government, both at the center and in the regions, it is possible for there to be a coalition between several political parties, apart from coalitions, it is possible for opposition to occur in the government, so the pattern that occurs in Nanggroe Aceh Darussalam is very different, the government is won by an individual or independent candidate, there is no coalition with anyone. In organizing the government because there is no merger between parties and independent candidates, in fact it would be good if there was a coalition then it would be appropriate to allow for an opposition. So that checks and controls can be carried out democratically.

With political changes like that, a relationship of mutual control of checks and balances between the central government and regional governments, between the executive and legislative institutions, and between the government and the people is unavoidable. A democratic government is when control is carried out by the people.

CHANGES IN THE PARADIGM OF CENTRAL - REGIONAL RELATIONS AFTER THE ISSUE OF THE ACEH GOVERNMENT LAW POST NAD ELECTIONS IN 2006

One of the fundamental changes was the birth of the Aceh leadership after the Aceh regional elections through independent channels and the birth of this system was due to changes in laws from Law Number 18 of 2001 concerning special autonomy to Law number 11 of 2006 concerning Aceh Government, when The echo of the UUdang is that political observers in the Veranda of Mecca area have predicted the birth of a new Aceh leader from among the people who are already allergic to the party model which has played a role in regulating society which is always restless for decades. However, the results of the Aceh regional elections on 11 December 2006, which were won by figures from the former Grakan Aceh Merdeka (GAM) group, were almost 75% controlled at all levels II in the Nanggroe Aceh Darussalam region.

From a juridical aspect, no one can challenge or deny the birth of a new non-party leader, but many observers are very doubtful about how the central government's relationship with the Aceh government will be in the future because not many people predict whether a group of former figures from banned organizations in Indonesia will win. The leader can extend the mission and policies of the central government to areas that have been hit by conflict for decades. We can see from a historical aspect that there has never been any significant change in this area where there has been conflict for quite a long time regarding the leadership of Aceh with the current pattern which was born with a new system that originates from individuals (Independent) not through political parties where negotiations for positions and government have often occurred during this time (Law No. 11 of 2006 and the Results of the 2006 Aceh Regional Election).

The fundamental changes in the field of government management today are due to a paradigm shift. Our current government management is in the process of changing this paradigm, a paradigm is a series of derivatives that formulate certain boundaries that explain to us how to carry out functions according to these boundaries (Sarji, 1996). Once a paradigm is accepted, it very strongly influences our perception of something and we will reject new ways of seeing things and new approaches to solving problems.

The reform movement that hit Indonesia after the New Order, among other things, has resulted in changes to regional government laws. Concretely, the reform movement succeeded in replacing Law number 5 of 1974 and Law number 5 of 1979 with Law number 22 of 1999 concerning regional government and specifically in Nanggroe Aceh Darussalam Province with Law number 18 of 2001 and Law number 11 of 2006 concerning Aceh Government. For parties who are not involved in regional autonomy and special autonomy issues in Indonesia, this incident raises a number of questions. Why was reform carried out towards Law number 5 of 1974? What are the conditions of regional autonomy and special autonomy and the administration of government in the regions according to this legal framework? What paradigm is adopted by Law number 5 of 1974? For the Aceh region, what substantial changes have been made by Law number 18 of 2001 concerning the Aceh government. This author is trying to answer the problems that arose during the implementation of Law number 18 of 2001 and Law number 11 of 2006, thus we as citizens of Aceh need to explore the problems that are and are developing. With this article, a little can be answered, from the introduction to the conclusion of this article (UU No. 18 of 2001).

The contents of autonomy and organizational structure are designed uniformly for a pluralistic society. The administration of government ignores the cornerstones of good governance as seen from indicators that are not accompanied by accountability and transparency. Policy and planning decision making is not based on a form of participatory democracy. The highly hierarchical and swollen bureaucratic structure in the regions as a characteristic of Max Weber's bureaucratic paradigm is no longer in line with the reinventing government paradigm (Maddick Henry, 1963). The tendency for the jurisdictional areas of various Vertical agencies to merge with the Administrative Regions is also followed by the necessity of merging the territories of the autonomous regions which are arranged in Level I and Level II Regions in decentralization with the Administrative Regions.

This model and system has a great influence on democracy and special autonomy in the regions that have been granted or legalized. Viewed from the deconcentration aspect, there is a tendency for vertical agency proliferation which in turn demands

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greater resources (human and financial). Viewed from the aspect of implementing autonomy, this model and system places the position of autonomous regions in a hierarchical manner, in general the model adheres to a priority scale for the goals of decentralization in government efficiency and national unity.

DISCUSSION

PROBLEMS AND EFFECTIVENESS OF LAW NUMBER 11 OF 2006 CONCERNING ACEH GOVERNMENT

Law Number 11 of 2006 greatly benefits the entire people of Aceh with this Law because there is another Government Regulation number 25 of 2000 concerning central and regional balance. In practice so far, many people have not been touched by this law, especially when talking about the division of finances between the center and the regions as well as between Level I and Level II regions, there are still problems and paradoxes in managing agricultural products or what is often called the results of natural resources such as those in the city of Lhokseumawe and North Aceh Regency to this day, all groups are wondering how to distribute finances, people only hear slogans but the results have never been felt evenly, starting with legislation in 2001, a new law was added regarding the Aceh government, there are many opportunities for community empowerment if the newly elected Aceh Government really implements it through the very democratic Pilkada on December 11 2006.

The principles and concept of special autonomy in Law number 18 of 2001 and replaced by Law number 11 of 2006, then Law number 25 of 1999, which are offered to the people of Aceh are still largely authoritarian in nature, especially the articles that regarding financial regulation and foreign relations as well as security, it is still very close to central policy which can no longer be offered, the community really hopes that the central government will have special autonomy and regarding the Aceh government, there will be no more intervention in the implementation of all policies implemented by the Aceh regional government. absolute decision, but there are still many articles that are closely tied to central government policy, so the author received a lot of input in completing this article regarding the system and model for implementing these laws for the people of Aceh. Local political, social and cultural figures often say in meetings and studies about the upcoming implementation of Law number 11 of 2006 based on experience and observations after the ratification of Law number 18 of 2001 concerning special autonomy and Law number 25 of 1999 concerning Financial Balance between central and regional governments for the provincial government of Nanggroe Aceh Darussalam, it is no different from other regions in Indonesia. We can see that in terms of implementation and realization of this Law, the people of Aceh actually enjoy a lot of it (UU number 25 of 1999 and Law No. 18 of 2001).

CHANGE IN ORIENTATION FROM STRUCTURAL TO PERSONAL GROUP

Since the New Order government, the government has systematically, consistently and periodically carried out development in all fields, apart from mistakes in managing national development which are considered very corrupt, development mistakes are also a determinant of the development gap between regions and between the center and regions, namely using a sectoral approach, a comparison Between the New Order and the Reform Order, there have been many changes in regional development policies to implement programs prioritized by regional governments, no longer waiting for central decisions.

In the current period of democratic transition, apart from working hard to carry out political transformation and economic recovery, we have also made a political commitment and changed the state structure and government management through the broadest possible corridors of special autonomy. Even though such spectacular efforts require the devolution of power and decentralized politics, the smell of which has so far been very suffocating in areas where the Special Autonomy Law has been passed, such as Nanggroe Aceh Darusalam and Papua. There has been debate about regional or special autonomy for almost half a century, but the issue of implementing this problem is still going backwards, aka hanging in place, now we ask whether we will be able within the next year to develop steps to implement the whole Law Number 11 of 2006 concerning the Government of Aceh because previously there was Law Number 18 of 2001 concerning Special Autonomy and Law Number 25 of 1999 concerning the financial balance between PSA and the Regions. and policy on the matter will be a hot ball for the current trusted government.

Regardless of the various issues that have arisen, the importance of this commitment can be seen from the unanimous consensus behind many issues, where many people are having disagreements, but regarding regional or special autonomy, we have both agreed that the role of the center should be reduced and the regions should be enlarged. , in the process also aims to restore justice and balance. This condition must be even sharper if we look at our area of Nanggroe Aceh Darusslam, where many candidates from the former Aceh Merdeka Movement have just finished with the regional elections. There are various obstacles in implementing autonomy, but we must implement it thoroughly (Ndraha, 1997).

GENERALIZATION AND FUTURE TRENDS

From the description above, overall a preliminary conclusion can be drawn that the characteristics of decentralization and Special Autonomy are much more complex than what has been understood so far, at the reality level, as occurred in the Regional Head Election in Nanggroe Aceh Darussalam on December 11 2006 starting The appointment of Governors and Regents/Mayors turns out that the implementation of Law Number 18 of 2001 and Law Number 11 of 2006 is very effectively carried out by community groups who are identical to the former Aceh Merdeka Movement to become government holders in Aceh for the current period.

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What is obtained is not the slightest waste of existing opportunities, however, many of them are also characterized by bargaining (gaining) between the central elite and regional elites to seize power, almost certainly the level of analysis of central-regional political elites or what are often called political actors at the central-regional level. regions are far from the expected results, especially at the governor's level which is very full of central interests. The key to understanding this phenomenon lies in what is mentioned (Bates, 1981; 8). The relative capacity of local actors to make autonomous choose, which seems to have received less attention from previous analysts.

The wave of political reform following the end of the New Order regime and conflict on August 15 2005 was signed by both parties in a peace MOU in Helsinki. Finland between the Government of the Republic of Indonesia and the Aceh Merdeka Movement (GAM) has certainly given the people of Aceh hope to organize a better future, and enjoy the implementation of Law Number 18 of 2001 and Law Number 25 of 1999 as well as Law -Law Number 11 of 2006. Of course, in this initial conclusion, it is still too early to see the problems that occurred in total reform at the beginning of the new Aceh government movement. In the author's opinion, what can be expected in the near future from the group movement that won the regional head election What has just happened is encouraging the acceleration of the transition process from the Patrimonial Political Structure model to the Non-Patrimonial Structure model (Crouch, 1979). If this tendency occurs, then one of the implications for local elites is their opportunity to win the hearts of the people and maximize alliances with certain groups in society and take advantage of personal relationships and groups in power with the central elite in order to take strategic steps forward in developing Aceh and its people are now trusted.

CONCLUSIONS

From the arguments above, as part of the reconstruction of the national political system towards the revival of local political elites, the argument is that with the enactment of Law number 18 of 2001 and Law number 11 of 2006, leaders were born for the future Aceh government, as an initial stage. The implementation of the above law still has much to be perfected in its implementation. Implementing regulations serve as an umbrella for the implementation of the Special Autonomy Law and UUPA stipulated by the central government.

One of the most exciting and crucial things is that the Aceh government has the opportunity to compete in producing regional regulations, financial balance for natural resources, business relations with foreign countries and so on. There is still much that needs to be done in order to improve the welfare of society as a whole. Thus, the benefit of implementing this law is that the Aceh government in the future just needs to organize and make policies so as not to be hampered by the central government in the approach with Jakarta which is really carried out if there are not so many obstacles in implementing priority programs by the government that was elected through the NAD regional elections a few months ago. .

That is what the author can describe in this conclusion to become reading material for the general public and the author hopes for educational criticism for the perfection of this writing as well as many analyzes that have not yet reached the readers' expectations.

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