

Dynamics of Asymmetric Decentralization on the Implementation of Regional Autonomy in Aceh

Wais Alqarni ¹, Muhammad Suhail Ghifari ², Yuspani Asemki ³, Muhammad Rizki ⁴, Bela Safira ⁵, Isti Nindiah ⁶, Melida Rosa ⁷, Nuzulul Rahmi ⁸, Restu Fadhil ⁹, Wahyuni ¹⁰

¹ Department of Government Science, Universitas Syiah Kuala, Indonesia

² Programme of Study of Political Science, The National University of Malaysia, Malaysia

³ Master of Government Affairs and Administration, Universitas Muhammadiyah Yogyakarta, Indonesia

⁴ Department of Sociology, Universitas Syiah Kuala, Indonesia

^{5, 6, 7, 8, 9, 10} Department of Government Science, Universitas Syiah Kuala, Indonesia

*Corresponding Author: waisalqarni@unsyiah.ac.id

Article Info

Article History;

Received:

2022-01-23

Revised:

2022-05-19

Accepted:

2022-07-07

Abstract: The asymmetric decentralization developed from the asymmetric federation concept introduced by Charles Tarlton in 1999, not the usual delegation of authority of transfers but special powers that are only given to specific regions in Indonesia, one of which is Aceh. This paper aims to see the Law on Governing Aceh after the Helsinki MoU. This research method used a literature study with solid and accountable references. The theory of asymmetric decentralization and the implementation of Edward III's policies became a 'knife' to analyze this phenomenon. As for the findings, the dynamics of asymmetric decentralization in Aceh have not run optimally because the variables of communication, resources, disposition, and bureaucratic structure have not been running well. Therefore, an agreement and understanding are needed with all stakeholders, from the central government, local governments, non-governmental organizations, and the wider community, to realize stable asymmetric decentralization and impact people's welfare by carrying out these variables.

Keyword: *Asymmetric Decentralization; Aceh Government; Implementation of the Law on the Government of Aceh.*

DOI: <https://doi.org/10.18196/jgpp.v9i3.13769>



This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License.

INTRODUCTION

The regional autonomy system that has existed for a long time in Indonesia provides space for each region to develop and run its wheels of government. However, there have been ups and downs in implementing regional autonomy because of the tug-of-war between the central and regional governments (Sufianto, 2020), influenced by every policy the head of state issued in each term of office. This delegation of authority is known as decentralization. In line with Bonso & Suranto (2014), decentralization is vital because a democratic government prioritizes people's interests and does not require centralizing state power. Decentralization itself is divided into two, namely, symmetrical and asymmetrical decentralization. Symmetrical decentralization applies to all regions in Indonesia.

Meanwhile, asymmetric decentralization is a special delegation of authority given by the central government to certain regions. According to Suwanda (2020), asymmetric

decentralization takes special autonomy adapted to the characteristics of a region in its application to a country. The granting of asymmetric decentralization for several regions, including Aceh, Jakarta, Yogyakarta, Papua, and West Papua. Asymmetric decentralization is motivated by five main factors (Tauda, 2018), including the following: 1) Separatist movements and conflicts; 2) The capital city of the country; 3) History and culture; 4) Border; 5) As a center of economic development.

The five factors above are the basis for some of these regions to get privileges in carrying out their government. For Aceh, asymmetric decentralization is an aspiration that the Acehnese people have been aiming for in the past. The ceasefire and separatist movement became a bridge for negotiation for the specifics of Aceh. A long struggle that has shed so much blood is an inseparable part of what Aceh is currently getting. Therefore, a binding regulation is necessary to make laws for each region. For Aceh, Law Number 11 of 2006 plays a vital role in the governance of Aceh in many aspects, from religion to politics. Law Number 11 of 2006 also cannot be separated from the Helsinki MoU agreement, which ended Aceh's conflict. Several policies by the power holders at that time were considered detrimental to Aceh's people. Therefore, the people rebelled. However, the central government's attitude also did not show a solution that could intervene and end the conflict. So the conflict continued with all the pros and cons from the central government and the people of Aceh.

Today, all lines of governance have guidelines in Law No. 11 of 2006, which was later strengthened by the existence of Qanun. Government management after the stipulation of Aceh as one of the regions that get this specialty provides a wider space for the government to develop itself better and apply the values closely held by the community into one rule. Among them are Islamic and cultural customary values realized both in regulations and as an institution.

The 1945 Constitution regulated decentralization and local government units in Indonesia. The regulation on asymmetric decentralization can be found in Article 18A paragraph (1), which contains the relationship between the central government and the provincial, district/municipal governments regulated in law by looking at the areas' privileges and specificities. Article 18B paragraphs (1) and (2) contain (1) the state must respect and recognize regional governments that have special or special characteristics regulated in the law, (2) the state respects and recognizes customary law communities along with their values following the community and also the principles of Indonesia according to the law.

The decentralization process has taken place on a large scale, starting from the era of President Habibie through Law no. 22 of 1999 concerning regional government. Furthermore, in the Megawati era, revising the implementation of decentralization through Law No. 32 of 2004 concerning regional government. Asymmetric decentralization is broad in scope but does not have to be uniform or aligned for the regions, considering each region's specificities. Asymmetric decentralization has started in Indonesia, regions with special autonomy such as Papua, DKI, DIY, and Aceh. Asymmetric decentralization is the implementation of a special delegation of authority that will only be given to certain regions within a country, considered an alternative used to solve a problem, namely the relationship between the central government and local governments. (Hasan: 2010). This special autonomy is more of a comprehensive strategy for the central government in providing trust and embracing regions that want to separate themselves from Indonesia (Huda: 2016)

Asymmetric decentralization has not been fully implemented according to the wishes and expectations, resulting in several problems that often arise. However, at least the government continues to try to find the best form for the welfare of its people (Nasution, 2016). The most basic problem results from much overlap in laws and regulations between the center and the regions. Implementing decentralization has a positive impact if the process goes as expected. One of the positive impacts arising from the implementation of decentralization is in the political field, where the regions will be more active in the regional management process because most of the decision-making and policy are regulated and run by the regional government. Hence, it will be easier for the government to manage the region.

The dynamics in implementing asymmetric decentralization can be seen through the delegation of authority or government affairs carried out by local governments by looking at the

authority used to regulate and manage their government affairs. This concept has become a national policy choice used to create a democratic process that is useful for achieving mutual prosperity at both the local and national levels. So, in this case, the rational choice must be made to give autonomy to regions with specificities and privileges. (Abraham:2007)

In order for the dynamics of the implementation of asymmetric decentralization to run well, it is necessary to identify the elements that can be used in forming a regional government so that it can be referred to as an entity of the government that can be used as a basis for making improvements. An arrangement and also this change must follow the dynamics of existing needs.

In this case, seven elements can be used as a basis for improvement: government affairs, financial affairs, regional representative affairs, public service affairs, institutional affairs, and personal affairs, as well as supervisory affairs. These seven elements will impact the birth of democratization and prosperity at the local level. Therefore, the improvement and arrangement of these seven elements must be carried out continuously so that achieving goals will be easier to obtain (Abraham:2007).

RESEARCH METHOD

A research method can be interpreted as commonly used by researchers in data collection. It solves a problem by using scientific methods that can develop knowledge. The research method can also be carried out directly on an object or a plan previously prepared or determined in advance, following the problems that are the focus of this research, a descriptive description of the dynamics of asymmetric decentralization in implementing autonomy around Aceh.

In this research, the method used was library research. Library research, often referred to as literature study, collects library data by reading, recording, and managing research materials. According to Mahmud, library research is conducted by reading books, magazines, and other sources to find data from various literature (Putri, 2019). In research with literature research, there are several stages that research authors must take, including: first, collecting research materials, usually from books, journals, results of scientific research reports, and other literature as a support material for study. The second is reading library materials. The third is making research notes, and the fourth is processing research notes (Darmalaksana, 2020)

RESULT AND DISCUSSION

Good governance is close to the people, reflecting the spirit of the policy reform agenda towards a decentralized system that is taking place in various parts of the world—referring to the statement of Samuel P. Huntington. The change towards decentralization allows democratization. Therefore, what are the implications of decentralization for governance in Indonesia, especially in the regions? Decentralization is handing over political, financial, and administrative authority and responsibility from the central government to regional governments, which has become the agenda in development in developing countries. Decentralization has become the most important part of governance reform in various countries, from Latin America, Africa, and Asia to Eastern Europe. Likewise, in Indonesia, where the decentralization system has been running for quite a long time, starting in the 1990s, it became a turning point in the struggle of the Indonesian people, which brought quite a positive impact.

These changes have referred to the relationship between the central and regional governments in a more democratic direction by widening the gates of decentralization. With a change in a system, it will automatically turn a system that was previously centralized into a more decentralized one. As we all know, this decentralization has caused a paradigm shift that has led to changes in the government system in Indonesia. The delegation of authority from the central government to regional governments is a way to eliminate an authoritarian system of government.

Law Number 23 of 2014 concerns regional government article 1, paragraph 8, where decentralization is the transfer of government affairs by the central government to autonomous regions based on the principle of autonomy. As time goes by and changes in governance, another variant of decentralization has emerged. Asymmetric decentralization is characterized by special autonomy. Moreover, certain regions are only given to maintain an area within the realm of the Unitary State of the Republic of Indonesia.

The delegation of power in the form of asymmetrical decentralization is not something that looks normal in general. However, it is implemented to re-embrace the troubled regions with the central government to return to the motherland. In addition, to maintain a local identity and a fairly thick and distinctive culture.

Decentralization, symmetric or asymmetric, is a discussion that is quite serious in the study of politics and government. Indonesia is a country that has a variety of diversity and characteristics that differ from one another. where these characteristics include geographic distribution, demographic distribution, and economic distribution. The agreement to make Indonesia into a unitary form makes the tug-of-war between the center and the regions full of political and economic considerations (Bayu, 2018).

Asymmetric decentralization is a new opportunity for Indonesia to regulate relations between the center and the regions. Apart from Jakarta, the asymmetry given to Aceh, Papua, West Papua, and Yogyakarta is more reactive because it results from a compromise on various demands from the regions that cause long tensions, which have not even been completed for Papua. Therefore, the basic argument of this paper is:

1. Asymmetric decentralization has been a long process since the colonial period;
2. Space for asymmetric decentralization has always been guaranteed in the four constitutions that have been in force in Indonesia. Third, asymmetric decentralization must be a related policy-making mindset to central-regional relations and not reactive because of regional demands.

Based on Indonesian laws and regulations, regions that have received asymmetric decentralization are Aceh, Papua & West Papua, DKI Jakarta, and DI. Yogyakarta. The underlying difference is that the first is through soft power in Yogyakarta and Jakarta, where it is given voluntarily to the area due to their uniqueness, such as the capital city of the state and quite capable socio-cultural conditions. While the second method is the hard power approach, which happened in Aceh and Papua, where the state gives specificity due to a separatist action and the dynamics of the conflict are quite high. The specifics taken by the central government are a middle-ground step used to resolve various regional problems concerning the security and unity of the Unitary State of the Republic of Indonesia.

Central Regulations and Regional Regulations

In Law Number 5 of 1974, concerning regional government, decentralization is the transfer of government affairs from the government or regional superiors to the regions as household affairs. In a decentralized system, the central government gives authority to local governments to carry out development. However, all activities carried out by local governments remain under the supervision of the central government. The decentralized system prioritizes coordination between one institution and another rather than command. The form of application of the decentralized system is regional autonomy.

After the amendment of the 1945 Constitution, Regional Regulations were confirmed as stated in Article 18 paragraph (6), which reads in full; Regional governments have the right to stipulate regional regulations and other regulations to carry out autonomy and assistance tasks. As the main basis for the authority of the DPR in proposing a Draft Law, it is stated in Article 20 paragraph (1) that the House of Representatives holds power to make laws. Furthermore, Article 21 states that members of the House of Representatives have the right to submit proposals for draft laws. Based on Law Number 9 of 2015 concerning Regional Government, the duties and authorities of the DPRD include:

- a. Making a regional regulation that is discussed with the regional head for mutual approval;
- b. Discussing and approving the draft regional regulation concerning the Regional Revenue and Expenditure Budget together with the Regional Head;
- c. Supervising Regional Regulations and other laws and regulations, Governor's Decrees. Regents and Mayors, Regional Revenue and Expenditure Budgets, Regional Government Policies, and International Cooperation.

The legal system ensures that rights are respected and that obligations arising from the rights in question are fulfilled. The main objective of the political system is to satisfy collective and individual interests. Although the legal and political systems can be distinguished, they often overlap in many ways. To avoid complex regional regulations and get support from the community, legal politics in making regional regulations must be in line with the theory of legal objectives, namely that the regulations made must provide justice, provide legal certainty, and have practical value.

This asymmetric decentralization solves a problem where decentralization cannot be implemented evenly in all provinces in Indonesia. Therefore, in this case, we will see to what extent this asymmetric decentralization policy influences local government. Will this policy have a positive or a more dominant negative impact? Aceh is located on Sumatra Island and the western end of the Republic of Indonesia. Aceh and the Republic of Indonesia historically used to have a less than harmonious relationship. In 1949, there was a conflict carried out by Daud Beureueh, then Kartosuwiryo, with his Islamic State until the last one was the Free Aceh Movement (GAM).

The various upheavals aim to uphold Islamic law above national law and constitution. From the conflict, the central government has suppressed various such separatist activities— from deliberative or soft power efforts in a diplomatic way to hard power through DOM (military operations area) policies.

From a historical perspective, “Aceh, also known as the Veranda of Mecca, has a less harmonious record with the Unitary State of the Republic of Indonesia. This historical evidence can be mentioned in several conflicts in Aceh since before 1949 by Daud Beureueh, with the Islamic State to Hasan Tiro with the Free Aceh Movement (GAM).

Even on some sides, the demand to enforce Islamic law above the law and national consensus tends to have a destructive impact and disintegration. Various deliberative efforts or using soft power through diplomacy to military operations through the establishment of Military Operations Areas (DOM) have been taken to reduce conflict and to maintain the integrity of the Unitary Republic of Indonesia. At least the upheaval in Aceh with its separatism has become a big potential for Indonesia, which is certainly exhausting for the central government in its holistic efforts. Regardless of the conflict attached so far, Aceh must be maintained in any way” (Andhika, 2018).

Realization of asymmetric decentralization policy in Aceh

After the implementation of the MOU-Helsinki in Aceh, the Acehese government structure underwent many changes, such as politics, governance, economy, and public administration throughout the province of Aceh. This change is a consequence of the Aceh government law Number 11 of 2006, whose biggest mandate is to provide services to the community to achieve prosperity through development in all lines of life (Alfiady and Dewi: 2020). The forms of asymmetric decentralization are as follows:

Special Autonomy Fund

Regarding special autonomy funds under Article 183 paragraph (2), Number 11 of 2006, concerning the Government of Aceh, special autonomy funds for Aceh are given from 2008 to 2028 for twenty years. The amount of funds received by the Aceh Province for the first five years up to the fifteenth year is equivalent to 2 percent of the General Allocation Fund for the National, while for the fifteenth year and after that, it is 1 percent of the General Allocation Fund. Since the special autonomy funds were given between 2008-2021, the Aceh government has spent a budget of 92 trillion (Bappeda Aceh, 2022).

Although the budget is huge, it does not make the community prosperous. Even sad, based on data from BPS Aceh (2021), Aceh became a province with a poor population of 15.53 percent in September 2021, or equivalent to 850 thousand people. It has made Aceh the poorest province in Sumatra and is included in the top 5 with the highest number of poor people in Indonesia (Detik News, 2021).

Aceh Local Institution

The Wali Nanggroe Institution is an institution that stands as a symbol of Aceh's uniqueness, which is an independent institution, not a political institution or government institution. The Wali Nanggroe Institution is a customary leadership institution with the authority to regulate the implementation of customs, awarding titles/dignity, and other traditional ceremonies per Aceh Government Law No. 11 of 2006 Article 96. Currently, the Wali Nanggroe institution is led by Tengku Malik Mahmud Al-Haytar.

The Wali Nanggroe Institution functions and has a role as a channel for people's participation in the administration of Aceh's government, both at the provincial and district/city levels. The role of the *nanggroe* guardian consists of various fields, such as security, harmony, peace, order, and resolution of social conflicts in the community. This traditional institution oversees several organs, including the Aceh Customary Council (MAA), *Imuem Mukim*, *Keusyik*, *tuha peut*, *tuha lapan*, *imuem meunasah*, *keujreun balang*, *panglima laot*, *handler glee* (Abdullah, 2016). This institution is expected to be the spearhead of Aceh's development in the fields of culture, conflict resolution, and harmony. However, in practice, it still seems to be stuck in place. There is a need for more progressive ways and strategies to make this institution of more value to the community. Otherwise, it will forever be just a symbol.

Wali Nanggroe is one of the specialties and privileges of Aceh that the law mandates. The role of *wali nanggroe* needs to be scrutinized and discussed again. The researchers agreed with what was conveyed by Ghusyani (2017) that if there is a distortion of authority that contrasts the role of the *wali nanggroe*, it raises the public assumption that the Wali Nanggroe institution is only a pattern of power wrapped in custom.

Local Political Parties

Local political parties are regulated in Law no. 11 of 2006 concerning the Aceh government. Furthermore, it is regulated in the Government Regulation of the Republic of Indonesia Number 20 of 2007 concerning Local Political Parties in Aceh. Local political parties in Aceh are located as organizations that are authorized by law to achieve political positions in a constitutional manner (Edwin: 2010). As local Aceh political parties also exercise authority as national parties, local Aceh parties are limited. In their vision and mission, local Acehnese parties are allowed to accommodate the values of Acehnese local wisdom and religious values.

At the beginning of local parties, dozens of local parties were formed in Aceh. At that time, Twenty local political parties registered with the Ministry of Law and Human Rights, but after going through various administrative stages, only 12 parties met the complete requirements, including Partai Aceh Aman Sejahtera (PAAS), Partai Pemersatu Muslim Aceh (PPMA), Partai Rakyat Aceh (PRA), Partai Aliansi Rakyat Aceh (PARA), Partai Aceh (PA), Partai Darussalam, Partai Daulat Aceh (PDA), Partai Aceh Meudaulat (PAM), Partai Bersatu Aceh (PBA), Partai Suara Independen Rakyat Aceh (SIRA), Partai Serambi Persada Nusantara Serikat (PSPNS), Partai Generasi Aceh Beusaboh Thaath dan Taqwa (Gabthat). However, of the 12 parties, only 6 local parties could fulfill the next stage which later became participants in the 2009 general election: Partai Aceh, Partai Aceh Aman Sejahtera, Partai Bersatu Aceh, Partai Suara Independen Rakyat Aceh, Partai Rakyat Aceh, dan Partai Daulat Aceh, (readers. id, 2021).

Meanwhile, in 2014, local parties that participated in the Presidential Election and Legislative Election contest decreased to only 3 parties, including Partai Aceh, Partai Nasional Aceh (PNA), and Partai Damai Aceh (Tribunnews, 2013). Only the Partai Aceh could meet the election threshold of the three parties, so they continued to contest with the same vehicle. Meanwhile, the Partai Damai Aceh could not meet the parliamentary threshold, so it changed its name from the Partai Daulat Aceh to the Partai Aceh. Although structurally still filled with the same names as before, it was done to contest in the 2014 Election. The colors and abbreviations of the same party are used, namely PDA. This step facilitated the constituents' memory in the previous general election and has become the hallmark of this party since its inception. The third party is the Partai Nasional Aceh. It is a new party as a participant in the General Election. Partai Nasional Aceh has become a place of escape for former combatants and civilians who did not have a structural position in the Aceh Party.

In the last 2019 general election, local parties participating in the general election increased by 1 party to 4. Among them are the Partai Aceh, Partai Nanggroe Aceh, Partai SIRA, and Partai Daerah Aceh (Aceh Kini, 2019). The Partai Aceh is the only one that consistently meets the election threshold, so it can continue to contest using the same party name, color, and party abbreviation. The others must replace a different name, although they still use the same abbreviation and color. Where the Partai Nanggroe is a party that was formerly known as the Partai Nasional Aceh, the Partai Daerah Aceh was previously called the Partai Damai Aceh. At the same time, the Partai SIRA did not replace it with another abbreviation, instead doing the opposite, namely not using the abbreviation, the Partai SIRA. (Kba One, 2017). Party administrators do not want to be separated from the party's identity. Changing the party's name is the only way to circumvent the regulations.

For the upcoming 2024 General Election, there are 17 local parties registered with the Ministry of Law and Human Rights of the Republic of Indonesia in Aceh, consisting of the Partai Aceh, Partai Nanggroe Aceh (PNA), Partai Daerah Aceh (PDA), Partai Sira, Partai Damai Aceh, Partai Gabungan Rakyat Aceh Mandiri (GRAM), Partai Daulat Aceh, dan Partai Adil Sejahtera (PAS) Aceh. Next Partai Islam Aceh (PIA), Partai Generasi Atjeh Beusaboh Tha'at dan Taqwa (GABTHAT), Partai Aliansi Rakyat Aceh Peduli Perempuan (PARA), Partai Lokal Aceh (PLA). Then the Partai Bersatu Aceh (PBA), Partai Aceh Mendaulat (PAM), Partai Pemersatu Muslimin Aceh (PPMA), Partai Darussalam, dan Partai Rakyat Aceh (PRA). The 17 parties will register as election participants for the upcoming period (Info Publik, 2022). However, to be eligible to participate in the General Election, one must pass factual verification first.

Flags and Coats

Based on Law no. 11 of 2006 concerning the government of Aceh, which is related to the symbol and flag of Aceh. In UU PA, flags and symbols are regulated in article 226, which explains that the symbols reflect the privileges and specialties of Aceh. The symbol referred to here does not mean a symbol of regional sovereignty. However, this symbol represents Islam and upholds the public's interests.

Although the Qanun on flags has been ratified, some polemics are still at the implementation level. The occurrence of pros and cons related to symbols and the Aceh flag is increasingly making the polemic seem endless. Some argue that the flag should be flown due to an order from the Aceh Qanun Number 3 of 2013 concerning the Aceh Flag and Coat of Arms (Serambinews.com, 2021). Even though regulated from a juridical perspective, it is also necessary to pay attention to state administration practices, not to create national political instability with the hope that separatism will re-emerge in Aceh (Wijaya et al., 2016).

Therefore, the author agrees with Ridwansyah (2016) that the government needs to review the rules. It aims to achieve justice, legal certainty, and legal benefits that lead to the productivity of government performance because it is not focused only on symbols and flags. If done, the government's work will focus on fulfilling public services and providing welfare to the people of Aceh.

Islamic Law in Aceh

In regulating Islamic law as widely as possible in Aceh, the Aceh government, based on Aceh Qanun Number 13 of 2016, established the Islamic Syariat Service, followed up with the Governor's Regulation of 2016 number 131 of 2016 concerning the position, organizational structure, functions, duties, and work procedures of the Islamic Shari'a Service (DSI). DSI has the duty and authority to carry out government affairs related to Islamic law, including aqeedah, sharia, and morality.

Furthermore, there was a change in the structure of DSI, which was unable to take action too far and reach its duties. DSI transferred its authority becomes Wilayatul Hisbah (WH) which acts as a unit of supervision and action against violators of the rules stipulated following the provisions of Islamic Shari'a. The Syar'iyah Court (MS) is also one of the complete institutions in implementing Aceh's special autonomy. The Sharia Court is a development of the Islamic Courts. So far, the institution of the Syar'iyah Court in Aceh is under the Vertical agency and has not been able to carry out its duties with absolute certainty. The influencing factors are inadequate human

resources and control over the volume and types of cases under the authority of the Syar'iyah Court.

Social Affairs

Law No. 11 of 2006 concerning the government of Aceh gives the authority to organize and manage health services according to the principles that apply in Aceh. Health development in Aceh, as stated by (Khairunnisa: 2015), is based on the values of humanity, empowerment, independence, fair and equitable (equity), prioritizing (quality) and benefits (beneficiary) targets that are in line with existing local wisdom (Islamic law and customs). Thus, all residents in Aceh have the opportunity to access quality, fair and equitable health services.

In the field of education, Dayah Education is one of the peculiarities of Aceh's local wisdom. This specialty is accommodated in 228 Laws on the Government of Aceh. However, there has been a dualism of authority between the Ministry of Religion and the Dayah Education Office. According to the Law of the Government of Aceh, Aceh Province is given privileges in managing natural resources, including land. Article 16 of the Law on the government of Aceh explains that several mandatory affairs under the authority of the Aceh government include land services on an Acehese scale or across districts/cities. At the same time, Article 17 of the Law on the Government of Aceh also explains that the Aceh government's mandatory authority is to provide services at the regional level.

The granting of asymmetric decentralization to Aceh has given legal authority to develop a unique development model and direction of Aceh's governance based on local wisdom and community culture by instilling strong Islamic and customary values. Asymmetric decentralization in Aceh is the legal and formal application of Islamic law. Its provisions become the basis for daily actions, forming local political parties, regional expansion in districts/cities, sub-districts, *mukims*, *kelurahan*, or *gampongs*, and the manufacture of legal products similar to regional regulations called *Qanun*. After going through such a long and difficult period of conflict, an agreement was finally made, called the MOU-Helsinki agreement, containing details about what the Acehese people and the Indonesian government needed.

This agreement step was taken as an effort so that the Indonesian government could maintain Aceh's existence and remain in the motherland's lap. Looking at the constitution of the Republic of Indonesia, where the specificity of Aceh is enshrined in Law No. 8 of 2001, the most fundamental is that local government receives the widest opportunity to regulate and manage their household, including in the fields of economy, natural resources, human resources, and regional politics.

This specific policy is also implemented in traditional institutions, namely Wali Nanggroe and Tuha Nanggroe, where these institutions are independent. However, this institution is not vital in carrying out its duties and is merely a symbol for the people of Aceh so that their functions and duties are less visible in the community. In addition, in terms of governance, where the province of Aceh has fairly broad authority, all government is regulated by the regions. The central government only has authority over several matters, including defense, security, religion, fiscal, education, and foreign policy. However, even so, the regional government has not been able to overcome the various problems in the region. In this case, we still encounter many corrupt practices that ensnare regional heads and various governance issues that have not been carried out optimally by regional officials.

Kesuma in Shoesmith et al. (2020) said that the most significant gap in the decentralized government model is its failure to consider serious regional differences in capacity and resources, especially human resources. This decentralization policy must still receive concrete supervision from the central government so that various irregularities and irregularities can be neutralized. Moreover, regulations also need to be improved to create good governance.

CONCLUSION

Asymmetric decentralization is a solution given to an area because of history or problems in the government. However, Aceh, as one of the provinces with special autonomy status, has also not been fully able to provide changes that are quite good or follow community expectations. The

variables of communication, resources, disposition, and bureaucratic structure, have not been running well there. Therefore, an agreement and understanding are needed with all stakeholders, from the central government, local governments, non-governmental organizations, and the wider community, to realize stable asymmetric decentralization and impact people's welfare by carrying out these variables. Therefore, special autonomy can hopefully be implemented properly following the 1945 Constitution. In particular, the law of the Government of Aceh Number 11 of 2006 provides benefits and welfare to the people of Aceh. All who live in Aceh are children of the nation who should have rights according to the law.

REFERENCES

- Abdullah, M. A. (2016). Kedudukan Wali Nanggroe Setelah Lahirnya Undang-Undang Pemerintahan Aceh. *Kanun Jurnal Ilmu Hukum*, 18(2), 279-287.
- Aceh Kini (2017, April 9) Mengenal Partai Lokal di Pemilu 2019 Dari Eks GAM Sampai Santri <https://kumparan.com/acehkini/mengenal-partai-lokal-di-pemilu-2019-dari-eks-gam-sampai-santri-1qr41N8ZcB5>
- Alfiady, T., & Dewi, R. (2020). Otonomi Khusus dan Kemiskinan di Aceh: Gambaran Kemiskinan Pelaku Usaha Batu Bata di Desa Ulee Pulo Kecamatan Dewantara Kabupaten Aceh Utara. *Jurnal Jurnalisme*, 9(1), 38-61.
- Pratama, A. Y. (2016). Pelaksanaan Desentralisasi Asimetris Dalam Tata Kelola Pemerintahan Daerah Di Era Demokrasi. *Jurnal Ilmiah Pendidikan Pancasila dan Kewarganegaraan*, 28(1).
- Bappeda Aceh (2022, Februari 18) Bappeda Aceh Gelar RDP Bahas Keberlanjutan Dana Otsus Aceh. <https://www.acehprov.go.id/berita/kategori/pemerintahan/bappeda-aceh-gelar-rdp-bahas-keberlanjutan-dana-otsus-aceh#:~:text=Kemudian%20dalam%20periode%202008%2D2021,telah%20mencapai%20sekitar%20Rp92%20triliun.>
- Bonso, H., & Lawelai, H. (2020). Efektivitas Pembuatan Peraturan Daerah Khusus Di Provinsi Papua: Studi Majelis Rakyat Papua. *Jurnal Studi Ilmu Pemerintahan*, 1(2), 30-45.
- CNN Indonesia (2021, Desember, 29) Pengibaran Bendera Bulan Bintang di Aceh 4 Desember Berbuntut Panjang <https://www.cnnindonesia.com/nasional/20211229160344-12-740179/pengibaran-bendera-bulan-bintang-di-aceh-4-desember-berbuntut-panjang>
- Dardias, B. (2012, November). Desentralisasi Asimetris di Indonesia. *Tulisan ini disampaikan dalam seminar di LAN Jatinangor tanggal* (Vol. 26).
- Ghulsyani, H. (2017). Peran Wali Nanggroe dalam Pembangunan Politik di Aceh.
- Info Publik (2022, Maret 2) Belasan Partai Politik Lokal di Aceh Siap Ikut Pemilu 2024 <http://infopublik.id/kategori/nusantara/610846/belasan-partai-politik-lokal-di-aceh-siap-ikut-pemilu-2024?show=>
- Kba.One (2017, Oktober 12) Kembalinya Partai Tua ke Kancah Politik Aceh <https://www.kba.one/news/kembalinya-partai-tua-ke-kancah-politik-aceh/index.html>
- Khairunnisa, C. (2018). Eksistensi dan Peranan Kepala Dinas Kesehatan dalam Meningkatkan Pelayanan Kesehatan Di Provinsi Aceh. *AVERROUS: Jurnal Kedokteran dan Kesehatan Malikussaleh*, 2(1), 17-28.
- Darmalaksana, W. (2020). Metode Penelitian Kualitatif Studi Pustaka dan Studi Lapangan. *Pre-Print Digital Library UIN Sunan Gunung Djati Bandung*.
- Detik (2022, Februari 22) Data BPS: Aceh Masuk 5 Provinsi Miskin di Indonesia. <https://news.detik.com/berita/d-5925014/data-bps-aceh-masuk-5-provinsi-miskin-di-indonesia>.

- Driyartana, E. Y. (2010). Kedudukan Partai Politik Lokal di Nanggroe Aceh Darussalam Ditinjau dari Asas Demokrasi.
- Huda, M. A. (2016). *Penerapan Otonomi Khusus di Daerah Aceh dalam Rangka Penguatan Negara Kesatuan Republik Indonesia* (Doctoral dissertation, UII).
- Ridwansyah, M. (2016). Mewujudkan Keadilan, Kepastian dan Kemanfaatan Hukum dalam Qanun Bendera dan Lambang Aceh. *Jurnal Konstitusi*, 13(2), 278-298.
- Sanur, D. (2020). Implementasi Kebijakan Otonomi Khusus di Aceh [Implementation of Special Autonomy Policies In Aceh]. *Jurnal Politika Dinamika Masalah Politik Dalam Negeri dan Hubungan Internasional*, 11(1), 65-83.
- Nasution, A. H. (2016). Otonomi Daerah: Masalah dan Penyelesaiannya di Indonesia. *Jurnal Akuntansi (Media Riset Akuntansi & Keuangan)*, 4(2), 206-215.
- Nuradhawati, R. (2019). Dinamika Sentralisasi Dan Desentralisasi di Indonesia. *Jurnal Academia Praja*, 2(01), 152-170.
- Pratama, A. Y. (2016). Pelaksanaan Desentralisasi Asimetris Dalam Tata Kelola Pemerintahan Daerah di Era Demokrasi. *Jurnal Ilmiah Pendidikan Pancasila dan Kewarganegaraan*, 28(1).
- Putri, A. E. (2019). Evaluasi Program Bimbingan dan Konseling: Sebuah Studi Pustaka. *Jurnal Bimbingan Konseling Indonesia*, 4(2), 39-42.
- Readers.id (2021, Juni 27) Sejarah Lahir Partai Politik Lokal di Aceh
<https://www.readers.id/read/sejarah-lahir-partai-politik-lokal-di-aceh/>
- Reny, R. (2009). Menilai tanggung jawab sosial peraturan daerah. *Jakarta: Pusat Studi Hukum dan Kebijakan Indonesia (PSHK)*, Jakarta, 60.
- Shoesmith, D., Franklin, N., & Hidayat, R. (2020). Decentralized Governance in Indonesia's Disadvantaged Regions: A Critique of the Underperforming Model of Local Governance in Eastern Indonesia. *Journal of Current Southeast Asian Affairs*, 39(3), 359-380.
- Sufianto, D. (2020). Pasang Surut Otonomi Daerah Di Indonesia. *Jurnal Academia Praja*, 3(02), 271-288.
- Suwanda, D. (2020). Decentralization of Fiscal Asymmetric for Community Well-Being: Evidence from Aceh Province, Indonesia. *Jour of Adv Research in Dynamical & Control Systems*, 12(6).
- Tauda, G. A. (2018). Desain Desentralisasi Asimetris Dalam Sistem Ketatanegaraan Republik Indonesia. *Administrative Law & Governance Journal*. Vol.1,413-435.
- Tribunnews (2013, Januari 10) Tiga Partai Lokal Aceh Resmi Jadi Peserta Pemilu
<https://www.tribunnews.com/regional/2013/01/10/tiga-partai-lokal-aceh-resmi-jadi-peserta-pemilu>
- Wijaya, E. (2016). Problem Pengesahan Bendera Aceh dalam Negara Kesatuan Republik Indonesia (Pemetaan Permasalahan). *Padjadjaran Journal of Law*, 3(1), 154-172.