QUO VADIS ACEH IS A SPECIAL AUTONOMOUS REGION IN THE STATE OF THE REPUBLIC OF INDONESIA

Muhammad Heikal Daudy

ABSTRACT

Objective: This study aims to re-actualize Pancasila as a state ideology, especially the 3rd principle, namely Indonesian Unity. The meaning of unity is considered to be fading given the existence of Aceh, which in the past eighteen years has seen its status degraded, both explicitly and implicitly, especially about Aceh’s authority as a special autonomous region.

Theoretical framework: this study compares constitutional theory through the text and context of Article 18B paragraph (1) of the 1945 Constitution and the Amendment Results. Next is the concept of asymmetric decentralization through Law Number 11 of 2006 concerning the Aceh Government (UUPA).

Method: The study used normative legal studies, where data collection is carried out using library research with a focus on the application of norms in the UUPA. Presented in a descriptive-analytical manner, by examining the implementation of UUPA based on juridical, historical, political, and social aspects, to find the concrete reality of the implementation of special autonomy in Aceh currently, and its projections in the future.

Results and Conclusions: The study shows that in the early days of Aceh’s special autonomy, relations with the Central Government were constructive. Aceh has become the center of national mainstreaming. However, recently, conditions no longer work that way. The existence of the UUPA as a document for Aceh’s development after the earthquake-tsunami and armed conflict is no longer a special concern for Jakarta, and this threatens the sense of unity of this country.

Keywords: Pancasila, Aceh, special autonomy, UUPA.

Received: 04/09/2023
Accepted: 04/12/2023
DOI: https://doi.org/10.55908/sdgs.v11i12.2251

* Master of Law, Universitas Muhammadiyah Aceh, Aceh, Indonesia, E-mail: muhammad.heikal@unmuha.ac.id, Orcid: https://orcid.org/0000-0002-3047-427X
QUO VADIS ACEH É UMA REGIÃO AUTÔNOMA ESPECIAL DO ESTADO DA REPÚBLICA DA INDONÉSIA

RESUMO

Objetivo: Este estudo tem como objetivo refazer o Pancasila como uma ideologia do Estado, especialmente o 3º princípio, a Unidade da Indonésia. Considera-se que o significado da unidade está a desvanecer-se, dada a existência de Aceh, que nos últimos dezoito anos viu o seu estatuto degradado, tanto explícita como implicitamente, especialmente no que diz respeito à autoridade de Aceh como região autônoma especial.

Estrutura teórica: este estudo compara a teoria constitucional através do texto e contexto do parágrafo 1 do Artigo 18B da Constituição de 1945 e os Resultados da Emenda. Em seguida, o conceito de descentralização assimétrica através da Lei n.º 11 de 2006 relativa ao Governo de Aceh (UUPA).

Método: O estudo usou estudos jurídicos normativos, onde a coleta de dados é realizada utilizando pesquisa de biblioteca com foco na aplicação de normas na UUPA. Apresentado de forma descritiva-analítica, examinando a implementação da UUPA com base em aspectos jurídicos, históricos, políticos e sociais, para encontrar a realidade concreta da implementação da autonomia especial em Aceh atualmente, e suas projeções no futuro.

Resultados e Conclusões: O estudo mostra que nos primeiros dias da autonomia especial de Aceh, as relações com o Governo Central foram construtivas. Aceh tornou-se o centro da integração nacional. Entretanto, recentemente, as condições não funcionam mais dessa maneira. A existência da UUPA como documento para o desenvolvimento de Aceh após o terramoto-tsunami e o conflito armado já não é uma preocupação especial para Jacarta, o que ameaça o sentimento de unidade deste país.

Palavras-chave: Pancasila, Aceh, Autonomia Especial, UUPA.

1 INTRODUCTION

The ups and downs of Indonesia’s post-reform constitutional development show fundamental changes towards democratization. This change is in line with the Preamble to the 1945 Constitution, including in the political, social, economic, and cultural fields. The reform movement itself is an effort to reorganize various aspects of community life in the areas mentioned. The main objective of the 1998 reform movement in the political field was to increase the democratization of political life and improve political relations. (Effendi, 2017)

Therefore, one of the main reform agendas is to amend the 1945 Constitution to increase the democratization of political relations between state administrators and the people and create a more effective distribution of power between the executive and legislative institutions, as well as relations between the Central Government and Regional Governments to create mechanisms checks and balances in the political process. Reform
ultimately became a momentum to create a state government system that could guarantee a more democratic political life.

Various provisions that have been in force and have lasted for a long time as constitutional practice previously showed a desire to reduce a system that was very feudalistic and colonial, towards the formation of a national ideology and identity that was more rooted in values full of benefit and noble wisdom of the Indonesian nation as a whole. national. With the spirit of anti-feudalism and colonialism left behind by the colonialists. Indonesia is experiencing a transition era which was agreed by the Founding Fathers in reconstructing the spiritual atmosphere of the Indonesian people into the Indonesian ideology and constitution, the manifestations of which accumulated in the Pancasila ideology which consists of five precepts.

Even at the ideological level, the paradigm regarding the meaning of Pancasila as a state ideology was initially formed through the decolonization agenda. Likewise, the goal of democratization is also directed by the universal ideology of Pancasila. The implication is that the meaning of ideology which is strong in the reconstructive tradition is reduced to the totality of more grounded democratic principles. (Azhari, 2012)

The universality of democratic values in the Pancasila ideology is accommodated in diversity (pluralism) in various regions in the Republic of Indonesia (RI), which is demonstrated through the implementation of regional autonomy authority. The freedom to implement autonomy is in line with the practice of the third principle of Pancasila, namely Indonesian Unity, which contains points regarding values, content, and explanations to be applied in everyday life by the very diverse Indonesian nation.

This principle is the basis for maintaining the unity and integrity of the Indonesian nation, which contains seven points of practice, including the following: a) Able to place unity, oneness, as well as the interests and safety of the nation and state as a common interest above personal and group interests; b) Able and willing to make sacrifices for the interests of the state and nation if necessary; c) Developing a sense of love for the homeland and nation; d) Developing a sense of national pride and Indonesian homeland; e) Maintaining world order based on freedom, eternal peace and social justice; f) Developing Indonesian unity based on Bhinneka Tunggal Ika; and g) Promoting social relations for the sake of national unity.

Diversity in the form of authority to implement regional autonomy is normed in Article 18 of the 1945 Constitution of the Republic of Indonesia. On these grounds,
several autonomous regions were formed which are divided into two forms, namely administrative autonomous regions and autonomous regions that have special features. (Widodo & Riana Susmayanti, SH., MH; Arif Zainudin, SH., 2018) For example, Aceh and Yogyakarta were designated as regions that have autonomous authority in the form of special privileges, then the regions designated as special regions with special status are the Special Capital Region (DKI) of Jakarta, Aceh, and Papua. These regions, with their special features, are treated differently from other autonomous regions which are only administrative in nature, but these regions are still regions and not states that have their constitution. (Aziz et al., 2019)

Aceh’s Specialties and Particularities experienced ups and downs in the constitutional journey of the Republic of Indonesia, based on Article 18B of the 1945 Constitution it can be stated that Aceh is a special region. Special areas are related to territoriality, namely privileges in the fields of religion, customs, education, and ulama as regulated in Law Number 44 of 1999. Meanwhile, special regions are related to government, as regulated in Law Number 11 of 2006 (previously regulated in Law Number 18 of 2001) therefore Aceh is mentioned as a special provincial region. (Mukhlis, 2019)

Regions with special status are intended to provide great opportunities for regions to manage them according to the needs of the people in the area. So Aceh, as a region with special status, has ample opportunities from the Central Government to regulate its territory.

Special autonomy for Aceh is part of efforts to carry out the constitutional mandate so that Aceh remains part of the legal territory of the State of Indonesia. It cannot be denied that the Specialties of Aceh were created as a follow-up to the memorandum of understanding (MoU) between the Indonesian Government and the Free Aceh Movement (GAM) on 15 August 2005. One year later, namely on 1 August 2006, Law Number 11 of 2006 concerning Aceh Government (UUPA).

There are several forms of mainstreaming Acehnese specialties based on this law, including strengthening traditional institutions through the Wali Nanggroe Institution, authority in managing natural resources, establishing Islamic law, determining regional songs and regional symbols, the existence of traditional justice institutions, the Human Rights Court, the Aceh Truth and Reconciliation Commission (KKR) and the district/city Syar’iyah Court and the Provincial Syar’iyah Court, can carry out foreign cooperation in
the field of regional politics with the presence of local political parties and independent candidates in post-conflict regional elections.

The Aceh Government Law is a special regulation regarding Aceh and has a sacred position for the Acehnese public. Besides also being a catalyst for relations between the Central Government and the Aceh Government after peace. Currently, the UUPA has been running for almost eighteen years. During this period, the Acehnese public considered that the central and local government in Aceh had not been able to maximize the special autonomy it had to continually improve the standard of living and welfare of the Acehnese people. One indicator can be seen in the dynamics and comparison of the Human Development Index, which has not seen any significant increase over time. Aceh was even designated as a poor province in Sumatra. (Sanur, 2020)

The situation in Aceh is allegedly related to several obstacles in its implementation. Some of the obstacles in question are as follows: first, the relationship between UUPA and other laws. Second, the central government's low commitment. Third, the UUPA Implementing Regulations are not yet complete. Fourth, establishing norms, standards, procedures, and criteria.

The four reasons above are the dominant factors inhibiting the implementation and realization of UUPA so that it does not work as expected. The Central Government does not appear to be seriously implementing Aceh's special rights as committed. For example, Government Regulations regarding Aceh's authority, regulations regarding oil and gas, and regulations regarding Land. Ideally, all of these regulations should have been realized in 2008 as derivative regulations from the UUPA. In just two years, ideally, these regulations should be completed and can be implemented. (Mutiara Fahmi, Zahlul Pasha, 2021)

The conditions as described, allegedly give the impression that Aceh has lost its privileges. Therefore, the paper entitled “Quo Vadis Aceh is A Special Autonomous Region in The State of The Republic of Indonesia”, is presented to photograph Aceh which still needs more energy to continue its 'political and diplomatic struggle' constitutionally with the Indonesian Government as the 'biological parent of the republic'.

Reflecting on the brief explanation above, this study was carried out to explore two problem formulations: First, what is the constitutional significance of the UUPA for
the people of Aceh in particular and Indonesia in general? Second, what would ideally be the continuity of Aceh's Specialties and Features in the RI?

2 RESEARCH METHODS

This research is normative legal research, therefore data collection was carried out using library research through legal materials as secondary data, with a focus on the application of the rules or norms in the UUPA. The legal materials referred to are primary legal materials, namely statutory regulations; Secondary legal materials include journals, books, and academic texts, as well as primary legal materials, namely documentary sources obtained from the internet, dictionaries, encyclopedias, and legal dictionaries.

The analytical basis is descriptive-analytic, through qualitative descriptions of the journey of UUPA implementation from several juridical perspectives. Then by connecting other analysis variables based on historical, political, social, and other aspects. All of this was done to find causality between each other, to obtain the concrete reality of the implementation of special autonomy in Aceh at this time, and projections of its development in the future.

3 RESULTS AND DISCUSSION

3.1 THE IMPORTANCE OF THE ACEH GOVERNMENT LAW (UUPA) FOR ACEH AND INDONESIA

The discourse regarding Aceh's Special Autonomy has once again become famous as a hot topic for discussion. The topic is complete regarding Aceh's special status in the legal system in Indonesia. Several figures and civil elements in Aceh today have on many occasions reflected on the position of Aceh and Jakarta in various discourses. The discussion concerns the existence of special status especially Aceh. In line with that, the problem is Aceh's bargaining position, which is very dynamic and seems to continue to be ignored.

Even in its development, the discourse as previously described has never reached a comprehensive conclusion regarding optimal efforts to discourse regarding the status of the Aceh Region, which is different from other provinces, as a main topic of discussion for local and national communities. (Sanur, 2020) considering that the Helsinki MoU and UUPA are a unity of peace milestones as well as a road map for Aceh's development after the earthquake-tsunami and armed conflict are over. The events experienced by the people
of Aceh some time ago were not felt by other elements of the nation in Indonesia. Aceh's different position from other provinces originates from historical, philosophical, and sociological factors according to indisputable sources of facts and data. (Daudy, 2021)

Aceh's new history through the Helsinki MoU and UUPA has made it a trendsetter of political and legal barometers for Indonesia. This country seems to have found a historical stepping stone to initiate big ideas for state policy on everything related to Aceh and its impact on national and state life.

Since its inception, Aceh has played a role as a center of excellence for this country. The designation of Aceh as a capital region is a worthy achievement that is worthy of being achieved as long as this republic is established. Considering that the relationship between Aceh and Jakarta is a miniature of the relationship between state power and its regions regarding various national problems faced, it was then elaborated into the capital for the nation's political integration.

The existence of the Helsinki MoU itself, for historical actors, has an invaluable special position as a win-win solution for creating peace in areas affected by similar conflicts in many countries. This golden momentum has also placed several international and national figures, namely Marthi Arthisari, Susilo Bambang Yudhoyono (SBY), and Jusuf Kalla (JK), together with their trusted figures, as well as several institutions they have fostered, in their strategic roles in encouraging several resolution mechanisms. conflicts between ASEAN and Asian member countries. (Daudy, 2021)

Another thing is, the historical traces mentioned above are not followed by local figures in Aceh. Although the Helsinki MoU was a joint achievement of figures from both parties, namely the Indonesian Government and GAM.

It is acknowledged that the manifestation of the Helsinki MoU in the Aceh Government Law is not optimal in including the points of agreement as legal norms. Even though it is acknowledged that this regulation is predicted to be an opening (starting point) regarding its existence as a positive state law, in which way the implementation of the points of consensus between both parties can be realized thereby making it the "current capital of struggle" for the sake of a lasting age of peace and sustainable development in Aceh.

The discourse on the Aceh Government Law sparked public opinion which saw that the UUPA structure was a breakthrough in the field of legislation, namely a different legal structure or construction, even outside the customs or civil law traditions that were
rooted in this country as the choice of legal method. The breakthrough that can be demonstrated is the regulation of legal norms which consist of several clusters (chapter sections). When examined more deeply, the structure between the chapters will appear which consists of several integrated legal systems that are undergoing a process of internalization as a law (UUPA).

Integrated as intended, starting with the step of classifying the law by sorting and placing weight on the norms that exist within it, then carrying out legal unification based on systematically arranged chapters, up to the stage where the law is codified in one legal document. More precisely, UUPA is Aceh's Omnibus law. Even though in its early days the UUPA was an exception to the legal tradition that developed in Indonesia, it conformed to continental European/civil law standards.

A development that can be seen in many places is that the majority of omnibus legal products cannot be stopped. In the development of many countries, the legal systems no longer look at just one legal system, but many of these countries carry out legal transplants by internalizing certain styles or characteristics of legal systems from one country to another. So it is natural that in the end the law becomes very heterogeneous and has a responsive and even progressive character. (Ahmad Redi dan Ibu Sina Candranegara, 2020)

If we observe the history of its formation, it takes place very naturally and leads to a mixed legal pattern (hybrid system). The UUPA for Aceh-Indonesia is concrete evidence that was born from the intersection of ideas regarding power relations in positioning the relationship between the central government and special regional governments, and comparisons from several countries. This regulation qualifies as one of the monumental legal works throughout the archipelago. Its spirit and existence is a center of excellence for advanced academic studies and at the same time a pioneer in several other regulations with a framework that is not much different.

Omnibus Law is generally known as the sweeping regulation of the universe. This has inspired the framers of the UUPA to place it as a regulatory framework in a similar concept. This means that through this one regulation, everything about Aceh can refer to it and has a basis that is considered complete as far as the limits of its authority are concerned.

This node was also agreed upon by Jakarta during the Jokowi-JK and Jokowi-Ma’aruf Amin government eras which sparked a legal breakthrough with the
establishment of the Omnibus law Job Creation Law. Regardless of whether the law is accepted or not, the same agenda continues with the initiation of the formation of the Omnibus Law in other profitable sectors.

Recently, information was obtained that several of the figures behind the existence of the Omnibus Law on the Job Creation Law were a series of charismatic figures who were previously concerned and were an important part of the negotiations on the Helsinki MoU as well as their influence in the creation and ratification of the UUPA. This fact ultimately emphasizes the position of the Omnibus Law not as a rule like a newborn baby in Indonesia. However, even in terms of the statutory regulatory system, the Government is ideally obliged to position UUPA on an equal footing with other laws as fellow legal products in Indonesia. (Daudy, 2021)

It is important to understand that the Aceh Government Law has features that are full of political and psychological aspects. Various indications regarding local political content related to the continuation of Aceh's Specialties and Particularities based on the UUPA are encouraged to be taken up again comprehensively by the Government. And no less strategic, making UUPA a peaceful means to fight constitutionally. Simultaneously with these agendas, diplomatic roles are also being pursued by the Aceh Government in synergy with the Central Government. In this way, the conduciveness of the situation that has existed so far is a guarantee of lasting peace, and is like a bond of unity and unity of the nation, especially the third principle of Pancasila.

3.2 IDEAL FORMULATION OF CONTINUITY OF ACEH'S SPECIALTIES AND FEATURES IN THE REPUBLIC OF INDONESIA

Special autonomy has been implemented and developed since the Dutch colonial era. Then it continued with Japanese colonization. The development of Special Autonomy is very dynamic in line with the proclamation of Indonesian independence, the reform era until now. Historically, the granting of special autonomy cannot be separated from the history of the independence period and the political dynamics of the era that followed, as well as the dimensions of the relationship between the center and the regions. When viewed from a time perspective, the meaning of the periodization of the implementation of state policy regarding regional autonomy can be classified based on the regime in power and the Law on Regional Regulations. (Widodo & Riana Susmayanti, SH., MH; Arif Zainudin, SH., 2018)
Several eras of power have always had unique characteristics in overseeing regional government. This characteristic is simply understood as the art of leading by a President who has ruled (Syamsuddin, 1993) starting from Soekarno, Soeharto, Habibie, Abdurrahman Wahid, Megawati Soekarno Putri, Soesilo Bambang Yudhoyono, and Joko Widodo. Political and legal history records that policies regarding the push and pull of the distribution of political interests for regions can be seen from the series of laws governing Regional Government that apply from time to time.

Asymmetric decentralization or special autonomy is the granting of unique autonomy to a region from several other regions. This government practice is commonly known in various political policies in government administration in several countries. Both in the form of a unitary state and in a federal state.

Various forms of asymmetric distribution of power are one of the policy instruments intended to overcome two fundamental issues facing a country, namely first, political issues, including those originating from cultural uniqueness and differences; and second, problems with a technocratic-managerial character, namely the limited capacity of a region or region in carrying out basic government functions. (Sanur, 2020)

Regarding Aceh’s Special Autonomy if observed over the last eighteen years. Where its existence is no longer filled with the meanings of development and Acehnese perspective for parties who can capture this atmosphere. The government is again positioning Aceh differently and with less contribution. It's like Jakarta doesn't want to sweat again for Aceh, which is currently threatened with chaos again. Various local agendas, from the starting point of regional elections to airport issues, clearly paint a picture of Aceh that is no longer the same. Indeed, Aceh is no longer the talk of the town and elegant for anyone who attracts its attention.

There are at least eight forms of Aceh Specialty based on studies that have been conducted, and the results show differences with other regions according to the UUPA. The following are the results of an inventory of Aceh’s special forms as follows: (Rektor Universitas Muhammadiyah Aceh, 2021)

a) Distribution of areas in Aceh which are divided into districts/cities, sub-districts, mukim, sub-districts, and gampong. Mukim as a legal community unit under the sub-district, consists of a collection of several gampongs. Meanwhile, sub-districts and kampongs are legal community units whose level is below the mukim.
b) Approval of international agreements directly related to the Aceh Government, initiated and consulted by the Government and receiving consideration from the Aceh People's Representative Council (DPRA). The Aceh government is justified in collaborating with other organizations or corporations abroad as long as it falls within its authority. The agreement document includes the clause that the Aceh Government is part of the Republic of Indonesia. The Aceh government has also been given the freedom to participate directly in various artistic, cultural, and sporting events abroad.

c) Every agenda for the formation of laws by the People's Representative Council (DPR-RI) relating to the Government of Aceh is carried out after prior consultation and obtaining consideration from the DPRA.

d) Administrative policy relating to the Government of Aceh will be implemented by the Government after consultation and consideration by the Governor.

e) Residents in Aceh are permitted to establish political parties locally with the rights attached to them, including; has the right to take part in elections to elect members of the DPRA/ Aceh Regency People's Representative Council (DPRK); has the right to provide suggestions for regional head candidate pairs from the provincial to district/city levels in Aceh.

f) Formalization and existence of Islamic Sharia courts through a Syar'iyyah Court, starting from the Aceh Syar'iyyah Court as the appellate level court and the Regency/City Syar'iyyah Court as the first level court. The Sharia Court has the authority to examine, try, decide, and settle cases covering the fields of family law, civil law, and Islamic criminal law, which are based on Islamic sharia through formal law which is regulated later by Qanun.

g) All regulations similar to regional regulations (perda) in Aceh are called "Qanun". This type of regulation has two forms, namely the Aceh Qanun which is ratified based on the joint approval of the Governor of the DPRA, and the Regency/City Qanun which is ratified after getting the joint approval of the Regents/Mayors and the DPRK. The existence of the Qanun is intended as a framework for the administration of the Aceh Government, district/city government, and assistance tasks. Qanun materials sometimes contain criminal threats or fines of more than six months in prison and/or fines of up to fifty million
rupiah. Specifically for jinayah Qanuns (Islamic criminal law), the content of the norms regulated takes the form of types and criminal threats that are different from criminal threats in general as known in the country's positive law.

h) The provincial government and Regency/City Government in Aceh are permitted to establish institutions, agencies, and/or commissions after obtaining DPRA/DPRK approval. This area also has several institutions as regional government working partners that are not found in other regions, namely the Ulama Consultative Council (MPU), the Aceh Traditional Council (MAA), the Wali Nanggroe Institution, the Human Rights Court, the Aceh Truth and Reconciliation Commission, as well as special Sharia Police units such as Wilayatul Hisbah as Sharia Police.

Therefore, the central government needs to re-evaluate the special autonomy policy in Aceh based on the principles of special delegation of authority. This authority must be implemented as stated in Chapter V concerning Government Affairs of the UUPA as follows:

a) the implementation of special authority over autonomy as widely as possible is carried out by taking into account aspects of democracy, good local governance, justice, equality, and prosperity, as well as the potential and diversity of Aceh.

b) the implementation of regional autonomy as widely as possible is based on the special authority given by the central government to the Aceh government in regulating and managing government affairs and the interests of its people.

c) the implementation of the special authority of the Aceh government is placed in the provincial regional government unit. Regency/city governments can accept the transfer of some special authorities from provincial regional governments.

d) the implementation of the special authority of the Aceh government must be by the state constitution and applicable laws and regulations so that harmonious relations between the central and regional governments and between regions are guaranteed.

e) the implementation of the special authority of the Aceh government in the political sector must further improve the ability of the Aceh government to carry
out the regional government in a democratic, transparent, accountable, professional, efficient, and effective manner.

f) the implementation of the Aceh government's special authority in the economic sector must further improve the Aceh government's ability to utilize and manage the natural resources of the Aceh region for the greatest prosperity of the Acehnese people.

g) the implementation of the Aceh government's special authority in the social and cultural sector must further improve the Aceh government's ability to advance the implementation of Islamic law and the welfare of the Acehnese people.

h) the implementation of the special authority of the Aceh government must further increase the role and function of legislative institutions, executive bodies, political parties, and other social institutions in Aceh.

Based on the description above, several problems as perceived have become factors inhibiting the fulfillment of UUPA implementation. Much of the content contained in the UUPA overlaps with Law Number 23 of 2014 concerning Regional Government and other statutory regulations. This finding is in line with the results of research which states that the people and the Aceh Government assess that support from the Central Government, which seems half-hearted, is one of the causes of the ineffective implementation of the UUPA. (Husni, 2010)

3.3 THE URGENCY OF INSTITUTIONAL CONTINUITY OF SPECIAL AND SPECIAL REGIONS

President Joko Widodo (Jokowi) recently carried out a cabinet reshuffle in the remaining two years of this regime (2022-2024). This policy is deemed appropriate, considering that the constitution also gives full authority to the President to appoint/appoint or even replace/dismiss Ministers as a form of fulfilling the President's prerogative rights as head of government. This prerogative is absolute. In this way, everything related to President Jokowi's policy steps is considered feasible and justifiable.

In the 1945 Constitution, Article 17 states that the President has the legitimacy to carry out the necessary decision steps without being disturbed by anyone and whatever form of interference. The President must not be pressured in his position as Head of State and Head of Government. The law regarding State Ministries also allows this step to be
implemented. Whenever the President needs it, whoever is appropriate to cooperate with him, and wherever the policy can be implemented, cannot intervene. It's like God Almighty and only the person concerned (the President) knows it.

The agenda for disassembling and disassembling the previous cabinet caused commotion due to the confusion of several views, such as a) groups who accepted it because the President had taken the right method with the right timing when his decision to replace ministerial posts in the economic sector (especially trade) was considered vital; then b) the group that does not accept this decision, where this group’s view is based on feelings of dissatisfaction with the reshuffle carried out by the President on this occasion which seems premature or in other words a decision that is not measurable and not comprehensive because it targets only two Ministerial posts, namely the Ministry of Trade and Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN); and c) groups who expressed serious objections and regrets due to this cabinet reshuffle, because it was carried out in the middle of the current government's term. This group is of the view that ideally this decision would be taken after an evaluation of the government's overall performance so far, guided by the performance of each Minister in several Ministries.

It didn't stop there, other views expressing dissatisfaction also emerged from some groups who focused their attention on the figure chosen by the President who was considered not accommodating and tended to be very pragmatic when proposing to old politicians from coalition political parties, and former successful teams who were always waiting for moments like this to arrive before him.

Another discussion that was heard flashlight and contributed to adding ammunition to discussions in all corners of the country and which was no less interesting was the opinion that illustrated that President Jokowi no longer considered regional political configurations as a supporting element for the remainder of his administration. The situation is in sharp contrast and seems to have reversed one hundred and eighty degrees from the color of his government in the 2014-2019 era and the formation of the Advanced Indonesia Cabinet at the beginning of its composition.

Openly, the composition of the newly appointed Ministers is a configuration of political party figures and military figures (without denying the positions of the Deputy Ministers who were also appointed). There is no visible representation of regional figures or at least the personification of certain areas or areas in a balanced way. The most factual
is the dismissal of the Minister of ATR/BPN Sofyan Djalil who incidentally is the only son of Aceh in the Advanced Indonesia Cabinet. (Daudy, 2022)

No one knows for certain the main reason why President Jokowi replaced his cabinet by not accommodating regional representation as per the decision he announced. Regional diversity, as well as regions with special and special status, deserves more balanced attention than other regions.

Aceh, Papua, West Papua, DKI Jakarta, and DI Yogyakarta, as well as the National Capital (IKN) of the Archipelago in the East Kalimantan Region. These regions are structurally a continuous unit within the NRI region, and their position is inseparable from the central government in terms of regulating government and financial affairs.

It seems unusual and not a popular decision, when the current cabinet is without representation from the best sons/daughters from regions with Special and Special Status. This is necessary considering the contents of the Jokowi-Jusuf Kalla political manifesto through NAWACITA in the previous government. The strong capital that underlies the formation of the cabinet and government programs through the jargon of Advanced Indonesia is the values of diversity. NAWACITA is very strong in the spirit of equality, togetherness, and contribution to service to the country. A picture of a situation that did not occur in this last cabinet reshuffle. (Daudy, 2022)

The composition of Ministers in the Advanced Indonesia Cabinet should be proportional and diverse. Such a composition will occur after considering several appropriate views as a form of embodiment and holistic understanding of the ideological values of Pancasila and the unusual motto of Bhinneka Tunggal Ika which will no longer be renegotiated when the commitment to the state has been achieved. Another precedent that has worked well so far is that the composition of the presence of regional figures in cabinet seats and the presence of politicians from political parties has been commonly practiced for the sake of the country's political constellation and the conducive running of government. Overall, these state practices have become constitutional conventions as they have been initiated and implemented continuously by previous Presidents.

For Aceh, when the best sons/daughters of the region are not included in the ranks of the Advanced Indonesia Cabinet, it is a negative signal that Aceh no longer attracts attention and has a relevant bargaining position for the palace. Even though in the political world there is an adage that there is no such thing as a true friend, only true interests.
Ideally, the Central Government always adheres to the principle that Aceh is a special province and is given special authority to regulate and manage government affairs and the interests of local communities as intended in Article 18, 18A and 18B of the 1945 Constitution, namely that the administration of government affairs is carried out by the Aceh Government and the Aceh People’s Representative Council in Aceh Province. The Central Government also needs to consistently encourage every institution in Aceh to work optimally in implementing special autonomy in Aceh. Like a body, governments cannot be separated from each other. Likewise, the image of a leader and his people is like two sides of a coin.

4 CONCLUSION

The existence of Law Number 11 of 2006 concerning the Government of Aceh is a regulator in considering the position of Aceh and Jakarta according to their respective positions between Nanggroe (special state/autonomy) and the State within the framework of the Republic of Indonesia. The impression that UUPA continues to lose its specific normative construction cannot be denied. Slowly it kept happening. Consultations with the DPRRA were no longer carried out. Jakarta as the center of government seems to position the Governor of Aceh as a subordinate, not a friend. Aceh is currently experiencing disappointment again.

Aceh is an area of capital, fellow countrymen whose spirit of diversity never fades. Ideally, Aceh's Specialties and Particularities will once again become a bargaining position. Undoubtedly the UUPA, which was constitutional at the start, became the glue for peaceful struggle.
REFERENCES


https://doi.org/10.20885/iustum.vol19.iss4.art1


https://doi.org/10.22212/jp.v11i1.1580

