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**THE REGIONAL AUTONOMY IN ACEH  
BY DEVELOPING NON-VIOLENT WAY**

**Suparno B.**

Since the late 1970s the Indonesian province of Aceh has experienced a series of military conflicts related to separatism and the ensuing struggle against insurgents. Yet the conflicts have successfully settled through Helsinki agreement on August 15th, 2005. The government has made reconciliation and reconstruction efforts for those conflicts through Presidential Decree, which about regional autonomy. The strategy of this document consists of state principal effort to avoid violent or known as non-violent way by using persuasive and or democratic dialogue. Thus, in this study, the problems which appear are the criteria of special autonomy in Aceh, and the government's resolution strategies in developing non-violence according to government regulation. Finally, the result shows that particular autonomy program by providing assistance for whole development as like for health, education, infrastructure, and others. It hopes to give positive contribution for Aceh society development in which will bring the prosperity life and Aceh still become part of Indonesian Republic.

**Keywords:** autonomy, regional autonomy, non-violent, democratic, Indonesia.

**РЕГИОНАЛЬНАЯ АВТОНОМИЯ В АЧЕХЕ:  
НЕНАСИЛЬСТВЕННЫЙ ПУТЬ РАЗВИТИЯ**

**Супарно Б.**

Начиная с конца 70-х годов XX века в индонезийской провинции Ачех произошла серия военных конфликтов, связанных с сепаратизмом и последовавшей борьбой с повстанцами. Однако эти конфликты были успешно урегулированы в рамках Хельсинкского соглашения, подписанного 15 августа 2005 года. Правительство предприняло усилия по примирению и разрешению этих конфликтов в 2005 году. В итоге, Президентом было подписано Постановление «О региональной автономии». Стратегия этого документа

предусматривает усилия государства по недопущению противоправных действий, основываясь на отказе от применения силы, посредством убедительного и демократического диалога. Таким образом, в данной работе исследуются проблемы, возникшие на территории автономии Ачеха, и решаемые Правительством ненасильственным способом в соответствии с утвержденным регламентом. Конкретная программа для автономии заключается в предоставлении помощи, направленной на развитие в регионе здравоохранения, образования, инфраструктуры и др. Все это позволяет надеяться на то, что ачехское общество будет положительно развиваться, в результате чего Ачех будет процветать и станет полноправной частью Республики Индонезия.

**Ключевые слова:** автономия, региональная автономия, ненасильственный, демократический, Индонезия.

### **Introduction**

After the implementation of Helsinki MoU (Memorandum of Understanding) [6] Aceh noted as region that always cover by conflicts and violence. Since the age of sultanate until it becomes part of Indonesian republic, Aceh has never liberated form conflicts. The ultimatum from the Queen of Netherlands to fight against Aceh society in 1873 is a new round to restore the rights of Aceh society. The struggle of Aceh society considered to be hard fight since they could not be defeated by the Netherlands' army, even the amount of armies which successfully defeated by Dutch Army is quite big. Thus, by the defeat of Netherlands, the army left from Aceh. However, the conflicts still do not stop. After Indonesia declare the independence on August 17th, 1945, Aceh included into North Sumatera Residency along with Medan. This decision has made Aceh society protests and lead into rebellion under the leadership of Charismatic Aceh Mufti, Teungku Muhammad Daud Beureuh on 1953. The rebellion of Aceh society purposes to establish the Indonesian Islamic Country (DII) with Kartosoewirjo in Java because of no accommodation for Aceh society's desire to implement Islamic Shari'a. Finally, the rebellion has ended because of the government give the specialty for Aceh in

three fields: religion, tradition, and education. Afterward, in 1976, Teungku Muhammad Hasan Di Tiro also declared a rebellion movement which will be obtained by Aceh. This rebellion then called Aceh Independent Movement (GAM) which has purpose to ask justice for Aceh.

In the post-independence era, the acknowledgement of special regions in Indonesia mentioned in the point II Explanation of Article 18 in Constitution of Republic Indonesia 1945. In the article, it mentioned that the special region divided into two groups: *zelfbesturende landschappen* (self-governing region) and *volksgemeen schappen* (adat communities). After the amendment of Constitution of Republic Indonesia 1945, the regulation dealing with special region is set in article 18 B, vessel (1) which states that “the country acknowledges and respects special region government units which regulated by law”. Thus, the regulation which has mentioned in Constitution of Republic Indonesia 1945, the pre-amendment was not valid anymore since it is already deleted and change with a new regulation. Therefore, related with the article 18 B, vessel (1), the legal basis of special region which is implemented nowadays is the provisions of law, and if the region is designated as a special region, then the region will be special region as well [11].

Regarding with the explanation above, the problems appear in this study are the criteria of regional autonomy of Aceh and the government strategies in developing non-violence way based on the government regulation number 22.

## **Literature Review**

### *1. Special Autonomy*

Indonesian government has issued special autonomy legislation in Aceh and West Papua separately. This autonomy is kind of autonomy which designed with an exceeding offer and above the ‘basic’ autonomy. The aim is to reduce the independence movement which aspires to separate from Indonesia by providing authority regional to regulate in the government. However, there still be hesitation toward the President at that time whether the regulation has run properly. The problem is that there is tendency that shows the government desire to use military

power as unity force rather than by implement non-violence way as like the previous former.

In Aceh autonomy regulation which is legalized on the last August, Aceh has obtained new name as Nanggroe Aceh Darussalam (NAD). The regulation in the legislation has provided authority for Aceh to determine the justice and education system as well as the greater income from oil and gas resources up to 70%. The decision has exceeded the basic autonomy which divided income for province government only 15% from oil and 35% from gas. However, it was not clear yet that the implement of Aceh autonomy constitution. Here are the following excerpts of Constitution number 11/2006 [7] which regulate Aceh autonomy fund as follows:

– The special autonomy fund as referred in Article 179 vessel (2) letter C, constituted the acceptance of Aceh government which is intended to fund the construction, especially in infrastructure maintenance, empowerment of people's economy, poverty alleviation, as well as educational, social and health funding.

– The special autonomy fund as referred in vessel (1) is valid for 20 years. For the first five years until fifteen years, the amount is about 2% of National General Allocation Fund ceiling and for the sixteen years until twenty years, the amount is about 1 % of the National General Allocation Fund ceiling.

– The provision as referred in vessel 1 is valid for Aceh regional based on the border of the regional in Article 3.

After the reconciliation, the government has provided big amount of special autonomy fund for Aceh. Since 2008 up to 2017, Aceh accepted the special autonomy fund amounted 56.67 trillion. The big fund should change the visual of Aceh, improve the economical of Aceh, however, Aceh still considered as poor region. The special autonomy fund which received by Aceh government in the end of the year 2017 is no longer as big amount as previous, it is only amounted 8.022 trillion rupiahs, also it has decreased from 50.945 billion to be 7.971 trillion. Meanwhile, in 2018, the director of Facilitation of Regional Balancing and Loan Funds, Mochammad Ardian Noervianto explained that all of special autonomy fund

from January until December 2018 amounted to 8 trillion. Yet, so far the government has been provided by the government about 2,4 trillion.

## *2. Non-violence resolution*

Non-violence resolution is one of reconciliation process which happened properly in Aceh. Reconciliation has possibly leded the development in any kind of field. Nowadays, the former of rebellion has able to settle in important position as head of the region. The dialogues effort can foster culture of reconciliation, tolerance, and trust each of parties between the society and government.

Reconciliation considered as the pre-required for development. It is impossible to develop region without peaceful atmosphere. The resolution strategy can avoid violence way, by opening wide gap in communication through dialogues and mediation between each party. Dialogue could create consensus or win-win solution to encourage lasting change and peaceful society.

Aceh society is potential region in developing peaceful region without sacrifice lives and wealth. The struggle in conflict resolution with recognition toward democratic mechanism in solving miscommunication from each group to improve the quality of individual so therefore individual can build trust for each other. Several activities which have done by Aceh society to manifest peaceful culture are *silaturrahmi* (visiting relatives), working together, and doing art and culture, doing routine meeting with the *ulama'* to establish good relationship.

## **Method**

The type of research used in this study is qualitative descriptive method. Qualitative descriptive method is specific link in social relation study which relate to the fact of in real life [5]. This method is implemented to understand the research object which includes people and institutions based on the truth fact. By using this approach, the description about actualization, social reality, and the research's target perception will be revealed. The qualitative method aims to understand the human behavior and how people perceive and interpret activities in the perspective of own self. Hence, the researcher tries to understand and describes what is explained by the subject of the research.

The research is located in Aceh to know the particular criteria of regional autonomy of Aceh as well as to know the government resolution in developing non-violence way based on the government regulation number 22. The researcher also took the data to support the result of the research in every element in Aceh society.

Arikunto asserts that subject of research is subject to be researched by the researcher. Then, subject of research is source of information that was explored to reveal the fact in the field of study [2, p. 145]. The subject in this research is by observing the government resolution in developing non-violence based on the government regulation number 22. Furthermore, the object is involving Aceh society and Aceh's government.

According to Sugiyono, primary data is the data source which directly provides data to the data collectors [10]. The primary data in this study is by observing directly to the field of study toward phenomenon exist in Aceh government.

Sugiyono also describe the secondary data as source of data which not directly give the data to the collectors, it can be through another person or documents. The secondary data in this research then reading and reviewing any literature source as like books, scientific research or any documents relate with the object of the research [10].

#### *Data Collection Technique*

According to Sugiyono, there are three techniques in collecting data [10, p. 62]:

– Observation is deliberate and systematic study of social phenomena and physical symptoms by observing and recording data [5, p. 142]. In this study, the observation is obtained by directly observe the problems in which the particular autonomy criteria of Aceh and the government resolution in developing non-violence way according to government rules number 22.

– Interview defined as a conversation which directed to the certain problems. Kartono in Gunawan said that the process involving direct questions and answers, and both of the individual are physically face to face. In this study, the subject for interview is Aceh society and Aceh government [5, p. 171].

*Documentation:*

Document defined as record events in form of writing, image, or monumental works from individual [10, p. 396]. In this study, the result of the study is documented by the researcher by explaining through writing in the field of study.

**Results and Discussion**

*A. The particular criteria of Aceh regional autonomy*

*The basis for granting Special Autonomy*

Through Constitution number 8 year 2001 about Particular Autonomy for Aceh Province, the basis for granting special autonomy are:

a. The government system of Republic Indonesia according to Constitution 1945 acknowledged and respected the Regional Government which has special characteristics regulated by the law;

b. One of particular characters in the history of Aceh struggle is the existence of resilience and their fighting power which comes from view of life, social characters, and its society which under Islamic culture, hence, Aceh becomes symbol area for struggling and maintaining the Independence of Republic Indonesia;

c. To give broad authority in running the government of Special Region of Aceh, it is necessary to provide special autonomy;

d. The Constitution number 22 year 1999 about Regional Government as well as Constitution number 25 year 1999 about Financial Balance between Capital Government and Regional Government assumed that it is not fully accommodate the origin and privileges of the special region of Aceh;

e. The implementation of Constitution number 44 year 1999 about organizing the regional province.

Afterward, based on Constitution number 11 year 2006 about Aceh Government, the basis consideration for special autonomy are:

a. The government system of Republic Indonesia, according to Indonesia Constitution 1945, acknowledged and respected the government unit which has particular and special characteristic;

b. Based on constitutional journey of Republic Indonesia, Aceh is a special region which has high resilience and fighting power;

c. The resilience and high power which come from the view of life under Islamic teaching would lead Aceh as a strong Islamic culture region. Hence, Aceh become an area for seizing and maintaining the Independence of Republic Indonesia;

d. The government organization and implementation of Aceh development is not fulfilled society prosperity, justice, promotion, fulfillment and protection for human rights and therefore Aceh government can be implemented based on principals;

e. The disasters as like earthquake and tsunami which happened in Aceh has been able to growth solidarity to gain all potential of Indonesia to build society and Aceh regional as well as solve the conflict peacefully, comprehensive, and dignified within the framework of the Republic Indonesia.

From the basic consideration of Constitution number 18 year 2001 and Constitution number 11 year 2006 in Aceh can be concluded that granting particular autonomy for Aceh are:

1) In historical terms, special autonomy for Aceh is provided based on the history for its society while their struggle in compete and win the Independence of Indonesia on August 17th, 1945.

2) In political terms, the effort of Republic Indonesia to maintain the unitary territory in case cause by the continuously conflict in Aceh as well as the existence of separatist movement that grew and developed in Aceh called as Independent Aceh Movement (GAM).

3) In socio-cultural terms, the social-culture of Aceh society which consist of high culture and religion teaching has leads Aceh to struggle the special autonomy in the region.

#### *B. The government resolution strategy in developing non-violent way*

Non-Violent way is a set of attitudes views, and actions which aimed at inviting individual in other parties to change the individual's assumption, view, and action. Furthermore, it also using reconciliation way to gain peace as well, in which the individual do not use violence to overcome injustice.



One of reconciliation process happened in Aceh is the implementation of development in any kind of aspects. The reconciliation is pre-requirement in regional development, in which it is impossible to develop a region without peaceful atmosphere. The strategies in avoiding violence can be obtained by opened up the public dialogues or even mediation between each party so therefore it should be carried out to create consensus or a win-win solution to encourage peaceful society.

### *1. Religion as Source of Peace*

Any kind of events of communal violence in the country due to conflicts which not managed properly and responsible in the past. The condition has lead awareness in any parties, both for government and non-government organization to solve various conflicts and established a peaceful, fair, and democratic in Indonesia.

In this case, religion is considered to be ‘accused’ as source of violence, or at least justifying the violence action against the other religion. This accusation on the one hand considered to be true in which some of people take advantages by interpreting religion text as tool in allowing violence toward other person or religion. On the contrary, some of religion text forbid the violence and encourage the peaceful or non-violent way to accept differences.

It is known that social conflict is something inherent in society. It cause by the heterogeneous nature of society that lead into conflicting conditions and disputes. Thus, there will be two faces in society: violence and reconciliation.

Conflict which is not solved properly will make prejudice, discrimination, or even violence in physical of individuals. On the other hand, conflict that manage well will lead into reconciliation, in which the conflict will solve using non-violence way.

Erich Fromm asserts that violence is not necessary search on individual instinct; rather it can be seen in the characteristic condition of individual. Violence is not inherent as bad characters of human, but it come from the situation when someone faces obstacles. These obstacles then reverse the positive growth to the destructive actions. In this condition, rationality does not function properly. Hence, violence mentioned as irrational, since it happen while individual is losing his/her mind in facing obstacles or problems [4, p. 42-44].

Afterward, Fromm mentioned that there are two source of violence of individual; the first is defensive violence to defense itself and destructive violence to torment or even to kill other people. Defensive violence has potential for goodness while destructive has potential for crime. Furthermore, good potential become basis to fight for live, on the other hand, destructive become crime potential which lead into death. Although, Fromm emphasized that destructive violence is not natural, but it considered being existential action as rational individual.

Then, in order to build peaceful culture, non-violence should be described in whole view or concept. Louis Kriesberg in M. Abu Nimer suggested doing three things including internal mechanism of religion, mechanism in religion interaction, and external mechanism [1].

Religion can develop violence or even peaceful because by the followers. Since it is the duty and responsibility for the all followers to reinterpret and choose the religion texts to support reconciliation and non-violence way. The reconciliation can be realized if each of individual know, respect, and believe each other.

John Galtung in S.J. Deelay divided violence into three types: structural, cultural, and direct violence. Structural violence was described as violence which appear due to the existence of Constitution and provisions which produced by the state that is unfair for common society. For instance, it can be seen in the Constitution product which has religion taste yet it is seem to be coercive and discriminate as like Aceh case before reconciliation or case in Papua which continuously happen till now [3].

Then, cultural violence depicted as violence which arises from several aspects in a culture by the community to justify and legitimize the violence committed. Violence cultural appeared from religion, ideology, art, language, science aspect and many others. Meanwhile, the discrimination is unfair treatment cause by different categories of prejudices and stereotypes of certain individual or group that prevent member of groups to get the same rights in fulfilled its needs.

Furthermore, direct violence is kind of violence which is directly performed by the doer, as like beating, killing people or group of people, shooting by the state official toward demonstrators.

On the other hand, another kind of conflict is reconciliation. Reconciliation is condition which characterize by the absence of violence such as intimidation, prejudice, discrimination, and physical violence. The process of reconciliation can be solve by dialogue in which it lead to respect, understand each other, the realization of relationship, creative and dynamic cooperation among various groups, as well as the realization of good consensus for all parties.

In line with discussion of three types of violence above, Galtung in S.J. Deelay divided reconciliation into two types, positive and negative reconciliation. Positive reconciliation can be described as a condition that security, justice, social, political, economy, and culture need is fulfilled as well as the elimination of race, ethnics, and religion discrimination from any kind of social structures. So, positive reconciliation is not only limit on reduce violence, rather it tried to eradicate structural and cultural violence which lead into direct violence [3].

Meanwhile, negative reconciliation is aimed to prevent direct violence, as like in Aceh case and some ethnics such as Central Kalimantan and West Kalimantan, as well as case conflict in Ambon and Poso. Non-violence here defined as preventing physical violence. From this perspective, reconciliation present when no war or physical violence existed. One of effort to implement negative reconciliation is by disarmament from the parties who want to fight by the security forces.

The concept of negative reconciliation arose in various forms such as diplomacy, negotiation, and conflict resolution, even the presence of police and military. One of effort to implement the negative reconciliation is through managed the conflict which tried to change the negative attitude to be positive attitude or non-violence. Till now, the effort in managing the conflict in Papua does not show significant progress since the approach is more on security approach.

Thus, negative reconciliation cannot be separated from positive reconciliation, since the positive reconciliation began from negative reconciliation. The combination of negative and positive reconciliation then will produce reconciliation in all aspects. If the conflicts are understood as inherent part of society, then any efforts to manage the positive potential from conflict should be continuously performed. Thus, if conflict is

view as source of change, then the effort to manage differences should be done continuously, since reconciliation is not static.

Reconciliation is manifested in the while relationship between each individual, communities, societies, nations and even within individual. Therefore, the World Council of Churches in 1990 agreed on the theme of realization between each individual and society as effort to implement reconciliation in the universe. The whole reconciliation should be a spirit for the integrity relations between individual and society so that it can renew the relation with God as well.

## 2. *Culture-Based Conflicts Resolution*

Culture has big function for human as well as its society [9, p. 177]. Human cannot be separated from religion and culture. One part of culture is local wisdom. Local wisdom can be described as a whole teaching, saying, and traditional values that respected, practiced by society [8, p. 24].

The local wisdom can be used as socio-cultural mechanism existed in Indonesian tradition. Then, the tradition is proved and believed to be a powerful to foster brotherhood and solidarity between its society in the social and cultural order. It means that cultural approach which involving local wisdom is strategic and effective steps since in society the law system has already existed.

In Aceh society, some local wisdom which are already known namely: *di'iet*, *sayam*, *suloh*, *peusijuk* and *peumet jaroe*. The local wisdom is always preserved in solving conflicts in society. The example of solving conflicts in society can be obtained by customary framework under religious values. Furthermore, the tradition can be used to solve conflict democratically without any chaos both through vertical and horizontal.

The customs that grow in Aceh society is the result of dialectics with Islamic values. Therefore, Islam can be culture fundamental in Aceh. Also, it can be explained that both culture and Aceh tradition is the Islamic and norms itself. Both culture and religion has been interact and assimilated harmonically in Aceh society along many years. The concrete form between culture and custom in Aceh society is not only applied in society, economy, law or even political aspects.

Thus, it is necessary to solve the conflicts using local wisdom which because it already entrenched in society. Local wisdom is not merely profane oriented but also sacred oriented, hence the implementation can be easily accepted in community.

### **Conclusion**

The culture and religion are the appropriate way to implement the reconciliation in Aceh by using non-violence way to solve conflicts and sufferings. The special autonomy has provided special assistance for a whole development as like health, education, infrastructure and many others. It hoped that the good contribution for Aceh and its society development will lead to the prosperity life and remain as part of Republic of Indonesia.

### **Bibliography:**

1. Abu-Nimer M. Islamic model of conflict resolution: principles and challenges // *Crescent and Dove: Peace and conflict resolution in Islam*. Washington D.C.: United States Institute of Peace. P. 73-92.
2. Arikunto. *Prosedur Penelitian Suatu Pendekatan Praktek*. Jakarta: PT. Rineka Cipta, 2006.
3. Deelay S.J. *Service-learning: thinking outside the box* // *Sage Journals*. 2010. Vol. 11 (1). P. 44-53.
4. Fromm E. *The anatomy of human destructiveness*. Michigan: Holt, Rinehart and Winston, 1973.
5. Gunawan I. *Metode Penelitian Kualitatif: Teori dan Praktik*. Jakarta: Bumi Aksara, 2014.
6. Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement [Web resource] // *Acehkita.com*. 2019. URL: <http://bit.ly/2X0hqOY> (reference date: 25.03.2019).
7. Republic of Indonesia Law No. 11/2006 on the Governing of Aceh with explanatory notes [Web resource] // *Jkma-aceh.org*. 2019. URL: <http://bit.ly/2UtINEf> (reference date: 25.03.2019).
8. Sanusi A. *Perilaku Organisasi*. Jakarta: Pustaka Jaya, 2005.

9. Soekanto S. *Sosiologi Suatu Pengantar*. Jakarta: Raja Grafindo Persada, 2005.
10. Sugiyono. *Metode Penelitian Manajemen*. Bandung: Alfabeta, 2014.
11. Suparno B. *Demokrasi Pluralis Dalam Pilkada Di Masa Mendatang*. Surabaya: Ubhara Press, 2017.

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