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Revocation of Norm Law No 11 Of 2006 about Aceh Government

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Abstract

The presence of the Election Law became a new breakthrough for the specificity of Aceh, because Article 571 letter d revoked Article 60 of the UUPA. Of course this was a very serious problem because the 1945 Constitution regulated special regions and there was even special recognition of areas that were considered special and special. This is recorded in Article 18B paragraph (1) of the 1945 Constitution which states that "the state recognizes and respects special and special regional government units regulated by law". The UUPA is the incarnation of the constitution but on the other Election Law revokes immediately without consideration of the DPRA, this is certainly a legal juridical because the UUPA requires that every amended article must pass the door to "consideration of DPRA".

Keywords: Norm Revocations, Aceh Government, and Election.

INTRODUCTION

The Constitution of the Republic of Indonesia of 1945 is a constitution for the Indonesian nation imbued by Pancasila as a fundamental norm for the constitution itself. The agreement to make Indonesia as a state of law is clearly written in the 1945 Constitution of the Republic of Indonesia, "because Indonesia is a state of law". On the other hand Indonesia also regulates about special areas there is even special recognition of areas that are considered special and special. It is also recorded in the 1945 Constitution Article 18B paragraph (1) states "the state recognizes and respects the special or special unity of local government regulated by law"(Missbach, 2012).

The mandate of the constitution requires the state to base all its deeds on the basis of legal norms written in the law. Moving the wheels of the country with a legal pacemaker certainly gives birth to legal consequences for all foreign citizens and

countries that have interests with Indonesia. Therefore the law becomes the mover and controller of everyone in deeds. Legal certainty and ease in accessing and understanding laws and regulations becomes the obligation of the state (Nurfurqon, 2020).

The main function of legislative power, which is Dewan Perwakilan Rakyat is the regulatory function (*regelende functie)* that is manifested in the formation of legislation *(wetgevende functie* or law *making function).* The function of this arrangement is closely related to the authority to determine arrangements that bind citizens with binding and restrictive legal norms. This authority is implemented of course by the joint approval of the President as executive power (Talib, 2017). DPR as the legislator, and in this case the Election Law needs to harmonize with the Aceh Government Law.

Aceh is one of the provinces in Indonesia that is specially regulated according to applicable laws. These special arrangements have implications for some provisions that the laws and regulations must be specifically regulated. This specificity is not obtained freely but by consensus. The existence of an agreement or better known as the Helsinki *Memorandum of Understanding* (hereinafter abbreviated as MoU) between the Government of the Republic of Indonesia and the Free Aceh Movement in 2005 has opened a new face for Aceh. Political conflicts that have occurred for decades ended with the agreement (Ulya, 2014).

To carry out the agreement and/or the details in the agreement, the government of the Republic of Indonesia in this case is the President together with the House of Representatives of the Republic of Indonesia, needing a legal umbrella to be able to carry out all agreements that have been signed. The birth of Law No. 11 of 2006 concerning the Government of Aceh became the main foundation in terms of regulating Aceh (hereinafter abbreviated as UUPA). One of the specificities contained in uupa is the arrangement related to the change in the law, this is clearly regulated as follows. Article 269 paragraph (2) states "In the existence of a plan to change this Law is done by first consulting and getting the consideration of the DPRA" (Ridwansyah, 2018).

Then the Central Government also issued Presidential Regulation No. 75 of 2008 on Procedures for Consultation and Consideration of International Approval Plans, Law Formation Plans, and Administrative Policies Directly Related to the Government of Aceh. Although the basis of this Presidential Regulation using Article 8 regarding international approval plans directly related to the Government of Aceh still uses the consideration of the DPRA, but sub-stansi can be used as an explanation of the legal norms of Article 269 paragraph (2). This is further explained in

Presidential Regulation No. 75 of 2008 paragraph (2) "The consultation and consideration procedures referred to in paragraph (1) are implemented in accordance with the Rules of Conduct of the House of Representatives". The provisions of the two legal norms explain that for the amendment of the UUPA must involve the institution of the Aceh People's Representative Council (hereinafter abbreviated as DPRA) ("Implementation of Special Autonomy in Aceh Province Based on Law No. 11 of 2006," 2010).

On August 15, 2017, the President passed together the House of Representatives Law No. 7 of 2017 on General Elections (hereinafter abbreviated as the Election Law). This becomes a new history for the Central Government to integrate three laws at once. The newly passed Election Law became a polemic for the DPRA because it legally crashed some of the provisions in the UUPA. Two articles of UUPA were revoked without consultation with the DPRA, namely:

1. Article 57 paragraph (1) states "KIP Aceh members number 7 (seven) people and KIP districts / cities number 5 (five) people from community elements". Paragraph (2) states "The working period of KIP members is 5 (five) years from the date of inauguration".
2. Article 60 paragraph (1) states "The Aceh election supervisory committee and the district/city are formed by the national supervisory committee and are ad-hoc." Paragraph (2) states "The establishment of the Election Supervisory Committee as referred to in paragraph (1) shall be carried out in the set where this Law was promulgated". Paragraph (4) states "The working period of the Election Supervisory Committee ends 3 (three) months after the inauguration of the governor / deputy governor, regent / deputy regent, and mayor / deputy mayor".

The repeal of the above two articles according to the formation of the law (President and DPR), that KIP Aceh and Panwaslih Aceh are part or derivative of the KPU and BAWASLU, then hierarchically must be regulated administratively and struktural, the determination of commissioners by the KPU and BAWASLU (Kaho, 1997). This is stated in the Election Law as follows:

> Article 557 paragraph (1) states "Institutional Election Organizers in Aceh consists of: a. The Independent Commission of Aceh Provincial Elections and the Independent Commission of District /City Elections are hierarchical with the KPU; and b. The Aceh Provincial Election Supervisory Committee and the District/City Election Supervisory Committee are a hierarchical institutional unit and BAWASLU". Ayat (2) states "Institutional Election Organizers in Aceh as referred to in paragraph (1) shall base and adjust their arrangements under this Law".

Furthermore, the interesting point of this Election Law is that the Election Law reduces the norms of Article 57 and Article 60 is revoked by the direction of Article 571 letter d. The unilateral revocation of the provisions of the norms contained in the UUPA sets a bad precedent for Indonesian statehood in general and Aceh state strictness in particular (Soeprapto, 2007). Norma stated that the repeal of two articles of UUPA is listed in the Election Law as follows:

> Article 571 letter d states "Article 57 and Article 60 paragraph (1), paragraph (2), and paragraph (4) of Law No. 11 of 2006 concerning the Government of Aceh (State Gazette of the Republic of Indonesia Year 2006 Number 62, Supplement to state gazette of the Republic of Indonesia Number 4633)", revoked and declared invalid.

That is, the Election Law can cause disharmony between the Government of Aceh and the Central Government, because as it is known that peace efforts between the Free Aceh Movement and the Government of Indonesia have been pursued several times before the Helsinki MoU. But these efforts ran aground and led to the Helsinki MoU. Another aspect, the Election Law not only reduced the arrangement of election organizers in Aceh, but revoked the rightof the constituentutional to choose commissioners of KIP Aceh and PANWASLIH Aceh and KIP Regency / City and PANSWASLIH Regency / City by DPRA and DPR regency / city (Husna et al., 2020).

Based on the above review, there are three formulations of the problem that will be reviewed as follows: First**,** how is the mechanism of repeal of Article 57 and Article 60 of Law No. 11 of 2006 concerning the Government of Aceh? Second, What is the position of Law No. 11 of 2006 on Aceh Government with Law No. 7 of 2017 on Elections in the hierarchy of laws and regulations in Indonesia? Third, what are the juridical consequences of the repeal of Articles 57 and 60 paragraphs (1), (2) and (4) In-Law Number 11 Year 2006 on Aceh government by Porigin571 letter (d) In-Law Number 7 of 2017 on General Election?

Normative legal research is a way to answer the above research formulation with three approaches. First**,** approach the legislation by reviewing the laws and regulations regarding the Government of Aceh and the Election Law. Second, the historical approach by examining the history of the birth of uupa with the election law as well as the development of derivatives or orders from the second law. Third, a conceptual approach by examining the conception of special arrangements and general arrangements in the legal sciences in Indonesia (Saptomo, 2009).

RESEARCH METHOD

The type of research used in this writing was library research. Library research means research that uses written documents as data, and the data sources used in this study included primary legal materials, secondary legal materials and tertiary materials. Primary legal material is legal material that is binding or that makes people law-abiding, including legal products that are the subject of study and legal products as a tool of criticism. Secondary legal materials include explanations of primary legal materials in the form of expert doctrines found in books, journals, and on websites (Ida Hanifah, 2020, Pp. 11).

The procedure used to collect data in this study was in the form of documentation in the form of records or citations, searches of legal literature, books and others related to the identification of problems in the investigation referred to by offline or online means. The approach used in this study is to use a statutory approach. So the analysis of legal materials is done by using the method of content analysis *(centent analysis method)* which is done by describing the material of legal events or legal products in detail to facilitate interpretation in the discussion (Rahmat Ramadhani and Ramlan, 2019).

DISCUSS AND ANALYSIS

Mechanism of Revocation of Article 57 and Article 60 of Law No. 11 of 2006 concerning the Government of Aceh

The question is how the mechanism of repeal of special laws such as Article 57 and Article 60 of Law No. 11 of 2006 concerning the Government of Aceh as follows:

> Article 57 paragraph (1) "Members of KIP Aceh numbered 7 (seven) people and members of KIP Regency / city amounted to 5 (five) people who came from elements of society". (2) "The working period of KIP members is 5 (five) years from the date of inauguration".
>
> Article 60 paragraph (1) "Panita Supervisor of Aceh election and district / city was formed by the national supervisory committee and is ad hoc"; (2) "The establishment of the Election Supervisory Committee as referred to in paragraph (1) is carried out after this Law is promulgated". (4) "The working period of the Election Supervisory Committee ends 3 (three) months after the inauguration of the Governor / Deputy Governor, regent / deputy regent, and mayor / deputy mayor".

The above article is revoked by Article 571 letter d of Law No. 7 of 2017 concerning Elections as follows:

By the time this Law came into force:

1. Law No. 42 of 2008 concerning Presidential and Vice Presidential Elections (State Gazette of the Republic of Indonesia of 2008 Number 176, Additional State Institutions of the Republic of Indonesia Number 4924);
2. Law No. 15 of 2011 on the Implementation of General Elections (State Gazette of the Republic of Indonesia year 2011 Number 101 Supplement to State Gazette of the Republic of Indonesia Number 5246);
3. Law No. 8 of 2012 concerning General Election of Members of the DPR, DPD, and DPRD (State Gazette of the Republic of Indonesia of 2012 Number 117, Supplement of State Gazette of the Republic of Indonesia Number 5316);
4. Article 57 and Article 60 paragraph (1), paragraph (2), and paragraph (4) of Law No. 11 of 2006 concerning the Government of Aceh (State Gazette of the Republic of Indonesia year 2006 Number 62, Supplement to State Gazette of the Republic of Indonesia Number 4633),

Revoked and declared invalid.

If traced and understood one of the reasons the Government of Indonesia revoked Article 57 and Article 60 of Law No. 11 of 2006, namely to integrate regulations related to elections, so that the realization of people's sovereignty and the realization of a democratic state system, and is expected to be integrity, effective and efficient in accordance with the voice of the people directly, publicly, freely, secretly, honestly and fairly. It is also supported by Article 1 paragraph (2) of the 1945 Constitution which states "that the sovereignty of the people is in the hands of the people and implemented according to the Basic Law". The phrase of this verse asserts that the people have a very large role and give rise to the right and obligation to democratically choose leaders who will form a government to take care of and serve all levels of society and representatives of the people to oversee the running of government (Saptomo, 2009).

In principle, the establishment of Law No. 7 of 2017 there are two rationale foundations on the repeal of Article 57 and 60 of Law No. 11 of 2006 among others as follows. Juridically, the repeal of Article 57 and Article 60 of Law No. 11 of 2006, has been regulated by Law No. 12 of 2011 on the Establishment of Laws and Regulations. This is in accordance with the explanation of annex II Number 158 and 159 of Law No. 12 of 2011.The laws and regulations can only be revoked and declared invalid by laws and regulations of the same level or higher. The repeal of the legislation with higher levels of legislation is done if the higher legislation is intended to re-accommodate all or part of the material of the lower legislation that was repealed (Hayat, 2014).

Then explained again in annex II Number 221 and 222 and 223 of Law No. 11 of 2011, if there are old laws and regulations that are no longer needed and replaced with new laws and regulations, the new laws must expressly revoke unnecessary laws and regulations. If the material in the new legislation causes the need for the replacement of some or all of the material in the old laws and regulations, in the new legislation must be expressly regulated regarding the repeal of some or all of the old laws and regulations.

The specificity of Aceh is not solely achieved with the good of the central government. Political and legal conflicts that for decades have entered various territories are one of the reasons among other causes. The tsunami disaster in 2004 became the initial milestone of efforts to resolve the bloody conflict. This fact is clearly stated in the consideration of Law No. 11 of 2006 letter e which reads that the natural disaster of earthquakes and tsunamis that occurred in Aceh has fostered solidarity of all the potential of the Indonesian nation to rebuild the people and region of Aceh and resolve the conflict peacefully, thoroughly, sustainably, and with dignity withinthe framework of the Unitary State of the Republic of Indonesiaa ("Conflict Between The Government Of Aceh And The Central Government After The Helsinki Mou: Self-Government," 2015) .

For this reason, UUPA is different from other common laws. Even categorized as a special and special law, for example in the minutes of the Meeting of the Aceh Government Bill one of the PKS Faction Nasir Djamil questioned the specificity and privileges of aceh special autonomy law that was done at the time, among others as follows:

> What exactly is meant by the law on government units that are special or special, how exactly is it special and special itself? Because we need to know, because this is actually also our basic step to discuss this draft law so that it has a similar picture of what is really special, what exactly is special*(02_RDP-RDPU ACEH. Pdf,* n.d.) ?

The above question was directly answered by one of the Expert Team of Formulation of the Aceh Government Bill Ismail Suny as follows:

> Brother Nasir Jamal asked about the special government from there, indeed here it is good you have made general provisions here, Aceh is a province that is a special legal community unity, this "and" "or", this is remembered, relearned, because in one place it is called "and" in another place it is called "or". It should be chosen if both, newly defined, what special? And especially what? To organize and take care of the affairs of government and the interests

of the local community in accordance with the laws and regulations in the NKRI system and principles.

Specificities and privileges are not in line with the expert conception of the Faculty of Law, university of Indonesia, for example Hikmahanto Juwana states the following:

> "Many fear that the implications of the *Memorandum of Understanding* could result in the Unitary State of the Republic of Indonesia changing from a unitary state to a state within a state, one country in two systems, such as china and Hong Kong and a federal state very close to a sovereign state" (Sulistiyanto, 2001).

Then regarding the specificity of the Aceh Government Law, the PA Bill Expert Team, Sri Soemantri explained in general as follows:

> "That the establishment of the "Aceh Government" Law depends on how we accommodate the 3 elements, the unitary state. In the MoU itself GAM claims to be a unitary state. That's why it's important to address this issue. Then the law as a basic rule, the highest rule in the country, we can't deny that. And then how it is accommodated in what is listed in that MoU. In a short time this is very difficult to, was asked various kinds of solutions" (Suharyo, 2018).

Throughout the author's search, there is specifically nothing in the Aceh Government Bill text discussing or discussing how to repeal laws or articles that are considered contradictory. However, in the closing provisions of Article 269 of Law No. 11 of 2006 states as follows:

1. The laws and regulations that existed at the time this Act was enacted remain in force as long as they do not conflict with this Act.
2. The legislation in that the law is directly related to special autonomy for the province of Aceh and districts / cities are adjusted to this law.
3. In the event of a plan to change this Law is done by first consulting and getting the consideration of the DPRA.

This means that there is a separate mechanism in the process of changing or repealing Law No. 11 of 2006 even in the concept of asymmetric decentralization, the irregularity of the arrangement due to the specificity is very possible. Referring to Tarlton's view which then stated that the main subject of "distinction" between regions so that there are special regions / special regions and unusual relationship patterns is a matter of authority. The basis of the grant and content of special /special authority presents unique reasons. The subject of this authority will determine the

building of special / special regional relations with the center or other regions as well as the direction of internal policy and governance (Djohan, 2010).

The provisions of Article 557 paragraph (1) letter a and b and paragraph (2) of Law No. 7 of 2017 on General Elections (Election Law) read: paragraph (1) institutional Implementation of Elections in Aceh consists of: a. Independent Commission of Provincial Elections and District / City Election Independent Commission is a hierarchical institutional unit with KPU; b. The District/City Election Supervision Committee is a hierarchical institutional unit with The General Election Superviosry Agency (Bawaslu). Paragraph (2) reads institutional Election Implementation in Aceh as referred to paragraph (1) must base and adjust its arrangements in accordance with this Law. Furthermore, Article 571 of the Election Law letter d reads Article 57 and Article 60 paragraph (1), paragraph (2) and paragraph (4) of Law No. 11 of 2006 concerning the Government of Aceh (UUPA), revoked and declaredinvalid.

In fact, UUPA has given freedom for the Aceh regional government to form a system of government, for example the DPRA / K in Aceh is different from other regions in the form of regional institutions of the DPRD. However,there is article 557 paragraph (1) letter a, b and paragraph (2) and Article 571 letter d of the Election Law according to the author contrary to Article 18A paragraph (1) and Article 18B paragraph (1) of the 1945 NRI Constitution. This is very detrimental to Aceh and it is felt that the provision is very unfair and has ruled out the specificity and privileges of Aceh as it has been fought so far in the process of efforts to realize peace and realize the concept of *self-government* in Aceh. The provision also betrays the will of the People of Aceh because it removes the provisions of Aceh's specificity in the UUPA. As is mutually understood that Law No. 11 of 2006 is a concrete manifestation of the Helsinki MoU.

The Position of Act No 11 of 2006 and Act No. 7 of 2017 in the Hierarchy of Laws and Regulations in Indonesia

The legal position of Act No. 11 of 2006 makes Aceh an area that belongs to asymmetric decentralization strengthened by Article 18B of the Constitution. Therefore, according to the author's frugality needs special treatment and is different from other decentralized areas. If referring to its history, before the birth of uupa Aceh has first strengthened its asymmetric decentralization status with three important regulations that have been applied to the privileges and specialties of Aceh, namely the Decree of the Prime Minister of the Republic of Indonesia Number 1/ Missi / 1959 on Special Autonomy for Aceh Province, Act No. 44 of 1999 on the

Implementation of Privileges for the Province of Aceh Special Region, Law No. 18 of 2001 on Special Autonomy for Aceh Province. Aceh Special Region as Nanggroe Aceh Darussalam Province and finally Law No. 11 of 2006 concerning Aceh Government (Ni'matul Huda, 2014).

After Law No. 18 of 2001 took effect for some time, the public considered the implementation of the law was not sufficient in accommodating the aspirations and interests of economic development and political justice. Furthermore, presidential instruction No. 1 of 2002 was issued on improving comprehensive measures in order to accelerate the resolution of the Aceh problem. This Presidential Decree mandates that the Governor of NAD cooperate with Commander Kodam Iskandar Muda be given the authority to dialogue with all elements of Acehnese society including GAM. GAM wants dialogue held abroad, negotiations conducted in February 2002 in Switzerland represented by Ambassador S. Wiryono, agreed coHA*(Cession of Hostilities Agreement)*one of the contents is to regulate the decentralization of both parties, the distribution of humanitarian aid, and the rebuilding of facilities damaged by war.

The Indonesian and GAM agreement failed, in 2004 the Indonesian leadership switched to Susilo Bambang Yudhoyono as President and Jusuf Kalla as Vice President directly converted Martial Law into Civil Emergency and Civil Order until the helsinki MoU was born between the Government of Indonesia and GAM and produced Law No. 11 of 2006. This means that all the specificity and privileges of the Acehnese people are the struggle of the Acehnese people who want to resolve the conflict peacefully, thoroughly, sustainably, and with permanent dignity within the framework of the Republic of Indonesia (Hardi, 1993).

The above legal historical facts make Aceh very special and special but juridically the position of Law No. 11 of 2006 is the same as Law No. 7 of 2017 but theoretically Law No. 11 of 2006 *becomes lex specialis* while Law No. 7 of 2017 becomes *lex genaralis* . It is understood that the Election Law cannot repeal uupa, because this provision has been mandated by Article 269 of Law No. 11 of 2006.

Juridical Consequences of The Repeal of Article 57 and Article 60 of Law No. 11 of 2006

As explained above regarding the enactment of the norm of Article 571 letter d of the Election Law, the author lysed that there are very detrimental juridical consequences for the Aceh government. Especially for the Aceh People's Representative Council. The loss is not solely detrimental to the DPRA institutionally, but harms Aceh as a whole. Looking at the DPRA from a purely

political aspect that is said to be interpreted in the form of profit and or loss of each member is an academic fallacy. The real loss arising from the enactment of Article 571 letter d of this Election Law is a systemic impact on the specificity status and privileges of Aceh.One of the real disadvantages is the loss of the dpra's constitutional rights.

Theoretically, the DPRA is the only parliamentary institution of the Aceh people's representative. The people periodically every five years carry out a democratic party to put their representatives in parliament. Elections are the only tool and way for the people to decide their fate for the next five years. In elections also the people determine who and to which party their fate is entrusted. The holding of elections is the domain of constitutional law. Article 22E of the 1945 NRI Constitution mandates elections to elect members of the DPR, President and Vice President, DPD, and DPRD.

In order to conduct elections, an independent electoral commission was established to hold elections which by Article 22E paragraph (1) are conducted directly, publicly, freely, secretly, honestly, and fairly every five years. General elections are also held in provinces and districts / cities that are located throughout the NKRI region. Not to be surprisediAceh as a special area. The laying of Aceh as a special area has the juridical consequences that for Aceh the implementation of elections can be arranged differently. The difference in the arrangement is evidenced by Article 56 of the UUPA which gives mandate and or authority to the DPRA to elect and propose KIP members to be further determined by the central KPU and passed by the Governor.

Although explicitly it is not mentioned that Article 56 is revoked, but the sound of Article 557 paragraph (2) which reads Institutional Election Organizer in Aceh as referred to in paragraph (1) must base and adjust its arrangements under this Law. The juridical consequences of the provisions of the norm of Article 557 paragraph (2) make all arrangements related to KIP and Panwaslu in Aceh which has been regulated in the UUPA as the main legal umbrella after the constitution must now move to the Election Law. The changes are very significant, not only related to the number of members, but also related to institutional administrative mechanisms and recruitment of each member of KIP and Panwaslu.

In constitutional law, authority is the basic material as well as the subject. In the concept of public law authority is a core concept of constitutional law and state administrative law. The new government can carry out its functions on the basis of the authority it obtains, meaning the validity of the act of government on the basis of the authority stipulated in the laws and regulations. Without the authority possessed,

the body or official of state administration cannot carry out any acts or actions of the government.

According to Donner there are two functions related to authority "namely the function of policy making, namely the power that determines the task of the means of government or power that determines state politics and the function of policy implementation, namely the power that is tasked with realizing the politics of the state that has been determined." Power in a democracy such as Indonesia is obtained through the handover of mandates by the people to their representatives, the authority is born from the power obtained. Thus the mechanism of proposing KIP and Panwaslu members by the DPRA is indirectly an election for KIP elected by the people. Politically and legally every decision taken by the representatives of the people will be accounted for back to the people as the highest power holders. (victor Situmorang, 1989).

Therefore, the revocation of dpra's authority can be interpreted as a betrayal of the state in the sense of the central government against the people of Aceh.The revocation of this authority is also a systematic effort that is carried out slowly in order to weaken the democratization of the people of Aceh.The loss of the authority of the DPRA and DPRK for districts / cities directly participates in the disenfranchisement of the Acehnese people to leave their aspirations in the sense of participating in determining KIP and Panwaslu members who are credible and capacity and understanding the values of keacehan Masrizal bin Zairi, 2019).

The sitting of a person as a member of the people's representative institution through elections by itself results in the emergence of a relationship between the representative and the one he represents, so that the relationship between the representative and the one he represents refers to the following theories (M. Busrizialti, 2009):

1. Mandate theory; where shivakil is considered to sit in a representative institution because it gets a mandate from the people so it is referred to as a mandate.This means that every member of the DPRA gets a mandate and/or order from the people of Aceh.Organ theory; Where the state is an organism that has the tools of equipment such as the executive, parliament and people who all have a function and interdependence on each other. The relationship between each member of the DPRA and the people is causality. Causal relationships occur in the theory of this organ. This means that the dependence between the executive, legislative and the people is bound to each other in the agrarian law.
2. Sociological theory; where the representative institution is not a political building but a community building. The community will choose representatives who will

really defend its interests so that a representative institution is formed from the interests of the community.

That is, the above theory shows that the representatives of the people are not seen alone, but must be seen as one with their people. In the context of Aceh, the DPRA and the people of Aceh are a unity in itself. So that it can be understood that eliminating the authority of the DPRA is the same as weakening the people of Aceh.

CLOSURE

Conclusion

There are three conclusions that the author concludes regarding the repeal of Article 57 and Article 60 of Law No. 11 of 2006 concerning the Government of***Aceh,*** that the revocation mechanism is regulated in Article 269 of Law No. 11 of 2006 that in the event of a plan to change this Law is done by first consulting and getting the consideration of the DPRA. There should be *a political will* that consistently positions Aceh as a special and special region. Considering Aceh's position as a special area is protected by Article 18B of the Constitution of the Republic of Indonesia of 1945.

Suggestion

Act No. 11 of 2006 with Law No. 7 of 2017 is the same juridically, but theoretically UUPA becomes *lex specialis* while the Election Law becomes *lex generalis.* So it is expected that the Government of Aceh must seriously maintain the specificity of Aceh, there needs to be concrete efforts for the DPRA, the Governor together with the Dpr Ri representative of Aceh to jointly connect with each other in an effort to fight for the rights of the people of Aceh so that similar events do not reoccur in the future. ***Third,***juridically the repeal of Article 57 and Article 60 of Law No. 11 of 2006 by the Election Law is unconstitutional because it is contrary to Article 18B of the 1945 Constitution. The revocation of Article 57 and Article 60 of uupa is flawed formil, because in the process the DPRA is not involved at all as mandated by Article 269 paragraph (3) Agrarian Law.

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