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**Why Was “Self-Government” Not Achieved in Aceh?  
The Challenges of Implementing a Peace Agreement**

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## WHY WAS "SELF-GOVERNMENT" NOT ACHIEVED IN ACEH? THE CHALLENGES OF IMPLEMENTING A PEACE AGREEMENT

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### Abstract

The "self-government" was proposed as an alternative solution to independence and special autonomy to end the protracted conflict in Aceh. Based on the contents of the peace agreement signed in 2005, Aceh is given the right to self-government. However, this is not realized fully. This study aimed to explain the imagined self-government and the causes challenging it to be implemented. The study used a qualitative library research method in which data was sourced from online text documents. The data were analyzed using critical discourse analysis. The study found that the issue of "self-government" was initially at the center of the negotiation. The Free Aceh Movement - GAM envisioned it like Olan Island in Finland and Sarawak in Malaysia. Still, it has not been realized because it was not declared explicitly in the agreement, and the term "self-government" was used as a strategy to persuade GAM negotiators to continue in the negotiation. Further, the Government of Indonesia (GoI) offered Aceh special autonomy instead of self-government through the Law on Governing Aceh by ignoring the limitations on the authority of GoI over Aceh that was agreed. This was caused by five reasons that lay in the negotiation process and the realization of the agreement interconnected. Amongst; GAM was unbalanced to GoI during the negotiations and powerless to force GoI to obey the deal, and there was no punishment mechanism for the violator of the agreement. Finally, the study revealed that an inclusive process in drafting new laws for a post-conflict region does not always result in full outcomes by the agreement.

**Keywords:** Peace Agreement; Self-Government; Helsinki MoU; Aceh.



## A. Introduction

"Self-government" is related to power-sharing and power balancing (Varga 2021), and is an alternative to ending protracted violent conflict (Blažević 2021; Czarny, Tomala, and Wrońska 2021). This was also the case in Aceh. The basis of negotiations between the Free Aceh Movement and the Government of Indonesia (GoI) that took place in Helsinki in 2005, was based on the provision of self-government for Aceh (Aspinall 2005; Miller 2012; Stange and Missbach 2018). In line with that (Suksi 2013), stated that an essential part of the peace talks dealt with creating a self-government arrangement in the Aceh province to transform the Aceh conflict into peace with dignity and sustainability (Initiative 2005; Miller 2012).

The peace that ensued opened up a new page for Aceh-Indonesian political history with some hope for the future of Aceh. The next step is to protect the new peace agreement (MoU Helsinki) and implement the clauses of the MoU on the ground. Based on the recommendations made in the MoU, the GoI and the new provincial Aceh Government must formulate a new law that prescribed the authority of the new Aceh Government *vis-à-vis* the central Government. After long and intense discussion, a draft of the Law on Governing Aceh (LoGA) was passed for hearing in the provincial Assembly. Finally, in August 2006, Law Number 11 on Governing Aceh (LoGA) was passed and the gazette gave a sense of self-government for Aceh.

However, (Suksi 2013), stated that the implementation of self-government in Aceh was only effective in 2009 when the Aceh Regional Representative Council (DPRA) began to function. Even so, the DPRA's scope of power is very limited in regulating Aceh, it is still the subject of negotiations between the DPRA and the Government of Indonesia. It dues to the concept of Aceh's self-government is subject to regional autonomy arrangements that apply to all provinces in Indonesia that reflect Asymetrix decentralization (Abdurahman and Dewansyah 2019), "*This seems far from what the proponents of the MoU, principally GAM, understood by effective self-government.*" (May 2008).

The fact clearly shows that the idea of self-government that GAM envisioned as "a level higher than autonomy" during peace negotiations (Aiyub Kadir, 2012) is slowly fading away. The consequence is they then failed to address the root causes of the conflict and the special autonomy served to restrengthen the center-periphery relations between Aceh and Indonesia (Lee 2020; Sindre and Ross 2021). In addition, new quarrels have emerged between the Aceh government and the GoI in establishing regulations (Armia 2018). Furthermore, Aceh demands the Indonesian government revise the law on governing Aceh (Basri 2014).

Based on the background of the problems above, it appears that Aceh Has not achieved self-government by the mandate of the peace agreement. However, there has not been a study that explains the reason for the failure of self-government to be addressed in Aceh. Many studies on conflict and peace building in Aceh have focused on; the causes of conflict (Amin 2020; Askandar 2005; Ross 2005; Sukma 2005) conflict resolution (Ahtisaari 2008; Dudouet 2021; Jatmika et al. 2022; Lele 2021; SD 2021), and implementation of peace agreements and peacebuilding (Boonpunth and Saheem 2022; Grayman 2013; Hillman 2013; Kadir and Ya'kub 2018; Lee 2020; Ocktaviana and Kamaruzzaman 2021; Sahlan et al. 2019; Saputra, Nugroho, and Sujito 2022). Some studies even mentioned Aceh's self-government but did not explain why the self-government was not achieved, such as (Barter and Wangge 2022; Basri 2014; Kadir 2012). They emphasized the path to a successful signing of a peace agreement and Aceh has been at peace with autonomy due to former rebels and activists engaging in governing Aceh. Hence, this study aims to explain how the peace agreement reflects on the issue of self-government for Aceh and why it was not realized fully.

According to Barter & Wangge (2022), to realize self-government in post-conflict province, several aspects need to be considered, namely; (1) The content and process of negotiating autonomy are not separated to produce a more detailed and broad law that is more difficult to revoke; (2) Empowering autonomous leadership dedicated to implementing self-



government; (3) The process of negotiating autonomy must take into account the national design because self-government cannot be implemented from formal forces and institutional design alone; and (4) Negotiations need to be carried out inclusively involving opposition groups to generate legitimacy, public trust, and elite support. Yet attention to how autonomy is negotiated and who is empowered is of paramount importance for post-authoritarian and post-conflict contexts.

In addition (Schulte 2018), The determinants of the success of self-government in post-conflict regions include low levels of horizontal inequality, wide scope of autonomy, inclusive institutions, and international support. Meanwhile, Failure is caused by persistent inequalities, low transfer of competence, and institutional exclusivity.

The qualitative approach was used to explain this study. The data was collected from secondary data, derived from books, journals, research reports, and statutory documents. Then, it was analyzed with critical discourse analysis techniques. The findings showed that Aceh's self-government was blurred when the new law for Aceh was passed, there was no term "self-government" that confirms the limits of the Central Government's authority on Aceh as agreed in the peace agreement. The leading reason was that the formula of self-government proposed during the negotiation was used as a semantic game strategy to persuade the GAM to continue in the negotiation process and to save GAM's honour and integrity in the face of defeat. Further, reducing the meaning of self-government through the new law on governing Aceh.

In addition, this study found several causes that determine the fact above, namely: (1) Inappropriate negotiation time, GAM was in a weak position when the negotiations took place. As result, the concept of self-government offered to GAM was shadowed; (2) Many stakeholders were involved in the preparation of the new law on governing Aceh, and they were less focused on the substance of the agreement; (3) The Indonesian government did not involve the legislature in negotiations; (4) GAM's



weapons were destroyed before passing the new law for Aceh; and (5) There was no punishment mechanism for the breach of the agreement.

The findings confirm some statements of Schulte (2018) and Barter & Wangge (2022) that the content and process of negotiations must be reaffirmed clearly and broadly in the law, self-government negotiations must be inclusive, involving various national political elites, international support to negotiations and implementation is needed. However, this study requires several other things for the successful implementation of self-government, namely; (1) the positions of the conflicting parties are balanced; (2) The concept of self-government is clearly stated and written in the agreement and new law; (3) Negotiators of conflict parties represent various elements and political structures, but not extends beyond the main actors of the conflict; and (4) Sanctions are required for the violator of agreements from international third parties.

## **B. Method**

This study was conducted by the qualitative approach, using the library research method, which the critical discourse analytical method (CDA) was adopted. According to (Chiluwa 2019), the CDA involves several forms of description, explanation, and interpretation of data. The focus is on analyzing the relationship between language use and socio-cultural and political contexts. Therefore, the analysis process requires; (1) text, (2) discursive practice (text production, interpretation, and consumption), and (3) social and political practice in text. Technically, the analysis includes; tracing primary and secondary data sources, grouping data based on research problems, processing data, citing references, displaying data, data abstraction, data interpretation, and concluding (Darmalaksana 2020).

In practice, the data for this study was obtained from online publications comprising text/written documents (none was derived from video), such as the Helsinki MoU (Aceh Peace Agreement 2005), Indonesian Government Laws (No. 11/2006 on governing Aceh, No.



32/2004 on Regional Government, and No. 33/2004 on Financial Balance between the Central Government and Regional Governments), books, research reports, and journal articles which directly related to peacebuilding and self-government implementation in Aceh.

The data above was collected by searching through the internet sources using the general google and google scholar webs. The data sources were browsed by typing the keywords "Conflict Resolution in Aceh", "Peace building and Self-government in Aceh", and "*Pembangunan Perdamaian dan Pemerintahan Sendiri di Aceh*", then read and noted the relevant texts to research problems.

Furthermore, the data were analyzed using the critical discourse analysis with the steps; (1) describe the text to identify the features of the text, either vocabulary, sentence, or grammar that are available in the texts; (2) categorize data based on the research problems; (3) analyze the relationship between the text and the context (including the structure of institutions, political situations, or social institutions); (4) interpret and explain by peace building perspective; and (5) drawing conclusions. To ensure validity and prevent misinformation, the authors re-read and cross-check between the data sources and references used.

## C. Result and Discussion

### 1. Result

#### a. The Helsinki MoU and the imaginary of "self-government"

The term of "self-government" was used as a bargaining solution in the Aceh peace talks in Helsinki. GAM had perceived that self-government would give broader sovereignty for Aceh (Ronnie 2016). It was imagined that Aceh would be like Olan (Aaland) Island in Finland, Catalonia (Spain), Sarawak (Malaysia), and Hong Kong (China). Beyond that, GAM also viewed self-government as an interim step in a longer-term struggle to win independence (Aiyub Kadir, 2012).

The Helsinki MoU is the main foundation for the transformation of the relationship between Aceh and the Government of Indonesia, from



special autonomy to "self-government". The first part of the MoU states that the new law on the Governing of Aceh (LoGA) will be based on the following principles:

- 1) Aceh will exercise authority within all public affairs sectors, except in foreign affairs, external defense, national security, monetary and fiscal matters, justice, and freedom of religion;
- 2) International agreements entered by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation and with the consent of the legislature of Aceh;
- 3) Decisions concerning Aceh by the legislature of Indonesia will be taken in consultation and with the consent of the legislature of Aceh;
- 4) Administrative independ undertaken by the Government of Indonesia concerning Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.

Besides, Aceh is free to form a local party, and Aceh's natural resources on land and at sea will be divided; Aceh is entitled to 70 percent and 30 percent is allocated to the Indonesian Government (Jemadu 2005). As an operational framework, the two parties agreed to formulate a new law for Acehfor's effective self-government, by Acehnese' expectations (Djuli and Rahman 2008). The new law was passed in August 2006, called the Law on Governing Aceh (LoGA) Number 11 of 2006. This law was envisioned as a middle way between the special autonomy and independence that GAM wanted in the Helsinki negotiation (Hadiwinata 2010). Even though the LoGA does not confirm the "self-government" with a specific term. Article (1/2), states that "Aceh is a province which is a special legal community unit and is given the authority to regulate and take care of their government affairs and the interests of local communities ....".

To realize these expectations, the notion of self-government was often raised as an opportunity to socialize the peace agreement with the



Acehnese. The political elites also did the same thing when conducting political campaigns during parliamentary elections. The issue of self-government had become a political commodity for the elites to build a dignified Aceh. For example, in the 2006 political campaign, the candidates from GAM emphasized that "...the group that struggled for self-government was the same that produced the law - and that is GAM". In 2009, Partai Aceh as the political vehicle of GAM promised to reduce dependence on the Central Government by fighting for true self-government in managing Aceh (Sahrudin 2014).

However, they were unable to realize this after gaining executive and legislative powers. Accordingly, in the political campaigns of the subsequent years - 2014, 2016, and 2019, self-government was no longer the main issue of Partai Aceh's political campaign. As a result, the Aceh conflict transformation did not achieve its goal of having a dignified and sustainable peace as emphasized at the beginning of the negotiation for the Helsinki MoU. The transformation of independence and special autonomy to "self-government" was only used to tame opponents in the negotiation process, and led GAM to take the reins of the Aceh government (Lele 2021; Miller 2012).

#### **b. Reasons behind the non-implementation of "self-government" in Aceh**

##### **1) Semantic game of "self-government" in the Helsinki MoU**

One of the important keys to the success of reaching a peace agreement between the GoI and GAM in 2005 was an understanding of agreement regarding the transformation of Aceh's status beyond special autonomy and one level below independent status. Martti Ahtisaari the appointed mediator proposed the term self-government by giving the example of Alan Island or Olan in Finland, which has a 95 percent Swedish population, uses Swedish as the official language, and has its own flag. They also have control over their space which necessitates all vessels including Finnish naval vessels and aircraft to seek the Olan government's permission first before entering or crossing Olan's waters or airspace (Simolin 2020).

However, the term self-government was initially rejected by the Indonesian negotiators. As a result, both parties used the term "governing Aceh" to refer to the regulation of Aceh's authority and governance (Basri 2014). This was so that both parties do not get caught up in semantic debates that could obstruct the main objective of the negotiations. To them what is important is not the terms used in the MoU, but how to describe the term "governing Aceh" in the rules of law and legislation (Djumala 2013).

This conflict resolution arrangement received positive views from peace experts and observers. They considered the Helsinki MoU as a comprehensive peace agreement and had a better chance of realizing positive peace in Aceh, as well as being a reference for resolving other civil conflicts in various parts of the world (Zainal 2016). However, in reality, the promised self-government is only a semantic game. The compromise was nothing more than a semantic gesture intended to save GAM's face from any loss. Accordingly, the term "self-government" is not stated in the MoU Helsinki and also in LoGA explicitly. Moreover, the LoGA confirms that Aceh has been granted special autonomy. This indicates that the relationship between Aceh and Indonesia is not yet transformed into a balanced relationship (Stange and Missbach 2018).

This has affected the exercise of the authority of the Aceh Government in regulating its affairs. As a result, the conflict between Aceh and Jakarta seemed endless, even though the peace agreement had lasted for years. Conflict over laws or regulations and different interpretations of the implementation of LoGA have resulted in several aspects of the LoGA being regulated with other regulations by Jakarta (Kadir 2019).

## 2) Reducing the meaning of self-government through the law

Theoretically, the new Law for Aceh after the MoU Helsinki illustrates that the transformation of the Constitution has already applied to Aceh. Thus, it is hoped that political compromises in the peace agreement can be realized. Besides, the resolution of civil conflicts by granting autonomy to conflicting regions concerns restructuring and power arrangements between



the conflicting regions and the central Government. In this regard, the Government of Indonesia states in LoGA that:

"Aceh is a provincial area which is a special legal community unit and is given special authority to regulate and manage government affairs and the interests of the local community following the laws and regulations in the system and principles of the Unitary State of the Republic of Indonesia. These are based on the Constitution of the Republic of Indonesia 1945" (article 1/2). Further, "Aceh Government is a provincial government within the system of the Unitary State of the Republic of Indonesia based on the 1945 Constitution, which administers government affairs are carried out by the Aceh Regional Government and the Aceh Regional People's Representative Council following their functions and authorities respectively "(Article 1/4).

Furthermore, concerning the power of the Aceh Government, regulated in articles 7 (1 and 2) of LoGA, "the Aceh Government and district/ city governments have the power to regulate and manage government affairs in all public sectors, except government affairs are authorized to the Indonesian Central Government. It links to national in nature, foreign policy, defense, security, justice, monetary, national fiscal, and certain affairs in the field of religion".

Based on the description above, at first glance, it seems that the Aceh Government has broader authority to develop Aceh than what was regulated in the previous special autonomy law. In fact, certain points have even reduced Aceh's authority over the matters that had been agreed upon in the Helsinki MoU. The Government of Indonesia has added one other power in the LoGA besides six affairs that were agreed upon in the MoU Helsinki, namely national government affairs (article 7/2). Furthermore, articles 8 (1-3) explain that the Central Government's policies are related to Aceh's interests and do not need approval from the Governor of Aceh and the Aceh Parliament unless it is for consideration.

The clause "National government affairs" was not mentioned in the Helsinki MoU, and the word consideration was a substitute for the term "agreement" agreed upon in the MoU. These two words have a significant impact on the limitation of Aceh's authority, and it can be ascertained that Aceh's authority is the same as other provincial authorities that do not have

special powers. In this regard, Irwandi Yusuf, the former Governor of Aceh, stated that the addition of national government affairs to the UUPA had led to a dilution of the scope of Aceh's authority. Added to this is article 11 (1) UUPA, "*The Indonesian government establishes norms, standards and procedures as well as supervises the implementation of functions carried out by the Aceh Government and district/city governments*" (Zainal 2016).

In this case (Suksi 2013), stated that the sharing of power between Aceh and the Indonesian Government is very confusing. "*It appears that Aceh is not vested with all authority within all sectors of public affairs, but rather Aceh exercises some authority in all sectors of public affairs that are identified as the residual portion of authority outside of the enumerated powers of the Central Government*". Furthermore, he stated that many overlapping cases had to be negotiated. Moreover, the LoGA only allows certain international activities for Aceh related such as arts, culture, and sports.

It can be argued that the LoGA/UUPA has no more value than what is regulated in Law Number 32/2004 concerning Regional Government, except Aceh received more funds/money from the GoI (Zainal 2015). The implementation of Aceh governance refers to the UUPA and other laws that the GoI had passed for Regional Governments throughout Indonesia, such as the Law Number 32 of 2004 concerning Regional Government, and the Law Number 33 of 2004 concerning Balance Finance between Central Government and Local Government.

This denotes that the LoGA has been placed in the Indonesian legal framework that existed before the MoU. Thus, Aceh's features are less special. In addition, the implementation of the LoGA relies heavily on Government Regulations and Presidential Regulations. This means that the implementation of Aceh governance is still like the previous implementation of decentralization (Basri and Nabiha 2014). There is no significant difference between regional autonomy (for other provinces) and special autonomy for Aceh except that Aceh receives more funds from the GoI. Aceh's income increased significantly, from billions of rupiah before the Helsinki MoU to trillions of rupiah after the peace agreement (Budiratna and Qibthiyyah 2020).



The description above reveals that Aceh does not have complete power over a single case. It was even more evident when the Indonesian Government passed Government Regulation Number 3 of 2015, which regulates the power of the Indonesian Government in Aceh in more than six affairs that have been ratified in the LoGA. This situation confirms that GAM's wish to form Aceh as a self-government region is no longer tenable. It is more like dream. According to (Basri 2014), Aceh's authorities only resemble self-government, while genuine self-government is impossible to realize because changes to the Indonesian Constitution that have already been in effect have not adopted a self-government system. As a result, the implementation of autonomy in Aceh is an anomaly from this perspective. It means that the power-sharing between the GoI and Aceh is not in a decentralized context but instead in deconcentration.

### **c. Why did this happen?**

There may be many causes, but this article explains only five, as follows:

#### **1) Inappropriate Negotiation Time**

The Helsinki MoU negotiations took place when GAM's strength had weakened. GAM had been weakening since 2004 after being pressured by the Indonesian military force. Previously GAM had controlled about 75 percent of Aceh's territory, but within six months of implementing the martial law, the Indonesian military reduced GAM's strength by around 55 percent (Zainal 2016). The Indonesia Government had an advantage by diplomatic-covered military force over GAM after the military operation. The negotiation in Helsinki was carried out together with putting coercive military pressure on the GAM side. GAM basically was cornered and forced to compromise its position at the negotiating table. Besides, the Government arranged a secret meeting with GAM leaders in Aceh to offer economic and political compensation for them. This was followed by appointing Marti Ahtisaari and CMI as the mediator for the negotiation, giving other advantages to the Indonesian Government (Yani 2018).



2) The direct involvement of many stakeholders in drafting the Law on Governing Aceh (LoGA)

Law Number. 11/2006 on Governing Aceh (LoGA) –also known as UUPA in Aceh was enacted under very complex circumstances. Various stakeholders both in Aceh and Indonesia were involved in the drafting process - GAM, provincial parliament and Government, universities, national Government, and civil society organizations. Each had their drafts which were then harmonized and made into one draft. It brought about a vast scope of varying interests in all stages of the drafting process. It has led to many compromises, which forfeit the clarity and consistency of the Law. It was not limited to the core issues of the special autonomous province but covered numerous aspects that are usually regulated in sectoral laws. This resulted in superficial regulation, which needs many references to detail sectoral laws, then shifted from focusing on the basic principles of self-government. Besides, considerable changes were done by the national parliament which felt free to interpret the MoU as it sees fit rather than adhering to it. Thus, GAM and many other stakeholders in Aceh were disappointed that some principal points of the LoGA had deviated from the MoU's stipulations. Accordingly, the four main legal principles that promised to fundamentally transform the relationship between Aceh and the central Government do not meet the main goal of the peace agreement when translated into the LoGA (May 2008; Tengah 2007).

3) The Indonesian Government only involved the executive and did not involve the legislature in the negotiations

The results of negotiations at each stage carried out by representatives of GAM and the Government of Indonesia were not reported to the parliament for approval. Vice President Jusuf Kalla stated that "Parliament wanted to know what we were talking about, but I said, 'you do not need to know!' If I had informed the parliament, they would have opposed me.... Some people were very upset, but I had good reasons" (Accord 2008). However, the result was disharmony between the Government and the parliament when the Helsinki MoU was announced. Some Indonesian parliamentarians did not



agree with the contents of the MoU. For example, the Indonesian Democratic Party for Development (PDIP) faction considered that the MoU's had violated the Constitution.

Furthermore, PDIP, together with some other parties, fought for their interests when discussing the draft of the LoGA in Parliament. The bureaucrats and politicians in Jakarta weakened the draft of LoGA (Fujikawa 2021). As a result, parts of the clauses in the LoGA did not reflect, but in fact, partially contradicted the Helsinki MoU. According to CMI, the contradictions between the LoGA and the MoU include the principles of the Aceh economy, the rule of law, and security arrangements (Initiative 2012).

This caused GAM resentment about the amendment of the MoU Helsinki's clauses in the formulation of the LoGA. According to the Indonesian Parliament, changing the terms of "consultation and consent" with "consideration" is mandatory for the Parliament. The term "with the consent of" is an oddity when viewed from the Indonesian constitutional system. This led to regulatory conflicts between the Aceh government and the GoI that hampers Aceh's authorities, which should have been completed (Latif, Mutiarin, and Nurmandi 2020). This is a risk that Aceh must accept when peace negotiations did not involve the national parliament to ensure the agreement includes firm guidelines and mechanisms for the transition from political agreements to agreements of state (Accord 2008).

#### 4) Destruction of GAM's weapons before passing the new law for Aceh

The elimination of arms, especially of the combatants' is an important step in maintaining peace. In the case of Aceh, this preceded a very crucial part of establishing and sustaining positive peace, namely the negotiation of a new law for Aceh. The disarmament of GAM and the destruction of up to 840 of their weapons were carried out from September to December 2005 (OECD 2018). Meanwhile, the Law on Governing Aceh was passed in August 2006. It cannot be denied that constitutional reform or legislation following the peace agreement is the main foundation in

carrying out peacebuilding. This will be difficult to actualize when the conflicting parties are not in balance. In this respect, GAM was in a very weak position when legislative negotiations took place, as their military threat to the Indonesian Government no longer existed (Oktaviani and Pramadya 2017).

5) There was no punishment mechanism for the breach of the agreement

The Helsinki MoU does not regulate a punishment mechanism for violators of the MoU, except at the end of the MoU which stated that "The Government of the Republic of Indonesia and GAM will not take actions that are inconsistent with the formulation and spirit of the MoU." Besides, in section 3.2.6 of the MoU, it is explained that the Governments of Indonesia and Aceh will form a joint commission, "a Joint Claims Settlement Commission", to resolve complaints due to violations of the MoU. However, this commission has not yet been formed, so that protests by the Aceh Government and Parliament over the policies of the Indonesian Government, which are considered detrimental to Aceh, have not been taken into account by the Government of Indonesia. For example, issues on Aceh's authority in the land sector, forest management, natural oil and gas resources management, and the earth's wealth are interpreted differently between the GoI and Aceh.

Consequently, the drafting and implementation of government regulations and Aceh Qanuns would always involve lengthy negotiations between the Aceh and GoI, sometimes even reaching a level of tension. This reality prompted the Aceh government to form a team to accelerate the implementation and supervision of the Helsinki MoU. This also indicates that Aceh has not been fully trusted the Indonesian Government to carry out its agreement sincerely (Matsyah and bin Abdul Aziz 2021).

## **2. Discussion**

The opportunity for transforming Aceh, from special autonomy to self-government was a fundamental reason for the success of Aceh conflict



negotiation that led to signing the peace agreement. GAM perceived “self-government” giving Aceh more autonomy than before, and it enables change relationship between Aceh and Indonesia. In fact, the word “self-government” was just used as semantic game in negotiation to save GAM’s face of defeat. Further, this was reinforced again by the LoGA and other regulation passed by GoI for implementation of the agreement.

The findings are relevant to (Schulte 2018) reveals that agreements on territorial autonomy are at the foundation of ethnic conflict resolutions that seek independence. It can protect state sovereignty and geographical integrity, and it also ensures self-government and minority rights. However, when ethnic groups want more autonomy and central governments want to re-centralize authority, the result is typically an unhappy compromise. Similarly, self-government as post-conflict political arrangements to implement power-sharing agreements often fail in developing states, which is caused by the absence of a balanced political power between the majority and minority communities. Thus, such as Aceh case, the self-government is only on political reforms related to the formation of Aceh-based political parties to represent regionally-based interests (DeRouen Jr et al. 2010). Despite the findings, Emerson (1957) states that the main problem in moving toward self-government, is not drafting a constitution or making laws, but rather finding men and women capable of running the government machinery.

This study, however, found five other reasons behind the failure of self-government in Aceh: (1) Inappropriate negotiation time, GAM was in a weak position when the negotiations took place. As result, the concept of self-government offered to GAM was a shadow word, not stated by written definite terms.; (2) Direct involvement of many stakeholders in the preparation of the new Law on governing Aceh, so that many interests must be accommodated and less focus on the substance of the agreement; (3) The Indonesian government only involved the executive and did not involve the legislature in negotiations. This resulted in part of the agreements being rejected by some members of the Indonesian parliament

during the discussion of the new law for Aceh; (4) Destruction of GAM's weapons before passing the new law for Aceh. GAM lost military power to pressure the Indonesian government to comply with the agreement, and (5) There was no punishment mechanism for the breach of the agreement. In this case, the Indonesian government as the ruling party was freer to ignore the deal. In such conditions, international guarantees are vital to designing and implementing self-government (Neudorfer, Theuerkauf, and Wolff 2022; Soloninka 2019; Walsh and Finotello 2018).

According to Schulze-Schneider and Ingrid (2012), such conditions can be said that peace negotiations are carried out only as a form of submission in disguise. The armed struggle against oppression that went on for years without complete victory caused many people with various inclinations to want peace. This is due to the military superiority of the GoI and the damage and losses suffered by the people as a result of the protracted conflict that cannot be borne. Accordingly, weakened opposition groups will be trapped in the negotiation process, resulting in a peaceful surrender of the insurgent movement.

In the end, this study confirms some statements of Schulte (2018) and Barter & Wangge (2022) that the success of self-government implementation in a post-conflict region requires; that the content and process of negotiations must be reaffirmed clearly and broadly in the law, self-government negotiations must be inclusive, involving various national political elites who control the government, international supports to negotiations and implementation.

However, this study requires several other things for the successful implementation of self-government, namely; (1) the positions of the conflicting parties are balanced, both during the negotiation process and when implementing the results of the negotiations; (2) The concept of self-government is clearly stated and written in the agreement, and then reaffirmed in a new law that is specifically applied to ex-conflict areas, without considering other laws; (3) Negotiators from both sides represent various elements and political structures, but the inclusiveness that extends beyond the main actors of the conflict in drafting new laws can prevent self-



government from being fully implemented; and (4) Sanctions are required for parties who violate agreements from international third parties who have the power to suppress or impose sanctions.

#### **D. Conclusion**

The deal between the peace negotiators from the Government of Indonesia (GoI) and the Free Aceh Movement (GAM) on the change in the status of Aceh within the Unitary State of the Republic of Indonesia, from special autonomy to self-government was the key to the success of the peace agreement signed by both parties seventeen years ago. It is also one reason the peace agreement is lasting to this day as GAM has succeeded in controlling the Aceh government through local parties since the beginning of the peace agreement implementation. However, the self-government envisioned by GAM "Aceh would be like the self-government of other states in Europe and Asia" has not yet been realized for Aceh. The reasons lay in the negotiation process and the realization of the peace agreement interrelated. When negotiations took place; GAM was in a weak and unbalanced position.

As a result, the concept of self-government was not explicitly stated in the agreement and GoI negotiators used it more to persuade GAM. In reality, the formalization of the peace agreement into the GoI law for Aceh (LoGA) reduced the substance of self-government. This fact, among the reasons, was the parties and political elites that control the Indonesian parliament rejected it, and the involvement of many interested parties in drafting a new law for Aceh eroded the substance of self-government. At the same time, the military power of GAM was also incapacitated by the destruction of weapons. In addition, there were no sanctions given to violators of the agreement.

Based on the results and discussion, this study suggests that the principles of a peace deal need to be extended to the operational provisions of the peace agreement, such as special laws and other regulatory provisions. For this purpose, the role of the international mediator in the



peace process must include being directly involved in the drafting of the law for the implementation of the agreement. This is in line with Fujikawa (2021), those international actors are encouraged to support the agreement implementation, and also to guarantee the power-sharing arrangement in the long term. By doing so, that the conflicting parties do not need another institution as "a joint complaint commission" to oversee this process.

This study, however, is limited to some reasons challenge that "self-government" implementation explored from text documents or secondary data. Thus, this study suggests to future researchers carry out field research, and analyze the level of self-government was applied, and how the challenges are resolved.

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