

Shifting the Aceh Regional Government System with a Sociological Approach to the Transformation of Local Political Habitus

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ABSTRACT

This study aims to analyze the shift in the Aceh regional government system following the enactment of Law Number 11 of 2006 on the Government of Aceh (LoGA) through a normative legal approach complemented by a sociological reading of the transformation of local political habitus. It also examines the implications of this legal transformation for the distribution of authority among the Aceh Government, the Aceh House of Representatives (DPRA), and the Central Government. This research employs a normative legal method using both the statutory approach and the conceptual approach. The analysis is based on primary legal materials, including relevant legislation, and secondary legal materials such as books, scholarly articles, and previous studies. These materials are analyzed qualitatively through the perspective of the sociology of law using Pierre Bourdieu's theory of habitus. The findings reveal that the LoGA has not only restructured Aceh's governance system by strengthening special autonomy and redistributing governmental authority but has also transformed local political habitus from a conflict-oriented and resistant disposition into a bureaucratic habitus characterized by institutional governance and democratic political participation. Furthermore, the redistribution of authority has reinforced the roles of the Aceh Government and the DPRA in regional governance while maintaining the supervisory and harmonization functions of the Central Government within Indonesia's national legal framework. This study concludes that the transformation of Aceh's governance system extends beyond formal legal reform, encompassing broader sociological changes that reshape political practices and power relations. Therefore, the effectiveness of Aceh's special autonomy depends not only on the legal authority granted but also on the capacity of governmental institutions to exercise that authority democratically, accountably, and in accordance with the principles of peacebuilding and the Unitary State of the Republic of Indonesia.

Introduction

Asymmetric decentralization is one of the models of government administration that gives special authority to certain regions based on their historical, political, social, and cultural characteristics (N. N. E. Dewi & Hidayat, 2023). In contrast to decentralization which is applied uniformly to all regions, asymmetric decentralization provides a wider space for regions to organize and take care of their own interests according to their needs and specificities. In the Indonesian context, this policy is one of the constitutional instruments to maintain national integration while accommodating regional diversity as mandated in Article 18B of the 1945 Constitution of the Republic of Indonesia (Umasangaji et al., 2020). Through these policies, the central government not only distributes government authority, but also seeks to create political stability, resolve conflicts, and improve the effectiveness of governance in areas that have special characteristics.

Aceh is one of the regions that has obtained an asymmetrical decentralized status through the granting of special autonomy. The birth of this policy cannot be separated from the long history of conflict between the Government of the Republic of Indonesia and the Free Aceh Movement (GAM) that lasted for decades. The conflict ended after the Helsinki Memorandum of

Understanding (MoU) was reached on August 15, 2005 which became the basis for a peaceful settlement of the conflict. The agreement was then implemented through Law Number 11 of 2006 concerning the Government of Aceh (UUPA) as the legal basis for the implementation of the Aceh government within the framework of the Unitary State of the Republic of Indonesia. The presence of the UUPA not only marks the end of the armed conflict, but also the starting point for changes in the government system that gives broader authority to the Aceh Government in conducting government affairs based on the principle of regional specificity and privilege (Nurfurqon, 2020).

Prior to the enactment of the UUPA, the administration of the Aceh government had undergone several changes through various regulations, namely Law Number 24 of 1956 concerning the Establishment of Autonomous Regions of Aceh Province, Law Number 44 of 1999 concerning the Implementation of Provincial Privileges of the Special Region of Aceh, and Law Number 18 of 2001 concerning Special Autonomy for Nanggroe Aceh Darussalam Province (N. L. P. G. S. K. Dewi, 2021; Nurfurqon, 2020; Rahman et al., 2019; Ridwansyah, 2016). The change in regulations shows that the relationship between the central government and Aceh continues to develop as an effort to find a model of government that is able to accommodate the aspirations of the people of Aceh without ignoring the principles of a unitary state. Through the UUPA, these changes are increasingly evident because Aceh's authority is expanded, both in terms of legislation, institutional, fiscal, and the implementation of social and religious life.

The change in the system of government not only produces juridical consequences in the form of a redistribution of authority between the Central Government, the Aceh Government, and the Aceh People's Representative Council (DPRA), but also brings sociological consequences to changes in local political practices. The presence of local political parties, the strengthening of local government institutions, the implementation of Islamic law, and the authority to establish qanun show that legal changes have also shaped a new pattern of relations between the state and society (C. I. K. Dewi, 2018; Ramadan & Khoirunurrofik, 2024; Ruman, 2015). Thus, changes in the Aceh government system cannot be understood only as a change in legal norms, but also as a process of social transformation that affects the way political actors build power, gain legitimacy, and carry out government practices.

This study uses the habitus theory proposed by Pierre Bourdieu as the basis of the analysis. According to Bourdieu, habitus is a set of dispositions formed through social and historical experience that then influences the way individuals and groups think, act, and build power relations in social life (Sharlamanov et al., 2024). Habitus is not just a habit, but a structure that is constantly reproduced through interaction between the individual and his or her social environment. In the context of Aceh, changes in the legal system through the UUPA are seen as not only changing the formal structure of government, but also transforming the political habitus of the community. Political habitus that was previously dominated by a pattern of resistance as a result of prolonged conflict gradually changed to a bureaucratic habitus that was more oriented towards government mechanisms, electoral political contestation, and power management through formal institutions (Fatmawati & Sholikin, 2020). Therefore, habitus theory becomes relevant to explain how changes in legal norms affect changes in local political practices.

Research on Aceh's special autonomy has been conducted from various perspectives. Most of

the previous research focused on the implementation of special autonomy policies in improving regional development, the effectiveness of the implementation of the authority of the Aceh Government, and the various obstacles faced in the implementation of the UUPA (Fahmi et al., 2024; Ruman, 2015). Other research focuses more on the distribution of authority between the central and local governments as well as the implementation of qanun as a product of regional law. The results of the study show that the implementation of special autonomy still faces various challenges, including regulatory harmonization, institutional capacity, governance, development effectiveness, and the relationship between the central government and local governments (Fahmi et al., 2024; Maulana, 2020; Mulia & Khalil, 2021; Ruman, 2015). However, these studies are still dominated by normative legal approaches or public policy studies so that they have not provided a comprehensive explanation of the relationship between changes in legal norms and the transformation of local political habitus.

This condition shows that there is a research gap that needs to be studied further. Changes in Aceh's government system have not only resulted in changes in the institutional structure and division of authority, but also shaped a new pattern of power relations at the local level. These changes affect the way political actors use legal instruments as a means of gaining legitimacy, building political influence, and managing the government. Therefore, a study is needed that is able to integrate normative legal analysis with a sociological approach so that changes in the government system can be understood more fully, both from the normative aspects and the social reality that surrounds them.

The urgency of this research lies in the importance of evaluating the dynamics of the implementation of the Aceh government after the enactment of the UUPA as a form of asymmetric decentralization in Indonesia. This study is expected to provide an understanding of the extent to which changes in the legal system have affected the distribution of authority, local political practices, and the relationship between the central government and the Aceh Government. In addition, this research is also important in making an academic contribution to the development of local government law studies that are not only oriented to legal norms, but also consider the sociological dimension in its implementation.

The novelty of this research lies in the use of a normative legal approach combined with sociological readings through Pierre Bourdieu's habitus theory in analyzing the shift in the Aceh local government system. This approach allows the study to explain the relationship between changes in legal norms and the transformation of local political habitus as well as its implications for the distribution of authority between the Aceh Government, the DPRA, and the Central Government. Thus, this study not only examines regulatory changes, but also explains how these changes shape post-conflict power practices and governance.

Based on this description, this study aims to analyze the shift in the Aceh local government system through a normative legal approach with a sociological reading of the transformation of local political habitus after the enactment of Law Number 11 of 2006 concerning the Government of Aceh and analyze the impact of the change in the legal system on the distribution of authority between the Government of Aceh, the Aceh People's Representative Council, and the Central Government in the administration of government regions.

Methods

This research uses a normative legal research method that aims to examine the legal norms that govern the implementation of the Aceh regional government after the enactment of Law Number 11 of 2006 concerning the Government of Aceh (UUPA) (Saebani, 2021). The study was carried out through an analysis of legal documents which include the 1945 Constitution of the Republic of Indonesia, Law Number 11 of 2006 concerning the Government of Aceh, the Aceh qanun, related laws and regulations, and various other relevant legal documents. In addition, this research also utilizes secondary legal materials in the form of books, scientific articles, research results, and academic literature related to special autonomy, local government, and local political transformation.

This study uses a legislative approach (*Statute approach*) to analyze the various legal provisions governing the government of Aceh, as well as conceptual approaches (*conceptual approach*) by using Pierre Bourdieu's habitus theory as an analytical framework in understanding the transformation of local political habitus after UUPA (Setia et al., 2023). In addition, this study adopts sociological readings in normative law research (*Reading Sociology into Law*), that is, interpreting legal norms by paying attention to the social, political, and power relations context behind their formation and implementation without conducting field research. This approach is in line with the view of Satjipto Rahardjo who places law as an inseparable part of social life, so that legal norms need to be understood not only as a text, but also as a product of social interaction. This perspective is enriched by Pierre Bourdieu's theory of habitus which explains that the practice of law is a reflection of the social structure and power relations that are constantly reproduced in people's lives.

The legal materials used consist of primary legal materials and secondary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, especially Article 18B paragraph (1), Law Number 11 of 2006 concerning the Government of Aceh, qanun-qanuns of Aceh, and other laws and regulations related to the implementation of local government and special autonomy. The secondary legal materials consist of books, scientific journals, research results, and relevant academic documents. All legal materials were collected through library research and analyzed qualitatively with descriptive-analytical analysis techniques through systematic, conceptual, and sociological interpretation to obtain comprehensive legal arguments regarding the shift in the Aceh local government system and the transformation of local political habitus.

Results and Discussion

The Shift in the Aceh Regional Government System is Normatively Analyzed by Law with Sociological Readings on the Transformation of Local Political Habitus

The enactment of Law Number 11 of 2006 concerning the Government of Aceh (UUPA) was a turning point in the implementation of the Aceh regional government. The presence of the UUPA is not only a legal instrument that implements *Memorandum of Understanding* (MoU) Helsinki in 2005, but also marked a paradigm shift in the relationship between the Central Government and the Aceh Government. Prior to the enactment of the UUPA, the administration of the Aceh government was dominated by a centralistic approach that placed the central government as the main actor in policy-making. On the contrary, the UUPA provides a wider space for the Government of Aceh to conduct

government affairs based on the principle of specificity and privilege within the framework of the Unitary State of the Republic of Indonesia (Alfian, 2022).

Normatively, these changes are reflected in the strengthening of the authority of the Aceh Government to form qanun, manage local government, organize religious life, and regulate various affairs that are characteristic of the region. The strengthening of this authority shows that the UUPA not only functions as a product of administrative law, but also as an instrument for the reconstruction of political relations between the central government and the post-conflict regions. Thus, changes in the Aceh government system cannot be understood solely as changes in the institutional structure, but as changes in the legal system that bring consequences to governance, the distribution of power, and the pattern of interaction between the state and the community.

The changes in the legal system can then be analyzed through the theory of habitus put forward by Pierre Bourdieu. According to Bourdieu, habitus is a system of disposition that is formed through historical experience and social conditions that then influence the way individuals and groups think, act, and build power relations. Habitus is not only formed by social structures, but also reproduces those structures through social practices that take place continuously. Therefore, changes to the legal structure will have implications for changes in the habitus of the people who are in it.

In the context of Aceh, a change in political habitus is a logical consequence of changes in the legal system presented through the UUPA. Before the birth of the UUPA, the political habitus of the Acehnese people was shaped by the experience of armed conflicts that lasted for a long time. This condition gives birth to a political disposition with a resistance pattern, namely the tendency to build political relations through resistance to the central government, strengthening group solidarity, and using political identity as an instrument of struggle. The habitus developed in response to the historical experience of the Acehnese people experiencing conflict, political marginalization, and distrust of state institutions (Sharlamanov et al., 2024).

After the enactment of the UUPA, this pattern changed gradually. The recognition of Aceh's uniqueness through the granting of special autonomy opens up space for the transformation of local political actors to participate in the formal system of government. The presence of local political parties, the strengthening of the position of the Aceh People's Representative Council (DPRa), and the expansion of the authority of the Aceh Government show that the arena of political struggle is no longer carried out through a confrontational approach, but through democratic and institutional mechanisms. In Bourdieu's perspective, the change in the field automatically changes the habitus of political actors because the form of capital that is contested also changes. If previously political capital was built through the symbolic power of struggle and mass mobilization, then post-UUPA this capital shifted to the ability to manage the bureaucracy, build political legitimacy through elections, and control government resources.

This transformation shows that the UUPA has produced changes that are not only normative, but also sociological. Legal norms that give wider space to the Aceh Government directly shape new and more institutionalized political practices. Political habitus that was previously dominated by conflict orientation has transformed into a bureaucratic habitus that places government institutions as the main arena in acquiring and maintaining power. Thus, legal changes not only create new

institutional structures, but also change the mindset, orientation, and strategies of local political actors in exercising power (Asrina et al., 2024).

However, this transformation of habitus does not completely eliminate the influence of political identities formed during times of conflict. In practice, some political actors still use symbols of struggle as symbolic capital to gain political legitimacy in society. This phenomenon suggests that changes in habitus take place gradually and do not necessarily erase dispositions that have been formed through previous historical experiences. As Bourdieu argues, habitus is dynamic, but it still carries traces of past experiences that influence social actions in the present.

The change in political habitus also has an impact on the formation of legal products in Aceh. From the perspective of legal sociology, law is not born in a neutral space, but is influenced by the configuration of power and social dynamics that develop in society. Therefore, the qanun as a product of regional law not only functions as an instrument of government regulation, but also becomes a representation of political identity, social values, and the interests of the actors involved in the process of its formation. This condition shows that changes in the legal system in Aceh have resulted in a reciprocal relationship between law and politics, where law shapes political practice, while political practice also influences the direction of the development of local law.

This implication can be seen from the birth of a number of qanun that regulate the implementation of Islamic law, customary institutions, and regional symbols as a manifestation of Aceh's specificity. On the one hand, the existence of the qanun is a form of implementation of the authority given by the UUPA as a consequence of asymmetric decentralization. However, on the other hand, some qanun also cause debate because they are considered to have the potential to contradict higher laws and regulations or give rise to differences in interpretation between the Aceh Government and the Central Government. This shows that changes in the legal system not only result in an expansion of regional authority, but also give birth to new negotiating space regarding the limits of the implementation of special autonomy.

Based on this description, it can be understood that the shift in the Aceh regional government system is a change that takes place in two dimensions at once, namely the normative dimension and the sociological dimension. In the normative dimension, the UUPA changes the structure of government authority through strengthening special autonomy and regional institutions. Meanwhile, in the sociological dimension, these changes transform the local political habitus from a resistant pattern to a more bureaucratic and institutional political practice. Thus, changes in the Aceh government system can not only be understood as a consequence of the formation of legal norms, but also as a process of changing the social structure and power relations that shaped local political practices after the conflict.

The Impact of Changes in the Legal System of the Aceh Regional Government on the Distribution of Authority between the Aceh Government, the Aceh People's Representative Council, and the Central Government

The enactment of Law Number 11 of 2006 concerning the Government of Aceh (UUPA) brought fundamental changes to the configuration of the relationship of authority between the Central Government and the Government of Aceh. The change is a consequence of the

implementation of asymmetric decentralization that provides wider space for Aceh to regulate and manage government affairs in accordance with its historical, social, cultural, and political characteristics. In contrast to the generally applicable model of regional autonomy, the UUPA provides a number of special authorities that other provinces do not have, so that the distribution of authority no longer fully follows the centralistic pattern as it was before peace was achieved through *Memorandum of Understanding* (MoU) Helsinki Year 2005 (Asrina et al., 2024).

Normatively, the change in the distribution of authority can be seen from the expansion of the functions of the Aceh Government in organizing local government. The UUPA gives the authority to the Government of Aceh to establish the qanun as a regional legal instrument that regulates various government affairs in accordance with the principle of specificity. This authority not only reflects the strengthening of the function of regional legislation, but also shows the state's recognition of the diversity of government systems within the framework of the Unitary State of the Republic of Indonesia. From the perspective of constitutional law, the regulation is the implementation of Article 18B paragraph (1) of the Constitution of the Republic of Indonesia of 1945 which recognizes and respects special or special local government units (Febriana & Zulkarnain, 2023).

Changes in the distribution of authority are also seen in the strengthening of the position of the Aceh People's Representative Council (DPRA). Prior to the enactment of the UUPA, the functions of the regional legislature basically followed the general mechanism as applicable throughout Indonesia. After the UUPA was enacted, the DPRA gained broader authority in the formation of qanun, supervision of the implementation of local government, and strategic decision-making related to the implementation of special autonomy (Alfian, 2022). This strengthening shows that the DPRA is no longer just carrying out the function of administrative legislation, but also a political institution that plays a role in maintaining the sustainability of Aceh's specificity through the formation of regional policies.

On the other hand, the Aceh Government gained stronger legitimacy in carrying out its executive functions. These authorities include the implementation of local government, the management of regional resources, the implementation of Islamic law, the establishment of special institutions, and the management of special autonomy funds. This strengthening of authority is a form of redistribution of power from the central government to local governments as part of the implementation of asymmetric decentralization. With this authority, the Aceh Government has a greater space to formulate development policies based on the needs and characteristics of the Acehnese people.

However, the expansion of the authority does not eliminate the supervisory function of the Central Government. The UUPA still places Aceh as part of the national legal system so that the implementation of regional authority must remain in line with the provisions of higher laws and regulations. The Central Government still has the authority to conduct, supervise, harmonize, and evaluate the qanun and policies of the Aceh Government so that they do not conflict with the constitution and principles of the Unitary State of the Republic of Indonesia. This condition shows that the relationship of authority between the Central Government and the Aceh Government is more accurately understood as cooperative autonomy, which is a form of autonomy that provides

space for independence to the regions, but remains within the framework of coordination and supervision of the central government.

In the practice of government administration, the redistribution of authority does not always run smoothly. Several regional law products show that there is a difference in interpretation regarding the limits of authority between the Aceh Government and the Central Government. One example is the regulation of the flag and emblem of Aceh which gives rise to differences of opinion because it is considered to have implications for the symbol of state sovereignty (Khalil & Hidayat, 2023). In addition, several qanun that regulate the implementation of Islamic sharia are also the object of evaluation by the central government to ensure their conformity with the national legal system. These differences show that the implementation of special autonomy is not only a legal issue, but also related to the political dynamics and institutional relations between the central and regional governments.

From the perspective of legal sociology, these dynamics show that the distribution of authority is not only a matter of the division of government functions, but also an arena of interest battles between actors who have political capital, legal capital, and symbolic capital. In Pierre Bourdieu's perspective, changes in the legal structure through the UUPA have created a new political arena, where the Aceh Government, the DPRA, local political parties, and the Central Government interact with each other to maintain and expand their influence. In other words, the authority granted by the UUPA is not only understood as an administrative right, but also as capital that can be used to obtain political legitimacy in the administration of government.

This transformation also affects the pattern of relations between the government and the community. If before the UUPA the relationship was more built through a security approach due to conflict situations, then post-UUPA the relationship shifted towards a democratic mechanism through the election of regional heads, strengthening community political participation, and the formation of local political parties. This shift shows that the redistribution of authority has created greater participation space for the people of Aceh in determining the direction of local government. However, the effectiveness of participation is still influenced by the quality of governance, transparency, and accountability of regional institutions in exercising their authority.

Thus, changes in the legal system of the Aceh government not only resulted in a formal redistribution of authority between the Aceh Government, the DPRA, and the Central Government, but also changed the pattern of power relations in the implementation of local government. Normatively, the UUPA strengthens the position of the Aceh Government through the granting of special authority as an implementation of asymmetric decentralization. Meanwhile, sociologically, the redistribution of authority forms a new political arena that influences the practice of power, policy formation, and the relationship between the government and society. Therefore, the success of the implementation of Aceh's special autonomy is not only determined by the breadth of the authority granted, but also by the ability of all government actors to manage this authority democratically, accountably, and in accordance with the principles of the Unitary State of the Republic of Indonesia.

Conclusion

This study found that the enactment of Law Number 11 of 2006 concerning the Government of Aceh (UUPA) has shifted the Aceh local government system not only in the normative aspect, but also in the sociological dimension. Normatively, the UUPA strengthens Aceh's position through the granting of special authority in the administration of government, the establishment of qanun, and the management of regional affairs based on the principle of asymmetric decentralization. From a sociological perspective, these changes transform local political habitus from a resistant pattern that develops in times of conflict to a bureaucratic habitus oriented towards governance and democratic mechanisms through formal institutions. These findings show that changes in legal norms not only result in institutional changes, but also shape new patterns of power relations and political practices in Acehnese society.

The study also found that the redistribution of authority between the Government of Aceh, the Aceh People's Representative Council (DPRA), and the Central Government creates a more collaborative relationship within the framework of asymmetric decentralization. Although the authority of the Aceh Government and the DPRA has been strengthened, its implementation remains in the national legal system through the mechanism of coaching, harmonizing, and supervision by the Central Government. This condition shows that the effectiveness of Aceh's special autonomy is not only determined by the breadth of the authority granted, but also by the ability of all government actors to manage authority in an accountable, democratic, and harmonious manner with the goals of peace and strengthening the Unitary State of the Republic of Indonesia.

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