

Strengthening Local Democracy through Local Political Parties in Aceh

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ABSTRACT

The development and progress of democracy in other countries affect the democratic system in Indonesia. The existence of a Political Party becomes an instrument of democracy. However, the post-reform democracy system has not been able to accommodate some of the interests of local communities, resulting in the emergence of separatist movements in several regions of Indonesia. By using normative approach and literary study method, this research concludes first, that the people judge the existing National Political Party that at time, it is not in line with the values of Indonesian society. Secondly, one of the problems related to the emergence of separatist movements in Indonesia as a result of the unaccompanied interest of local communities by existing post-reform political parties is the Free Aceh Movement (GAM) in the Province of Nanggroe Aceh Darussalam (NAD).

Keywords: progress of democracy, state-democracy, society-democracy, local political parties etc.

INTRODUCTION:

Democracy in many countries such as America and European countries have developed massively. It is reasonable in general because democracies develop as high-income countries. However, it is important to note that there has been a variety of developmental experiences among democracies particularly in low income and developing countries including Indonesia.

The impact of democracy can be seen in the constitutions adopted in Indonesia. The impact of democracy can also be found in the political spectrum of Indonesian daily politics. The journey of Indonesian democracy has also shown many type of democracy adopted in Indonesian history from “guided” democracy to Pancasila democracy. (Beni Ahmad Saebani & Wati, 2016) Pancasila, as a national identity of Indonesian democracy, is a form of representative democracy in which the powers of the majority are enshrined in constitutional provisions designed to guarantee the individual and collective rights of all citizens. The influence of democracy can be also found in the growth of political parties after the collapse of New Order regime.

LITERATUR REVIEW:

Democracy and Political Parties:

Democracy as Modern State-Political Foundation:

There are ten democratic values, particularly in emerging democracies, which are adopted by several countries as follow: (Suyatno, 2004, pp. 26-27) (1) *Pillar of constitutional government*. Every act of government should be based on a recognized constitution; (2) *Democratic Election*. Election of leaders is conducted by open mechanisms and involving the people by protecting the rights of freedom and secrecy; (3) ***Federalism, State and Local Governments***: the distribution of state power from center to province is based on the decentralization

mechanism; (4) *Law-Making Process*. The process of legal or law formation is open and involves multiple stakeholders considering the aspirations of the people; (5) *An independent judiciary*. Judicial institutions that are not intervened by external powers in performing law enforcement duties; (6) *Powers of the presidency*: the power of the presidential institution is subject to a recognized constitution in which the president is not a king but a servant of the people; (7) *Role of a free media*: the media becomes a balance of power control in a country in order to avoid abuse of power; (8) *Role of interest groups*. Interest groups act as advocates of public interest and control of state power; (9) *Public's right to know*. The government must be open to ensure the people's right to know any government decisions or policies to prevent abuse of power; (10) *Protecting minority rights*: The state shall protect the rights of minorities from the domination of the majority based on the principle of equality before the law.

Those are keys to understand how democracy has evolved and how it operates in many countries. It is also important to note that all powers in government must come from the people, and must be accepted by them as legitimate. This validation takes place through a variety of means, including the processes of making law as well as free and fair elections. (Urofski, in Suyatno, 2004, p. 28)

Democracy in the modern era is not only focused on state but also on three analysis focus namely *state, society, and market*. Those three focus of study of democracy has encouraged many type of democracies including *democracy of state; democracy of society; democracy of market*). Three types of democracies can be described as follow: (Gatara FH & Sofhian, 2012, pp. 127-134)

State-Democracy:

The study of democracy which focuses on *state* dominantly has been developed in European society since Middle age. During this age, some philosophers proposed their idea on democracy. The debate on the issue of government has begun since 1600s. Since that era of empirical power is weakened, there has come to be an idea of the form of democracy pioneered by the philosophies. Niccolo Machiavelli wrote his famous book *The Prince* based on this feudal system, teaching what he believed to be basic principles of governance for a ruler. Machiavellian Democracy fundamentally reassesses one of the central figures in the Western political canon and decisively intervenes into current debates over institutional design and democratic reform. Thomas Hobbes, John Locke, Montesquieu¹ and J. J. Rousseau have also developed their perspective on democracy. Some scholars like John Locke, Charles Montesquieu, and Jean-Jacques Rousseau have contributed significantly to the development and the discovery of theories of government and democracy. Moreover, the ideas of these figures influenced the birth of the American and French revolutionary movements. (Suhelmi, 2001, pp. 109-256).

Practically, *state-democracy* tends to offer the involvement of many actors and state institutions which comprise, first, military which gets involved in civilian daily politics; Secondly, limited political parties system which enhances parties in promulgating public policy; Thirdly, the absent of autonomy participation which introduces the involvement of society which is not voluntarily getting involved in public policy but they are mobilized to do so; and finally, the absent of direct participation which promotes in-direct participation of civil society because it has introduced representative democracy. Representative democracy can best be described as a form of democracy in which the citizens elect government officials but following this election have little or no input as to governmental decisions made by those officials. Thus, government officials are essentially allowed to make all decisions free from any further supervision or review by the people except by another election in which the candidate or official is directly reviewed rather than his decisions. The actual decision-making process of government is always left in the hands of the government and thus it is possible the decisions remain in effect long after the government official no longer holds office. The official who is elected by the citizens will, in the course of his decisions, always reflect the values, desires and goals of those who elected him thus requiring no further supervision by the citizen over his actions and decisions. (Mohtar Mas' oed, 1989)

Society – Democracy:

In the study of *Society-Democracy*, civil society plays a vital role. The society is the entire range of organized groups and institutions that are independent of the state, voluntary, and at least to some extent self-generating and self-reliant. This of course includes non-governmental organizations and independent mass media, think tanks, universities, and social and religious groups. In order to be part of civil society, groups must meet some other conditions as well. In a democracy, civil society groups have respect for the law, for the rights of individuals, and for the rights of other groups to express their interests and opinions. Civil society actors should watch how state officials use their powers. They should raise public concern about any abuse of power. They should lobby for access to information, including freedom of information laws, and rules and institutions to

¹ Montesquieu wrote that the main purpose of government is to maintain law and order, political liberty, and the property of the individual. Montesquieu opposed the absolute monarchy of his home country and favored the English system as the best model of government.

control corruption. Another function of civil society is to promote political participation. NGOs can do this by educating people about their rights and obligations as democratic citizens, and encouraging them to listen to election campaigns and vote in elections. NGOs can also help develop citizens' skills to work with one another to solve common problems, to debate public issues, and express their views. (Diamond, 1992)

In this model of democracy, civil society organizations contribute to develop the other values of democratic life: tolerance, moderation, compromise, and respect for opposing points of view. Without this deeper culture of accommodation, democracy cannot be stable. These values cannot simply be taught; they must also be experienced through practice. We have outstanding examples from other countries of NGOs—especially women's groups—that have cultivated these values in young people and adults through various programs that practice participation and debate. (Gatara FH & Sofhian, 2012, p. 130)

Market – Democracy:

This model of study of democracy focuses on market or capitalism. Robert Dahl argues that the spread of capitalist market economies and, in some countries, their displacement of centrally-directed economic systems have helped to create social structures, attitudes, and demands more favorable to democratic beliefs, practices, and institutions. In many countries, market capitalism has spurred economic growth, increased living standards, and generated a larger middle class. As the society and economy of these countries changed, more people began to demand many features of a civil society that are favorable to the emergence and stability of democratic institutions: education, freedom of inquiry and communication, property rights, the rule of law, political participation, respect for the rights of opposition, and others demands that directly or indirectly help to support democratic political institutions. Thus the global spread of market capitalism has been accompanied by an increase in the number of countries with civil societies more favorable to democratic institution standards. (Dahl R. , 2001, pp. 221-229) Robert Dahl discussed differences among democracies, criteria for a democratic process, basic institutions necessary for advancing the goals of democracy, and the social and economic conditions that favor the development and maintenance of these institutions. Dahl answers why market-capitalism can both favor and harm democracy. He concludes by examining the major problems that democratic countries will face in the twenty-first century, problems that will arise from complexities in the economic order, from internationalization, from cultural diversity, and from the difficulty of achieving an adequate level of citizen competence. In his book, "*On Democracy*" Robert Dahl introduces a similar argument about the relationship between Democracy and Market-Capitalism:

"Market-Capitalism greatly favors the development of democracy up to the level of polyarchal democracy. But because of the adverse consequences for political equality, it is unfavorable to the development of democracy beyond the level of polyarchy". (Dahl, 1998) is saying that because of the social, and hence political inequalities, resulted by the Market-Capitalism, it can only favor democracy up to the current level, which Dahl mentions as polyarchal democracy.

According to Schumpeter and Anthony Downs, *market-democracy*, as quoted by Gatara and Sofhian (2012) denotes (a) that people act for the common good once they enter democratic decision making, and (b) that democratic government will maximise welfare once it knows (or is told by enlightened economists) how to do so. (Gatara FH & Sofhian, p. 132) Voter preferences, according to Schumpeter are not the ultimate data of the process that produces government. The electorate's choice "does not flow from its own initiative but is being shaped, and the shaping of it is an essential part of the democratic process".

Political Parties and Democracy:

Political parties are crucial for long-term political development in emerging democracies. Democracy is inconceivable without organization. Democracy requires strong and sustainable political parties with the capacity to represent citizens and provide policy choices that demonstrate their ability to govern for the public good. With an increasing connection between citizens and their elected leaders, an improvement in political activism, and a growing sophistication of democratic forces, democratic political parties are continually developed. Democracy is then a bundle of dynamic self-government processes, both social and official in nature. They are visible not just as participation in public life but also in the form of state, political, and social institutions that both sustain participation and restrain its excesses. (Hikam, 1996, pp. 50-51)

Every citizen can participate by freely acceding information about political issues, by openly expressing the own opinion on public affairs, by formulating expectations, proposals or requirements without fear of repression, by voting in elections, by standing up as a candidate in democratic elections, by engaging in civil society organizations. Civil society organizations, in this context, are often labelled as political parties. It can be concluded that a democratic system without political parties or with a single party is impossible or at any rate hard to imagine. (Meny & Knapp, 1998, p. 86)

Without political parties, a modern representative democracy is not conceivable. The political parties ensure that the citizens are permanently capable to act politically. They articulate and integrate different interests, visions and opinions. Political parties play role as central institutions of a modern democracy particularly in connecting between citizens and public policy as well as state institutions. (Budiardjo, 1982, p. 159)

There are four functions of political parties as follow; (Budiardjo, 1982, pp. 163-164)

As A Tool of Political Communication:

Political parties play an important role to articulate public or *political interest* within societies. Political parties are therefore understood as permanent associations of citizens which fight to occupy through the path of elections, the political decisive positions of the country with their team of leaders, in order to materialize suggestions for resolving outstanding problems. Political parties articulate and aggregate social interests: Political parties express public expectations and demands of social groupings to the political system or function of political opinion-making. (Neuman in Budiardjo, 1982, p. 406)

Political Socialisation and Participation of Citizens:

Political parties promote the political socialisation and participation of citizens. Political parties create a link between citizens and the political system. They enable political participation of individuals and groupings with the prospect of success. It can be argued that parties play function of socialization and participation. Political parties integrate various interests into a general political project and transform it into a political programme, for which they campaign to receive the consent and support of a majority.

M. Rush argues that “political socialization may be defined is the process by which individuals in each society become acquainted with the political system and which to a certain degree determines their perceptions and their reactions to political phenomena.” (Neuman in Budiardjo, 1982, p. 407)

Through political socialization citizens will identify and understand every public policies ruled by the government as *public service* and political aspiration. Alfian stressed political socialization into two aspects, namely: *First*, political socialization is part of day-to-day politics of society which continues respectively. *Secondly*, political socialization can be seen as transformation process of values which contain a system of ideal constructive politics. (Alfian, 1983, p. 235)

Function of Political Recruitment:

Political parties recruit political personnel and nurture future generations of politicians. They select persons and present them as candidates for elections. In the function of political recruitment, whether internal or national, political parties legitimate the leadership competency. In doing so, political parties need capable member. A political party offers candidates for public office. It sets out positions on issues that may range from war and taxes to how children should be educated. The recruitment of political candidate is a basic function of political parties by putting their best candidate to compete in general election. As a basic function of political parties, the recruitment of political candidate can be also understood as a process of leadership selection.

Besides its candidates, the political programme is the key point of a party, which it offers to the voters. The party programmes particularly play two main functions: on the one hand, they shall articulate the interests of the population (political parties as “organs” of the people) and on the other hand, they orientate and influence the opinions of the citizens because parties play role as “former” of public will.

Function of Conflict Management:

Conflict management is another function of political parties. In aggregating public interest, political parties articulate various public interest institutionally. Besides that, in establishing the connection between citizens, social groupings and the political system, the parties contribute in anchoring the political order in the consciousness of the citizens and managing conflict in social forces. Additionally, democracy is the process of power sharing and democratic consolidation can assist in conflict management. Political parties thus have an important role to play in democracy and conflict management. Political parties are key to providing a platform for dialogue among various conflict management in a country. Conflict often arises as a result of mismanagement of political power. The lack of rules leads to conflict and political parties thus have an important role to provide conflict management.

METHODOLOGY:

The study was based on legal research, the legal research that is based on the rules of copyright law in Indonesia by using secondary data sources consisting of primary legal materials in the form. secondary law material in the form of research, books and journals and tertiary legal materials in the form of a dictionary. Data analysis using descriptive qualitative data analysis.

FINDINGS AND DISCUSSION:

Local Political Parties in Aceh as an Instrument of Democratization:

Political parties did not begin to develop until the late 1600's. The ancient Greeks, who were pioneers in developing democracy, had no organized political parties in the modern sense. The senate of the ancient Romans had two groups that represented people with different interests — the Patricians and the Plebeians. The Patricians represented noble families. The Plebeians represented the wealthy merchants and the middle class. Although these two groups often mingled, at times they voted as factions, or parties, on particular issues that were important to the groups they represented. (<http://www.scholastic.com/teachers/article/political-parties>)

The existence of local political parties is as a result of general election system where candidates are voted directly from their district. (<http://www.kompas.com/kompas-cetak/0602/13/opini/2436084.htm>) Since Indonesia's return to democracy, only national parties with a cross-regional organisational basis have been allowed to compete in the elections. Local political parties are fully restricted from contesting even local elections. It makes Indonesia unique in the world of multiparty democracies. Under the revised Law on Political Parties (Law No 2/2008), a political party must maintain branches in 60 per cent of the country's provinces as well as offices in at least 50 per cent of districts and municipalities within those provinces.

Actually, basic ideas to establish local parties has colored many public discussion among political activists and scholars who assessed the weak performance of national parties. (Sukaya & Endang Zaelani, 2002) The Constitution also open an opportunity to establish local parties as promulgated in the Article 28 of the 1945 Constitution: *"Freedom of association and assembly, of verbal and written expression and the like, shall be regulated by law."* Many political activists also accused the existed parties only struggle for their political interest rather than to fight for the public interest particularly regional political aspiration.

Since the collapse of parliamentary democracy in the 1950s, local parties have been associated with regionalism and disunity. Democratic reforms in 1999 also denied entry to local parties with regionally-specific electoral agendas. Despite widespread antipathy to local political parties in Indonesia, the peace agreement in 15 august 2005 between the Government of Indonesia and the Free Aceh Movement (GAM) has paved the way for parties representing exclusively local interests to contest provincial legislative elections in Aceh in April 2009. In a major test for Indonesia's democratic political system, the local party representing the former rebels secured an impressive victory in those elections.

The peace agreement between the Government of Indonesia and the Free Aceh Movement (GAM) explicitly mentions that:²

Political Participation:

As soon as possible and not later than one year from the signing of this MoU, Government of Indonesia (GoI) agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.

Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter;

Free and fair local elections will be organized under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009;

Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration;

All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006;

Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.

Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance, and;

There will be full transparency in campaign funds.

The House of Representatives (DPR) finally passed Aceh's new autonomy law—the Law on Governing Aceh (UUPA), which replaced all previous laws on Aceh. Signed into effect on 1 August 2006, the UUPA contained two critical provisions—the right for independent candidates to contest elections for local heads

² See: Clause 1 and 2 in the sub-chapter of "Partisipasi Politik" from *Memorandum of Understanding* between Government of Indonesia and GAM which had been signed in Helsinki, Finland, on 15 August 2005.

of government (Pilkada) scheduled for 2006 and the right for Acehnese to form local political parties to contest general (parliamentary) elections at the provincial and district/municipality levels in 2009. Independent candidates were allowed to contest the 2006 elections because it was clear that local political parties would not be established in time.³

Regulation on local political parties in Aceh was further stipulated in Government Regulation No. 20/2007 on Local Political Parties in Aceh. Some provisions in the Government Regulation highlight the role of local parties in maintaining local democracy. According to system of political party in Indonesia, national parties as well as local parties stands as an organizations which is entitled by law to get and hold political power and political status constitutionally. However, the entitlement given is limited in terms of gaining political power exclusively in Aceh province. Article 80 section (1) point d and h Law No. 11 Year 2006 on Government of Aceh clearly mentions political status of local parties in Aceh. (Law Number 11 Year, 2006)

Local parties in province of Nanggroe Aceh Darussalam are established to maintain and articulate local values and religious values adopted by Aceh residents. According to Article 83 of the UUPA, members of local parties were allowed to simultaneously join national parties. This law was followed by a more detailed set of (national) regulations in 2007 and provincial legislation in 2008.

While as many as 14 groups initially registered as political parties with the Department of Law and Human Rights, the Aceh Independent Elections Commission (KIP) found that only six parties met eligibility criteria to field candidates in the 2009 general elections. Twelve parties registered in the KIP as follow: (Driyartana, 2010, pp. 72-80) (1) Partai Atjeh Meudaulat; (2) Partai Bersatu Atjeh; (3) Partai Daulat Aceh; (4) Partai Lokal Aceh; (5) Partai Rakyat Aceh; (6) Partai Aceh Aman Sejahtera; (7) Partai Aliansi Rakyat Aceh; (8) Partai Pemersatu Muslimin Aceh; (9) Partai Serambi Persada Nusantara Serikat; (10) Partai Darussalam; (11) Partai Gabthat; and (12) Partai Suara Independen Rakyat Aceh.

Only six parties met eligibility criteria to field candidates in the 2009 general elections: (1) Partai Aceh; (2) Partai Suara Independen Rakyat Aceh; (3) Partai Bersatu Atjeh; (4) Partai Rakyat Aceh; (5) Partai Aceh Aman Sejahtera; dan (6) Partai Damai Aceh.

While falling short of its own inflated expectations, the Aceh Party won 46.91 per cent of the vote, which translated into 33 seats in the 69 seat legislature and more than a third of all seats up for grabs across 23 district and municipal assemblies.

The surprising result of the election was the performance of Aceh's five other local parties, which won only 6.62 per cent of the provincial vote between them. Only one of the other five parties—the Aceh Sovereignty Party managed to secure a single seat in the provincial assembly. Because each of the five local parties failed to achieve the five per cent threshold, they would be prevented from contesting future elections using the same party name.

The legislative election in 2009 show the result as follow: (Driyartana, 2010, p. 81)

No.	Political Parties	Total	Percentage (%)
1.	Partai Aceh	1.007.713	46,91%
2.	Partai Demokrat	232.728	10,84%
3.	Partai Golongan Karya	142.411	6,63%
4.	Partai Amanat Nasional	83.060	3,78%
5.	Partai Keadilan Sejahtera	81.529	3,80%
6.	Partai Persatuan Pembangunan	73.964	3,45%
7.	Partai Keadilan dan Persatuan Indonesia	41.278	1,92%
8.	Paertai Daulat Atjeh	39.706	1,85%
9.	Partai Suara Independen Rakyat Aceh	38.157	1,78%
10.	Partai Bulan Bintang	37.336	1,74%
11.	Partai Bintang Reformasi	37.025	1,72%
12.	Partai Rakyat Aceh	36.574	1,70%
13.	Partai Hati Nurani Rakyat	30.617	1,43%
14.	Partai Kebangkitan Bangsa	30.257	1,41%
15.	Partai Gerakan Indonesia Raya	28.378	1,32%
16.	Partai Demokrasi Indonesia Perjuangan	21.773	1,01%
17.	Partai Peduli Rakyat Nasional	19.064	0,89%

³ See Article 75 –97 Law No. 11/2006 about Nanggroe Aceh Darussalam Government.

18.	Partai Karya Peduli Bangsa	17.572	0,82%
19.	Partai Bersatu Atjeh	16.602	0,77%
20.	Partai Patriot	15.054	0,70%
21.	Partai Kebangkitan Nasional Indonesia Ulama	14.846	0,69%
22.	Partai Aceh Aman Sejahtera	11.117	0,52%
23.	Partai Pengusaha dan Pekerja Indonesia	10.380	0,48%
24.	Partai Persatuan Daerah	9.723	0,45%
25.	Partai Barisan Nasional	8.460	0,39%
26.	Partai Matahari Bangsa	7.294	0,34%
27.	Partai Indonesia Sejahtera	5.285	0,25%
28.	Partai Damai Sejahtera	5.245	0,24%
29.	Partai Demokrasi Kebangsaan	5.187	0,24%
30.	Partai Demokrasi Pembaruan	4.475	0,21%
31.	Partai Pemuda Indonesia	4.180	0,19%
32.	Partai Kedaulatan	3.881	0,18%
33.	Partai Kasih Demokrasi Indonesia	3.562	0,17%
34.	Partai Nasional Banteng Kerakyatan	3.421	0,16%
35.	Partai Republika Nusantara	3.362	0,16%
36.	Partai Pelopor	3.150	0,15%
37.	Partai Penegak Demokrasi Indonesia	2.658	0,12%
38.	Partai Merdeka	2.502	0,12%
39.	Partai Nasional Indonesia Marhaenisme	2.422	0,11%
40.	Partai Karya Perjuangan	1.859	0,09%
41.	Partai Persatuan Nahdatul Ummah Indonesia	1.689	0,08%
42.	Partai Serikat Indonesia	1.052	0,05%
43.	Partai Buruh	827	0,04%
44.	Partai Perjuangan Indonesia Baru	00	0,00%
	Total Suara Sah	2.146.854	100%

Source: www.algrp.anu.edu.au (2010)

The table shows the significant victory of local parties over national parties. The Aceh Party's victory in provincial and district/municipality general elections in April 2009 has proved how local democracy develop in Aceh. (Driyartana, 2010, p. 82) While in 2006 there was six parties, in 2014 only three local parties — the Aceh Peace Party (PDA), the Aceh National Party (PNA) and the Aceh Party — run in the legislative elections in Aceh. The political decision to allow local political parties to contest elections in Aceh shows a success story. Despite incidents of political violence in the lead up to the polls, the legal framework allowing local political parties to contest elections in Aceh has encouraged and facilitated the peaceful entry of the former Free Aceh Movement (GAM) and their supporters into Indonesia's democratic political system in the future.

CONCLUSION:

Local political parties aim to open an inclusive space for Acehnese and exclusively for ex-GAM in promoting their political interest. Local parties in Aceh has opened big opportunities for Aceh resident to articulate their political interest particularly in facilitating the peaceful entry of the former Free Aceh Movement (GAM). It also implies the evolution of autoriterian regime to the more democratic regime. The former Free Aceh Movement (GAM) members has also admitted that local democracy in Aceh has created and enhanced radical political transformation from army forces to political forces. (Nurhasim, 2008, p. 201) To sum up, local democracy in Aceh significantly developed by maintaining local parties.

As for conclusion that local political parties will exacerbate ethnic or regional divisions by institutionalising cleavages in the party system, Aceh is an example of how such risks can be mitigated. So far, Aceh's experience suggests that, if managed properly, local political parties can help build legitimacy and provide political access to communities that might otherwise not be represented in the political system.

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