

## ABSTRAK

Pengaturan eksistensi partai politik lokal melalui otonomi khusus yakni UU Nomor 11 Tahun 2006 Tentang Pemerintahan Aceh, menempatkan partai politik lokal sebagai instrumen kekhususan suatu pemerintahan daerah. Konsekuensinya, landasan konstitusional partai politik lokal mengacu kepada Pasal 18B Ayat (2) UUD NRI Tahun 1945 tentang pengakuan dan penghormatan terhadap kekhususan dan keistimewaan suatu pemerintahan daerah. Mengacu kepada Pasal 18B Ayat (2), eksistensi partai politik lokal bukanlah instrumen kekhususan yang bersifat *original* melainkan hasil penafsiran ekstensi (perluasan) oleh pembuat undang-undang (legislator). Penafsiran tersebut didasarkan atas kondisi *sosio-politis* di daerah otonomi khusus yang bersangkutan (Aceh dan Papua), yakni menguatnya sentimen sektarianisme dan gejala separatisme. Selanjutnya eksistensi partai politik lokal dalam undang-undang otonomi khusus menimbulkan konsekuensi yuridis terhadap pembatasan keberlakuan *parliamentary threshold* dan *electoral threshold*, keikutsertaan partai politik lokal pada pemilihan kepala daerah, eksistensi institusi penyelenggara pemilu, kewenangan dari Mahkamah Konstitusi dalam pembubaran partai politik dan masa depan pengaturan partai politik lokal di Papua.

Kata Kunci: partai politik lokal, otonomi khusus.

## ABSTRACT

Regulating of the existence of local political parties through act which legacy asymmetrical autonomies to the local government that regulated by act number 11 of 2011 on The Government of Aceh, has put local political parties as an instrument specifics of a local government. Consequently, the constitutional basis of local political parties refer to Article 18B Paragraph (2) of 1945 Constitution concerning the recognition and respect to the specificity and privileges of a local government. According to explanation of Article 18B Paragraph (2), the existence of local political parties is not qualified an oroginal instrument of specificity and privileges of a local government but qualified as a result interpreted constitution (Article 18B Paragraph 2) by legislators extentionaly. The interpretation is based on the socio-political conditions in the asymmetrical autonomies region (Aceh and Papua), signed being stronger sentiment turmoir sectarianism and separatism. Furthermore, the existence of local political parties through act which legacy asymmetrical autonomies to the local government has caused juridical consequences to be applicability of parliamentary threshold and the electoral threshold, participation of local political parties in local goverment elections, the existence of election comitte, the authority of the Constitutional Court in the dissolution of political parties and regulated of papua local political parties in future.

Key words: Local political party, asymmetrical autonomy.